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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 22, 2018.

I hereby appoint the Honorable JOHN R. CURTIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 10:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

IMPROVE ANIMAL WELFARE

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

Mr. BLUMENAUER. Mr. Speaker, shooting swimming caribou from a motorboat, bear baiting, dogs for black bears, using artificial light, shooting wolf pups and bear cubs in their dens are outrageous practices that were banned under a 2015 rule from the Obama administration, which the Trump administration has now announced that it seeks to reverse. This is absolutely outrageous.

Our national parks and reserves have always had special status, and the Trump administration wants to roll that back, essentially making them into game parks. It is important for people to reflect on what this means.

Think about what goes on in Yosemite National Park or Yellowstone National Park. Would that experience be enriched by having these extreme hunting tactics to eliminate some of the top-line predators to be able to have more things to hunt? Absolutely not. Three hundred million people a year visit these national parks, and the draw is the wildlife. National parks without animals is just scenery.

Mr. Speaker, it is important that people focus on why this is such an outrageous policy. These are low-density animals with low reproductive rates. In Alaska, there is no conflict with livestock. They have very little interaction with people, other than the people who want to see them.

Mr. Speaker, it is wrong on three fundamental levels.

First of all, it is just wrong. All animals suffer, and hunting them down with these extreme methods is cruel and is repugnant to virtually all Americans.

It is wrong ecologically. For millions of years, we have seen these animals co-exist, and the national parks—like Yosemite or what is happening in Alaska—are some of the few places where that ecological balance continues to work. Human beings cannot improve upon it; they can only damage that delicate balance.

It is also wrong economically. The economic impact for gateway communities, for these 300 million tourists, is profound. If we are going to turn these national treasures simply into game parks, hunting preserves, they are going to lose their allure, the economic impact will be dramatically diminished, as well as upsetting the ecological balance, and the fact that it is morally wrong.

What we should be doing, in this Congress, is raising our voices in outrage over the latest attempt by the Trump administration to roll back sensible, commonly supported protections. And while we are at it, not just raising our voices, but maybe taking some action on the floor of this House on animal protection.

We have the animal cruelty PACT Act that has 282 cosponsors, which could be on the floor Monday. The House Republican leadership has refused to act on the PACE Act, the Parity in Animal Cruelty Enforcement Act, which just got 359 votes on the floor of the House with an amendment. Dog and Cat Meat Trade Prohibition Act, 246 cosponsors. The Pet and Women Safety Act, 248 cosponsors. The Shark Finning Prohibition Act, 238 cosponsors. The Puppies Assisting Wounded Servicemembers, providing service animals for our veterans, has a majority of sponsors in the House of Representatives.

Why can't the Republican leadership allow us to debate and pass these provisions to improve animal welfare and add our voices to the latest outrage of the Trump administration in its assault on our animal friends?

2020 CENSUS AND ILLEGAL ALIENS

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

Mr. BROOKS of Alabama. Mr. Speaker, I rise today to defend Alabama citizens' right to fair representation and equal apportionment under the United States Constitution.

In some recent censuses, the Census Bureau counted illegal aliens, and indications are they will count illegal aliens again in the 2020 census. This potentially illegal practice puts Alabama at significant risk of losing a congressional seat when the 2020 census reapportionment occurs for the 2022 elections.

For this reason, the State of Alabama and I have filed suit in Federal District Court for the Northern District of Alabama against the United States Department of Commerce and the Census Bureau to require them to exclude illegal aliens when they conduct the 2020 census.

Specifically, the State of Alabama and I challenge the legality of the Department of Commerce's residence rule, which counts everyone, including illegal aliens, in America's population count.

If the roughly 15 million illegal aliens in America—no one knows for sure how many there are—were dispersed throughout the United States in equal proportion to each State's population, then no State would be disadvantaged in congressional representation and this discrimination issue would be moot.

However, the difference in illegal alien population between States is dramatic. According to Department of Homeland Security 2014 estimates, 46 percent of America's illegal aliens live in just three States. California, with the greatest concentration of illegal aliens, estimated at 2.9 million, has roughly four more Congressmen due to apportionment that counts illegal aliens. Reapportionment of House seats and electoral votes is a zero-sum proposition: one State's gain is another State's loss. With an estimated 65,000 illegal aliens, Alabama citizens, and citizens of many other States as well, lose proportional representation because of various open borders policies of some States.

The exact effects of the illegal alien population on the apportionment of Congressmen is complex based on the Method of Equal Proportions formula that is used to minimize the percentage difference in population per Congressman.

But one thing is clear: Simulations of the apportionment process, using current population projections, suggest Alabama is at great risk of losing a congressional seat if the Census Bureau counts illegal aliens.

As with anything in the United States Constitution, the census should be read, understood, and strictly administered according to its original intent. The 14th Amendment protects the rights of citizens to fair and equal representation. Any deviation in this process threatens the right of each American citizen to fair and equal representation in Congress.

We cannot allow a small number of States to cheat the rest of America by promoting illegal immigration and then, as a reward for their lawless conduct, to receive greater proportional representation in Congress and the electoral college.

Mr. Speaker, the question is clear: Should congressional representation be based on the number of American citizens or expanded to include the number of illegal aliens?

I cannot speak for anyone else in Washington, D.C., but for me. And, as for me, I side with American citizens, not illegal aliens and illegal conduct.

America is a Republic, and the essence of being a Republic is respect for the right of American citizens to equal protection and equal influence over congressional elections.

Any attempt by the Census Bureau to undermine American citizens' equal protection and equal influence over congressional elections must be opposed. That is exactly what the State of Alabama and I are doing by filing this action on behalf of Alabama citizens.

NO MORE MOMENTS OF SILENCE

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

Mr. GUTIÉRREZ. Mr. Speaker, Glenda Perkins;

Cynthia Tisdale;

Kimberly Vaughan;

Shana Fisher;

Angelique Ramirez;

Christian Riley Garcia;

Jared Black;

Sabika Sheikh;

Christopher Jake Stone; and

Aaron Kyle McLeod.

Mr. Speaker, those are the 10 names of the people killed at Santa Fe High School in Texas last Friday. Two were teachers; eight were students. All were violently torn away from their loved ones and their pathways to bright futures way too soon.

As usual, the elected officials have expressed that their thoughts and prayers are with the victims and their families, but we all know by now that more is needed than a moment of silence, because the silence of lawmakers, especially those here in the House of Representatives, kills:

58 killed in Las Vegas, Nevada;

27 killed in Newtown, Connecticut;

14 killed in San Bernardino, California;

17 killed in Parkland, Florida;

4 at a Waffle House in Tennessee;

26 at a church in Texas;

49 at a nightclub in Florida;

6 at a Cracker Barrel in Michigan; and

9 at Mother Emanuel Church in South Carolina.

The gunmen—and they were almost all men or boys—had different motives or motivations, including crime, racism, terrorism, revenge, and seeking notoriety, which they got.

And they all had access to weapons and bullets that could kill scores of humans in just moments. For the most part, of the only thing the victims had in common was that they were killed by bullets.

The Washington Post reported that the number of people killed in schools in 2018, this year, is almost double the number of servicemen and -women killed in our military in both combat and noncombat fatalities.

And this coming weekend, just like clockwork, as America honors fallen servicemembers on Memorial Day, Chicago—my city—will see a deadly toll. Fifty-two people were shot over the Memorial Day weekend last year, and that was actually down from the previous year, 2016, when 71 people were shot in my city.

There will probably be no national special reports or wall-to-wall news coverage, because when 50 or 75 people of color are shot in an American city over a weekend, it barely makes the news; unless the NRA or FOX News use my beloved Chicago and her tough gun laws as a way of giving political coverage to politicians, while failing to point out that the loopholes and weak gun laws in Indiana, Virginia, and other States feed illegal guns into my city.

And we should note that the NRA is now run by someone whose claim to fame—Oliver North—is that he lied to Congress, perjured himself, and sold guns to our country's enemies. And they claim to be on the side of law and order?

So, the result is political paralysis, societal paralysis, and actual, permanent paralysis as the butcher's bill of dead and wounded grows and grows.

When I came here in 1993, we had hope and optimism that we could cut crime and reduce the number of guns on our streets. But despite the drop in crime, all of our efforts to reduce the number of guns on our streets, in our houses, in our schools, and in our churches have been thwarted by the gun manufacturers.

The assault weapons ban, I voted for and worked for, was here until it was killed by politics.

The crime gun bill I wrote would work by reducing the availability and manufacture of the cheap, concealable handguns most often used in gun crimes, but it will never get a vote in this House of Representatives.

See, we have established a school-to-coroner pipeline in this country that will persist until the American people arm their politicians to do something about it. But I fear the profit motive of the gun manufacturers and the politicians they own, got in their pocket, is greater than the will of the American people to take on and tame our runaway love affair with bullets.

□ 1015

Mr. Speaker, it takes good people without guns working with good people who own guns to keep guns out of the hands of people who will use them to kill other people.

It is not that we do not know what works, because we do. Waiting periods, background checks, trigger and gun locks, restrictions on the sales of guns can all be effective in reducing suicide, murder, and accidental death by firearms.

We are not lacking the way. We are only lacking the will to overcome the deeply entrenched, highly profitable industry that thrives on fear, mistrust, inequality, racism, misogyny, and tribalism.

We cannot afford another moment of silence, because silence kills. What we need is a moment of action to save the American people from killing themselves with American guns and American bullets.

Mr. Speaker, I include in the RECORD this list of moments of silence observed in the House since the Newtown shooting. It is compiled by the Gun Violence Prevention Task Force. There are 43 of them, moments of silence, and nothing done to save the American people from the gun lobby and the NRA.

MOMENTS OF SILENCE OBSERVED ON THE HOUSE FLOOR RELATED TO GUN VIOLENCE

December 14, 2012—May 21, 2018

Date, Topic of Moment of Silence.

12/17/12, Moment of Silence in Memory of Victims of Connecticut Shooting.

2/27/13, Chardon 1-Year Anniversary.

3/6/13, Honoring the Lives of Sergeant Loran ''Butch'' Baker and Detective Elizabeth Butler.

7/19/13, Aurora Remembrance.

7/24/13, Moment of Silence in Memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

9/17/13, Moment of Silence in Tribute to the 12 Navy Yard Shooting Victims.

1/8/14, Moment of Silence on Anniversary of Shooting Victims in Tucson, Arizona.

4/3/14, Moment of Silence and Prayer for the Fort Hood Shooting Victims, their Families, and the Community.

5/28/14, Moment of Silence in Memory of the Victims of the Santa Barbara, California, Tragedy.

6/9/14, Moment of Silence to Honor the Victims of the June 8, 2014, Las Vegas Shooting.

6/10/14, Moment of Silence for Victims of Reynolds High School Shooting.

7/22/14, Domestic Violence.

7/24/14, Moment of Silence in Memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

7/30/14, Moment of Silence for Victims of Clackamas Mall Shooting.

11/20/14, Moment of Silence for the Victims at Marysville-Pilchuck High School.

1/8/15, Moment of Silence on Tucson Shootings' 4-Year Anniversary.

5/12/15, Moment of Silence In Honor of Officers Liquori Tate and Benjamin Deen of Hattiesburg, Mississippi.

6/23/15, Moment of Silence For Victims of Shooting at Emanuel AME Church, Charleston, South Carolina.

7/21/15, Moment of Silence For Servicemembers Killed in Chattanooga, Tennessee.

7/27/15, Moment of Silence for Lafayette Shooting Victims.

9/8/2015, Moment of Prayer for Allison Parker and Adam Ward (Roanoke).

9/10/15, Moment of Silence Honoring Deputy Darren Goforth, Harris County Sheriffs Office.

10/6/2015, Moment of Silence Honoring Victims of Umpqua Community College Tragedy.

12/2/2015, Moment of Silence Honoring Victims of Colorado Springs Shooting.

12/16/2015, Moment of Silence Honoring Victims of the San Bernardino Terrorist Act.

1/8/2016, Moment of Silence Remembering the Fifth Anniversary of the Shooting in Arizona.

2/23/2016, Moment of Silence For the Victims of Kalamazoo Shootings.

3/1/2016, Moment of Silence for the Victims of Kansas Shootings.

6/14/2016, Moment of Silence for the Victims of the Orlando Shooting.

7/8/2016, Moment of Silence for the Victims of the Dallas Shooting.

1/5/2017, Moment of Silence to Commemorate Sixth Anniversary of Shooting in Tucson.

1/9/2017, Moment of Silence for Law Enforcement Officer Killed on Law Enforcement Officer Day (*includes same shooting).

1/9/2017, Moment of Silence in Recognition of Victims of the Two Most Recent Tragedies in Ft Lauderdale and Orlando (*includes same shooting).

1/9/2017, Moment of Silence Honoring Law Enforcement Officers Killed in Orlando (*includes same shooting).

2/27/2017, Moment of Silence in Remembrance of Kansas Shooting Victims.

4/5/2017, Moment of Silence Remembering Virginia Tech Victims.

7/18/2017, Moment of Silence Honoring Officer Miosotis Familia and State Trooper Joel Davis.

7/24/2017, Moment of Silence in Memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

10/2/2017, Moment of Silence in Memory of the Victims of the Attack in Las Vegas.

11/6/2017, Moment of Silence in Memory of the Victims of the Attack in Sutherland Springs, TX.

1/8/2018, Moment of Silence Commemorating Seventh Anniversary of the Shooting in Tucson, Arizona.

1/29/2018, Moment of Silence Honoring Marshall County High School Shooting Victims.

2/26/2018, Moment of Silence Honoring Those Killed at Marjory Stoneman Douglas High School.

3/13/2018, Moment of Silence for the Three Victims of Gun Violence at the Veterans Home of California-Yountville.

4/25/2018, Moment of Silence for Fallen Gilchrest Law Enforcement Officers.

4/26/2018, Moment of Silence for the Victims and Hero of Waffle House Mass Shooting.

LET US REMEMBER THE FALLEN THIS MEMORIAL DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, many of us in this House will attend Memorial Day ceremonies over the weekend. I actually had four over this past weekend. I was privileged and honored to be there as we honor those who have died in the service of this great Nation to defend our rights and our liberties.

Observed on the last Monday of May, Memorial Day is one of America's most solemn occasions. The traditional Memorial Day dates back to 1864, in Boalsburg, Pennsylvania, not too far from my home in Centre County, Pennsylvania's Fifth Congressional District, as the birthplace of Memorial Day. Three ladies decorated the graves of fallen Civil War soldiers, and the custom has continued every year since then.

Boalsburg still puts on a traditional Memorial Day celebration complete with a parade, a community walk to the cemetery, speeches, military enactments, and much more.

On Memorial Day, communities across the country will pay tribute to our fallen veterans who never returned home. Many of us will gather with family members and friends and neighbors as we keep those we lost in our hearts.

So as we raise the Stars and Stripes, as we lay wreaths at monuments, memorials, and cemeteries, let us remember that our freedom is thanks to those who died and served in sacrifice.

Mr. Speaker, Memorial Day weekend also marks the ninth year that the National Endowment of the Arts and Blue Star Families begins Blue Star Museums. This program provides free admission to our Nation's Active-Duty military personnel this summer from Memorial Day weekend through Labor Day weekend of 2018.

This is an initiative of the National Endowment of the Arts in collaboration with Blue Star Families, the Department of Defense, and more than 2,000 museums nationwide, including children's museums, fine art museums, history and science museums, zoos, and nature centers.

Blue Star Museums are one way our Nation's museums can express appreciation to our military for their service and share with them America's cultural treasures. Blue Star Museums also provide a way for military families to feel connected to their community, especially for those families that have recently relocated through a change of station.

Blue Star Families build communities that support military families by connecting research and data to programs and solutions, including career development tools, local community events for families, and caregiver support. Since 2009, Blue Star Families have engaged tens of thousands of volunteers and served more than 1.5 million military family members.

Mr. Speaker, Blue Star Families will be celebrating with every American this weekend as we commemorate Memorial Day in honor of so many who are no longer with us. May God bless them, and may God bless the United States of America.

I WILL NOT GO ALONG TO GET ALONG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, once again I rise as a person who loves this country. Mr. Speaker, I rise as a person who refuses to go along to get along. I rise as a person who will speak truth to power and truth about power.

I rise today, Mr. Speaker, because in our country, our children are being murdered in schools. Our children are prognosticating that eventually it will come to the school that they happen to attend. Our children are concerned about their safety in what should be one of the safest places for them on Earth: the schools that they attend.

I rise, Mr. Speaker, because there are parents who have sent their children to school and never have had them to come home again. I rise because these parents are suffering, because our Nation is suffering. There is great pain within the population.

People of goodwill understand that we must do more than have moments of silence, words of prayer, expressions of condolences. People expect those of us who have been elected to the Congress of the United States of America to do what they sent us here to do, that is, have legislation brought to the floor, allow for some debate, and then take a vote. It is expected that we would vote on the legislation that is pending.

We have more than 100 pieces of legislation dealing with gun safety pending before the House, and it is not being acted upon.

I rise to ask, Mr. Speaker, that you bring this legislation to the floor of the House of Representatives so that the people can express their voices, can express their concerns, can take their positions by and through their legitimately elected Representatives. It is time, Mr. Speaker, for you to act, for you to bring the legislation to the floor so that we may vote on it.

If there is someone who truly believes that the solution to this violence, to this killing, to these murders, if there is someone who believes that the solution is a good guy with a gun, put that solution into legislation, Mr. Speaker, and let's vote on whether the solution is a good guy with a gun.

Mr. Speaker, I will not go along to get along.

Mr. Speaker, you have indicated that you won't be returning to Congress. Well, Mr. Speaker, if you are not going to do your job, if you are not going to bring legislation to the floor—by the way, all of it, not Democratic legislation, not Republican legislation. This is not about Democrats; it is not about Republicans. This is about our children, who are being murdered in schools.

If you are not going to bring that legislation to the floor, you ought to just step aside. This is bigger than you. It is bigger than all of us. It is about our children and how they are being murdered in schools. It is time to take the courage that has been embedded within your soul and your constitution and bring that legislation to the floor.

Mr. Speaker, I speak truth to power. I speak truth about power. There is a problem. Mr. Speaker, you are the problem.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

HONORING THE LIFE OF OFFICER LANCE WHITAKER

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

Mr. RUTHERFORD. Mr. Speaker, I rise today to honor the life of Officer Lance Whitaker, who was killed in the early morning hours on May 15, 2018, while responding to a police call for service.

Officer Whitaker began his law enforcement career with the Atlantic Beach Police Department in Florida. He then joined the Jacksonville Sheriff's Office and has since served the city of Jacksonville faithfully for 17 years.

Officer Whitaker was known among his fellow officers for his kind heart, and he had a very contagious smile. It was clear to those around him that he loved his job and he believed in what he was doing.

Outside of work, Officer Whitaker was known as a proud father and family man. He is survived by his 14-year-old son, Cade Whitaker.

Just 3 weeks ago, I attended the rededication of the Fallen Officers Memorial Wall in Jacksonville, where we had the chance to remember and celebrate the lives of 61 men who have died protecting our city. Tragically, another name now must be added to that wall.

Today, I join the northeast Florida community to mourn the loss of Officer Whitaker. His service to the First Coast will never be forgotten, and my thoughts and prayers are with his family, friends, and all of the JSO family, and I thank them for their sacrifice on behalf of a grateful city.

Ralph Waldo Emerson once said: ''The purpose of life is not to be happy. It is to be useful, to be honorable, to be compassionate, to have it make some difference that you lived and lived well.''

Officer Whitaker lived well. He did his job honorably and compassionately. He dedicated his life to his community, and he made a difference in the lives of many. Officer Whitaker lived his life well.

RECOGNIZING RIVER CITY SCIENCE ACADEMY FOR OUTSTANDING SUCCESS

Mr. RUTHERFORD. Mr. Speaker, I rise to congratulate River City Science Academy of Jacksonville, Florida, for winning the State championship in the Science Olympiad and for their excellent representation in the national competition that took place in Fort Collins, Colorado, on May 19, 2018. This remarkable achievement was the first time a school from Duval County has won the State competition, and I couldn't be more proud of the students, teachers, and parents who came together to achieve this outstanding victory.

My district is home to some of the brightest students in the country, and the academic excellence of the River City Science Academy is just more proof of the robust STEM programs that we facilitate back home.

STEM education is so important in a highly competitive, technologically driven economy, and I am thankful for the educators who dedicate their lives to training the next scientists, mathematicians, and engineers.

Congratulations once again to the River City Science Academy for leading the way, and I look forward to hearing of their many successes in the years to come.

TRIBUTE TO COACH CHARLES BERRY

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

Mr. WOMACK. Mr. Speaker, I rise today to honor a legend in Arkansas high school basketball.

Charles Berry, one of the State's most successful coaches, is retiring this year after 57 years on the court. He is an Arkansas native, grew up in Huntsville, served in the United States Air Force, and returned home to begin a remarkable career as a teacher and coach, the last 50 years at his alma mater, Huntsville High School, in the gymnasium that now bears his name.

The numbers speak for themselves: 1,367 career wins; 14 conference championships; six regional championships; two State titles, two times as a runner-up. He is a six-time Arkansas All-Star coach, and in 2007 was named the National Coach of the Year in girls basketball. His 2016 induction into the Arkansas High School Coaches Association Hall of Fame was automatic.

His legacy as a coach is understood, but he is more than a coach. Charlie is a respected and dedicated mentor, educator, and person. He is simply one of the best.

Thank you, Charlie, for your many years of service to your community, and happy retirement, my friend.

RECOGNIZING BUCKS COUNTY, PENNSYLVANIA, FIREFIGHTERS

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize approximately 60 firefighters in Bucks County, Pennsylvania, who recently graduated from the national certification program. These brave men and women satisfactorily completed the Firefighter One training program offered by the Bucks County Public Safety Training Center.

I would like to commend these firefighters for the work they do to protect and serve our community, selflessly putting their lives on the line on a regular basis.

Recently, Firefighter Tim Pristatskiy of the Trevose Fire Company ran into a burning house in Lower Southampton to look for victims. With the compromised structure of the house, the second floor collapsed and Tim fell through. Despite the odds, Tim suffered no injuries, thankfully, and he is back serving on the force.

Mr. Speaker, it is crucial that we honor our firefighters, like Tim, for the brave work they do in protecting the lives of our loved ones and our own. We truly owe them a debt of gratitude.

□ 1030

RECOGNIZING BOB DUAIME

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize a resident of

Bucks County, Pennsylvania, whose dedication to service has been a centerpiece of his life and his career.

Bob Duaime of Middletown Township will receive the Give Life Hero Award from the American Red Cross later this month.

Since 1972, Bob has donated blood 360 times and, over the past decade, has frequently donated the maximum amount of times permitted by law annually.

A retired Council Rock High School teacher, Bob truly understands the value of community and the importance of leading by example. He is the cofounder and treasurer of Camp Discovery, a camp for child victims of abuse, and he volunteers for the Bucks County Emergency Homeless Shelter, the Churchville Nature Center, and Langhorne Open Space, Inc.

Mr. Speaker, it is impossible to summarize all of Bob's contributions to our community in this speech here today. I applaud Bob for his good works and encourage my constituents to follow his lead.

RECOGNIZING THE MUSLIM COMMUNITY IN BUCKS AND MONTGOMERY COUNTIES

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the Muslim community in Bucks and Montgomery Counties, who are currently observing Ramadan, the holiest month in the Islamic faith. I wish them peace and renewal as they take on the virtues of charity and sacrifice.

In this spirit, I would like to honor an organization in our community that seeks to provide cultural understanding between women in the Islamic and Jewish faiths.

The Sisterhood of Salaam Shalom, a national organization, recently established a chapter in Bucks County. Founded by Aliya Murad of Yardley, this chapter seeks to bridge the gap between young women of separate creeds who are both devoted to their community and to their faith.

Despite still being in high school, Aliya has already made a lasting difference in our community, and I call on all of my constituents to follow her lead. I thank her for her advocacy of compassion and understanding.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 10 o'clock and 32 minutes a.m.), the House stood in recess.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 11 a.m.

PRAYER

Reverend Mark Goeglein, Harrisonville Community Church, Harrisonville, Missouri, offered the following prayer:

Lord God of Heaven, You are the great and mighty God whose unwavering love and faithfulness for the world never ends.

We bow in humble recognition of Your holiness and majesty, asking that You will be open and attentive to the prayer of Your servants. May we love one another just as You have loved us.

We thank You for another day to do what is good, to do justice and to love kindness and to do what is best for this great Nation.

Bless those who serve in Congress and assist them faithfully. Grant each of them wisdom to make the best decisions. Provide strength for those who are tired, and allow courage to do what is right for this great Nation.

Help us to realize we are better together. Tear down the dividing wall of hostility, reconcile us, and restore us to pursue life and liberty together.

Amen.

THE JOURNAL

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

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

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

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

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

Mrs. HARTZLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. SCHNEIDER) come forward and lead the House in the Pledge of Allegiance.

Mr. SCHNEIDER led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND MARK GOEGLEIN

The SPEAKER. Without objection, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 1 minute.

There was no objection.

Mrs. HARTZLER. Mr. Speaker, I rise today to welcome my pastor, Mark Goeglein, to the U.S. House of Representatives and to commend him for his many years of faithful service to the Lord and to others. It is a blessing to have him here offering the opening prayer for today's legislative session.

Pastor Mark grew up familiar with the legislative process, as his mother was a longtime State representative from Indiana. I am thrilled to have him here today and appreciate his support of me and his love for our country.

Mark has served in ministry for 25 years in churches in his home State of Indiana, Texas, California, and now as pastor of the Harrisonville Community Church in Missouri. I appreciate his passion for sharing God's Word with his congregation and how his love of Scripture shows in his preaching and in the faded thumbprint on his Bible, testifying to the many years he has held that Bible preaching, studying, and praying.

Besides a love of the Word, Pastor Mark loves the Pittsburgh Steelers, basketball, and his family. He is blessed to have his wife, Michelle, here today along with daughter, Makenzie, and sons, Micah and Mason. This family is an inspiration to our congregation and a testimony of God's faithfulness and goodness.

I wish Pastor Mark God's continued blessings and know his faithfulness will be richly rewarded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

GUN SAFETY

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

Mr. SCHNEIDER. Mr. Speaker, I rise today, joining the families and friends in Santa Fe, Texas, grieving for another 10 lives tragically cut short by senseless gun violence.

Yesterday, this body held the now routine moment of silence in respect for the victims, just as we did after the Waffle House shooting in Nashville; Marjory Stoneman Douglas High School in Parkland, First Baptist Church in Sutherland Springs, Route 91 Harvest music festival in Las Vegas; and the list goes on and on and on.

Forty-six times this Chamber has stood to remember the victims, and every single time congressional obstructionists stood in the way of doing anything concrete to change this deadly pattern. We haven't considered background checks or bans on the sale of assault weapons or gun violence restraining orders to keep firearms out of the hands of the mentally ill or even, for goodness' sake, bump stocks.

I sit on the Judiciary Committee. We haven't held a single hearing about reducing gun violence or working to keep

our children safe. We can't prevent every tragedy, but there are actions we can take right now, today, to save lives. We have the power.

Mr. Speaker, I urge my colleagues to find the courage to act. Our kids are counting on us.

POSTPARTUM DEPRESSION

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

Mrs. LOVE. Mr. Speaker, I rise today to raise awareness about postpartum depression. I rise today to raise awareness about maternal deaths. I rise today to let the country know about one of my constituents, Emily Dykes.

Emily was a good person. She was active in her community and beloved by all who knew her. But most of all, she was an amazing mother. However, with her fifth child, she developed some difficulties, and Emily was overtaken by severe anxiety. It was so severe, in fact, that it led to her mistreatment, misdiagnosis, and misunderstanding of her condition. Eventually, it led to her suffering so badly that, in her search for safety, she ran onto a freeway and was killed by a semi truck.

The horrible fact is that Emily is not the only woman who suffers from this. Right now, there are thousands of women who suffer just like Emily suffered.

As a mother, I want those women to know that they are not alone. There are many who have gone through very similar experiences, and there are places that mothers can go and get help. I encourage them to reach out. I encourage families to help out.

This is not something that will go away unless we work to find a solution, that is, unless we as a society recognize it and take away the stigmas related to postpartum depression and help provide support to those who come forward for help.

As we raise this awareness, we can find solutions that will make sure that the tragedies that befell Emily and her family won't happen again. Mr. Speaker, I ask my community, State, colleagues, friends, and Members of Congress to come to the table to help save lives so that children like Emily's five children are not left without a mother.

GUN VIOLENCE

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

Mr. HASTINGS. Mr. Speaker, as my colleague, BRAD SCHNEIDER, just said, yesterday we held a moment of silence for those who were killed at Santa Fe High School. I have relatives and their children who live in Parkland, so these kinds of shootings affect us all.

Everybody in this country knows that we have a gun epidemic in this country. We also know that we have a severe mental health crisis in our Nation. In my opinion, it is morally unjust for this Congress to do nothing.

I own a gun. I believe in the Second Amendment. I would stand toe-to-toe with anyone who would urge that we take guns away from people, but I will stand with anyone who says that assault weapons should only be in the hands of military and police.

I cannot understand how we continue to have these moments of silence and return to doing nothing. We don't have all of the answers, but we do have some of the answers, and to do nothing is morally bankrupt and legislative malpractice.

RECOGNIZING 74 HEROES ON VIETNAM VETERANS MEMORIAL WALL

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

Mr. CRAMER. Mr. Speaker, during one of my recent weekly talk radio townhalls, I spoke to a family member of a veteran who served aboard the destroyer USS *Frank E. Evans* during the Vietnam war.

The Vietnam veteran, Richard Grant, from Fargo, advocates for servicemembers who died during the Vietnam war but are not presently recognized on the Vietnam Veterans Memorial here in Washington.

The USS *Frank E. Evans* provided naval gunfire off the coast of Vietnam, including during the Tet Offensive. While conducting friendly maneuvers outside of the official combat zone, it collided with a friendly Australian aircraft carrier, killing 74 crewmembers.

I introduced an amendment to the National Defense Authorization Act to engrave the names of the 74 crewmembers who died on that day on the Vietnam Veterans Memorial Wall. Their sacrifice and that of their families is worthy not only of our mention, but of the high honor of being memorialized forever on the wall.

Mr. Speaker, I am honored to lead this amendment and urge my colleagues to support it. I look forward to the day when the wall is engraved with the 74 names of the heroes of the USS *Frank E. Evans*.

PROVIDING FOR CONSIDERATION OF H.R. 5515, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019; PROVIDING FOR CONSIDERATION OF S. 204, TRICKETT WENDLER, FRANK MONGIELLO, JORDAN McLINN, AND MATTHEW BELLINA RIGHT TO TRY ACT OF 2017; AND PROVIDING FOR CONSIDERATION OF S. 2155, ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 905 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 905

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-70 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution. (b) Each further amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. (c) All points of order against the further amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 5. Upon adoption of this resolution it shall be in order to consider in the House the bill (S. 204) to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on

the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit.

SEC. 6. Upon adoption of this resolution it shall be in order to consider in the House the bill (S. 2155) to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to commit.

SEC. 7. Notwithstanding clause 8 of rule XX, further proceedings on the recorded vote ordered on the question of reconsideration of the vote on the question of passage of H.R. 2 may continue to be postponed through the legislative day of Friday, June 22, 2018.

□ 1115

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 905 provides for the consideration of three important bills aimed at protecting our country, reducing regulatory burdens in the financial sector, and allowing patients who have nowhere else to turn with another option to potentially save their lives.

These three bills, taken together, show House Republicans' commitment to putting Americans' interests first.

Today's rule provides for a structured rule to begin consideration of H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. The resolution grants 1 hour of debate equally divided between the chair and ranking member of the House Committee on Armed Services.

In addition, as the first of two likely rules on the fiscal year 2019 NDAA, the rule provides for the consideration of 103 amendments to the defense bill.

Along with the Defense Authorization Act, the resolution today provides for a rule for House consideration of S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, the Senate-passed bipartisan bill to reduce the regulatory burdens imposed on community and local banks by the Dodd-Frank financial regulatory legislation.

The legislation went through rigorous debate in the House and the Senate, and it mirrors in many ways the House-passed CHOICE Act, passed by the House in the summer of 2017 under the stewardship of Financial Services Chair JEB HENSARLING.

Moreover, the resolution before us provides for a rule to allow the House to consider the unanimously passed Senate bill, S. 204, the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017.

This legislation, highlighted by the President during his last State of the Union address, has been a top priority of the President for the Congress, allowing terminally ill patients a last chance at survival using a carefully crafted FDA process.

H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019, would authorize appropriations for military activities of the Department of Defense and for military construction, as well as prescribe military personnel strengths for the next fiscal year.

This critical piece of legislation, one of the most important bills that any Congress will consider in any year, provides the resources and the direction necessary for our men and women in uniform to do what they do best: protect and serve our country throughout the world.

As will be discussed by many Members of this body over this week, this bill touches on all aspects of military policy, from the Middle East to the Korean Peninsula to the Arctic waters.

Among the hundreds of amendments the Rules Committee is likely to make in order on this legislation, I am pleased that, once again, my amendment, offered with Ms. LEE, Mr. LANCE, Mr. DEFAZIO, Mr. JONES, Mr. WELCH, Mr. LEWIS, and Ms. SCHAKOWSKY, will again be made in order. This continues to push the Department of Defense to finally complete a full audit of its finances, as required by law.

S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, corrects some of the more egregious provisions in the Dodd-Frank financial regulatory legislation.

The bill focuses on regulatory relief on smaller financial institutions—namely, community banks and credit unions—so they can more readily meet the needs of their local communities without burdensome Federal regulations stifling their economic growth. This places the focus of the financial institutions back on their customers instead of completing paperwork and answering to agencies in Washington, D.C.

Finally, Mr. Speaker, our final bill in today's rule, S. 204, will look familiar to many people here today, as we are again considering legislation that would bring hope to terminally ill patients across our country.

A similar bill, H.R. 5247, passed this House in March. Minority Leader CHUCK SCHUMER and Senate Democrats have refused to act on H.R. 5247, the revised version of the Right to Try legislation, which passed the House 2 months ago on a strong bipartisan vote.

As this body had heard earlier this year, Right to Try was the one piece of legislation that President Trump came and stood in the well of this House and specifically promised to the American people in his State of the Union address.

Today, I will say again what I said in March when we first took up Right to Try: I stand with the President and I stand with the thousands of Americans with terminal diseases and their families and their friends in getting this important policy to the President's desk.

Mr. Speaker, when we pass this bill today, it doesn't go back to the Senate. It has already been passed by the Senate. It goes immediately down to the White House for a signature and becomes law.

Here is an interesting fact. In the last couple of months since the House passed its Right to Try bill, even more States have joined this strong grassroots movement. Now, 40 States, including my home State of Texas, have passed and signed a version of Right to Try into law.

In nine other States, a version of Right to Try has already been introduced, including the State of New York, which is the home State of the minority leader of the United States Senate.

Last year, the Energy and Commerce Health Subcommittee held a hearing on access to investigational drugs where S. 204 was discussed. At that time, the Commissioner of the Food and Drug Administration, Dr. Scott Gottlieb, and other advocacy groups expressed concerns on the various Right to Try bills introduced in the Senate and the House.

So, when the President asked the Congress to act, the House responded by holding multistakeholder discussions with patient groups, medical research advocates, and the administration in order to improve the original Right to Try bill. I want to commend Chairman WALDEN for leading these negotiations.

I am also proud of the revised Right to Try legislation that the Energy and Commerce Committee produced because the policies were sound, and I believe it was a positive step forward in granting access to new treatments while allowing additional input from the Food and Drug Administration.

Unfortunately, the minority party on the other side of the Capitol, Senate Democrats, said ''no, thank you'' to the revised House bill. While I am not surprised by their decision, I think the American people, particularly patients

with terminal diseases and their loved ones, would not be satisfied with a ''no, thank you'' nonaction by Congress on such an important issue.

Today, the House is ready to act for the American people and will be considering S. 204, the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017.

This passed the Senate unanimously last August. This bill will offer terminally ill patients a chance at life. After it passes this House, it will be signed into law.

Our Nation has achieved unprecedented innovation and scientific breakthroughs recently and over the course of the last decade. American patients have widespread access to innovative treatments, thanks to researchers and our academic institutions and those working in the pharmaceutical and medical device industries.

Despite these achievements, we continue to hear from patients with serious, life-threatening conditions, including my constituents from north Texas, who remain frustrated with what they see as regulatory barriers from trying new therapies when everything else has failed them.

As a physician, I understand that access to investigational drugs and therapies is a deeply personal priority for those seeking treatment for loved ones diagnosed with very difficult diseases.

This crossroads where our Nation seems to be—when a potentially lifesaving treatment, while not approved, both exists but remains unavailable—is an important debate that we are having for these Americans. To them, it is not only a matter of life or death but another chance to spend more time with their children, grandchildren, parents, and other family members.

Some of the opponents of Right to Try point to the Food and Drug Administration's current expanded access program, which is aimed at helping patients who do not qualify for clinical trials gain access to therapies that the agency has yet to approve.

While this program makes a good faith effort to help patients, we can do more by passing Right to Try and creating an alternative pathway for these patients to access eligible investigational drugs.

Additionally, we know that many individuals may not qualify for a clinical trial if they do not meet strict patient inclusion criteria, which may include factors such as age, gender, type and stage of their disease, previous treatment history, and other medical conditions.

There are also many patients for whom participation in a clinical trial is not feasible, especially those who live in rural areas far from the clinical trial sites.

Most, if not all, of the patients with a terminal medical condition fall into one of these categories. This legislation that we are doing today allows these patients to participate in an alternative pathway, opening another door to investigational drugs that does not exist today.

While there are a few differences between S. 204 and the House-passed Right to Try legislation, the underlying policies between the two bills are very similar.

For example, only certain investigational drugs are considered eligible under both bills. In order to qualify, the drug must have completed a phase one clinical trial; have an active application at the Food and Drug Administration; be under active development or production by a manufacturer; and not have been approved, licensed, or cleared for sale under current law.

Also, both bills require reporting of serious adverse events, having written informed consent to the treating physician, and notifying the agency when a sponsor provides an investigational drug.

Lastly, Commissioner Gottlieb at the Food and Drug Administration recently expressed support for the Senate-passed Right to Try bill being considered today and said that his agency could ensure an appropriate level of patient safety through guidance and rulemaking.

In other words, while the Food and Drug Administration may have some additional work, the key point is the agency can achieve the proper balance of ensuring patient safety and granting access to new investigational drugs.

I think the Commissioner would agree that we would have preferred the revised House Right to Try legislation, but doing nothing is currently not an option. Hundreds of thousands of Americans with terminal illnesses and their families are looking for us to act. I support restoring hope for these patients and giving them a fighting chance at life.

Mr. Speaker, I urge Members of this esteemed body to support today's rule and all three underlying bills, and I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Texas for yielding me the customary 30 minutes for debate.

Mr. Speaker, the underlying measures that are in this combined rule are matters of substance that do need to be addressed, and I will get back to it in a moment.

Several of my colleagues will join me today in recognizing a historic moment in this particular body in this great country of ours.

Madam Speaker, let me recognize that tucked inside this rule is the majority's 83rd and 84th closed rules of this Congress—and we are just in May—with more to go.

□ 1130

That is a historic number because it makes the 115th Congress the most closed Congress ever. My Republican friends have made history for all the wrong reasons.

But we should not let this milestone go unrecognized right from the very beginning, because it is a sad point in this Chamber's history. It is why we have ignored virtually every major issue the public cares about. It is why this Congress can't get anything done. It is why we are so dysfunctional.

It is clear to me that the majority has turned a deaf ear, which is absolutely shameful. Please know this: 1,793 amendments offered by Members of this body have been denied.

When I came to Congress in 1992, there was an echo chamber from the right talking about the Democrats' closed rules. Quite frankly, at that time, I did not understand that dynamic. I arrived here, and during that particular session of Congress, we did have open rules, but there were closed rules as well.

When NANCY PELOSI was last Speaker, we had 12 open rules. This Speaker, our now lame-duck Speaker, up to this point, has been and is the only Speaker of the House of Representatives never to have an open rule. What that means is not just Democrats have been shut out but Republicans have been shut out.

Day in and day out, night in and night out, in the Rules Committee, Members offer up meaningful suggestions to this Congress, and they are denied. That is not denying the Member of Congress; it is denying the people those persons are here to represent and who expect them to advance measures that are pertinent to their respective communities.

There will be Members who will talk about the shamefulness of the kinds of amendments that have been denied.

This particular measure authorizes $647 billion in base budget authority for defense programs in the coming fiscal year, as well as an additional $69 billion in overseas contingency operations.

The legislation comes on the heels of the bipartisan budget agreement signed into law in February, which increased the budget caps for defense and nondefense spending for 2 years.

The legislation provides, rightly, a 2.6 percent pay raise for Active-Duty troops, the highest such raise in 9 years. It strengthens the Military Health System, provides assistance to local educational agencies servicing military dependent students, and improves the Transition Assistance Program to provide servicemembers better tailored resources and information as they prepare to enter civilian life.

I was glad to see that this NDAA establishes a prescription drug monitoring program in order to prevent opioid abuse within the military, a proactive step that will help our country combat drug addiction.

What is important about this particular measure is the chairman, Chairman THORNBERRY, and the ranking member, ADAM SMITH, have worked together, along with the members of the Committee on Armed Services, to

produce a bipartisan product. It proves it can be done.

This is a bipartisan measure, and most Members in this body will have amendments that will be made in order and will have an opportunity to present their ideas how to better sustain military readiness. That is as it should be.

But there are members of the Committee on Armed Services who belong to other committees of jurisdiction. In those committees of jurisdiction where few hearings are held, no bipartisan effort is undertaken, they are shut out just as well as the rest of the members of the other jurisdictions.

Every jurisdiction in this Congress should be bipartisan and should have input from both parties.

And I find it passing strange that I hear voices saying that Democrats are obstructionists. Obstructionists of what? We can't even get amendments made in order.

The only thing we have left that we can do is voice our objection to the kind of closed process that we have witnessed during this particular session of Congress. I hope the American public understands how much their Members are being denied an opportunity to represent them.

In terms of military readiness, the fiscal year 2019 NDAA dedicates substantial funding toward cutting-edge military capabilities and countering emerging threats through investments in cyber and space. The bill includes funding for thousands of additional Active-Duty troops and authorizes important funding for military construction and infrastructure.

You know what it doesn't include and what it won't? There will be Members who will offer that we have an Authorization for Use of Military Force. Seventeen years have passed since we have had a new Authorization for Use of Military Force. Congress should be declaring war, not Presidents.

And it doesn't mean this President. The three or four before him operating in this Congress were allowed to go forward under the aegis of a 17-years-ago Authorization for Use of Military Force.

I was also pleased to see an improved commitment to Historically Black Colleges and Universities in this year's package—schools that are critical to ensuring a pipeline of highly skilled, diverse college graduates into the United States Armed Forces.

This bill also takes significant steps to support our allies. It provides $6.3 billion for the European Deterrence Initiative and declares that it is the policy of the United States to counter Russian influence campaigns.

The bill also imposes additional sanctions on Russia for violating the Intermediate-Range Nuclear Forces Treaty, and it renews authority in the war against the Islamic State of Iraq and Syria and fully funds Israeli missile defense partnerships.

Madam Speaker, there is a lot that we can be proud of in this NDAA. Unfortunately, despite all of these important investments, there are a few provisions in this bill that raise serious concerns.

I have already spoken to the failure to pass a new military-use-of-force measure. The one that we have is overly broad, and Members have never had an opportunity to vote on a new one, even as we commit to military engagements overseas.

Members on both sides of the aisle agree that an up-or-down vote on a new AUMF is long overdue. So this is the time and the place to do it. My colleague BARBARA LEE, I am sure, and my colleague on the Rules Committee JIM MCGOVERN, I am sure, are going to offer measures that will accomplish that.

I am also particularly alarmed that this legislation repeals the Federal ban on military production of low-yield nuclear weapons. Repealing this 15-year ban and pursuing low-yield nuclear warheads for submarine-launched ballistic missiles will have significant ramifications for global security.

Additionally, the NDAA includes a number of provisions targeting DOD's fourth estate, which refers to non-military portions of the Department of Defense. These provisions affect human resources, information systems, and other important services that affect the day-to-day lives of our servicemen and -women as well as national readiness.

Under this bill, these offices are targeted with an unrealistic and unnecessary spending cut, setting up a sequester-like automatic 25 percent reduction to critical support functions.

Madam Speaker, this brings me to the second measure, the Economic Growth, Regulatory Relief, and Consumer Protection Act.

Under the pretext of providing relief to community banks, this bill rolls back important financial and consumer protections and provides a giveaway to large Wall Street banks, allowing them to skirt enhanced regulations aimed at protecting our economy from another financial crisis.

The third measure, the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act, exposes more patients to harm and further sidelines the Federal Drug Administration's ability to oversee investigational treatments than the bill passed by the House in March.

In fact, during the Rules Committee hearing in March, Energy and Commerce Committee Chair WALDEN and Health Subcommittee Chair and fellow Rules Committee member BURGESS had reservations about this measure, which is why the House took up the more narrowly focused bill in the first place.

Madam Speaker, last Friday, there was another school shooting. Again, America watched in horror as students and teachers fled their classrooms from a murderous gun rampage. Again, community leaders and government officials offered thoughts and prayers. Yesterday, we offered a moment of silence. Again, calls for stricter gun control laws and heightened school security returned.

We all know that this will happen again to our young people. And for that reason, I can state emphatically and without fear of having to correct the RECORD that the Republican leadership of this House has not only abdicated their responsibility to the American people and our children but their common sense as well.

No other country in the world has as many guns, as many homicides, or as many mass shootings as we do. There is simply no more time to waste. We need to be considering a ban on bump stocks. We need to be considering a ban on assault weapons.

And don't anybody tell me we can't ban assault weapons. We did that when I first came to Congress. We banned assault weapons, and the kind of mass killings we have seen went down after we did that.

We need to be considering protective orders allowing people to petition the court to temporarily remove firearms from an individual in crisis. We have seen evidence of that working when Florida passed its law. One week after that law went into effect, a person had his guns removed who would have been a harm to himself and to others.

We need to be considering comprehensive background checks, and we can't stop there. We need to increase access to mental health services. We need to eliminate the feeling in this country that seeking help carries with it some sort of stigma.

We need to learn to recognize the danger signs and offer a clear course of action. We need to teach students about conflict resolution.

And we need to do more about civility in this Nation, in this House. And we should be its leaders, not standing and offering a moment of silence and returning to do nothing, as we have done, shooting after shooting, mass shooting after mass shooting, in this country.

Madam Speaker, I reserve the balance of my time.

Mr. BURGESS. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BERGMAN), a member of the Financial Services Committee.

Mr. BERGMAN. Madam Speaker, I rise today in support of the fiscal year 2019 National Defense Authorization Act.

I want to thank Chairman THORNBERRY for all his leadership on this bill.

Providing for our Nation's common defense is our constitutional duty. As a retired lieutenant general in the Marine Corps, I know that certainty from Washington, especially on this side of the river, is critical for the military to carry out its missions. Our men and women in uniform need consistency and reliability over the long term to meet complex threats, changing threats, in all corners of the world.

This bill increases resources for readiness training and upgrades essential

equipment to provide our warfighters with increased capabilities on land, at sea, and in the air.

I also want to thank the committee for including report language highlighting the critical role that the Soo Locks play in our national security. The Soo Locks, located in my home district, are a single point of failure in a multibillion-dollar supply chain and a potential target for disruptive activities. Any unscheduled outing of the locks would threaten our national economy and, in turn, our national security.

Again, I thank the chairman for all his hard work on this defense authorization. I urge my colleagues to support the rule and the underlying bill.

□ 1145

Mr. HASTINGS. Madam Speaker, I yield 1½ minutes to the gentleman from California (Mr. TED LIEU), a member of the Foreign Affairs and Judiciary Committees, to discuss the commonsense issues that we all care about but have been blocked during this closed Congress.

Mr. TED LIEU of California. Madam Speaker, PAUL RYAN promised regular order when he took over the speakership. He has broken that promise repeatedly. We have voted on bills here on the floor that violated the standard committee process.

The majority has employed a technique called marshal law that allows them to bring up bills with little to no notice, and now we know we have the most closed Congress in U.S. history. The majority has blocked all amendments on most bills. That is a disgraceful way to run the people's House.

Twenty-three amendments of mine have been blocked—simple amendments. One of them basically says, hey, the Federal Government should invest more in cybersecurity. We can't even get a debate on that.

Really?

Another amendment I have deals with anticorruption, and whether you have a Republican or a Democrat or an Independent, you don't want corruption. You don't want members of the executive branch making money off the taxpayer's dime.

So one of these amendments basically says we are not going to reimburse the President or other members when they go and spend money on Mara-Lago or other Trump properties and have the Federal Government pay money there because that flows to the President or his immediate family. Can't even get a vote on that. Why? Because the Republican leadership knows it would pass.

We need to open up this Congress and have a debate. We came here to debate ideas, not to block them.

Mr. BURGESS. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Madam Speaker, I rise today in support of this historic bipartisan compromise that rolls back some of the most harmful policies from the Dodd-Frank Act and will help grow our economy.

The Economic Growth, Regulatory Relief, and Consumer Protection Act includes bipartisan legislation that I authored to help communities in Indiana and across the United States save money on roads, bridges, and schools. It reverses a backward banking rule that gave foreign countries an advantage over American cities and towns. This will drive down the cost of borrowing and make it cheaper for cities and towns to finance local infrastructure projects.

Ultimately, this bill saves taxpayer dollars. That is why it has passed the House twice. It is supported by numerous advocacy groups, and my good friend, the State treasurer of Indiana, Kelly Mitchell. I applaud this bill's inclusion in this banking reform package, and I urge my colleagues to support the rule and the underlying bill.

Mr. HASTINGS. Madam Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE), a member of the Foreign Affairs and Judiciary Committees, to discuss the commonsense issues that we all care about but that have been blocked during this closed Congress.

Mr. CICILLINE. Madam Speaker, I thank the gentleman for yielding.

We pride ourselves on being the most deliberative body on the planet, and all of us come here to contribute our best ideas to improve the lives of the American people.

You wonder why this place doesn't work? It is the whole set of exclusion of ideas from nearly half this body.

I am one of those people who has offered just about 25 amendments that were blocked by the Republicans. What are they afraid of? Debate your ideas. Make your arguments. Vote. Be held accountable.

Some of the things they blocked, the amendments I offered: an amendment to increase student loan interest tax deductions in our tax bill; a provision to end tax breaks for companies that ship American jobs overseas; an amendment to increase funding to combat violent extremism; and an amendment to increase funding for fire departments in the SAFER grants. Those are just four examples.

Their practice, they marked an important moment in history, not a good moment: the most closed Congress in the history of the United States, excluding from consideration debate, argument, and accountability.

Vote on these things so the American people know where you stand. That is what we have here, over 1,000 ideas proffered by Democrats that our Republican colleagues won't even bring to the floor for consideration so the American people know where they stand on a range of important issues.

This is a dark day for Congress, the most closed Congress in our history. It means the voices of the American people as reflected in nearly half of this body are not being considered, debated, and voted upon by the Congress.

It is wrong. It is negatively impacting the lives of the American people. There are real consequences. It is not just that we want our own amendments considered. It is because we understand it will benefit the American people.

I urge my colleagues to have some self-reflection on what they are doing here.

Mr. BURGESS. Madam Speaker, I yield myself 30 seconds for purposes of rebuttal before I yield to the gentleman from North Carolina (Mr. BUDD).

As a point of situational awareness, as of last week, in this Congress, over 1,000 amendments have been heard on the House floor: 47 percent Democratic, 41 percent Republican, 15 percent bipartisan.

For a point of reference, the last term that NANCY PELOSI was Speaker of the House, the 111th Congress, less than 1,000 amendments for the entire Congress. We passed that milestone prior to last week. We will continue to hear amendments on the floor.

Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Madam Speaker, I thank the gentleman from Texas.

Today is a great day for North Carolina's community financial institutions, small business innovators, and, most importantly, our economy. I rise today in strong support of this rule that will bring a much-needed regulatory relief bill, S. 2155, to the House floor.

The most damaging aspect of the Dodd-Frank bill was the additional and unnecessary regulatory burden placed on community financial institutions, and because of this, we have seen American consumers and small businesses struggle to get the credit and the support that they need. Economic growth is held back because of Dodd-Frank, but I am happy to report that relief is on the way with the passage of S. 2155.

Madam Speaker, while I urge adoption of this rule and urge passage of this bill, I also look forward to working with our chairman and our leader, JEB HENSARLING, Senator MIKE CRAPO, and Senate Democrats to craft a package of bills that focuses on capital formation. I offer any support I can to help bring that collection of bills across the finish line as well. I urge adoption of the rule, Madam Speaker.

Mr. HASTINGS. Madam Speaker, just to respond briefly to Mr. BURGESS, it is a good thing that they made a handful of amendments in order that added up to 1,000. If we went through it, they would look like studies and things that were not significant; but when it came to the healthcare measures or when it came to tax reform, not one amendment by a Democrat was made in order.

Madam Speaker, I yield 1½ minutes to the gentlewoman from Connecticut

(Ms. DELAURO), who is a member of the Appropriations Committee, to discuss the significance of this record-breaking closed Congress and real people affected by these closed rules.

Ms. DELAURO. Madam Speaker, this week, the Republican majority won the honor of having run the most closed Congress in American history: 84 closed rules, zero open rules.

What does that mean? It means that they blocked us from fully debating or amending legislation, prohibiting us from fully giving our constituents a voice in this Congress.

Why are we here? Our constituents sent us here to be able to debate issues and to vote on those issues.

Two weeks ago, the majority blocked my amendment to ensure equal pay for equal work. Congress passed the Equal Pay Act in 1963 to end unequal wages. Yet, in 2018, women still earn about 80 cents, on average, to a man's dollar. The gap is worse for women of color.

A woman working full-time will lose $400,000 over the course of her career. African American women lose $840,000. Latinas will lose over $1 million.

Since women are the sole or co-breadwinner in half of the families with children, our Nation's families and our economy suffers, which is why I offered the Paycheck Fairness Act as an amendment. It toughens remedies in the Equal Pay Act to help America's working women fight wage discrimination and receive a full paycheck. They blocked it.

The strength of this institution is its potential to make a difference in the lives of the American people. That is vital when the biggest economic challenge is jobs that do not pay them enough to live on.

We cannot help raise wages, improve education, or fix crumbling infrastructure when this majority, more than any in American history, has closed the House to debate and to amendments. They closed it to action. It is unacceptable. The American people deserve better.

Mr. BURGESS. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Madam Speaker, I thank the gentleman from Texas (Mr. BURGESS) for yielding this time to debate these important measures.

This is a historic moment here in the House. Today, we will be sending the most significant financial regulatory relief legislation to the President's desk in more than a decade. I am proud to have been part of this effort, and I thank all of my colleagues who helped get us to this moment.

Madam Speaker, for the past 3½ years I served in this House, I have been telling the same story over and over again:

My home State of Georgia lost 70 banks during the financial crisis, the most of any State in the Nation. Today, 52 of Georgia's counties do not have a community bank headquartered there, and three of Georgia's counties have no bank branch whatsoever. Why? Because of excessive regulatory burden placed on small community banks and credit unions by previous legislative action and through overreach by regulators.

Today, we are taking a major step toward reversing that trend by taking bold action and by sending progrowth regulatory relief to small community banks and credit unions to the President's desk. This bill will help ensure that community banks and credit unions will no longer be crushed under the weight of regulations that do not distinguish between them and the largest financial institutions.

Much of this bill originally came from House bills—bipartisan, I may add. This moment is an example of the legislative process working well in a strong bipartisan fashion.

I urge all my colleagues to support this legislation.

Mr. HASTINGS. Madam Speaker, may I ask how much time both parties have remaining.

The SPEAKER pro tempore (Mrs. LOVE). The gentleman from Florida has 10½ minutes remaining. The gentleman from Texas has 13 minutes remaining.

Mr. HASTINGS. Madam Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Financial Services Committee, to discuss the significance of this record-breaking closed rule and the real people affected by the GOP shutting down our democratic process.

Mr. KILDEE. Madam Speaker, I thank my friend for yielding.

Madam Speaker, I am here to protest what has been the most closed Congress in American history. I know the other side will recite the number of amendments that have been allowed, but the fact remains, this is the most closed Congress we have ever had: 84 closed rules and not one open rule.

We are sent here by our constituents to advocate for their interests, and in the minority, one of the few tools we have is the ability to offer amendments and have those arguments heard on the floor of this House. Knowing that we may not win every fight, knowing that we may not win a majority on each idea, we ought to at least allow the power of a good idea to have a fair hearing.

Twenty-eight times I have offered amendments, thoughtful amendments that were crafted with the idea that we could actually improve policy, and 28 times those amendments have been blocked.

These are not messaging amendments, just to give two examples:

One would have increased the amount of funding available to local governments that are struggling to improve their drinking water systems. Think about my hometown of Flint and the hundreds of other communities that would have benefited from that.

Another would have directed the Federal Government to do more to deal with this issue of PFAS, perfluorinated chemicals, that is poisoning groundwater. In fact, while the EPA is having a conversation today about this very dangerous chemical that is affecting human life in this country, I offered an opportunity for Congress to do something.

Why didn't we do it? Because up in the Rules Committee, it was blocked.

The ideas ought to have a chance on the floor of the House. That is what we are sent here to do. We ought to open this Congress up.

Mr. BURGESS. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Madam Speaker, I rise in support of this historic bipartisan legislation. This progrowth bill is thanks to all the hardworking members of the House Financial Services Committee, and I am proud to have contributed to this meaningful reform.

S. 2155 will reduce regulatory burdens hindering Main Street by providing job creators with resources they need to grow their businesses and, frankly, their banks. Under Dodd-Frank, big banks have gotten bigger and small banks have become fewer. Our economy is not well served when small banks are handicapped.

As a former manufacturer, I understand the toll excessive regulatory burdens can have on small businesses. That is why I am a proud supporter of this legislation, and I look forward to seeing this bill signed on the President's desk.

□ 1200

Mr. HASTINGS. Madam Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up Representative SARBANES' bill, H.R. 20, the Government by the People Act.

This legislation would overhaul our broken campaign finance system and return to a government of, by, and for the American people.

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

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

There was no objection.

Mr. HASTINGS. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. SARBANES), who is a member of the Committee on Energy and Commerce and the Committee on Oversight and Government Reform, to discuss our proposal.

Mr. SARBANES. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, no matter what you think of S. 2155, one of the underlying bills being considered today, it is not what a clear majority of Americans want Congress to be doing.

Madam Speaker, nobody is coming up to us in townhalls and asking Congress to deregulate large financial institutions. We are not going to a fish fry

and hearing from people that they want us to dismantle important consumer protections. And nobody at VFW halls, Rotary Clubs, and PTA meetings thinks this bill should be Congress' priority.

The reason this bill is on the floor is that the power brokers on Wall Street want it on the floor. It is their bill; it is not the people's bill.

Our broken campaign finance system lies at the heart of this warped political system, where big money calls the shots in Washington.

For starters, in this broken system, too many good candidates without access to big money are effectively barred from running altogether. Those who can make it through have to spend hours dialing for dollars, courting a narrow slice of the Nation's elite, while high-powered lobbyists and special interests are dictating legislation here in Congress, just like today.

Most recently, these backroom power brokers used their influence to demand billion-dollar handouts for the wealthiest 1 percent from the GOP tax scam. Now they are once again tearing down critical rules to protect our financial system from another economic collapse.

Today's previous question would force a vote on H.R. 20, the Government by the People Act, a comprehensive reform of our campaign finance system to combat the influence of big money in our politics, raise civic engagement, and amplify the voice of everyday Americans.

This legislation would increase and multiply the power of small donors in America, breaking candidates' reliance on the big money crowd, giving candidates the resources they need to compete and win.

That way, when it comes time to make policy, the elected representatives of the people will work on behalf of our constituents, not the big money donors.

Madam Speaker, the American people are sick of getting a raw deal from Washington. That is why Democrats are offering a better deal for our democracy: a comprehensive reform agenda to get rid of the corruption that has led to such a dysfunctional political system here in Washington. We will deliver real reforms that will restore a government of, by, and for the people.

Mr. BURGESS. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. KUSTOFF).

Mr. KUSTOFF of Tennessee. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, today, I rise in support of S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act.

This pro-growth package provides the desperately needed regulatory relief to our community financial institutions while providing consumers with greater options for accessing credit.

For too long, we have seen many of the onerous regulatory burdens restrict banks and credit unions from serving the needs of their communities. After 8 years of failed economic policies, which led to the slowest, weakest recovery in the modern era, the economy is finally starting to take off, and consumer optimism is increasing each and every day each.

As a member of the House Financial Services Committee, we remain committed to passing legislation designed to roll back some of the most burdensome provisions found in the Dodd-Frank Act.

This legislation was intended to rein in large financial institutions, while harming our local community banks and credit unions. These increased regulations created a higher cost of business and diminished credit availability.

The SPEAKER pro tempore (Mr. PALMER). The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. KUSTOFF of Tennessee. Frankly, the Economic Growth, Regulatory Relief, and Consumer Protection Act tailors the rules to the size and risk profile rather than imposing sweeping changes to our consumer financial institutions.

Mr. Speaker, I thank my colleagues for their work on this important legislation, and I urge passage on the rule and on the final vote.

Mr. HASTINGS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. GONZALEZ), a member of the Financial Services Committee, to continue the discussion of commonsense issues that we all care about but have been blocked during this closed Congress.

Mr. GONZALEZ of Texas. Mr. Speaker, I thank my friend and distinguished Member of Congress, Mr. HASTINGS, for providing me the opportunity to speak today on behalf of deported veterans.

Mr. Speaker, setting the record for the most closed Congress is not a proud accomplishment. Our job is in our title: Representatives. We represent the American people.

According to the most recent Gallup poll, 78 percent of Americans disapprove of the way Congress is handling itself. Can you blame them?

When I came to Congress, I heard from constituents and Americans across the country about the injustice of deported veterans.

I heard from Arnold Giammarco from Connecticut, who was deported to Italy after coming to the United States at the age of 4 and honorably serving our country.

I heard from Gerardo Armijo, a Purple Heart recipient in my district, who was brought to the United States as an infant. He served two tours in Iraq, came home honorably discharged with PTSD after he suffered major injuries from an IED, and failed to get the care that he needed from the Veterans Administration. Due to drugs and alcohol, he found himself in some trouble and is now deported.

These stories are flooding in from all corners of the globe. We are deporting honorably discharged veterans after promising them citizenship. This is a disgrace.

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

Mr. HASTINGS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Vermont (Mr. WELCH), my good friend, a former member of the Committee on Rules who is now a member of the Committee on Energy and Commerce, to discuss the commonsense issues that we all care about that have been blocked during this closed Congress.

Mr. WELCH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is the most closed Congress in my lifetime. Eighty-four closed rules. That means we don't debate on the floor.

That is also on top of the fact that we don't debate in committee. The tax bill that was passed out of the Ways and Means Committee had no discussion, no debate, and no publication until it was brought up for a vote. The same thing is true for the healthcare bill.

We need to be debating things.

One of them was allowing citizens to import safe prescription drugs from Canada at a lower cost when those prescriptions were manufactured in FDA-approved facilities. I offered that amendment, and we were denied the opportunity to vote on that.

Mr. Speaker, had we been allowed to vote on it, it would have passed, and Americans would have saved billions of dollars—and I said the word ''billions''—on safe prescription medication if we could crack the lock that Pharma has on price gouging for pharmaceuticals.

We could do that if the majority would allow us to vote on amendments that pursue the opportunities that Americans need to be safe and secure.

Mr. BURGESS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the ranking member of the Committee on Rules, my good friend, who also serves on the Committee on Agriculture, to discuss the significance of this record-breaking closed Congress and real people affected by these closed rules.

Mr. MCGOVERN. Mr. Speaker, this is a sad day, a very sad day, for this institution. Today, it becomes official that this will become the most closed Congress ever in the history of the United States.

You heard why this matters. You heard from some of my colleagues here today that important issues, issues that the American people care about, like ensuring clean water for children, like high ethics in the executive branch, like cybersecurity, like banning bump stocks, like protecting our

veterans, or like protecting Medicare or Social Security—these amendments are routinely denied. We are shut out.

Millions of young people all over the country protested for us to do something to combat gun violence, and we have done nothing. We have done nothing in this Chamber other than a moment of silence.

The frustration of these young people is compounded by the fact that we can't even bring an amendment to the floor to ban bump stocks or to expand background checks or to ban assault weapons. They don't want to let anything come to the floor. It is outrageous.

And for anybody to stand up here and defend this process, to somehow normalize this process, give me a break. This closed process is something you would see in Russia or Turkey or in some other authoritarian government, not in the people's House.

This is supposed to be the greatest deliberative body in the world. What is so radical about deliberating every once in a while?

We have a report that we are releasing today. It is 230 pages. Go to the Rules Committee Democrats' web page, and you can read all about how there has been a deliberate attempt to shut out the voices of the American people.

Enough. This is not the way this place is supposed to be run.

If Democrats are given the privilege to control this House again, I will tell you, we need to be more accommodating, we need to be more open, and we need to allow this place to be a deliberative body where important issues get debated.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. MCGOVERN. Mr. Speaker, we need to fix problems in this country.

We could pass a bill to protect the Dreamers in a nanosecond if the Republican majority would allow us to bring an amendment to the floor, but they won't. Why? Because they are afraid that we are going to win.

They don't want a fair fight. They want a system that is always rigged in their favor. Well, that is not democracy. That is not the way this place is supposed to be run.

If we have a more accommodating approach to legislating, then I guarantee you that the polarization will be less. You will have more bills that will pass in a bipartisan way.

And, by the way, it is not just Democrats that get shut out; 180 Republicans have been shut out of the amendment process as well.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. HASTINGS. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. MCGOVERN. The sad thing is that they just go along to get along, and they are complicit in this most closed process in U.S. history.

Enough. Enough. We deserve better, the American people deserve better, my constituents deserve better, and your constituents deserve better. This place needs to be run differently.

Mr. Speaker, vote against this rule.

And I say to my Republican friends: Have the guts to stand with us and vote ''no'' on this closed process.

Mr. BURGESS. Mr. Speaker, I yield myself 1½ minutes for the purposes of a response.

I would, of course, lead with the observation that those who do not remember their history are doomed to repeat it. I don't remember precisely who said it, but I think it bears repeating today.

In the 111th Congress, Speaker Pelosi and the Democrats allowed less than a thousand amendments to be considered on the floor.

Of the bills that were considered at that time, the Dodd-Frank bill was one of those bills. The amendments that were blocked by the Democrats in the 111th Congress were precisely the type of amendments that we are now considering today in the bill to alleviate some of the obstructions, some of the gridlock that has occurred with our credit unions and smaller banks—things that people have been asking us for repeatedly for the last 5 to 7 years.

Mr. Speaker, the number of amendments that were blocked in the 111th Congress was significant. We have a chance today to undo some of that process, and I believe we ought to take that opportunity. As of 1½ weeks ago, over a thousand amendments had been made in order in this Congress.

The Committee on Rules is run differently today than it was in the 111th Congress. It used to be that you had to submit 45 copies of an amendment and you had a time limit by which you had to submit those amendments. You can submit amendments late now.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield an additional 30 seconds to myself.

Chairman SESSIONS has been very accommodating in allowing us to bring amendments to the Committee on Rules late.

There is no clock in the Committee on Rules, as the gentleman well knows. You can talk as long as you want in the Committee on Rules about your amendments, and you can offer whatever amendments you prefer.

The process is not ideal, but it is important that we move forward with these important reforms that people have been asking us for years. And, today, that day is at hand, and those reforms will be delivered.

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

□ 1215

Mr. HASTINGS. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, let me say to my friend from Texas, we don't want to talk. That is what you guys want to do. We want to legislate.

The fact is that the majority of bills that you have brought to this House floor have been closed. You have more closed rules than any other Congress in the history of the United States of America. How anybody can defend that with a straight face is beyond me.

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

Mr. HASTINGS. Mr. Speaker, I ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 1 minute remaining.

Mr. HASTINGS. Mr. Speaker, I would advise the gentleman from Texas that I am prepared to close if he is.

Mr. BURGESS. Mr. Speaker, seeing no more speakers on my side, I am prepared to close.

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

Mr. Speaker, I ask the American people to look at this chart. Rules under Speaker RYAN: structured rules, 44 percent; closed rules, 56 percent; open rules, zero. That is what we are talking about.

As with all bipartisan measures, this NDAA has many things to like and some provisions that are causes for concern, but it did demonstrate that there can be bipartisan cooperation in order to safeguard our national security, and that should be the case in every one of the jurisdictional undertakings here in Congress.

I commend the committee for once again tackling such a major legislative package, but sadly, this approach is far and away the exception to the rule around here.

Finally, Mr. Speaker, we have a moral responsibility to address gun violence in this country. Gun violence has overtaken our country. We have a moral responsibility to every child who now attends school thinking about, not if a school shooting will happen, but when it will happen to them. This responsibility is not owed to them at our leisure, it is not owed to them next month or next week or tomorrow, but today.

Mr. Speaker, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

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

Mr. Speaker, I again want to reiterate, the Rules Committee has spent hours listening and considering Member testimony. We have welcomed over 225 Members to testify during this Congress, and roughly 493 times have made over 1,000 amendments in order, including 474 from Democrats, 383 from Republicans, and over 150 which were bipartisan amendments.

The rule today is important, three important pieces of legislation.

The National Defense Authorization Act. Our number one priority when we are elected to this body is the defense

of our Nation, and we are authorizing that expenditure today.

The bill to reform the financial services institutions is one that has been requested by small banks and credit unions for years, and this body is today prepared to deliver.

Then finally, the Right to Try Act. The President stood in the State of the Union message and said that it was not correct that people had to go to other countries in order to get the medicines that they needed to prolong their lives. He wanted that to end, and today we are taking the step to end that.

Mr. Speaker, I urge my colleagues to support today's rule and the three underlying pieces of legislation.

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

AN AMENDMENT TO H. RES. 905 OFFERED BY MR. HASTINGS

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

SEC. 8. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 20) to reform the financing of congressional elections by broadening participation by small dollar donors, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on House Administration, Energy and Commerce, and Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 20.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

Adoption of House Resolution 905, if ordered, and

Approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 222, nays 184, not voting 21, as follows:

[Roll No. 210]

YEAS—222

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

NAYS—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo

Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gallego
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Halleran
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—21

Allen
Black
Brown (MD)
Burgess
DesJarlais
Deutch
Frelinghuysen
Gabbard
Gaetz
Garamendi
Higgins (LA)
Hoyer
Norcross
O'Rourke
Pearce
Richmond
Rogers (KY)
Roskam
Speier
Stivers
Walz

□ 1244

Mses. MENG, KELLY of Illinois, and VELÁZQUEZ changed their vote from ''yea'' to ''nay.''

Mr. MARCHANT changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BURGESS. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 210.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 227, noes 180, not voting 20, as follows:

[Roll No. 211]

AYES—227

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

NOES—180

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

NOT VOTING—20

Allen
Bass
Black
Brown (MD)
DesJarlais
Deutch
Frelinghuysen
Gabbard
Gaetz
Garamendi
Gohmert
Higgins (LA)
Hoyer
Norcross
O'Rourke
Pearce
Rogers (KY)
Speier
Stivers
Walz

□ 1252

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 219, nays 179, answered ''present'' 1, not voting 28, as follows:

[Roll No. 212]

YEAS—219

Abraham
Adams
Aderholt
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Brady (TX)
Brat
Brooks (IN)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clay
Cole
Collins (GA)
Collins (NY)
Comer
Comstock

Cook
Cooper
Courtney
Crawford
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Diaz-Balart
Doggett
Donovan
Duffy
Duncan (TN)
Dunn
Ellison
Engel
Eshoo
Estes (KS)
Evans
Faso
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Gallego
Garrett
Gianforte
Gonzalez (TX)
Goodlatte
Gowdy
Granger
Griffith
Guthrie
Hanabusa
Handel
Harper
Harris
Hartzler
Hensarling
Himes
Hollingsworth
Huffman
Hultgren
Issa
Johnson (GA)
Johnson (LA)
Johnson, E. B.
Johnson, Sam
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
King (IA)
King (NY)
Knight
Krishnamoorthi
Kustoff (TN)
Labrador
LaMalfa
Lamb
Lamborn
Latta
Lesko
Lewis (MN)
Lipinski
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Marchant
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McCollum
McEachin
McHenry
McMorris Rodgers
McNerney
Meadows
Meng
Messer
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Panetta
Pascrell
Pelosi
Perlmutter
Peters
Pocan
Polis
Posey
Raskin
Reichert
Rice (SC)
Roby
Roe (TN)
Rohrabacher
Rooney, Francis
Rooney, Thomas J.
Ross
Rothfus
Royce (CA)
Ruppersberger
Russell
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Stefanik
Stewart
Takano
Thornberry
Titus
Trott
Tsongas
Vela
Wagner
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Webster (FL)
Welch
Wenstrup
Westerman
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (IA)

NAYS—179

Aguilar
Amash
Barragán
Beatty
Bera
Bergman
Beyer
Biggs
Bishop (GA)
Blackburn
Blum
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brownley (CA)
Buck
Capuano
Carbajal
Cárdenas
Carter (GA)
Castor (FL)
Clark (MA)
Clarke (NY)
Clyburn
Coffman
Cohen
Conaway
Connolly
Correa
Costa
Costello (PA)
Cramer
Crist
Crowley
Cuellar
DeFazio
Delaney
Denham
DeSantis
Dingell
Doyle, Michael F.
Duncan (SC)
Emmer
Espaillat
Esty (CT)
Fitzpatrick
Flores
Foxx
Fudge
Gallagher
Gibbs
Gohmert
Gomez
Gosar
Gottheimer
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Gutiérrez
Hastings
Heck
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Hill
Holding
Hudson
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jones
Jordan
Kelly (MS)
Khanna
Kihuen
Kildee
Kilmer
Kind
Kinzinger
Kuster (NH)
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
LoBiondo
Lofgren
Lowenthal
Lowey
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Mast
Matsui
McGovern
McKinley
McSally
Meeks
Mitchell
Napolitano
Neal
Noem
Nolan
O'Halleran
Pallone
Paulsen
Payne
Perry
Peterson
Poe (TX)
Poliquin
Price (NC)
Quigley
Reed
Renacci
Rice (NY)
Richmond
Rogers (AL)
Rokita
Ros-Lehtinen
Rosen
Roskam
Rouzer
Roybal-Allard
Ruiz
Rush
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sinema
Sires
Smith (MO)
Soto
Suozzi
Swalwell (CA)
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Torres
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Walberg
Watson Coleman
Weber (TX)
Wittman
Woodall
Yoder
Young (AK)
Zeldin

ANSWERED ''PRESENT''—1

Tonko

NOT VOTING—28

Allen
Bass
Black
Brown (MD)
Cleaver
DesJarlais
Deutch
Frelinghuysen
Gabbard
Gaetz
Garamendi
Grijalva
Grothman
Higgins (LA)
Hoyer
Loebsack
Norcross
O'Rourke
Pearce
Pingree
Pittenger
Ratcliffe
Rogers (KY)
Speier
Stivers
Walz
Williams
Yoho

□ 1301

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DesJARLAIS. Due to a family emergency, I was unable to be present for votes on roll No. 210, roll No. 211 and roll No. 212 on May 22, 2018. Had I been present, I would have voted "yes" on all three.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

FORMERLY INCARCERATED REENTER SOCIETY TRANSFORMED SAFELY TRANSITIONING EVERY PERSON ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5682) to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 5682

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person Act'' or the ''FIRST STEP Act''.

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

TITLE I—RECIDIVISM REDUCTION

SEC. 101. RISK AND NEEDS ASSESSMENT SYSTEM.

(a) IN GENERAL.—Chapter 229 of title 18, United States Code, is amended by inserting after subchapter C the following:

''SUBCHAPTER D—RISK AND NEEDS ASSESSMENT SYSTEM

''§ 3631. Duties of the Attorney General

''(a) IN GENERAL.—The Attorney General shall carry out this subchapter in consultation with—

''(1) the Director of the Bureau of Prisons;

''(2) the Director of the Administrative Office of the United States Courts;

''(3) the Director of the Office of Probation and Pretrial Services;

''(4) the Director of the National Institute of Justice; and

''(5) the Director of the National Institute of Corrections.

''(b) DUTIES.—The Attorney General shall—

''(1) conduct a review of the existing prisoner risk and needs assessment systems in operation on the date of the enactment of the FIRST STEP Act;

''(2) develop recommendations regarding evidence-based recidivism reduction programs and productive activities in accordance with section 3633;

''(3) conduct ongoing research and data analysis on—

''(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

''(B) the most effective and efficient uses of such programs;

''(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

''(D) products purchased by Federal agencies that are manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States;

''(4) on an annual basis, review and validate the risk and needs assessment system, which review shall include—

''(A) any subsequent changes to the risk and needs assessment system made after the date of the enactment of this subchapter;

''(B) the recommendations developed under paragraph (2), using the research conducted under paragraph (3);

''(C) an evaluation to ensure that the risk and needs assessment system bases the assessment of each prisoner's risk of recidivism on indicators of progress, and of regression that are dynamic and that can reasonably be expected to change while in prison;

''(D) statistical validation of any tools that the risk and needs assessment system uses; and

''(E) an evaluation of the rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates;

''(5) make any revisions or updates to the risk and needs assessment system that the Attorney General determines appropriate pursuant to the review under paragraph (4), including updates to ensure that any disparities identified in paragraph (4)(E) are reduced to the greatest extent possible; and

''(6) report to Congress in accordance with section 3634.

''§ 3632. Development of risk and needs assessment system

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the FIRST STEP Act, the Attorney General shall develop and release a risk and needs assessment system (referred to in this subchapter as the 'System'), which shall be used to—

''(1) determine the recidivism risk of each prisoner as part of the intake process, and classify each prisoner as having minimum, low, medium, or high risk for recidivism;

''(2) assess and determine, to the extent practicable, the risk of violent or serious misconduct of each prisoner;

''(3) determine the type, amount, and intensity of evidence-based recidivism reduction programs that are appropriate for each prisoner and assign each prisoner to such programs accordingly, and based on the prisoner's specific criminogenic needs, and in accordance with subsection (b);

''(4) reassess the recidivism risk of each prisoner periodically and reassign the prisoner to appropriate evidence-based recidivism reduction programs or productive activities based on the revised determination to ensure that—

''(A) all prisoners at each risk level have a meaningful opportunity to reduce their classification during the period of incarceration;

''(B) to address the specific criminogenic needs of the prisoner; and

''(C) all prisoners are able to successfully participate in such programs;

''(5) determine when to provide incentives and rewards for successful participation in evidence-based recidivism reduction programs or productive activities in accordance with subsection (e); and

''(6) determine when a prisoner is ready to transfer into prerelease custody in accordance with section 3624(c).

In carrying out this subsection, the Attorney General may use existing risk and needs assessment tools, as appropriate.

''(b) ASSIGNMENT OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS.—The System shall provide guidance on the type, amount, and intensity of evidence-based recidivism reduction programming and productive activities that shall be assigned for each prisoner, including—

''(1) programs in which the Bureau of Prisons shall assign the prisoner to participate, according to the prisoner's specific criminogenic needs; and

''(2) information on the best ways that the Bureau of Prisons can tailor the programs to the specific criminogenic needs of each prisoner so as to most effectively lower each prisoner's risk of recidivism.

''(c) HOUSING AND ASSIGNMENT DECISIONS.—The System shall provide guidance on program grouping and housing assignment determinations and, after accounting for the safety of each prisoner and other individuals at the prison, provide that prisoners with a similar risk level be grouped together in housing and assignment decisions to the extent practicable.

''(d) EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM INCENTIVES AND PRODUCTIVE ACTIVITIES REWARDS.—The System shall provide incentives and rewards for prisoners to participate in and complete evidence-based recidivism reduction programs as follows:

''(1) PHONE AND VISITATION PRIVILEGES.—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall receive—

''(A) phone privileges, or, if available, video conferencing privileges, for up to 30 minutes per day, and up to 510 minutes per month; and

''(B) additional time for visitation at the prison, as determined by the warden of the prison.

''(2) TRANSFER TO INSTITUTION CLOSER TO RELEASE RESIDENCE.—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall be considered by the Bureau of Prisons for placement in a facility closer to the prisoner's release residence upon request from the prisoner and subject to—

''(A) bed availability at the transfer facility;

''(B) the prisoner's security designation; and

''(C) the recommendation from the warden of the prison at which the prisoner is incarcerated at the time of making the request.

''(3) ADDITIONAL POLICIES.—The Director of the Bureau of Prisons shall develop additional policies to provide appropriate incentives for successful participation and completion of evidence-based recidivism reduction programming. Such incentives shall include not less than two of the following:

''(A) Increased commissary spending limits and product offerings.

''(B) Extended opportunities to access the email system.

''(C) Consideration of transfer to preferred housing units (including transfer to different prison facilities).

''(D) Other incentives solicited from prisoners and determined appropriate by the Director.

''(4) TIME CREDITS.—

''(A) IN GENERAL.—A prisoner, except for an ineligible prisoner under subparagraph (D), who successfully completes evidence-based recidivism reduction programming or productive activities, shall earn time credits as follows:

''(i) A prisoner shall earn 10 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

''(ii) A prisoner determined by the Bureau of Prisons to be at a minimum or low risk for recidivating, who, over two consecutive assessments, has not increased their risk of recidivism, shall earn an additional 5 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

''(B) AVAILABILITY.—A prisoner may not earn time credits under this paragraph for an evidence-based recidivism reduction program that the prisoner successfully completed—

''(i) prior to the date of the enactment of this Act;

''(ii) during official detention prior to the date that the prisoner's sentence commences under section 3585(a); or

''(iii) if that prisoner is an inadmissible or deportable alien under the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

''(C) APPLICATION OF TIME CREDITS TOWARD PRE-RELEASE CUSTODY.—Time credits earned under this paragraph by prisoners who successfully participate in recidivism reduction programs or productive activities and who have been determined to be at minimum risk or low risk for recidivating pursuant to their last two reassessments shall be applied toward time in pre-release custody. The Director of the Bureau of Prisons shall transfer prisoners described in this subparagraph into prerelease custody, except that the Director of the Bureau of Prisons may deny such a transfer if the warden of the prison finds by clear and convincing evidence that the prisoner should not be transferred into prerelease custody based only on evidence of the prisoner's actions after the conviction of such prisoner and not based on evidence from the underlying conviction, and submits a detailed written statement regarding such finding to the Director of the Bureau of Prisons.

''(D) INELIGIBLE PRISONERS.—A prisoner is ineligible to receive time credits under this paragraph if the prisoner is serving a sentence for a conviction under any of the following provisions of law:

''(i) Section 113(a)(1), relating to assault with intent to commit murder.

''(ii) Section 115, relating to influencing, impeding, or retaliating against a Federal official by injuring a family member, except for a threat made in violation of that section.

''(iii) Any section of chapter 10, relating to biological weapons.

''(iv) Any section of chapter 11B, relating to chemical weapons.

''(v) Section 351, relating to Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault.

''(vi) Section 793, relating to gathering, transmitting, or losing defense information.

''(vii) Section 794, relating to gathering or delivering defense information to aid a foreign government.

''(viii) Any section of chapter 39, relating to explosives and other dangerous articles, except for section 836 (relating to the transportation of fireworks into a State prohibiting sale or use).

''(ix) Section 842(p), relating to distribution of information relating to explosive, destructive devices, and weapons of mass destruction, but only if the conviction involved a weapon of mass destruction (as defined in section 2332a(c)(2) of such title).

''(x) Subsection (f)(3), (h), or (i) of section 844, relating to the use of fire or an explosive.

''(xi) Section 924(e), relating to unlawful possession of a firearm by a person with 3 or more convictions for a violent felony.

''(xii) Section 1030(a)(1), relating to fraud and related activity in connection with computers.

''(xiii) Any section of chapter 51, relating to homicide, except for section 1112 (relating to manslaughter), 1113 (relating to attempt to commit murder or manslaughter, but only if the conviction was for an attempt to commit manslaughter), 1115 (relating to misconduct or neglect of ship officers), or 1122 (relating to protection against the human immunodeficiency virus).

''(xiv) Any section of chapter 55, relating to kidnapping.

''(xv) Any offense under chapter 77, relating to peonage, slavery, and trafficking in persons, except for sections 1592 through 1596.

''(xvi) Section 1751, relating to Presidential and Presidential staff assassination, kidnapping, and assault.

''(xvii) Section 1841(a)(2)(C), relating to intentionally killing or attempting to kill an unborn child.

''(xviii) Section 1992, relating to terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air.

''(xix) Section 2113(e), relating to bank robbery resulting in death.

''(xx) Section 2118(c)(2), relating to robberies and burglaries involving controlled substances resulting in death.

''(xxi) Section 2119(3), relating to taking a motor vehicle (commonly referred to as 'carjacking') that results in death.

''(xxii) Any section of chapter 105, relating to sabotage, except for section 2152.

''(xxiii) Any section of chapter 109A, relating to sexual abuse, except that with regard to section 2244, only a conviction under subsection (c) of that section (relating to abusive sexual contact involving young children) shall make a prisoner ineligible under this subparagraph.

''(xxiv) Section 2251, relating to the sexual exploitation of children.

''(xxv) Section 2251A, relating to the selling or buying of children.

''(xxvi) Any of paragraphs (1) through (3) of section 2252(a), relating to certain activities relating to material involving the sexual exploitation of minors.

''(xxvii) A second or subsequent conviction under any of paragraphs (1) through (6) of section 2252A(a), relating to certain activities relating to material constituting or containing child pornography.

''(xxviii) Section 2260, relating to the production of sexually explicit depictions of a minor for importation into the United States.

''(xxix) Section 2283, relating to the transportation of explosive, biological, chemical, or radioactive or nuclear materials.

''(xxx) Section 2284, relating to the transportation of terrorists.

''(xxxi) Section 2291, relating to the destruction of a vessel or maritime facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

''(xxxii) Any section of chapter 113B, relating to terrorism.

''(xxxiii) Section 2340A, relating to torture.

''(xxxiv) Section 2381, relating to treason.

''(xxxv) Section 2442, relating to the recruitment or use of child soldiers.

''(xxxvi) Section 57(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)), relating to the engagement or participation in the development or production of special nuclear material.

''(xxxvii) Section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122), relating to prohibitions governing atomic weapons.

''(xxxviii) Section 101 of the Atomic Energy Act of 1954 (42 U.S.C. 2131), relating to the atomic energy license requirement.

''(xxxix) Section 224 or 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275), relating to the communication or receipt of restricted data.

''(xl) Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), relating to the sabotage of nuclear facilities or fuel.

''(xli) Section 60123(b) of title 49, United States Code, relating to damaging or destroying a pipeline facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

''(xlii) Section 401(a) of the Controlled Substances Act (21 U.S.C. 841), relating to manufacturing or distributing a controlled substance, but only in the case of a conviction for an offense described in subparagraph (A), (B), or (C) of subsection (b)(1) of that section for which death or serious bodily injury resulted from the use of such substance.

''(xliii) Section 276(a) of the Immigration and Nationality Act (8 U.S.C. 1326), relating to the reentry of a removed alien, but only if the alien is described in paragraph (1) or (2) of subsection (b) of that section.

''(xliv) Any section of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.)

''(xlv) Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705).

''(xlvi) Section 601 of the National Security Act of 1947 (50 U.S.C. 3121), relating to the protection of identities of certain United States undercover intelligence officers, agents, informants, and sources.

''(xlvii) An offense described in section 3559(c)(2)(F), for which the offender was sentenced to a term of imprisonment of more than one year, if the offender has a previous conviction, for which the offender served a term of imprisonment of more than one year, for a Federal or State offense, by whatever designation and wherever committed, consisting of murder (as described in section 1111), voluntary manslaughter (as described in section 1112), assault with intent to commit murder (as described in section 113(a)), aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242), abusive sexual contact (as described in sections 2244(a)(1) and (a)(2)), kidnapping (as described in chapter 55), carjacking (as described in section 2119), arson (as described in section 844(f)(3), (h), or (i)), or terrorism (as described in chapter 113B).

''(xlviii) Section 2118(c)(2) of title 18, United States Code, relating to robberies and burglaries involving controlled substances resulting in death.

''(5) RISK REASSESSMENTS AND LEVEL ADJUSTMENT.—A prisoner who successfully participates in evidence-based recidivism reduction programming or productive activities shall receive periodic risk reassessments not less often than annually, and a prisoner determined to be at a medium or high risk of recidivating and who has less than 5 years until his or her projected release date shall receive more frequent risk reassessments. If the reassessment shows that the prisoner's risk of recidivating or specific needs have changed, the Bureau of Prisons shall update the determination of the prisoner's risk of recidivating or information regarding the prisoner's specific needs and reassign the prisoner to appropriate evidence-based recidivism reduction programming or productive activities based on such changes.

''(6) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection shall be in addition to any other rewards or incentives for which a prisoner may be eligible.

''(e) PENALTIES.—The Director of the Bureau of Prisons shall develop guidelines for the reduction of rewards and incentives earned under subsection (e) for prisoners who violate prison rules or evidence-based recidivism reduction program or productive activity rules, which shall provide—

''(1) general levels of violations and resulting reductions;

''(2) that any reduction that includes the loss of time credits shall require written notice to the prisoner, shall be limited to time credits that a prisoner earned as of the date of the prisoner's rule violation, and shall not include any future time credits that the prisoner may earn; and

''(3) for a procedure to restore time credits that a prisoner lost as a result of a rule violation based on the prisoner's individual progress after the date of the rule violation.

''(f) BUREAU OF PRISONS TRAINING.—The Attorney General shall develop and implement training programs for Bureau of Prisons officers and employees responsible for administering the System, which shall include—

''(1) initial training to educate officers and employees on how to use the System in an appropriate and consistent manner, as well as the reasons for using the System;

''(2) continuing education;

''(3) periodic training updates; and

''(4) a requirement that such officers and employees demonstrate competence in administering the System, including interrater reliability, on a biannual basis.

''(g) QUALITY ASSURANCE.—In order to ensure that the Bureau of Prisons is using the System in an appropriate and consistent manner, the Attorney General shall monitor and assess the use of the System, which shall include conducting annual audits of the Bureau of Prisons regarding the use of the System.

''§ 3633. Evidence-based recidivism reduction program and recommendations

''Prior to releasing the System, the Attorney General shall—

''(1) review the effectiveness of evidence-based recidivism reduction programs that exist as of the date of the enactment of this subchapter in prisons operated by the Bureau of Prisons;

''(2) review available information regarding the effectiveness of evidence-based recidivism reduction programs and productive activities that exist in State-operated prisons throughout the United States;

''(3) identify the most effective evidence-based recidivism reduction programs;

''(4) review the policies for entering into evidence-based recidivism reduction partnerships described in section 3621(h)(5); and

''(5) direct the Bureau of Prisons regarding—

''(A) evidence-based recidivism reduction programs;

''(B) the ability for faith-based organizations to function as a provider of educational evidence-based programs outside of the religious classes and services provided through the Chaplaincy; and

''(C) the addition of any new effective evidence-based recidivism reduction programs that the Attorney General finds.

''§ 3634. Report

''Beginning on the date that is two years after the date of the enactment of this subchapter, and annually thereafter for a period of 5 years, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives and the Subcommittees on Commerce,

Justice, Science, and Related Agencies of the Committees on Appropriations of the Senate and the House of Representatives that contains the following:

''(1) A summary of the activities and accomplishments of the Attorney General in carrying out this Act.

''(2) A summary and assessment of the types and effectiveness of the evidence-based recidivism reduction programs and productive activities in prisons operated by the Bureau of Prisons, including—

''(A) evidence about which programs have been shown to reduce recidivism;

''(B) the capacity of each program and activity at each prison, including the number of prisoners along with the recidivism risk of each prisoner enrolled in each program; and

''(C) identification of any gaps or shortages in capacity of such programs and activities.

''(3) Rates of recidivism among individuals who have been released from Federal prison, based on the following criteria:

''(A) The primary offense of conviction.

''(B) The length of the sentence imposed and served.

''(C) The Bureau of Prisons facility or facilities in which the prisoner's sentence was served.

''(D) The evidence-based recidivism reduction programming that the prisoner successfully completed, if any.

''(E) The prisoner's assessed and reassessed risk of recidivism.

''(F) The productive activities that the prisoner successfully completed, if any.

''(4) The status of prison work programs at facilities operated by the Bureau of Prisons, including—

''(A) a strategy to expand the availability of such programs without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons, including the feasibility of prisoners manufacturing products purchased by Federal agencies that are manufactured overseas;

''(B) an assessment of the feasibility of expanding such programs, consistent with the strategy required under subparagraph (A), with the goal that 5 years after the date of enactment of this Act, not less than 75 percent of eligible minimum and low risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

''(C) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals described in subparagraphs (A) and (B).

''(5) An assessment of the Bureau of Prisons' compliance with section 3621(h).

''(6) An assessment of progress made toward carrying out the purposes of this subchapter, including any savings associated with—

''(A) the transfer of prisoners into prerelease custody under section 3624(g) including savings resulting from the avoidance or deferral of future construction, acquisition, and operations costs; and

''(B) any decrease in recidivism that may be attributed to the System or the increase in evidence-based recidivism reduction programs required under chapter.

''(7) Recommendations for how to reinvest any savings into other Federal, State, and local law enforcement activities and evidence-based recidivism reduction programs in the Bureau of Prisons.

''§ 3635. Definitions

''In this subchapter the following definitions apply:

''(1) EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.—The term 'evidence-based recidivism reduction program' means either a group or individual activity that—

''(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

''(B) is designed to help prisoners succeed in their communities upon release from prison; and

''(C) may include—

''(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

''(ii) family relationship building, structured parent-child interaction, and parenting skills;

''(iii) classes on morals or ethics;

''(iv) academic classes;

''(v) cognitive behavioral treatment;

''(vi) mentoring;

''(vii) substance abuse treatment;

''(viii) vocational training;

''(ix) faith-based classes or services;

''(x) civic engagement and reintegrative community services;

''(xi) a prison job, including through a prison work program;

''(xii) victim impact classes or other restorative justice programs; and

''(xiii) trauma counseling and trauma-informed support programs.

''(2) PRISONER.—The term 'prisoner' means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

''(3) RISK AND NEEDS ASSESSMENT TOOL.—The term 'risk and needs assessment tool' means an objective and statistically validated method through which information is collected and evaluated to determine—

''(A) the risk that a prisoner will recidivate upon release from prison; and

''(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison.

''(4) PRODUCTIVE ACTIVITY.—The term 'productive activity' means either a group or individual activity that is designed to allow prisoners determined as having a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1) to other prisoners.''.

(b) CLERICAL AMENDMENT.—The table of subchapters for chapter 229 of title 18, United States Code, is amended by adding at the end the following:

''D. Risk and Needs Assessment System ..... 3631''.

SEC. 102. IMPLEMENTATION OF SYSTEM AND RECOMMENDATIONS BY BUREAU OF PRISONS.

(a) IMPLEMENTATION OF SYSTEM GENERALLY.—Section 3621 of title 18, United States Code, is amended by adding at the end the following:

''(h) IMPLEMENTATION OF RISK AND NEEDS ASSESSMENT SYSTEM.—

''(1) IN GENERAL.—Not later than 180 days after the Attorney General completes and releases the risk and needs assessment system (referred to in this subsection as the 'System') developed under subchapter D, the Director of the Bureau of Prisons shall, in accordance with that subchapter—

''(A) implement and complete the initial intake risk and needs assessment for each prisoner (including for each prisoner who was a prisoner prior to the effective date of this subsection), regardless of the prisoner's length of imposed term of imprisonment, and begin to assign prisoners to appropriate evidence-based recidivism reduction programs based on that determination;

''(B) begin to expand the effective evidence-based recidivism reduction programs and productive activities it offers and add any new evidence-based recidivism reduction programs and productive activities necessary to effectively implement the System; and

''(C) begin to implement the other risk and needs assessment tools necessary to effectively implement the System over time, while prisoners are participating in and completing the effective evidence-based recidivism reduction programs and productive activities.

''(2) PHASE-IN.—In order to carry out paragraph (1), so that every prisoner has the opportunity to participate in and complete the type, amount, and intensity of evidence-based recidivism reduction programs or productive activities they need, and be reassessed for recidivism risk as necessary to effectively implement the System, the Bureau of Prisons shall—

''(A) provide such evidence-based recidivism reduction programs and productive activities for all prisoners before the date that is 2 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (1)(A); and

''(B) develop and validate the risk and needs assessment tool to be used in the reassessments of risk of recidivism, while prisoners are participating in and completing evidence-based recidivism reduction programs and productive activities.

''(3) PRIORITY DURING PHASE-IN.—During the 2-year period described in paragraph (2)(A), the priority for such programs and activities shall be accorded based on a prisoner's proximity to release date.

''(4) PRELIMINARY EXPANSION OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS AND AUTHORITY TO USE INCENTIVES.—Beginning on the date of the enactment of the FIRST STEP Act, the Bureau of Prisons may begin to expand any evidence-based recidivism reduction programs and productive activities that exist at a prison as of such date, and may offer to prisoners who successfully participate in such programs and activities the incentives and rewards described in subchapter D.

''(5) RECIDIVISM REDUCTION PARTNERSHIPS.—In order to expand evidence-based recidivism reduction programs and productive activities, the Attorney General shall develop policies for the warden of each prison of the Bureau of Prisons to enter into partnerships, subject to the availability of appropriations, with any of the following:

''(A) Nonprofit and other private organizations, including faith-based, art, and community-based organizations that will deliver recidivism reduction programming on a paid or volunteer basis.

''(B) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) that will deliver instruction on a paid or volunteer basis.

''(C) Private entities that will—

''(i) deliver vocational training and certifications;

''(ii) provide equipment to facilitate vocational training or employment opportunities for prisoners;

''(iii) employ prisoners; or

''(iv) assist prisoners in prerelease custody or supervised release in finding employment.

''(D) Industry-sponsored organizations that will deliver workforce development and training, on a paid or volunteer basis.

''(6) REQUIREMENT TO PROVIDE PROGRAMS TO ALL PRISONERS; PRIORITY.—The Director of the Bureau of Prisons shall provide all prisoners with the opportunity to actively participate in evidence-based recidivism reduction programs or productive activities, according to their specific criminogenic needs,

throughout their entire term of incarceration. Priority for participation in recidivism reduction programs shall be given to medium risk and high risk prisoners, with access to productive activities given to minimum risk and low risk prisoners.

''(7) DEFINITIONS.—The terms in this subsection have the meaning given those terms in section 3635.''.

(b) PRERELEASE CUSTODY.—

(1) IN GENERAL.—Section 3624 of title 18, United States Code, is amended—

(A) in subsection (b)(1)—

(i) by striking '', beyond the time served, of up to 54 days at the end of each year of the prisoner's term of imprisonment, beginning at the end of the first year of the term,'' and inserting ''of up to 54 days for each year of the prisoner's sentence imposed by the court,'';

(ii) by striking ''credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence'' and inserting ''credit for the last year of a term of imprisonment shall be credited on the first day of the last year of the term of imprisonment''; and

(B) by adding at the end the following:

''(g) PRERELEASE CUSTODY FOR RISK AND NEEDS ASSESSMENT SYSTEM PARTICIPANTS.—

''(1) ELIGIBLE PRISONERS.—This subsection applies in the case of a prisoner (as such term is defined in section 3635) who—

''(A) has earned time credits under the risk and needs assessment system developed under subchapter D (referred to in this subsection as the 'System') in an amount that is equal to the remainder of the prisoner's imposed term of imprisonment;

''(B) has shown through the periodic risk reassessments a demonstrated recidivism risk reduction or has maintained a minimum or low recidivism risk, during the prisoner's term of imprisonment;

''(C) has been classified by the warden of the prison as otherwise qualified to be transferred into prerelease custody; and

''(D)(i) has been determined under the System to be a minimum or low risk to recidivate; or

''(ii) has had a petition to be transferred to prerelease custody approved by the warden of the prison, after the warden's determination that—

''(I) the prisoner would not be a danger to society if transferred to prerelease custody;

''(II) the prisoner has made a good faith effort to lower their recidivism risk through participation in recidivism reduction programs or productive activities;

''(III) the prisoner is unlikely to recidivate; and

''(IV) the transfer of the prisoner to prerelease custody is otherwise appropriate.

''(2) TYPES OF PRERELEASE CUSTODY.—A prisoner shall be placed in prerelease custody as follows:

''(A) HOME CONFINEMENT.—

''(i) IN GENERAL.—A prisoner placed in prerelease custody pursuant to this subsection who is placed in home confinement shall—

''(I) be subject to 24-hour electronic monitoring that enables the prompt identification of the prisoner, location, and time, in the case of any violation of subclause (II);

''(II) remain in the prisoner's residence, except that the prisoner may leave the prisoner's home in order to, subject to the approval of the Director of the Bureau of Prisons—

''(aa) perform a job or job-related activities, including an apprenticeship, or participate in job-seeking activities;

''(bb) participate in evidence-based recidivism reduction programming or productive activities assigned by the System, or similar activities;

''(cc) perform community service;

''(dd) participate in crime victim restoration activities;

''(ee) receive medical treatment; or

''(ff) attend religious activities; and

''(III) comply with such other conditions as the Director determines appropriate.

''(ii) ALTERNATE MEANS OF MONITORING.—If the electronic monitoring of a prisoner described in clause (i)(I) is infeasible for technical or religious reasons, the Director of the Bureau of Prisons may use alternative means of monitoring a prisoner placed in home confinement that the Director determines are as effective or more effective than the electronic monitoring described in clause (i)(I).

''(iii) MODIFICATIONS.—The Director of the Bureau of Prisons may modify the conditions described in clause (i) if the Director determines that a compelling reason exists to do so, and that the prisoner has demonstrated exemplary compliance with such conditions.

''(iv) DURATION.—Except as provided in paragraph (4), a prisoner who is placed in home confinement shall remain in home confinement until the prisoner has served not less than 85 percent of the prisoner's imposed term of imprisonment.

''(B) RESIDENTIAL REENTRY CENTER.—A prisoner placed in prerelease custody pursuant to this subsection who is placed at a residential reentry center shall be subject to such conditions as the Director of the Bureau of Prisons determines appropriate.

''(3) DETERMINATION OF CONDITIONS.—In determining appropriate conditions for prisoners placed in prerelease custody pursuant to this subsection, the Director of the Bureau of Prisons shall, to the extent practicable, provide that increasingly less restrictive conditions shall be imposed on prisoners who demonstrate continued compliance with the conditions of such prerelease custody, so as to most effectively prepare such prisoners for reentry.

''(4) VIOLATIONS OF CONDITIONS.—If a prisoner violates a condition of the prisoner's prerelease custody, the Director of the Bureau of Prisons may impose such additional conditions on the prisoner's prerelease custody as the Director of the Bureau of Prisons determines appropriate, or revoke the prisoner's prerelease custody and require the prisoner to serve the remainder of the term of imprisonment to which the prisoner was sentenced, or any portion thereof, in prison.

''(5) ISSUANCE OF GUIDELINES.—The Attorney General, in consultation with the Assistant Director for the Office of Probation and Pretrial Services, shall issue guidelines, for use by the Bureau of Prisons in determining—

''(A) the appropriate type of prerelease custody and level of supervision for a prisoner placed on prerelease custody pursuant to this subsection; and

''(B) consequences for a violation of a condition of such prerelease custody by such a prisoner, including a return to prison and a reassessment of evidence-based recidivism risk level under the System.

''(6) AGREEMENTS WITH UNITED STATES PROBATION AND PRETRIAL SERVICES.—The Director of the Bureau of Prisons shall, to the greatest extent practicable, enter into agreements with United States Probation and Pretrial Services to supervise prisoners placed in home confinement or community supervision under this subsection. Such agreements shall—

''(A) authorize United States Probation and Pretrial Services to exercise the authority granted to the Director pursuant to paragraphs (3) and (4); and

''(B) take into account the resource requirements of United States Probation and Pretrial Services as a result of the transfer of Bureau of Prisons prisoners to prerelease custody.

''(7) ASSISTANCE.—United States Probation and Pretrial Services shall, to the greatest extent practicable, offer assistance to any prisoner not under its supervision during prerelease custody under this subsection.

''(8) MENTORING SERVICES.—Any prerelease custody into which a prisoner is placed under this subsection may not include a condition prohibiting the prisoner from receiving mentoring services from a person who provided such services to the prisoner while the prisoner was incarcerated, except that the warden of the facility at which the prisoner was incarcerated may waive the requirement under this paragraph if the warden finds that the provision of such services would pose a significant security risk to the prisoner, persons who provide such services, or any other person. The warden shall provide written notice of any such waiver to the person providing mentoring services and to the prisoner.

''(9) TIME LIMITS INAPPLICABLE.—The time limits under subsections (b) and (c) shall not apply to prerelease custody under this subsection.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect beginning on the date that the Attorney General completes and releases the risk and needs assessment system under subchapter D of chapter 229 of title 18, United States Code.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to offenses committed before, on, or after the date of the enactment of this Act, except that such amendments shall not apply with respect to offenses committed before November 1, 1987.

SEC. 103. GAO REPORT.

Not later than 2 years after the Director of the Bureau of Prisons implements the risk and needs assessment system under section 3621 of title 18, United States Code, and every 2 years thereafter, the Comptroller General of the United States shall conduct an audit of the use of the risk and needs assessment system at Bureau of Prisons facilities. The audit shall include analysis of the following:

(1) Whether inmates are being assessed under the risk and needs assessment system with the frequency required under such section 3621.

(2) Whether the Bureau of Prisons is able to offer recidivism reduction programs and productive activities (as such terms are defined in section 3635 of title 18, United States Code).

(3) Whether the Bureau of Prisons is offering the type, amount, and intensity of recidivism reduction programs and productive activities for prisoners to earn the maximum amount of time credits for which they are eligible.

(4) Whether the Attorney General is carrying out the duties under section 3631(b) of title 18, United States Code.

(5) Whether officers and employees of the Bureau of Prisons are receiving the training described in section 3236(f) of title 18, United States Code.

(6) Whether the Bureau of Prisons offers work assignments to all prisoners who might benefit from such an assignment.

(7) Whether the Bureau of Prisons transfers prisoners to prerelease custody as soon as they are eligible for such a transfer under section 3624(g) of title 18, United States Code.

(8) The rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities

among similarly classified prisoners of different demographic groups, in such rates.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $50,000,000 for each of fiscal years 2019 through 2023. Of the amount appropriated under this subsection, 80 percent shall be reserved for use by the Director of the Bureau of Prisons to implement the system under section 102 and the amendments made by that section.

(b) SAVINGS.—It is the sense of Congress that any savings associated with reductions in recidivism that result from this title should be reinvested—

(1) into evidence-based recidivism reduction programs offered by the Bureau of Prisons; and

(2) into ensuring eligible prisoners have access to such programs and productive activities offered by the Bureau of Prisons.

SEC. 105. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, may be construed to provide authority to place a prisoner in prerelease custody who is serving a term of imprisonment pursuant to a conviction for an offense under the laws of one of the 50 States, or of a territory or possession of the United States.

SEC. 106. FAITH-BASED CONSIDERATIONS.

In considering any program, treatment, regimen, group, company, charity, person or entity of any kind under any provision of this Act or the amendments made by this Act, the fact that it may be or is faith-based may not be a basis for any discrimination against it in any manner or for any purpose.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

SEC. 201. SHORT TITLE.

This title may be cited as the ''Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2018''.

SEC. 202. SECURE FIREARMS STORAGE.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''§ 4050. Secure firearms storage

''(a) DEFINITIONS.—In this section—

''(1) the term 'employee' means a qualified law enforcement officer employed by the Bureau of Prisons; and

''(2) the terms 'firearm' and 'qualified law enforcement officer' have the meanings given those terms under section 926B.

''(b) SECURE FIREARMS STORAGE.—The Director of the Bureau of Prisons shall ensure that each chief executive officer of a Federal penal or correctional institution—

''(1)(A) provides a secure storage area located outside of the secure perimeter of the institution for employees to store firearms; or

''(B) allows employees to store firearms in a vehicle lockbox approved by the Director of the Bureau of Prisons; and

''(2) notwithstanding any other provision of law, allows employees to carry concealed firearms on the premises outside of the secure perimeter of the institution.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

''4050. Secure firearms storage.''.

TITLE III—RESTRAINTS ON PREGNANT PRISONERS PROHIBITED

SEC. 301. USE OF RESTRAINTS ON PRISONERS DURING THE PERIOD OF PREGNANCY AND POSTPARTUM RECOVERY PROHIBITED.

(a) IN GENERAL.—Chapter 317 of title 18, United States Code, is amended by inserting after section 4321 the following:

''§ 4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited

''(a) PROHIBITION.—Except as provided in subsection (b), beginning on the date on which pregnancy is confirmed by a healthcare professional, and ending at the conclusion of postpartum recovery, a prisoner in the custody of the Bureau of Prisons, or in the custody of the United States Marshals Service pursuant to section 4086, shall not be placed in restraints.

''(b) EXCEPTIONS.—

''(1) IN GENERAL.—The prohibition under subsection (a) shall not apply if—

''(A) an appropriate corrections official, or a United States marshal, as applicable, makes a determination that the prisoner—

''(i) is an immediate and credible flight risk that cannot reasonably be prevented by other means; or

''(ii) poses an immediate and serious threat of harm to herself or others that cannot reasonably be prevented by other means; or

''(B) a healthcare professional responsible for the health and safety of the prisoner determines that the use of restraints is appropriate for the medical safety of the prisoner.

''(2) LEAST RESTRICTIVE RESTRAINTS.—In the case that restraints are used pursuant to an exception under paragraph (1), only the least restrictive restraints necessary to prevent the harm or risk of escape described in paragraph (1) may be used.

''(3) APPLICATION.—

''(A) IN GENERAL.—The exceptions under paragraph (1) may not be applied—

''(i) to place restraints around the ankles, legs, or waist of a prisoner;

''(ii) to restrain a prisoner's hands behind her back;

''(iii) to restrain a prisoner using four-point restraints; or

''(iv) to attach a prisoner to another prisoner.

''(B) MEDICAL REQUEST.—Notwithstanding paragraph (1), upon the request of a healthcare professional who is responsible for the health and safety of a prisoner, a corrections official or United States marshal, as applicable, shall refrain from using restraints on the prisoner or remove restraints used on the prisoner.

''(c) REPORTS.—

''(1) REPORT TO THE DIRECTOR AND HEALTHCARE PROFESSIONAL.—If a corrections official or United States marshal uses restraints on a prisoner under subsection (b)(1), that official or marshal shall submit, not later than 30 days after placing the prisoner in restraints, to the Director of the Bureau of Prisons or the Director of the United States Marshals Service, as applicable, and to the healthcare professional responsible for the health and safety of the prisoner, a written report which describes the facts and circumstances surrounding the use of restraints, and includes—

''(A) the reasoning upon which the determination to use restraints was made;

''(B) the details of the use of restraints, including the type of restraints used and length of time during which restraints were used; and

''(C) any resulting physical effects on the prisoner observed by or known to the corrections official or United States marshal, as applicable.

''(2) SUPPLEMENTAL REPORT TO THE DIRECTOR.—Upon receipt of a report under subsection (c)(1), the healthcare professional responsible for the health and safety of the prisoner may submit to the Director such information as the healthcare professional determines is relevant to the use of restraints on the prisoner.

''(3) REPORT TO JUDICIARY COMMITTEES.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each submit to the Judiciary Committee of the Senate and of the House of Representatives a report that certifies compliance with this section and includes the information required to be reported under paragraph (1).

''(B) PERSONALLY IDENTIFIABLE INFORMATION.—The report under this paragraph shall not contain any personally identifiable information of any prisoner.

''(d) NOTICE.—Not later than 48 hours after the confirmation of a prisoner's pregnancy by a healthcare professional, that prisoner shall be notified by an appropriate healthcare professional, corrections official, or United States marshal, as applicable, of the restrictions on the use of restraints under this section.

''(e) VIOLATION REPORTING PROCESS.—The Director of the Bureau of Prisons, in consultation with the Director of the United States Marshals Service, shall establish a process through which a prisoner may report a violation of this section.

''(f) TRAINING.—

''(1) IN GENERAL.—The Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each develop training guidelines regarding the use of restraints on female prisoners during the period of pregnancy, labor, and postpartum recovery, and shall incorporate such guidelines into appropriate training programs. Such training guidelines shall include—

''(A) how to identify certain symptoms of pregnancy that require immediate referral to a healthcare professional;

''(B) circumstances under which the exceptions under subsection (b) would apply;

''(C) in the case that an exception under subsection (b) applies, how to apply restraints in a way that does not harm the prisoner, the fetus, or the neonate;

''(D) the information required to be reported under subsection (c); and

''(E) the right of a healthcare professional to request that restraints not be used, and the requirement under subsection (b)(3)(B) to comply with such a request.

''(2) DEVELOPMENT OF GUIDELINES.—In developing the guidelines required by paragraph (1), the Directors shall each consult with healthcare professionals with expertise in caring for women during the period of pregnancy and postpartum recovery.

''(g) DEFINITIONS.—For purposes of this section:

''(1) The term 'postpartum recovery' means the twelve-week period, or longer as determined by the healthcare professional responsible for the health and safety of the prisoner, following delivery, and shall include the entire period that the prisoner is in the hospital or infirmary.

''(2) The term 'restraints' means any physical or mechanical device used to control the movement of a prisoner's body, limbs, or both.

''(3) The term 'prisoner' means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons, including a person in a Bureau of Prisons contracted facility.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 317 of title 18, United States Code, is amended by adding after the item relating to section 4321 the following:

''4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited.''.

TITLE IV—MISCELLANEOUS CRIMINAL JUSTICE

SEC. 401. PLACEMENT OF PRISONERS CLOSE TO FAMILIES.

Subsection (b) of section 3621 of title 18, United States Code, is amended—

(1) by striking ''shall designate the place of the prisoner's imprisonment.'' and inserting ''shall designate the place of the prisoner's imprisonment, and shall, subject to bed availability, the prisoner's security designation, the prisoner's programmatic needs, the prisoner's mental and medical health needs, any request made by the prisoner related to faith-based needs, recommendations of the sentencing court, and other security concerns of the Bureau of Prisons, place the prisoner in a facility as close as practicable to the prisoner's primary residence, and to the extent practicable, in a facility within 500 driving miles of that residence. The Bureau shall, subject to consideration of the factors described in the preceding sentence and the prisoner's preference for staying at his or her current facility or being transferred, transfer prisoners to facilities that are closer to the prisoner's primary residence even if the prisoner is already in a facility within 500 driving miles of that residence.''; and

(2) by adding at the end the following: ''Notwithstanding any other provision of law, a designation of a place of imprisonment under this subsection is not reviewable by any court.''.

SEC. 402. HOME CONFINEMENT FOR LOW RISK PRISONERS.

Section 3624(c)(2) of title 18, United States Code, is amended by adding at the end the following: ''The Bureau of Prisons shall, to the extent practicable, place prisoners with lower risk levels and lower needs on home confinement for the maximum amount of time permitted under this paragraph.''.

SEC. 403. FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION; MODIFICATION OF IMPOSED TERM OF IMPRISONMENT.

(a) FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION.—Section 231(g) of the Second Chance Act of 2007 (34 U.S.C. 60541(g)) is amended—

(1) in paragraph (1)—

(A) by inserting ''and eligible terminally ill offenders'' after ''elderly offenders'' each place the term appears; and

(B) in subparagraph (A), by striking ''a Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities'';

(C) in subparagraph (B)—

(i) by striking ''the Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities''; and

(ii) by inserting '', upon written request from either the Bureau of Prisons or an eligible elderly offender or eligible terminally ill offender'' after ''to home detention''; and

(D) in subparagraph (C), by striking ''the Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities'';

(2) in paragraph (2), by inserting ''or eligible terminally ill offender'' after ''elderly offender'';

(3) in paragraph (3)—

(A) by striking ''at least one Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities''; and

(B) by striking ''and shall be carried out during fiscal years 2009 and 2010'' and inserting ''and shall be carried out during fiscal years 2019 through 2022'';

(4) in paragraph (4)—

(A) by inserting ''or eligible terminally ill offender'' after ''each eligible elderly offender''; and

(B) by inserting ''and eligible terminally ill offenders'' after ''eligible elderly offenders''; and

(5) in paragraph (5)—

(A) in subparagraph (A)—

(i) in clause (i), striking ''65 years of age'' and inserting ''60 years of age''; and

(ii) in clause (ii)—

(I) by striking ''the greater of 10 years or''; and

(II) by striking ''75 percent'' and inserting ''⅔''; and

(B) by adding at the end the following:

''(D) ELIGIBLE TERMINALLY ILL OFFENDER.—The term 'eligible terminally ill offender' means an offender in the custody of the Bureau of Prisons who—

''(i) is serving a term of imprisonment based on conviction for an offense or offenses that do not include any crime of violence (as defined in section 16(a) of title 18, United States Code), sex offense (as defined in section 111(5) of the Sex Offender Registration and Notification Act (34 U.S.C. 20911(5))), offense described in section 2332b(g)(5)(B) of title 18, United States Code, or offense under chapter 37 of title 18, United States Code;

''(ii) satisfies the criteria specified in clauses (iii) through (vii) of subparagraph (A); and

''(iii) has been determined by a medical doctor approved by the Bureau of Prisons to be—

''(I) in need of care at a nursing home, intermediate care facility, or assisted living facility, as those terms are defined in section 232 of the National Housing Act (12 U.S.C. 1715w); or

''(II) diagnosed with a terminal illness.''.

(b) INCREASING THE USE AND TRANSPARENCY OF COMPASSIONATE RELEASE.—Section 3582 of title 18, United States Code, is amended—

(1) in subsection (c)(1)(A), in the matter preceding clause (i), by inserting after ''Bureau of Prisons,'' the following: ''or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier,'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

''(d) NOTIFICATION REQUIREMENTS.—

''(1) TERMINAL ILLNESS DEFINED.—In this subsection, the term 'terminal illness' means a disease or condition with an end-of-life trajectory.

''(2) NOTIFICATION.—The Bureau of Prisons shall, subject to any applicable confidentiality requirements—

''(A) in the case of a defendant diagnosed with a terminal illness—

''(i) not later than 72 hours after the diagnosis notify the defendant's attorney, partner, and family members of the defendant's condition and inform the defendant's attorney, partner, and family members that they may prepare and submit on the defendant's behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

''(ii) not later than 7 days after the date of the diagnosis, provide the defendant's partner and family members (including extended family) with an opportunity to visit the defendant in person;

''(iii) upon request from the defendant or his attorney, partner, or a family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

''(iv) not later than 14 days of receipt of a request for a sentence reduction submitted on the defendant's behalf by the defendant or the defendant's attorney, partner, or family member, process the request;

''(B) in the case of a defendant who is physically or mentally unable to submit a request for a sentence reduction pursuant to subsection (c)(1)(A)—

''(i) inform the defendant's attorney, partner, and family members that they may prepare and submit on the defendant's behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

''(ii) accept and process a request for sentence reduction that has been prepared and submitted on the defendant's behalf by the defendant's attorney, partner, or family member under clause (i); and

''(iii) upon request from the defendant or his attorney, partner, or family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

''(C) ensure that all Bureau of Prisons facilities regularly and visibly post, including in prisoner handbooks, staff training materials, and facility law libraries and medical and hospice facilities, and make available to prisoners upon demand, notice of—

''(i) a defendant's ability to request a sentence reduction pursuant to subsection (c)(1)(A);

''(ii) the procedures and timelines for initiating and resolving requests described in clause (i); and

''(iii) the right to appeal a denial of a request described in clause (i) after all administrative rights to appeal within the Bureau of Prisons have been exhausted.

''(3) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this subsection, and once every year thereafter, the Director of the Bureau of Prisons shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on requests for sentence reductions pursuant to subsection (c)(1)(A), which shall include a description of, for the previous year—

''(A) the number of prisoners granted and denied sentence reductions, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(B) the number of requests initiated by or on behalf of prisoners, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(C) the number of requests which Bureau of Prisons employees assisted prisoners in drafting, preparing, or submitting, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

''(D) the number of requests which attorneys, partners, or family members submitted on a defendant's behalf, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

''(E) the number of requests approved by the Director of the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(F) the number of requests denied by the Director of the Bureau of Prisons and the reasons given for each denial, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(G) for each request, the time elapsed between the date the request was received by the warden and the final decision, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(H) for each request, the number of prisoners who died while their request was pending and, for each, the amount of time that had elapsed between the date the request was received by the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(I) the number of Bureau of Prisons notifications to attorneys, partners, and family members of their right to visit a terminally ill defendant as required under paragraph (2)(A)(ii) and, for each, whether a visit occurred and how much time elapsed between the notification and the visit;

''(J) the number of visits to terminally ill prisoners that were denied by the Bureau of Prisons due to security or other concerns, and the reasons given for each denial; and

''(K) the number of motions filed by defendants with the court after all administrative rights to appeal a denial of a sentence reduction had been exhausted, the outcome of each motion, and the time that had elapsed between the date the request was first received by the Bureau of Prisons and the date the defendant filed the motion with the court.''.

SEC. 404. IDENTIFICATION FOR RETURNING CITIZENS.

(a) IDENTIFICATION AND RELEASE ASSISTANCE FOR FEDERAL PRISONERS.—Section 231(b) of the Second Chance Act of 2007 (34 U.S.C. 60541(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''(including'' and inserting ''prior to release from a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term in community confinement, including''; and

(B) by striking ''or birth certificate) prior to release'' and inserting ''and a birth certificate''; and

(2) by adding at the end the following:

''(4) DEFINITION.—In this subsection, the term 'community confinement' means residence in a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community facility.''.

(b) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (D) and (E) as paragraphs (6) and (7), respectively;

(2) in paragraph (6) (as so redesignated)—

(A) in clause (i)—

(i) by striking ''Social Security Cards,''; and

(ii) by striking ''and'' at the end;

(B) by redesignating clause (ii) as clause (iii);

(C) by inserting after clause (i) the following:

''(ii) obtain identification, including a social security card, driver's license or other official photo identification, and a birth certificate; and'';

(D) in clause (iii) (as so redesignated), by inserting after ''prior to release'' the following: ''from a sentence to a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term of community confinement''; and

(E) by redesignating clauses (i), (ii), and (iii) (as so amended) as subparagraphs (A), (B), and (C), respectively; and

(3) in paragraph (7) (as so redesignated), by redesignating clauses (i) through (vii) as subparagraphs (A) through (G), respectively.

SEC. 405. EXPANDING INMATE EMPLOYMENT THROUGH FEDERAL PRISON INDUSTRIES.

(a) NEW MARKET AUTHORIZATIONS.—Chapter 307 of title 18, United States Code, is amended by inserting after section 4129 the following:

''§ 4130. Additional markets

''(a) IN GENERAL.—Notwithstanding any other provision of law, Federal Prison Industries may sell products to—

''(1) public entities for use in penal or correctional institutions;

''(2) public entities for use in disaster relief or emergency response;

''(3) the government of the District of Columbia; and

''(4) any organization described in section 501(c)(3), (c)(4), or (d) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code.

''(b) DEFINITIONS.—In this section:

''(1) The term 'public entity' means a State, a subdivision of a State, an Indian tribe, and an agency or governmental corporation or business of any of the foregoing.

''(2) The term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the United States Virgin Islands.''.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 307 of title 18, United States Code, is amended by inserting after the item relating to section 4129 the following:

''4130. Additional markets.''.

(c) DEFERRED COMPENSATION.—Section 4126(c)(4) of title 18, United States Code, is amended by inserting after ''operations,'' the following: ''not less than 15 percent of such compensation for any inmate shall be reserved in the fund or a separate account and made available to assist the inmate with costs associated with release from prison,''.

SEC. 406. DE-ESCALATION TRAINING.

Beginning not later than 1 year after the date of the enactment of this Act, the Director of the Bureau of Prisons shall incorporate into training programs provided to officers and employees of the Bureau of Prisons (including officers and employees of an organization with which the Bureau of Prisons has a contract to provide services relating to imprisonment) specialized and comprehensive training in procedures to—

(1) de-escalate encounters between a law enforcement officer or an officer or employee of the Bureau of Prisons, and a civilian or a prisoner (as such term is defined in section 106 of this Act); and

(2) identify and appropriately respond to incidents that involve the unique needs of individuals who have a mental illness or cognitive deficit.

SEC. 407. EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.

(a) REPORT ON EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.—Not later than 90 days after the date of the enactment of this Act, the Director of the Bureau of Prisons shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and the capacity of the Bureau of Prisons to treat heroin and opioid abuse through evidence-based programs, including medication-assisted treatment where appropriate. In preparing the report, the Director shall consider medication-assisted treatment as a strategy to assist in treatment where appropriate and not as a replacement for holistic and other drug-free approaches. The report shall include a description of plans to expand access to evidence-based treatment for heroin and opioid abuse for prisoners, including access to medication-assisted treatment in appropriate cases. Following submission, the Director shall take steps to implement these plans.

(b) REPORT ON THE AVAILABILITY OF MEDICATION-ASSISTED TREATMENT FOR OPIOID AND HEROIN ABUSE, AND IMPLEMENTATION THEREOF.—Not later than 120 days after the date of the enactment of this Act, the Director of the Administrative Office of the United States Courts shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and capacity for the provision of medication-assisted treatment for opioid and heroin abuse by treatment-service providers serving prisoners who are serving a term of supervised release, and including a description of plans to expand access to medication-assisted treatment for heroin and opioid abuse whenever appropriate among prisoners under supervised release. Following submission, the Director will take steps to implement these plans.

SEC. 408. PILOT PROGRAMS.

(a) IN GENERAL.—The Bureau of Prisons shall establish each of the following pilot programs for 5 years, in at least 20 facilities:

(1) MENTORSHIP FOR YOUTH.—A program to pair youth with volunteers from faith-based or community organizations, which may include formerly incarcerated offenders, that have relevant experience or expertise in mentoring, and a willingness to serve as a mentor in such a capacity.

(2) SERVICE TO ABANDONED, RESCUED, OR OTHERWISE VULNERABLE ANIMALS.—A program to equip prisoners with the skills to provide training and therapy to animals seized by Federal law enforcement under asset forfeiture authority and to organizations that provide shelter and similar services to abandoned, rescued, or otherwise vulnerable animals.

(b) REPORTING REQUIREMENT.—Not later than one year after the conclusion of the pilot programs, the Attorney General shall report to Congress on the results of the pilot programs under this section. Such report shall include cost savings, numbers of participants, and information about recidivism rates among participants.

(c) DEFINITION.—In this title, the term ''youth'' means a prisoner (as such term is defined in section 106) who was 21 years of age or younger at the time of the commission or alleged commission of the criminal offense for which the individual is being prosecuted or serving a term of imprisonment, as the case may be.

SEC. 409. ENSURING SUPERVISION OF RELEASED SEXUALLY DANGEROUS PERSONS.

(a) PROBATION OFFICERS.—Section 3603 of title 18, United States Code, is amended in paragraph (8)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

(b) PRETRIAL SERVICES OFFICERS.—Section 3154 of title 18, United States Code, is amended in paragraph (12)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

SEC. 410. DATA COLLECTION.

(a) NATIONAL PRISONER STATISTICS PROGRAM.—Beginning not later than one year after the date of the enactment of this Act, and annually thereafter, pursuant to the authority under section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732), the Director of the Bureau of Justice Statistics, with information that shall be provided by the Director of the Bureau of Prisons, shall include in the National Prisoner Statistics Program the following:

(1) The number of prisoners (as such term is defined in section 106 of this Act) who are veterans of the Armed Forces of the United States.

(2) The number of prisoners who have been placed in solitary confinement at any time during the previous year.

(3) The number of female prisoners known by the Bureau of Prisons to be pregnant, as well as the outcomes of such pregnancies, including information on pregnancies that result in live-birth, still-birth, miscarriage, abortion, ectopic pregnancy, maternal death, neonatal death, and preterm birth.

(4) The numbers of prisoners who volunteered to participate in a substance abuse

treatment program, and the number of prisoners who have participated in such a program.

(5) The number of prisoners provided medication-assisted treatment with medication approved by the Food and Drug Administration while in custody in order to treat substance use disorder.

(6) The number of prisoners who were receiving medication-assisted treatment with medication approved by the Food and Drug Administration prior to the commencement of their term of imprisonment.

(7) The number of prisoners who are the parent or guardian of a minor child.

(8) The numbers of prisoners who are single, married, or otherwise in a committed relationship.

(9) The number of prisoners who have not achieved a GED, high school diploma, or equivalent prior to entering prison.

(10) The number of prisoners who, during the previous year, received their GED or other equivalent certificate while incarcerated.

(11) The numbers of prisoners for whom English is a second language.

(12) The number of incidents, during the previous year, in which restraints were used on a female prisoner during pregnancy, labor, or postpartum recovery, as well as information relating to the type of restraints used, and the circumstances under which each incident occurred.

(13) The vacancy rate for medical and healthcare staff positions, and average length of such a vacancy.

(14) The number of facilities that operated, at any time during the previous year, without at least one clinical nurse, certified paramedic, or licensed physician on-site.

(15) The number of facilities that during the previous year were accredited by the American Correctional Association.

(16) The number and type of recidivism reduction partnerships described in section 3621(h)(5) of title 18, United States Code, entered into by each facility.

(17) The number of facilities with remote learning capabilities.

(18) The number of facilities that offer prisoners video conferencing.

(19) Any changes in costs related to legal phone calls and visits following implementation of section 403 of this Act.

(20) The number of aliens in prison during the previous year.

(21) For each Bureau of Prisons facility, the total number of violations that resulted in reductions in rewards, incentives, or time credits, the number of such violations for each category of violation, and the demographic breakdown of the prisoners who have received such reductions.

(22) The number of assaults on Bureau of Prisons staff by prisoners and the number of criminal prosecutions of prisoners for assaulting Bureau of Prisons staff.

(23) The capacity of each recidivism reduction program and productive activity to accommodate eligible inmates at each Bureau of Prisons facility.

(24) The number of volunteers who were certified to volunteer in a Bureau of Prisons facility, broken down by level (level I and level II), and by each Bureau of Prisons facility.

(25) The number of prisoners enrolled in recidivism reduction programs and productive activities at each Bureau of Prisons facility, broken down by risk level and by program, and the number of those enrolled prisoners who successfully completed each program.

(26) The breakdown of prisoners classified at each risk level by demographic characteristics, including age, sex, race, and the length of the sentence imposed.

(b) REPORT TO JUDICIARY COMMITTEES.—Beginning not later than one year after the date of the enactment of this Act, and annually thereafter for a period of 7 years, the Director of the Bureau of Justice Statistics shall submit a report containing the information described in paragraphs (1) through (26) of subsection (a) to the Committees on the Judiciary of the House of Representatives and of the Senate.

SEC. 411. HEALTHCARE PRODUCTS.

(a) AVAILABILITY.—The Director of the Bureau of Prisons shall make the healthcare products described in subsection (c) available to prisoners for free, in a quantity that is appropriate to the healthcare needs of each prisoner.

(b) QUALITY PRODUCTS.—The Director shall ensure that the healthcare products provided under this section conform with applicable industry standards.

(c) PRODUCTS.—The healthcare products described in this subsection are tampons and sanitary napkins.

SEC. 412. PRISON RAPE ELIMINATION STANDARDS AUDITORS.

Section 8(e)(8) of the Prison Rape Elimination Act of 2003 (34 U.S.C. 30307(e)(8)) is amended to read as follows:

''(8) STANDARDS FOR AUDITORS.—

''(A) IN GENERAL.—

''(i) BACKGROUND CHECKS FOR AUDITORS.—An individual seeking certification by the Department of Justice to serve as an auditor of prison compliance with the national standards described in subsection (a) shall, upon request, submit fingerprints in the manner determined by the Attorney General for criminal history record checks of the applicable State and Federal Bureau of Investigation repositories.

''(ii) CERTIFICATION AGREEMENTS.—Each auditor certified under this paragraph shall sign a certification agreement that includes the provisions of, or provisions that are substantially similar to, the Bureau of Justice Assistance's Auditor Certification Agreement in use in April 2018.

''(iii) AUDITOR EVALUATION.—The PREA Management Office of the Bureau of Justice Assistance shall evaluate all auditors based on the criteria contained in the certification agreement. In the case that an auditor fails to comply with a certification agreement or to conduct audits in accordance with the PREA Auditor Handbook, audit methodology, and instrument approved by the PREA Management Office, the Office may take remedial or disciplinary action, as appropriate, including decertifying the auditor in accordance with subparagraph (B).

''(B) AUDITOR DECERTIFICATION.—

''(i) IN GENERAL.—The PREA Management Office may suspend an auditor's certification during an evaluation of an auditor's performance under subparagraph (A)(iii). The PREA Management Office shall promptly publish the names of auditors who have been decertified, and the reason for decertification. Auditors who have been decertified or are on suspension may not participate in audits described in subsection (a), including as an agent of a certified auditor.

''(ii) NOTIFICATION.—In the case that an auditor is decertified, the PREA Management Office shall inform each facility or agency at which the auditor performed an audit during the relevant three-year audit cycle, and may recommend that the agency repeat any affected audits, if appropriate.

''(C) AUDIT ASSIGNMENTS.—The PREA Management Office shall establish a system, to be administered by the Office, for assigning certified auditors to Federal, State, and local facilities.

''(D) DISCLOSURE OF DOCUMENTATION.—The Director of the Bureau of Prisons shall comply with each request for documentation necessary to conduct an audit under subsection (a), which is made by a certified auditor in accordance with the provisions of the certification agreement described in subparagraph (A)(ii). The Director of the Bureau of Prisons may require an auditor to sign a confidentiality agreement or other agreement designed to address the auditor's use of personally identifiable information, except that such an agreement may not limit an auditor's ability to provide all such documentation to the Department of Justice, as required under section 115.401(j) of title 28, Code of Federal Regulations.''.

SEC. 413. ADULT AND JUVENILE COLLABORATION PROGRAMS.

Section 2991 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10651) is amended—

(1) by striking subsection (b)(4)(D);

(2) in subsection (e), by striking ''may use up to 3 percent'' and inserting ''shall use not less than 6 percent''; and

(3) by amending subsection (g) to read as follows:

''(g) COLLABORATION SET ASIDE.—The Attorney General shall use not less than 8 percent of funds appropriated to provide technical assistance to State and local governments receiving grants under this part to foster collaboration between such governments in furtherance of the purposes set forth in section 3 of the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 (34 U.S.C. 10651 note).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5682, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 5682, the FIRST STEP Act. The bipartisan bill before us is a meaningful, historic criminal justice reform measure.

The FIRST STEP Act places a new focus on rehabilitation. While we recognize criminal behavior needs to be punished and criminals need to be incarcerated, we must also acknowledge that our prison population needs to be rehabilitated to the greatest extent practicable. The bill establishes a risk and needs assessment as the basis of both an effective recidivism reduction program and an efficient and effective Federal prison system.

The FIRST STEP Act will incentivize prisoners to participate in evidence-based recidivism reduction programs, productive activities, and jobs that will actually reduce their risk of recidivism.

We know that over 90 percent of all prisoners within the Bureau of Prisons

will be released someday. That is an indisputable fact. We also know that without programming and intervention, which can train prisoners to be better citizens, not better criminals, prisoners are more likely to recidivate.

Mr. Speaker, rather than allowing the cycle of crime to continue, this legislation takes a practical, intelligent approach to rehabilitation. By using a focused approach for each prisoner, we can lower the risk of recidivism. That is what H.R. 5682 does.

Fewer recidivists means fewer prisoners in the future. It means greater savings to the American taxpayer. More importantly, it means safer communities, fewer crimes, and, of course, fewer victims. It also means greater opportunities for people once they leave prison.

This bill is important because when prisoners who have received intervention and rehabilitation are released, they are less likely to commit crimes. When that happens, our streets are safer and innocent civilians are less likely to be victimized. Rehabilitated prisoners are more likely to leave the life of crime behind, become productive members of society, and contribute to their communities. If that isn't meaningful, Mr. Speaker, I don't know what is.

I know there are some in this body who are opposing this legislation because it does not include sentencing reform. I support sentencing reform and have worked with my colleagues to find common ground on that issue. However, we should not let this opportunity pass by. The vast majority of Members of this House agree that this legislation is needed. Let us not linger any longer. Let us move this important and meaningful bill today.

Just look at the bipartisan support from outside interest groups that the FIRST STEP Act has received. Numerous organizations—almost too many to list in the allotted time we have—on both the left and the right have enthusiastically endorsed this bill.

Finally, Mr. Speaker, I want to thank the chief sponsors of H.R. 5682, the gentleman from Georgia (Mr. COLLINS) and the gentleman from New York (Mr. JEFFRIES). They worked tirelessly to get this bill to the floor, and both should be applauded for their bipartisan approach to this issue.

Mr. Speaker, I urge my colleagues to support the FIRST STEP Act, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I claim the time in opposition to H.R. 5682, the FIRST STEP Act. On principle, I cannot support legislation which fails to address the larger issue of sentencing reform, and, though this bill makes some modest improvements in areas related to our prisons, actually it does more harm by cementing into our system new areas of racial biases and disadvantage that make worse a criminal justice system desperately in need of reform.

Despite the bill's good intentions, the new incentive system for pre-release custody credits could exacerbate racial biases and, unlike previous criminal justice efforts, is not balanced with the necessary reforms to our Federal sentencing system. As Monday's New York Times editorial observed: ''A partial bill could end up being worse than nothing.''

The bill excludes large categories of inmates, based on convictions for various offenses and on immigration status, from being eligible for the pre-release custody incentives established by the bill.

Second, certain prisoners who are eligible to participate in the incentive system and who successfully participate in recidivism reduction programs would face being denied early entry to pre-release custody if such inmates are judged to have a higher than low recidivism risk under the new system. It would be unfair to deny these prisoners what they have earned, and it is counterproductive for all of us to, in effect, create a disincentive for prisoners who most need recidivism reduction programming from engaging in it.

Third, the combination of these factors, implemented through a problematic risk assessment tool, could operate to exacerbate racial and socioeconomic disparities already present in the criminal justice system. As the Leadership Conference on Civil and Human Rights, the ACLU, the NAACP, the National Immigration Law Center, and dozens of other advocacy groups warn, ''the exclusions could . . . have a disparate impact on racial minorities.''

I want to acknowledge the tremendous work of my colleagues on the Judiciary Committee—Representatives JEFFRIES, RICHMOND, and BASS particularly—for their efforts to improve the legislation. I wholeheartedly support certain provisions in the current version of the bill, such as expanding time credits for good behavior, banning the shackling of women prisoners, and enhanced compassionate relief. But, unfortunately, these good provisions do not outweigh the potentially harmful provisions contained elsewhere in the bill.

Perhaps more importantly, it is clear that prison reform alone will not ameliorate the crisis of mass incarceration unless we address the principal cause of the problem—unjust sentencing laws. As former Attorney General Eric Holder writes in today's Washington Post: ''To reform America's prisons, we must change the laws that send people to them in the first place. Anything less represents a failure of leadership.''

It is unfortunate that after waiting nearly 1½ years to take up the issue of criminal justice reform, the majority was unwilling to subject H.R. 5682 to a single legislative hearing or even bother to obtain a CBO score so we could understand its impact.

I also do not believe we can simply accept as a reason not to change our sentencing laws opposition to sentencing reform by a Trump administration that changes its legislative positions on a near daily basis and that has already done so much to weaken and undermine the criminal justice system. Nor do I believe more balanced reform is not viable when Senator CHUCK GRASSLEY, the chairman of the Senate Judiciary Committee, told us: ''For any criminal justice system proposal to win approval in the Senate, it must include . . . sentencing reforms.''

Although I oppose this legislation, I remain fully committed to achieving balanced reform as part of an effort to make our criminal justice system more just and our constituents more safe. But I do not believe that passing this bill today would contribute to that goal. I therefore urge an opposition vote.

Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I would like to thank the gentleman for yielding.

Mr. Speaker, I urge my colleagues to vote in favor of this FIRST STEP Act. I spent 17 years of my life representing people accused of crimes.

□ 1315

Some of them are people whom I will never forget. One is a woman named Daniella. She had some prior misdemeanor offenses and was charged with possession of crack cocaine. She was looking at a sentence of about 60 months, based on the amount. She had a small child. There were no weapons involved.

The prosecutors told her: If you tell on your boyfriend, we will take you to State court. If you don't, we are taking you to Federal court.

They took her to Federal court. And try as I did, she ended up getting 60 months of prison. She got taken away from her child. I remember the screams of that little boy as they walked his mother into custody.

I cannot imagine asking her to stay in prison one day longer than she needed to. I cannot imagine not giving every opportunity to improve her life and her skills.

Mr. Speaker, I urge a ''yes'' vote, and I do so with a lot of enthusiasm today.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong support of the FIRST STEP Act. I supported this bipartisan bill in committee because it will help more ex-offenders reenter the workforce. It will reduce recidivism.

The FIRST STEP Act is just a first step in fixing our criminal justice system. We all realize there is a lot more to do and a lot more we must do, but this is an important start.

I would remind everyone that the bill allows prisoners to earn an additional 7

days off their sentence each year they demonstrate good behavior. It funds important job training, drug treatment, and education services. It prohibits the shackling of pregnant women and improves compassionate release.

These are all very good provisions. It will not only reduce recidivism; it will enhance the safety of our communities by making sure folks have the ability to enter drug treatment, enter job training, and avail themselves of educational services. These are all commonsense ideas. I hope that everyone will support this legislation.

I want to thank, particularly, my colleague HAKEEM JEFFRIES for his strong leadership in these difficult negotiations, and I urge my colleagues to vote for the FIRST STEP and then commit themselves to continuing to build on this, because there is much more work to do in sentencing reform and criminal justice reform broadly.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I commend the Judiciary Committee for its tremendous work in bringing this bill to the floor. They have put forth tremendous effort and tried every way they could think of to compromise.

But notwithstanding the effort, I find myself not in a position to vote in favor of the bill. One of the reasons is that many of the organizations and groups with whom I have worked over the years are in opposition. They are people who are on the ground floor of criminal justice reform. They recognize that, if we are going to provide an opportunity to seriously reduce mass incarceration, we have to make provisions for individuals to regain some sense of reality regarding what got them into prison in the first place.

I appreciate all of the efforts. I think we have got too much authority being given to the Attorney General. I wish we had been able to get closer to what people I work with daily would be in agreement with. Unfortunately, we did not.

Unfortunately, I do not support passage of the bill, but I support continuing to work to find the real, hard-nosed solutions that we need.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. COLLINS), the chief sponsor of the legislation and a member of the Judiciary Committee.

Mr. COLLINS of Georgia. Mr. Speaker, I want to thank my colleague, Chairman BOB GOODLATTE, who has been a great supporter of working towards finding solutions. I think that is what we are here for today is finding solutions.

I want to thank the chairman for working this, taking this, and moving forward on a lot of different fronts. But as we look forward, there are some things I want to clear up and some people I want to thank.

With HAKEEM JEFFRIES, I couldn't ask for a better partner to work with through the intricacies of big solutions and big problems. These are big problems. Mr. JEFFRIES and I have said: Let's take a look and see what we can fix.

What is going to be said today is: I like this legislation, I like parts of this legislation; I like the legislation, but it doesn't go far enough; if it just did a little more—as if this place produced perfect results every time and we just want to wait.

But I also would ask those who choose to vote ''no'' today, and my question is this: Is it okay to make progress on many other things but on this one say no? Say no to a family who has a family member in prison who could get treatment and get help?

And when they come home—which over 90 percent of all prisoners in this country do, they come home—is it okay to say no to those folks, and say: No, we are not going to provide that for your family member; we are not going to provide extra treatment so that they can get help with addiction or work problems or anger management or skills deficits or education deficits? No, it is not.

Is it okay today to vote ''no'' and say: I like a lot of this bill, but I want to continue to shackle women as they have babies?

It is a pretty simple understanding. I get it. I want to see sentencing reform, too. I am on record as saying I do. I am on record as continuing past this to actually do that.

Mr. JEFFRIES and I have talked about this more than we ever imagined we would. But Congressman JEFFRIES is a great partner in this effort.

This bill is real and meaningful reform. Senator CORNYN and Senator WHITEHOUSE across the way in the Senate have taken steps to actually introduce the same bill and are working to do this. The President has said this is something that can be signed. In fact, the President, Mr. Speaker, last week, said that America is a nation that believes in second chances.

The FIRST STEP Act gives those second chances. It gives us hope. It gives us an ability to look at people. As I have said on this issue many times, it is a money and moral issue.

In States like Georgia, Kentucky, Oklahoma, Texas, New York, and California, these issues have been discussed and evidence-based approaches have worked. We have seen it, Mr. Speaker, work in my home State of Georgia. We have seen an evidence-based approach be the way that you need to go. This bill provides the protection, and it also provides the incentive for this to work.

Now, there have been many discussions on why we shouldn't do this, and there have been many people in recent days coming forward. I think it is pretty amazing to me—and I am going to have to be honest here—for the former Attorney General to come out and say this is not enough and say that the current Department of Justice could do some of this, then I have one question for the former Attorney General: Where were you when you held the office? Why didn't you do something then? If it was within your grasp, why did you turn a deaf ear to the cries of families who were in need? Why did you decide not to do something and now weigh in on something that Congressman JEFFRIES and many others have put their hearts and lives into and weigh in and say it is not enough? Look to those families, Mr. Former Attorney General, and tell them it is not enough.

It is easy to write an op-ed. It must be a lot harder to do it when you have the job.

So, as we look forward here, this is a positive piece of legislation. This is something that we can look forward to doing, when you have a chance to give those prisoners the opportunity to cut the very things down in their life that cause them to get there to start with.

When we begin to look at the reasons they are there—and there are multiple—then we are taking a first step toward solutions, a first step toward hope, a first step toward making a difference so that we can then see, if we can take this first step, then maybe we can get some of our colleagues to take that next step into sentencing reform and other areas that we have already worked on, that the chairman has worked on, and others across in the Senate have advocated for.

But if we choose not to do that today, you are saying no to the future. Congressman JEFFRIES and I believe yes to the future. I know that when we have worked on this, it is about what we can accomplish and how we can accomplish it in a way that is meaningful to others.

When we look at this, I also find it rather interesting, Mr. Speaker, the groups that have come together here. As we went around talking about this, we went to so many different groups from the left and the right that say this is a great first step: Justice Action Network, American Conservative Union, FreedomWorks, FAMM, Prison Fellowship, Faith and Freedom Coalition, #cut50, Heritage Action for America, and many, many more both on the left and the right. The Koch Foundation and others have said this is good. This is something we can move on. This provides that hope that we are searching for.

To the bill's detractors, I respect your opinion. To the bill's detractors, I would just say: Why not? If why not, why not here? And if why not and why you don't want to here, when? Is it ever good enough? Can we ever get to a point?

I think one of the things, Mr. Speaker, that we often deal with here is the art of the possible. Today is about the art of the possible.

We have an administration that says: We will sign the bill.

Jared Kushner has been such an advocate for this and worked with the administration to say: We will put forth the effort to make this work.

We have partners in the Senate who say: We want to work and do even more.

I am glad of that. And I have a partner here and many who have come alongside of us and have spoken to say: Let's do something today.

Today is about action. Today is about being a part of something bigger than ourselves. This is a day when we can come to the floor of this House and be proud of why we are here.

So many times we come down and we look at the bill and we see paper and we see words on a paper. But I tell you what I see, Mr. Speaker: I see the faces of the families behind these words. I see the faces of the families behind these words that it is actually going to help.

So when you look at this vote and you look at this bill, I say: Look beyond the pieces of paper, look beyond the ink, and look to the families that will be helped.

When you cast that ''yes'' vote, you are saying: I want to do something, and I am not afraid to wait on something I might want but know that I can take a step further now.

It is very simple: vote ''yes'' to move it along or vote ''no'' and say no to those in need.

I can agree and disagree about a lot of parts, but this is about the people behind the bill.

Before I go, Mr. Speaker, though, in addition to the committee, the chairman, and the committee staff who have been so great, a few weeks ago, I had the chance to talk about a staff member of mine as a steel magnolia. Today, Jon Ferro, from my staff, a New York native who works for a Georgia Member, has earned from me the highest praise.

He is now, as you will see in all of the groups that have worked on this, a Bulldog. He has worked this over and over. He has worked it to find solutions. For that I am thankful, and for that I am proud.

Mr. Speaker, this is a good bill. You could come up with every reason you want to vote ''no,'' and that is okay, I guess; but remember, there are families watching today. There are incarcerated people watching today. My question is: Will you vote for them or will you vote to hold up something that may or may not happen?

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. BASS), a member of the Judiciary Committee.

Ms. BASS. Mr. Speaker, I rise today in support of the FIRST STEP Act.

There are thousands of women who are incarcerated while pregnant. My language in the FIRST STEP Act addresses the treatment of pregnant inmates and the use of shackles.

The current system is based on a male model that fails to meet the physical and mental health needs of women. This is occurring at a time when women are the fastest growing population in our prisons and jails, increasing in number by over 700 percent since the 1980s.

The treatment of incarcerated women is particularly glaring during pregnancy, delivery, and postpartum. Pregnant women must be provided appropriate prenatal care, which includes nutrition and housing.

We can also agree it defies common sense and logic to use shackles on a woman who is delivering a baby. More than 22 States have restricted the use on pregnant women, yet the practice continues. This is despite no reported incidents of women attempting to escape when shackles are not used during childbirth. If anyone knows of a woman who is able to jump up while delivering and overcome an armed guard, I would certainly like to meet her.

Women across the country have shared their horror stories about being pregnant or delivering while shackled. The experiences are as grim as you can imagine. One mother recounted being shackled after having an emergency C-section. She was handcuffed and a chain was linked across her belly.

The SPEAKER pro tempore (Mr. CARTER of Georgia). The time of the gentlewoman has expired.

□ 1330

Mr. NADLER. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. BASS. She stated: ''With the weight on my stomach, it felt like they were ripping open my C-section.''

We must institute Federal standards and educate correction officers, medical personnel, and pregnant inmates regarding the standard of care for pregnant women. Women must be a part of the debate on prison and sentencing reform.

Mr. Speaker, I look forward to introducing additional legislation to highlight this issue.

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

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. RICHMOND), a member of the Judiciary Committee.

Mr. RICHMOND. Mr. Speaker, let me thank Congressman JEFFRIES and Congressman COLLINS for this FIRST STEP Act.

Does it go as far as I would want it to go? It doesn't. But is it a substantial step in the right direction? The answer is yes.

When we start talking about prison reform, we start talking about ways to help those who are incarcerated, one, when they get out; two, to better themselves when they are already in.

And one of the things we do in this bill is to allow movement of inmates closer to their families so that they can keep that family connection, so that they can continue to be a part of the family, which also reduces recidivism.

We also fix the ''good time'' problem that has happened. For every 7 days that you increase good time, you save $50 million a year. Not only did we fix it this year, but we fixed the problem BOP interpreted in the law, contrary to congressional intent, in the first place.

So this bill takes, I believe, a significant step in the right direction, not to mention the $250 million toward restorative justice and other ways. Hopefully, the savings from this bill will continue to go toward criminal justice and we will continue to take second and third steps.

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

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. JEFFRIES), a distinguished member of the Judiciary Committee.

Mr. JEFFRIES. Mr. Speaker, I thank Chairman GOODLATTE as well as several distinguished members of the Judiciary Committee—in particular, CEDRIC RICHMOND and KAREN BASS—for their leadership on this issue and, of course, my good friend DOUG COLLINS for being a phenomenal champion of improving the lives of currently incarcerated individuals, folks who have no time for political games.

These are individuals who are in the system right now without hope, without opportunity, without a meaningful chance at transforming themselves. And the FIRST STEP Act will provide that.

It will give them an opportunity to get educated now, give them an opportunity to get vocational training now, a GED now, a college education now, give them the opportunity to deal with their substance abuse problem now, mental health counseling now. Why would we possibly refuse that?

These individuals are amongst the least, the lost, and the left behind. And we have an opportunity, in a bipartisan way, to make a difference in their lives in so many areas. Any objective reading of this bill is that it will improve their quality of life.

And what is so wonderful about this is that you have the right and the left, conservatives and progressives, united in this effort.

Nothing meaningful is ever easy, but the mass incarceration epidemic has been with us for almost 50 years. You will not just take one legislative magic wand and wipe it away in one shot. It will require sustained effort, sustained intensity, sustained commitment, and a meaningful first step. That is what this bill represents.

Mr. Speaker, I urge all of my colleagues to support this effort to transform lives, save taxpayer dollars, and dramatically reduce recidivism now.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from

Washington (Ms. JAYAPAL), a distinguished member of the Judiciary Committee.

Ms. JAYAPAL. Mr. Speaker, there is one thing everybody agrees on, and that is that it is past time that we face the institutionalized racial inequity that is built into every single step of our mass incarceration system.

We know that mass incarceration disproportionately affects people of color and that, today, women in prison are, sadly, the fastest growing demographic, frequently caught up with the arrests of their partners and struggling with mental health and addiction.

This bill does take important steps forward, and I want to say that it is a very good faith effort on the part of the bill's two sponsors: my friend HAKEEM JEFFRIES and Representative DOUG COLLINS.

Unfortunately, Mr. Speaker, I still am not going to be able to support the bill because I have serious concerns about how the bill creates, develops, and implements a new risk assessment system on a very quick timeline by someone who, frankly, has spent his career opposing criminal justice reforms and, in fact, has fought attempts to advance racial justice, and that is Attorney General Sessions.

This is especially concerning given that research shows us that risk assessments produce racial disparities. And this bill does not address sentencing reform, which is an issue that has bipartisan support and is the crux of the problem today.

In addition, Mr. Speaker, I am very concerned about language in the bill that excludes immigrants from being eligible for time credits. The bill excludes longtime, legal permanent residents, green card holders, who may have committed the exact same crimes as others and may be eligible for relief under U.S. law. If we are making redemption available, shouldn't it be available for everyone, regardless of immigration status, for the same set of crimes?

Moreover, continued incarceration of these people simply based upon citizenship status is a waste of taxpayer dollars and unnecessarily keeps families separated.

The reality is that these are deeply important issues, and this bill shows that we have the capacity to work in a bipartisan way. Even with all of the good work and even for a first step, unfortunately, I believe we have more work to do to get to the place where our morals are being consistently applied.

I look forward to doing everything I can to work on this.

Mr. GOODLATTE. Mr. Speaker, I am prepared to close whenever the gentleman from New York is, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I have one further speaker, and then I will be prepared to close.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the distinguished ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Ms. JACKSON LEE. Mr. Speaker, I, too, want to offer my appreciation for all of my colleagues—in particular, those who have offered this legislation.

I recall, in the Congress preceding this, we offered a bipartisan combination of comprehensive criminal justice reform, took bills that included prison reform and sentencing reform, and were really on the way to passing that combination of very important partnership. Unfortunately, the politics of that time got in the way.

But my appreciation to Mr. JEFFRIES and Mr. COLLINS. It really is the coming together of Members. Mr. NADLER worked very hard to inject very important provisions, as well as many other Members. And they even did so on the day of the markup. And all but one that Mr. RICHMOND, Ms. JACKSON LEE, Ms. JAYAPAL, and Mrs. DEMINGS put in on retroactivity failed in the committee.

So let me give an open letter to the mothers and fathers of incarcerated persons who are in our constituency and, as well, to those inmates who may, by chance, be looking at this debate. Having recently visited one of the Federal centers, I know that inmates are astute and concerned about their future.

So I think it is important to establish to those parents why Democrats have consistently tried to sew together, tried to stitch together the idea of sentencing reduction and prison reform.

Elements of this bill are striking and good. But to a mom, is it more exciting for you to know that your son, who had an excessive sentencing because of mandatory minimums, and you, who are incarcerated, have your sentence reduced than maybe on the back end?

Now, it is important to note that all of those, if this bill is passed, will participate in the rehabilitation programs, but it is also important to note that the Bureau of Prisons has closed halfway houses. That is a component of this bill. And they have reduced and cut the numbers of individuals who are corrections officers to the extent that corrections officers feel endangered and that augmentation has been used.

Augmentation means that nurses and teachers and others who are inside the prison are being used to augment the staff of correction officers which have been fired—or terminated, rather—under this administration.

In a letter from the BOP union president, they indicated that they are severely understaffed and it would be difficult to implement this bill without those aspects being remedied—meaning more staff, more halfway houses, more money to implement this program.

So many of my friends have asked me: What is the harm? Let me give you what is the harm.

First, it would divert limited resources for programming by requiring a complex risk assessment process that would primarily benefit people deemed at a low or minimum risk of recidivism.

That means, if you came in with a harsh drug sentence but through the years, Mom or Dad, you saw your son or daughter fix their lives, you would note that they, in fact, would not be eligible for this program.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NADLER. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. Mr. Speaker, without provisions in the bill to reduce the excessive sentencing produced by mandatory minimums for drug offenses, overcrowding will still persist and thereby divert resources from programs to reduce recidivism.

Let me be very clear: The corrections officers indicate they don't have the staff. Halfway houses have been closed.

In addition, it is documented that, if your son or daughter has an offense that was considered excluded and they have repaired their life, through the prison they have made changes, they will not be eligible—not for the programs, but they will not be eligible for relief.

So it is a first step. But I would simply say: If it is the first step, why not protection of immigrants? And, also, why not have a sentencing reform hearing, which the Republicans have canceled because of my position on this bill?

Let us work together for what is good, Mr. Speaker. Let us make a difference in the lives of all of the inmates.

Mr. Speaker, I rise to speak on H.R. 5682, the "FIRST STEP Act of 2018" and thank my colleagues, Mr. JEFFRIES and Mr. COLLINS for bringing this forward. This legislation purports to help reduce recidivism for the millions of formerly incarcerated people that will return to our communities. I respectfully reserve the right to voice my concerns with this bill.

First, as the NY Times editorial noted, "the biggest problem with the FIRST STEP Act is . . . . what's left out, specifically, sentencing reform." Eric Holder said in the Washington Post, "by choosing a tepid approach, the prison reform bill abandons years of work and risks making it harder for Congress to advance more serious legislation in the future. Meaningful sentencing reform will be less likely to occur if the narrow prison bill is enacted."

Even President Trump specifically stated during his remarks at the White House Prison Reform Summit last Friday, "we want the finest prison reform bill that you could have anywhere." I agree with the President on this, as I also want the finest prison reform bill. Hence, I will continue to fight for the very best legislation that will adequately address the nearly 650,900 formerly incarcerated people that will return to our communities a year. That's not partisan or personal politics, but rather, common sense, just and equitable politics.

Imagine you are a mother, child or loved one of an incarcerated person that was robbed by a system that played Russian roulette with his or her life because that system

decided they were criminals rather than victims of a public health crisis during the crack epidemic. Now imagine that same system, rather than remediating the tragedy it caused in broken homes and communities through inept policies that had a racial and economic disparate impact, now seeks to pat them on the back and further insult an entire race by feeding them crumbs.

As a mother or loved one, you would demand that the system cure the defect in those sentencing laws that would drastically reduce his or her time in custody, and apply justice equitably. Let's not forget what happened in the 1964 Crime bill. Congress has the power to do that. We should hold ourselves accountable to deliver on the promise we made when we acknowledged the draconian policies implemented during the ''War on Drugs'' crisis, in passing the Fair Sentencing Act. Let's finish what we started then, by appealing to our better angels and not crucify each other because we disagree.

As Families Against Mandatory Minimum indicated in their letter, ''sentencing reform should be included in any final justice reform package.''

Second, even if the majority chose to ignore sentencing reform due to pressure, we cannot sit idly by and allow a slim-fast version of prison reform when dealing with the lives of millions of people.

I will not apologize for demanding more from my colleagues. I will not apologize for fighting with every breath I have to secure justice for those left behind. And I will not apologize for doing my job and shedding light where we may fall short, even when we have in good faith, tried our best. We will all go home tonight. What about those that have longed for that same freedom after they've paid their debts to society. We owe it to ourselves, to the thousands of broken families, and to our society, to give each inmate that will return to our community, their best chance at success, by providing them incentives that will get them home to their families sooner also.

Even the bill's supporter at markup said in their letter, ''the bill unwisely reserves its incentivized programming for those who already pose little threat of re-offending'', for example, those that would commit the sort of crimes alleged against Kushner and others within Trump's orbit. The supporters go on to say, ''We fear that the bill's failure to direct incentivized programming to the group that needs it most will result in little or no reduction in recidivism, and, worse, that that failure will be blamed on prisoners rather than the bill's mistaken design.'' Most alarming here, is that great skepticism looms even in those who want to support this endeavor, because the reality is that the risk assessment tool is flawed.

This Kushner/Trump bill amounts to nothing more than a false sense of hope for those who will never be released, due to either lack of shelter given the significant reduction in housing, or lack of eligibility per the warden.

The wide latitude and discretion given to Sessions, a person who whole-heartedly opposes any form of effective criminal justice reform, and proponent of over-criminalization, will inevitably prove problematic for many who otherwise would benefit greatly from this measure with some modicum of oversight. We should take our time to include an independent committee that would serve as a bulwark in the development, implementation and recommendation process of such a program that will use novice and untested tools at the federal level.

Why must we rush this process? Why not take our time to produce the finest prison reform bill anywhere as the President suggested? I visited and spoke directly to guards and wardens in the BOP. They told me they are severely understaffed and safety is paramount given the shortage in staff. The Director of BOP quit, in the middle of Trump's Prison Reform Summit. All of these facts tell us to wait so that we could get it right. In NOBLE's opposition letter to this bill they write: ''a key concern is the ability of the Federal BOP and U.S. Attorney Offices to implement key elements of this legislation. In particular, it will require that U.S. Attorney Offices and BOP address their needs in staffing and funding. It is our opinion that the proposed $50 million of funding per year for five years will not support the bill's expanded programming.'' For these reasons I oppose this bill, and I encourage my colleagues to do the same.

The Act does not include a single provision that will reduce the prison time of persons who are serving unfair sentences for low-level offenses. Even supporters of the bill like FAMM states, ''sentencing reform should be included in any final justice reform package.''

The Act uses an untested and potentially racially and socially discriminatory risk assessment to identify individuals who are eligible to earn credits, which primarily depends on static factors that correlate with socioeconomic class and race, such as criminal history, to assess the risk. Therefore, it will likely fail to reduce crime or mass incarceration.

The Act's exclusions would likely have a disparate impact on racial minorities because the bill excludes individuals convicted of certain categories of offenses from redeeming credits towards early release, even if they successfully complete the program.

The Act leaves it to the discretion of prison wardens to determine who can use their credits and when.

Early release would be into a halfway house system which is so underfunded that there is no bed space. Therefore, it will be unlikely that prisoners can truly be released given the reality of the current halfway house system.

The Act gives a false sense of hope because it wraps the empty promise of prison reform around exclusions and wide breadth of discretion to a full-throated opponent to prison reform, policing reform and sentencing reform, in Jeff Sessions.

BOP already has broad authority to implement the positive provisions of the bill, but has opted not to and Sessions cannot be trusted to implement these provisions.

The FIRST STEP Act includes a list of prisoners who are ineligible for time credits if they participate in recidivism reduction programs by virtue of their convictions for certain offenses. Prisoners who are excluded from time credits are those convicted under Title 18, in the following sections:

''(i) Section 113(a)(1), relating to assault with intent to commit murder.

''(ii) Section 115, relating to influencing, impeding, or retaliating against a Federal official by injuring a family member, except for a threat made in violation of that section.

''(iii) Any section of chapter 10, relating to biological weapons.

''(iv) Any section of chapter 11B, relating to chemical weapons.

''(v) Section 351, relating to Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault.

''(vi) Section 793, relating to gathering, transmitting, or losing defense information.

''(vii) Section 794, relating to gathering or delivering defense information to aid a foreign government.

''(viii) Any section of chapter 39, relating to explosives and other dangerous articles, except for section 836 (relating to the transportation of fireworks into a State prohibiting sale or use).

''(ix) Section 842(p), relating to distribution of information relating to explosive, destructive devices, and weapons of mass destruction, but only if the conviction involved a weapon of mass destruction (as defined in section 2332a(c)(2) of such title).

''(x) Subsection (f)(3), (h), or (i) of section 844, relating to the use of fire or an explosive.

''(xi) Section 924(e), relating to unlawful possession of a firearm by a person with 3 or more convictions for a violent felony.

''(xii) Section 1030(a)(1), relating to fraud and related activity in connection with computers.

''(xiii) Any section of chapter 51, relating to homicide, except for section 1112 (relating to manslaughter), 1113 (relating to attempt to commit murder or manslaughter, but only if the conviction was for an attempt to commit manslaughter), 1115 (relating to misconduct or neglect of ship officers), or 1122 (relating to protection against the human immunodeficiency virus).

''(xiv) Any section of chapter 55, relating to kidnapping.

''(xv) Any offense under chapter 77, relating to peonage, slavery, and trafficking in persons, except for sections 1592 through 1596.

''(xvi) Section 1751, relating to Presidential and Presidential staff assassination, kidnapping, and assault.

''(xvii) Section 1841(a)(2)(C), relating to intentionally killing or attempting to kill an unborn child.

''(xviii) Section 1992, relating to terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air.

''(xix) Section 2113(e), relating to bank robbery resulting in death.

''(xx) Section 2118(c)(2), relating to robberies and burglaries involving controlled substances resulting in death.

''(xxi) Section 2119(3), relating to taking a motor vehicle (commonly referred to as 'carjacking') that results in death.

''(xxii) Any section of chapter 105, relating to sabotage, except for section 2152.

''(xxiii) Any section of chapter 109A, relating to sexual abuse, except that with regard to section 2244, only a conviction under subsection (c) of that section (relating to abusive sexual contact involving young children) shall make a prisoner ineligible under this subparagraph.

''(xxiv) Section 2251, relating to the sexual exploitation of children.

''(xxv) Section 2251A, relating to the selling or buying of children.

''(xxvi) Any of paragraphs (1) through (3) of section 2252(a), relating to certain activities relating to material involving the sexual exploitation of minors.

''(xxvii) A second or subsequent conviction under any of paragraphs (1) through (6) of section 2252A(a), relating to certain activities relating to material constituting or containing child pornography.

''(xxviii) Section 2260, relating to the production of sexually explicit depictions of a minor for importation into the United States.

''(xxix) Section 2283, relating to the transportation of explosive, biological, chemical, or radioactive or nuclear materials.

''(xxx) Section 2284, relating to the transportation of terrorists.

''(xxxi) Section 2291, relating to the destruction of a vessel or maritime facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

''(xxxii) Any section of chapter 113B, relating to terrorism.

''(xxxiii) Section 2340A, relating to torture.

''(xxxiv) Section 2381, relating to treason.

''(xxxv) Section 2442, relating to the recruitment or use of child soldiers.

The exclusions also apply to convictions under the following sections of Title 42, Title 49, Title 21, Title 8 and Title 50:

''(xxxvi) Section 57(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)), relating to the engagement or participation in the development or production of special nuclear material.

''(xxxvii) Section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122), relating to prohibitions governing atomic weapons.

''(xxxviii) Section 101 of the Atomic Energy Act of 1954 (42 U.S.C. 2131), relating to the atomic, energy license requirement.

''(xxxix) Section 224 or 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275), relating to the communication or receipt of restricted data.

''(xl) Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), relating to the sabotage of nuclear facilities or fuel.

''(xli) Section 60123(b) of title 49, United States Code, relating to damaging or destroying a pipeline facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

''(xlii) Section 401(a) of the Controlled Substances Act (21 U.S.C. 841), relating to manufacturing or distributing a controlled substance, but only in the case of a conviction for an offense described in subparagraph (A), (B), or (C) of subsection (b)(1) of that section for which death or serious bodily injury resulted from the use of such substance.

''(xliii) Section 276(a) of the Immigration and Nationality Act (8 U.S.C. 1326), relating to the reentry of a removed alien, but only if the alien is described in paragraph (1) or (2) of subsection (b) of that section.

''(xliv) Any section of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.)

''(xlv) Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705).

''(xlvi) Section 601 of the National Security Act of 1947 (50 U.S.C. 3121), relating to the protection of identities of certain United States undercover intelligence officers, agents, informants, and sources.

The exclusions also apply those prisoners convicted of a prior Federal or State ''serious violent felony,'' described as follows (in Title 18):

''(xlvii) An offense described in section 3559(c)(2)(F), for which the offender was sentenced to a term of imprisonment of more than one year, if the offender has a previous conviction, for which the offender served a term of imprisonment of more than one year, for a Federal or State offense, by whatever designation and wherever committed, consisting of murder (as described in section 1111), voluntary manslaughter (as described in section 1112), assault with intent to commit murder (as described in section 113(a)), aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242), abusive sexual contact (as described in sections 2244(a)(1) and (a)(2)), kidnapping (as described in chapter 55), carjacking (as described in section 2119), arson (as described in section 844(f)(3), (h), or (i)), or terrorism (as described in chapter 113B.

Finally, prisoners may not obtain credit for participation in recidivism reduction programs if they: (1) completed recidivism reduction programming before enactment of the Act; (2) completed recidivism reduction programming during official detention before moving to Bureau of Prisons; or (3) are inadmissible or deportable under immigration law.

THE LEADERSHIP CONFERENCE
ON CIVIL AND HUMAN RIGHTS,
Washington, DC, May 21, 2018.

VOTE ''NO'' ON THE FIRST STEP ACT

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, and the 109 undersigned organizations, we write to urge you to vote NO on The FIRST STEP Act (H.R. 5682). While well intentioned, this bill takes a misguided approach to reforming our federal justice system. Without question, we appreciate the inclusion of some promising provisions to address some of the problems in the federal prison system, however, the Bureau of Prisons (BOP) already has broad authority to make the majority of these changes through administrative action. In sum, this bill falls short on its promise to ''meaningfully'' tackle the problems in the federal justice system—racial disparities, draconian mandatory minimum sentences, persistent overcrowding, lack of rehabilitation, and the exorbitant costs of incarceration. Decisions we make now through this bill could have deep implications for our ability to impact the abiding and deepening harms that lead to mass incarceration.

As such, we continue to have several, grave concerns with The FIRST STEP Act, including:

The Dangerous ''Risk Assessment System'': The Act purports to offer people in prison the chance to ''earn time credits'' towards early release to pre-release custody—but by building and placing a ''risk and needs assessment'' algorithm in the hands of the Attorney General—one not required to be designed or tailored for the individuals it is meant to judge—we risk embedding deep racial and class bias into decisions that heavily impact the lives and futures of federal prisoners and their families.

Researchers have shown that risk assessment tools applied in sentencing decisions in Florida—meant to predict recidivism—were twice as likely to be wrong when evaluating Black people as White people. One of the first independent studies analyzing the use of risk assessment in pretrial showed that decisionmakers using risk assessment tools—in this case, Kentucky judges—ignored their results over time, while also overseeing an increase in failures-to-appear at court and an increase in pretrial arrests. A further recent analysis showed that risk assessment tools are as accurate as a prediction made by a random human selected over the Internet.

We cannot introduce algorithmic risk assessment into the assignment of housing and release decisions or rehabilitative opportunities without sufficient transparency, independent testing for decarceral and anti-racist results prior to implementation, and regular effective oversight for not just what the tool purports to predict, but how decisionmakers in our prison system use it. The Act uses ''risk assessments'' in an untested manner. It fails to ensure transparency, independent testing, or analysis of the proposed risk assessment system or its results prior to its adoption or implementation. And again, it doesn't require the tool to be designed or tailored for the individuals it is meant to judge.

Without these things, and in the hands of the nation's most prominent proponent of a punishing, rather than a rehabilitative criminal justice system, ''risk assessments'' will further embed racism into the meting out of resources that could change prisoners' lives—like access to treatment, work, and most importantly, the ability to earn time off of a sentence.

The Overbroad List of Exclusions: The majority of people in prison will eventually be released. Categorically excluding entire groups of people from receiving early-release credits will undermine efforts to reduce prison overcrowding and improve public safety since such exclusions weaken the incentive to participate in recidivism-reduction programming. Furthermore, many of these exclusions, such as those based on immigration-related offenses, could have a disproportionate impact on people of color.

The Overbroad Discretion Provided to Attorney General Sessions: The bill gives broad authority to the Attorney General and would rely upon implementation by this administration. Despite assurances to the contrary, this administration has failed to take any active steps to improve the justice system, has dismantled existing protections, and has shown outright hostility to people of color and other historically marginalized communities. Furthermore, Attorney General Jeff Sessions is a well-known, longtime opponent of sentencing and prison reform. It would be unwise and harmful to vest so much discretion in an Attorney General so hostile to meaningful justice reform.

The Misplaced Incentive System: Effectively reducing recidivism requires targeting those most likely to reoffend with rehabilitative programming. Yet, under this bill, only ''minimum'' and ''low-risk'' prisoners would be able to redeem their earned time credits, and they would earn more credits than prisoners categorized as ''medium'' or ''high-risk.'' Given that time credits would also be subject to denial by the BOP warden and they are not real time off of a sentence but rather a flawed mechanism to transition into a decreasing number of halfway houses or to home confinement that is rarely used by BOP, the bill is unlikely to provide the incentives that would meaningfully reduce recidivism.

Allows for the privatization of certain public functions and allows private entities to profit from incarceration. The bill retains a provision that in order to expand programming and productive activities, the Attorney General shall develop policies for wardens of each BOP facility to enter into partnerships with private entities and industry-sponsored organizations.

The Absence of Appropriations for Implementation: The resources needed to expand programming authorized under the bill have not been—and may never be—appropriated. In fact, Congress could decide today, absent this legislation, that prison programming should be funded and increase the BOP's budget by $50 million a year for the next five

years. Instead, the FY19 BOP budget calls for a reduction. Furthermore, the recidivism reduction programming that currently exists in the federal prison system is grossly underfunded and not enough to serve those currently incarcerated. Therefore, without any guarantees that the necessary funding will be appropriated, this bill is an empty promise.

The Undetermined Human and Fiscal Impact: It is unclear what the fiscal impact of this bill will be, given that the Congressional Budget Office has not released a score for the bill. Moreover, it is unclear what the human impact of this bill will be, given that neither the BOP nor the U.S. Sentencing Commission has produced updated estimates on the number of people projected to be impacted by the legislation. Proponents argue that at least 4,000 people will be impacted by the good time fix alone; however, relying on that number is misleading because it is based upon data that is over a decade old. No hearings have been held and there is no CBO score available in order to explore these questions further.

The Omission of Sentencing Reform: Sentencing reform and prison reform are both important, but one will not work without the other. Meaningful reform requires both. Furthermore, advancing prison reform as a stand-alone will undermine longstanding, bipartisan efforts in the Senate to advance a comprehensive justice reform package that includes sentencing reform.

Last week, we were joined by over 70 civil rights organizations in opposing this well-intentioned, but misguided legislation at the House Judiciary Committee markup. Many of our concerns were also shared by the American Federation of Government Employees representing 33,000 federal correctional workers in the Bureau of Prisons, as well as Representatives Lewis, Jackson Lee, and Senators Durbin, Booker, and Harris in a recent Dear Colleague letter. While we appreciate the inclination to support legislation that endeavors to reform our prison system, we believe that this particular bill would do more harm than good and would have unintended consequences that ripple into the future.

Finally, if presented with one choice, ''to take what we can get now,'' then we must ensure that ''what we get'' will not perpetuate the existing harms of mass incarceration or give false hope to the men and women languishing in prison and the communities we represent. Our communities are being demonized and criminalized so we must stand firm to resist the lure of a compromise that is ultimately a false promise that may never be realized and isn't in their best interests.

For the foregoing reasons, we urge you to vote ''No'' on the FIRST STEP Act and The Leadership Conference will include your position on the bill in our voting scorecard for the 115th Congress.

Sincerely,

The Leadership Conference on Civil and Human Rights; 334 East 92nd Street Tenant Association; A. Philip Randolph Institute; African American Ministers In Action; American Civil Liberties Union; American Federation of Labor-Congress of Industrial Organizations (AFL–CIO); American Humanist Association; Arkansas United Community Coalition; Asian Americans Advancing Justice—AAJC; Asian Pacific American Labor Alliance; Association of University Centers on Disabilities (AUCD); Autistic Self Advocacy Network; Autistic Women & Nonbinary Network; Bazelon Center for Mental Health Law; Bend the Arc Jewish Action; Black Alliance for Just Immigration; Brennan Center for Justice at NYU School of Law; Buried Alive Project; Campaign for Youth Justice; Casa de Esperanza: National Latin@ Network for Healthy Families and Communities.

Center for Community Change Action; Center for Community Self-Help; Center for Law and Social Policy (CLASP); Center for Popular Democracy; Center for Responsible Lending; Coalition for Humane Immigrant Rights (CHIRLA); Coalition of Black Trade Unionists; Coalition on Human Needs; CURE (Citizens United for Rehabilitation of Errants); Defending Rights & Dissent; Demos; Disability Rights Education & Defense Fund; Drug Policy Alliance (DPA); Equal Justice Society; Equal Rights Advocates; Equality California; Equity Matters; Evangelical Lutheran Church in America; Faith Action Network—Washington State; Faith in Public Life.

Government Information Watch; Harm Reduction Coalition; Hip Hop Caucus; Hispanic Federation; Human Rights Watch; Immigrant Legal Resource Center; Indivisible; Japanese American Citizens League; Jewish Council for Public Affairs (JCPA); Justice Strategies; Juvenile Law Center; LatinoJustice PRLDEF; Law Enforcement Action Partnership; Let's Start, Inc.; Mommieactivist and Sons; MomsRising; NAACP; NAACP Legal Defense and Educational Fund, Inc.; National Action Network's Washington Bureau; National Alliance to End Sexual Violence.

National Association of Human Rights Workers; National Association of Social Worker; National Bar Association (NBA); National Black Justice Coalition; National Center for Lesbian Rights; National Coalition Against Domestic Violence; National Coalition on Black Civic Participation; National Council of Churches; National Disability Rights Network; National Education Association; National Employment Law Project; National Hispanic Media Coalition; National Immigrant Justice Center; National Immigration Law Center; National Immigration Project of the National Lawyers Guild; National Juvenile Justice Network; National LGBTQ Task Force Action Fund; National Organization for Women; National Organization of Black Law Enforcement Executives (NOBLE); National Religious Campaign Against Torture.

NETWORK Lobby for Catholic Social Justice; Pennsylvania Immigration and Citizenship Coalition; People For the American Way (PFAW); PFLAG National; Prison Policy Initiative; Safer Foundation; Sargent Shriver National Center on Poverty Law; Service Employees International Union (SEIU); Sikh American Legal Defense and Education Fund (SALDEF); Southeast Asia Resource Action Center (SEARAC); Southern Poverty Law Center (SPLC); Students for Sensible Drug Policy; The Center for Media Justice; The Daniel Initiative; The Decarceration Collective.

The National Council for Incarcerated and Formerly Incarcerated Women and Girls; The United Church of Christ; The United Methodist Church—General Board of Church and Society; T'ruah: The Rabbinic Call for Human Rights; UndocuBlack Network; UnidosUS; Union for Reform Judaism; United Church of Christ, Local Church Ministries; United Church of Christ, Justice and Witness Ministries; United We Dream; V-Day and One Billion Rising; Washington Lawyers' Committee for Civil Rights & Urban Affairs; We Belong Together; Woodhull Freedom Foundation; World Without Genocide.

THE SENTENCING PROJECT,
Washington, DC, May 21, 2018.

Re FIRST STEP Act, H.R. 5682, falls far short of meaningful criminal justice reform.

Hon. PAUL D. RYAN,
House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.
Hon. CHARLES E. SCHUMER,
U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, MAJORITY LEADER MCCONNELL AND MINORITY LEADERS PELOSI AND SCHUMER: As Congress prepares to consider the FIRST STEP Act, I write to express The Sentencing Project's significant concerns regarding the bill's deficiencies in addressing the overcrowding, staffing and programming crisis within the Bureau of Prisons (BOP). Reform of the federal prison and sentencing system is long overdue and The Sentencing Project has been at the forefront of promoting comprehensive recommendations to ensure a more humane, fair and proportional system for more than two decades.

Unfortunately, H.R. 5683 falls short of these objectives in two key areas. First, it would divert limited resources for programming by requiring a complex risk assessment process that would primarily benefit people deemed at a low or minimal risk of recidivating. Second, without provisions in the bill to reduce the excessive sentencing produced by mandatory minimums for drug offenses, overcrowding will persist and thereby divert resources from programs to reduce recidivism.

The federal prison system currently operates at 14 percent above capacity, and at higher rates at high and medium security institutions, 24 percent and 18 percent respectively. Along with an ''inmate to correctional officer'' ratio among the highest in the country at 8.9 to 1, prison safety concerns are at critical levels. Indeed, the rate for some types of assaults in federal prisons has steadily increased since 2014. In order to successfully reform the federal prison system, including improving conditions of confinement in areas such as medical and mental health care, and to comprehensively rehabilitate instead of warehouse the people confined within, Congress should adopt policies to reduce the population, invest in correctional and programming staff, and fully fund programming for all incarcerated people.

H.R. 5682 would authorize only $50 million per year to carry out the bill's mandates to create a risk assessment tool to determine earned time credit eligibility, and expand programming and community corrections capacity. While The Sentencing Project supports the bill sponsors' stated intentions to reform prisons, their promises of change ring hollow. For example, the bill excludes thousands of people in prison from benefiting from the programming incentives that allow for earlier transition into community corrections. By doing so it conflicts with research that demonstrates that prison programming and associated incentives are most cost-effective when provided to the highest risk groups.

Current authorization levels will only scratch the surface in overcoming the huge deficit of programming at the BOP. Indeed, the waiting list for the BOP's literacy program alone is 16,000. Moreover, because of overcrowding and staff shortages, many programming staff are regularly required to

augment correctional officer duties, resulting in fewer programming opportunities. This staffing shortage may partly explain why the number of people completing their GED dropped by 59 percent between FY2016 and FY2017. Congress must take more determined and thoughtful steps to change this dire situation.

The Sentencing Project is pleased by the growing bipartisan consensus among lawmakers to prioritize change in the nation's criminal justice system. We will continue to be a part of this conversation and look forward to strengthening effective bipartisan reforms to achieve shared goals of justice, fairness and safety.

Sincerely,

MARC MAUER,
Executive Director.

[From the Washington Post, May 21, 2018]

THERE'S SOMETHING HUGE MISSING FROM THE WHITE HOUSE'S PRISON BILL

(By Eric H. Holder Jr.)

Over the past decade, Republicans and Democrats across the country have joined forces to advocate for a fairer, more effective criminal-justice system—one that would keep us safe while reducing unnecessary mass incarceration. At the heart of that effort has been an attempt to reduce overly punitive sentences that fill our prisons for no discernible public-safety rationale.

But now the Trump administration is pushing a misguided legislative effort—likely to be voted on in the House this week—that threatens to derail momentum for sentencing reform. The bill is a tempting half-measure, but lawmakers should resist the lure. The chance to implement real, comprehensive reform may not come again any time soon.

It's easy to miss, but the push for bipartisan sentencing reform has slowly been gaining strength. It was nothing short of remarkable when Sen. Charles E. Grassley (R–Iowa) led the Senate Judiciary Committee this past February to approve a measure that would revise the federal government's outdated federal mandatory minimum sentences. Grassley's move—in direct defiance of the administration—was the most significant legislative step toward federal criminal-justice reform in decades.

Unfortunately, this progress has hit a roadblock with the Trump administration's modest prison reform bill, called the First Step Act. The bill seeks to improve prison conditions—such as by requiring that inmates be housed within 500 driving miles of their families and by prohibiting shackles on pregnant women. It also includes education, job training and other personal development programs, as well as a system of incentives to participate in the programs. These narrow reforms are important, but they do not require congressional action, nor do they deliver the transformative change we need. The only way to do that is by amending the bill to include comprehensive, bipartisan sentencing reform.

Why is this so important? The statistics are stark and, by now, well-known. The United States has 5 percent of the world's population, but 25 percent of its prisoners. Mass incarceration is a core civil rights struggle for this generation: One in three black men will be behind bars at some point, a disparity that perpetuates underemployment in the black community and contributes to the racial wealth gap. The system is hugely expensive and ultimately unfair. And it is not necessary to prevent and punish crime.

It is impossible to right this wrong unless we send the right people to prison for appropriate lengths of time. That starts by making sure that federal prison sentences are smart on crime rather than thoughtlessly ''tough.'' The Justice Department worked toward that goal when I led the agency under President Barack Obama, blunting the impact of harsh mandatory minimum sentences by directing federal prosecutors to seek lower charges when possible. It worked. The federal prison population dropped while the nation continued to experience near-record-low crime rates.

As Grassley's support shows, this is not just a priority for Democrats. He worked with Sen. Richard J. Durbin (D–Ill.) and others to advance the Sentencing Reform and Corrections Act, which would reduce some mandatory minimum sentences. The bill failed in 2016 as a victim of election-year politics, but when Grassley doggedly brought it up again in February, it passed through the committee by a vote of 16 to 5, with support from several members of his own party.

Republicans and Democrats are enacting bold sentencing reforms at the state level, too. Texas, Oklahoma and Massachusetts are just a few of the states that have made changes to cut back on overly punitive mandatory minimum sentences.

Unfortunately, the White House has different ideas. President Trump warned of ''American carnage'' in his inaugural address, and Attorney General Jeff Sessions has stoked false and misleading claims of rising crime. Bowing to the president's most extreme allies, the White House has put forward the First Step Act, which leaves out sentencing reform entirely.

By choosing a tepid approach, the prison bill abandons years of work and risks making it harder for Congress to advance more serious legislation in the future. Meaningful sentencing reform will be less likely to occur if the narrow prison bill is enacted.

Fortunately, lawmakers have time to change course. They can ensure that any legislation includes sentencing reform, on which there is such strong consensus. Progressive lawmakers in particular should fight to extend, not abandon, the Obama administration's criminal-justice legacy. Conservative allies such as Grassley have stepped forward for a shared strategy and needed policies; Democrats should stand with them.

Nobody is under any illusions: Criminal-justice reform is hard. The White House might scuttle the bill entirely, and wavering members of Congress might balk. But to reform America's prisons, we must change the laws that send people to them in the first place. Anything less represents a failure of leadership.

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

Mr. NADLER. Mr. Speaker, I am prepared to close if the other side is, and I yield myself the balance of my time.

Mr. Speaker, in spite of the good intentions of this bill, I believe the restrictions in the incentive system it would create with respect to recidivism reduction programming could compound the injustices that occur at earlier stages of the criminal justice process; that its approval would lessen the odds of achieving sentencing reform; and that, on balance, the negatives outweigh the positives of this bill.

A broad spectrum of dozens of civil rights and other organizations agree and oppose this bill, including the Leadership Conference on Civil and Human Rights, the ACLU, the NAACP, the NAACP Legal and Education Defense Fund, the American Federation of Federal Government Employees Council of Prison Locals, the National Immigration Law Center, and Human Rights Watch.

For the reasons I have outlined today, I reluctantly oppose H.R. 5682 and ask that my colleagues do the same.

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

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

Mr. Speaker, in closing, I urge my colleagues on the other side of the aisle to not oppose this very important piece of legislation before us today. It appears their opposition to the legislation is based upon what is not in the legislation rather than what is actually in it. I don't believe there is a single provision in the bill that they oppose.

□ 1345

In fact, many of the provisions in this bill are there because they specifically asked for them. For example, Democrats asked for a fix to the way the Bureau of Prisons calculates good time credit. We made changes to clarify congressional intent on that section.

They also asked for language on the risk assessments to ensure that dynamic factors were used to evaluate a prisoner's risk of recidivating. That request was honored. Various pilot programs and a prohibition of shackling pregnant inmates were also placed in the legislation at the request of Democrats. Good requests, good changes, and these are only a few of the many requests that were honored.

Voting against this meaningful and important bill is a disservice to those men and women currently incarcerated and their families. It is a disservice to those great men and women who work in our Bureau of Prisons, and it is a disservice to the American people.

The vast majority of those incarcerated are going to get out one day. Let's make sure they have the tools and the resources to successfully reenter society. H.R. 5682 does just that.

I urge my colleagues to support the FIRST STEP Act, and I yield back the balance of my time.

Ms. DEGETTE. Mr. Speaker, I rise today in opposition of H.R. 5682, the FIRST STEP Act. While I support several provisions in the legislation, including prohibiting shackling of pregnant inmates, requiring that individuals be incarcerated closer to their families, and clarifying good time calculations, I cannot support other provisions of the legislation.

I strongly believe the House should be working to ensure that once convicted individuals have paid their debt to society they have the skills and support to reintegrate into society, but this bill puts in place too many barriers to that goal.

The bill excludes undocumented individuals, including those who remained in the United States longer than authorized from the recidivism reduction programming. Worse, the bill also excludes some lawful permanent residents from the program and could trigger their

removal. The bill also excludes those who have been convicted of drug crimes, including marijuana related convictions.

Given that immigrant and minority communities make up a disproportionate share of immigration and drug related offenders in the criminal justice system, these exclusions will by their very nature exclude those who most need the benefits of the bill.

Finally, any conversation about reducing recidivism must include sentencing reform that would keep low risk nonviolent offenders out of prison in the first place and address our draconian federal mandatory minimum laws.

Mr. Speaker, we can do better, and we must do better if we are to address this issue.

Mr. SCOTT of Virginia. Mr. Speaker, first I would like to acknowledge the gentleman from Georgia, Representative DOUG COLLINS, and the gentleman from New York, Representative HAKEEM JEFFRIES, for their hard work and dedication in improving this bill over the last several weeks.

Historically, the United States of America has been plagued with serious, fundamental problems within our criminal justice system. For far too long, policymakers have chosen to play politics and disapprove of commonsense policy that is specifically geared towards reducing crime by instead enacting so-called ''tough on crime'' slogans and soundbites, such as ''three strikes and you're out,'' ''mandatory minimum sentencing,'' and even rhymes such as, ''you do the adult crime, you do the adult time.'' These policies may sound appealing, but their impact ranges from a negligible reduction in crime to an actual increase in crime.

Turning to the bill we are debating today, I recognize that the FIRST STEP Act includes a fix to the calculation of good time credit, which I have sought for many years. Calculating good time credit as Congress had originally intended is a serious improvement made by this bill. This bill also improves the auditing process for enforcing the Prison Rape Elimination Act (PREA) to protect prisoners from sexual assault. It places prohibitions on shackling pregnant and post-partum women. The bill expands the use and transparency of compassionate release for terminally ill prisoners. It also requires the federal Bureau of Prisons to house prisoners closer to their primary residence, so they can maintain ties to their family and community. And there is a significant investment in programs designed to reduce recidivism.

But process is essential to crafting an effective bill. There were no hearings on this bill. Nor has a CBO score been done. Nor has a prison impact analysis been prepared. And it is obvious that experts had little to do with drafting the bill. As a result of this process, there are several problems with the bill. First, the version of the bill we are voting on today is unnecessarily complicated by the use of a risk assessment tool. I have reached out to experts in the field of prison reform, and I have not found anyone who will say that risk assessment tools should be used to determine which prisoners can use time credits to gain early release from prison. Instead, they suggest that simply increasing programming for everyone will reduce recidivism and the complicated risk assessments are unnecessary and will stand in the way of reducing recidivism for many prisoners. The risk assessment process may also exacerbate existing racial disparities in the federal prison system.

Second, experts have raised serious concerns about excluding groups of prisoners from this program who we know will be released from prison and therefore should be involved in the program.

Third, there are questions of cost and funding. The Bureau of Prisons has cut contracts with halfway houses and terminated 6,000 correctional officers. This bill cannot achieve its goals without an adequately staffed prison system, as well as sufficient space at halfway houses.

Even in the absence of hearings and experts, we can see that some of the opposition to this bill is almost comical, because it is lodged by advocates who support other legislation that carries the same provisions that are either similar to or worse than what they complain about in the FIRST STEP Act. Others oppose the bill because it does not include sentencing reform and therefore does not address mass incarceration. Unfortunately, the bill those advocates hold up as ''sentencing reform'' fails to make any meaningful reduction in mass incarceration, and may in fact add to mass incarceration.

It is in the context of this absurd process that we have to vote on this legislation. Unfortunately, without the appropriate analysis, we can only guess about its impact. Based on that guess, it is my determination that no prisoner will be worse off, but many may be significantly better off, under the FIRST STEP Act. I expect that public safety will be enhanced by this bill, because more people will receive programming to reduce their likelihood to commit future crimes. Although this is a shameful process, I will therefore support the bill.

Mr. Speaker, as the process moves forward, I hope that the sponsors of this legislation will continue to improve it, based on evidence and research.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today the House is expected to consider H.R. 5682—the Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person Act or FIRST STEP Act. This bill represents a good faith effort to improve the reintegration of incarcerated individuals back into their communities and reduce recidivism. In this political climate, we must always strive to achieve meaningful reforms wherever possible. I believe that the FIRST STEP Act will do just that and I intend to vote for this measure when it is considered on the floor.

I acknowledge that this is not a perfect bill. Very few are, if any. However, the STEP Act will offer a new opportunity for incarcerated individuals to participate in evidence-based programming to reduce their likelihood of recidivism. It is a bill that is supported by prominent civil rights and criminal justice reform organizations such as the National Urban League and the Texas Criminal Justice Coalition. It passed the House Judiciary Committee on a 25–5 vote, and I feel even more confidently about its passage on the House floor.

Mr. Speaker, there is no doubt that this Congress can do more to not only reduce recidivism through ''back-end reform,'' but also engage in ''front-end reform'' to keep individuals out of prison in the first place. However, we must consider a bill entirely on its merits and not just oppose a measure because it does not go far enough in its reforms. The FIRST STEP Act is exactly that—a first step to make meaningful and impactful changes to our prison system.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 5682, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 113) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 113

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the ''event''), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 16, 2018, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all

expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentlewoman from Nevada (Ms. TITUS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H. Con. Res. 113.

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

There was no objection.

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

Mr. Speaker, H. Con. Res. 113 authorizes the use of the Capitol Grounds for the annual Greater Washington Soap Box Derby in June. The mission of the Soap Box Derby is to build knowledge and character in our children and to teach them fair and honest competition.

This American tradition, started in 1934, encourages kids to be creative and teaches them problem-solving and engineering skills. I am pleased this tradition continues, including in my home State of Pennsylvania. Winners from this local competition will join winners of other races in competing at the world championship in Akron, Ohio.

Mr. Speaker, I urge support of this resolution, and I reserve the balance of my time.

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

Mr. Speaker, I share the enthusiasm of the chairman for the Soap Box Derby. I speak in favor of this resolution.

I also want to thank the gentleman from Maryland (Mr. HOYER) for introducing this resolution every Congress on behalf of the Washington regional delegation.

This annual competitive event encourages boys and girls, ages 7 through 20, to construct, operate, and then race their very own soap box vehicles. It has become a great tradition here in the Nation's Capital, and it has been going on for over 20 years. It provides a terrific opportunity for children to appreciate the workmanship, the craftsmanship, the time, the effort that goes into the construction of these vehicles, and then they get to enjoy the thrill of the race and competition.

The Greater Washington Soap Box Derby organizers will work with the Architect of the Capitol and with the Capitol Police to ensure that the appropriate rules and regulations are in place and that the event remains free to the public.

I want to encourage my colleagues to support this legislation and then to come out on June 16 to participate in this exciting event.

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

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

Ms. TITUS. Mr. Speaker, I yield as much time as he may consume to the gentleman from Maryland (Mr. HOYER), my colleague and leader.

Mr. HOYER. Mr. Speaker, I thank Ms. TITUS, and I thank the chairman for bringing the bill to the floor. I rise in strong support.

Mr. Speaker, it is with great honor every year that I have the opportunity to introduce this resolution and to support it on the floor.

I just heard the remarks of the gentlewoman from Nevada. I thank her very much for her support, and I thank the gentleman from Pennsylvania for his remarks.

This is the 77th year our region's Soap Box Derby will be a fun and educational event that brings families together. It will be held on Saturday, June 16, as I am sure has already been said, and you will see soap box racers from ages 8 to 17 compete in three divisions: stock, super stock, and masters.

The winner from each one of these divisions, Mr. Speaker, will go on to compete at the national All-American Soap Box Derby, held each year in Akron, Ohio.

I was very proud of last year's winners from Maryland's Fifth District, 11-year-olds Ian Jameson in the stock class and Ryan Jameson in super stock. These twin brothers are from Hollywood, Maryland, the county in which I live, which is the most southern county in our State. They worked hard on their soap box racers, as did all the other young people who participated.

Ian Jameson went on to win fourth place at the All-American Soap Box Derby in Akron. Maryland's Fifth District has been home to several Greater Washington Soap Box Derby champions in recent years, including the winners from 2007, 2008, 2009, 2012, 2013, and 2014.

Is there any doubt in any Member's mind why I am so supportive of the Soap Box Derby? We do very well in the derby. Our racers even won national championships in 2007 and 2008.

I feel confident that the Fifth District racers will continue to shine this year.

Soap box derbies have been called the greatest amateur racing event in the world. They have a long tradition in our country, and many Americans carry fond memories of building soap box racers with their parents or other relatives when they were young.

Mr. Speaker, I am pleased to rise in strong support of this All-American activity that will happen right here on the Nation's Capitol Hill.

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

Ms. TITUS. Mr. Speaker, as you know, I represent Las Vegas. I am not sure we can take bets on the Soap Box Derby in Las Vegas, but I would say the odds are in favor of somebody from your district winning if it does occur.

We have no other speakers, and so I just urge my colleagues to vote in favor.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 113.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 905, I call up the bill (S. 2155) to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 905, the bill is considered read.

The text of the bill is as follows:

S. 2155

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Economic Growth, Regulatory Relief, and Consumer Protection Act''.

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

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE FEDERAL BANKING AGENCY; COMPANY; DEPOSITORY INSTITUTION; DEPOSITORY INSTITUTION HOLDING COMPANY.—The terms ''appropriate Federal banking agency'', ''company'', ''depository institution'', and ''depository institution holding company'' have the meanings given those terms in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(2) BANK HOLDING COMPANY.—The term ''bank holding company'' has the meaning given the term in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841).

TITLE I—IMPROVING CONSUMER ACCESS TO MORTGAGE CREDIT

SEC. 101. MINIMUM STANDARDS FOR RESIDENTIAL MORTGAGE LOANS.

Section 129C(b)(2) of the Truth in Lending Act (15 U.S.C. 1639c(b)(2)) is amended by adding at the end the following:

''(F) SAFE HARBOR.—

''(i) DEFINITIONS.—In this subparagraph—

''(I) the term 'covered institution' means an insured depository institution or an insured credit union that, together with its affiliates, has less than $10,000,000,000 in total consolidated assets;

''(II) the term 'insured credit union' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

''(III) the term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

''(IV) the term 'interest-only' means that, under the terms of the legal obligation, one or more of the periodic payments may be applied solely to accrued interest and not to loan principal; and

''(V) the term 'negative amortization' means payment of periodic payments that will result in an increase in the principal balance under the terms of the legal obligation.

''(ii) SAFE HARBOR.—In this section—

''(I) the term 'qualified mortgage' includes any residential mortgage loan—

''(aa) that is originated and retained in portfolio by a covered institution;

''(bb) that is in compliance with the limitations with respect to prepayment penalties described in subsections (c)(1) and (c)(3);

''(cc) that is in compliance with the requirements of clause (vii) of subparagraph (A);

''(dd) that does not have negative amortization or interest-only features; and

''(ee) for which the covered institution considers and documents the debt, income, and financial resources of the consumer in accordance with clause (iv); and

''(II) a residential mortgage loan described in subclause (I) shall be deemed to meet the requirements of subsection (a).

''(iii) EXCEPTION FOR CERTAIN TRANSFERS.—A residential mortgage loan described in clause (ii)(I) shall not qualify for the safe harbor under clause (ii) if the legal title to the residential mortgage loan is sold, assigned, or otherwise transferred to another person unless the residential mortgage loan is sold, assigned, or otherwise transferred—

''(I) to another person by reason of the bankruptcy or failure of a covered institution;

''(II) to a covered institution so long as the loan is retained in portfolio by the covered institution to which the loan is sold, assigned, or otherwise transferred;

''(III) pursuant to a merger of a covered institution with another person or the acquisition of a covered institution by another person or of another person by a covered institution, so long as the loan is retained in portfolio by the person to whom the loan is sold, assigned, or otherwise transferred; or

''(IV) to a wholly owned subsidiary of a covered institution, provided that, after the sale, assignment, or transfer, the residential mortgage loan is considered to be an asset of the covered institution for regulatory accounting purposes.

''(iv) CONSIDERATION AND DOCUMENTATION REQUIREMENTS.—The consideration and documentation requirements described in clause (ii)(I)(ee) shall—

''(I) not be construed to require compliance with, or documentation in accordance with, appendix Q to part 1026 of title 12, Code of Federal Regulations, or any successor regulation; and

''(II) be construed to permit multiple methods of documentation.''.

SEC. 102. SAFEGUARDING ACCESS TO HABITAT FOR HUMANITY HOMES.

Section 129E(i)(2) of the Truth in Lending Act (15 U.S.C. 1639e(i)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(2) in the matter preceding clause (i), as so redesignated, by striking ''For purposes of'' and inserting the following:

''(A) IN GENERAL.—For purposes of''; and

(3) by adding at the end the following:

''(B) RULE OF CONSTRUCTION RELATED TO APPRAISAL DONATIONS.—If a fee appraiser voluntarily donates appraisal services to an organization eligible to receive tax-deductible charitable contributions, such voluntary donation shall be considered customary and reasonable for the purposes of paragraph (1).''.

SEC. 103. EXEMPTION FROM APPRAISALS OF REAL PROPERTY LOCATED IN RURAL AREAS.

Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331 et seq.) is amended by adding at the end the following:

''SEC. 1127. EXEMPTION FROM APPRAISALS OF REAL ESTATE LOCATED IN RURAL AREAS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'mortgage originator' has the meaning given the term in section 103 of the Truth in Lending Act (15 U.S.C. 1602); and

''(2) the term 'transaction value' means the amount of a loan or extension of credit, including a loan or extension of credit that is part of a pool of loans or extensions of credit.

''(b) APPRAISAL NOT REQUIRED.—Except as provided in subsection (d), notwithstanding any other provision of law, an appraisal in connection with a federally related transaction involving real property or an interest in real property is not required if—

''(1) the real property or interest in real property is located in a rural area, as described in section 1026.35(b)(2)(iv)(A) of title 12, Code of Federal Regulations;

''(2) not later than 3 days after the date on which the Closing Disclosure Form, made in accordance with the final rule of the Bureau of Consumer Financial Protection entitled 'Integrated Mortgage Disclosures Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)' (78 Fed. Reg. 79730 (December

31, 2013)), relating to the federally related transaction is given to the consumer, the mortgage originator or its agent, directly or indirectly—

''(A) has contacted not fewer than 3 State certified appraisers or State licensed appraisers, as applicable, on the mortgage originator's approved appraiser list in the market area in accordance with part 226 of title 12, Code of Federal Regulations; and

''(B) has documented that no State certified appraiser or State licensed appraiser, as applicable, was available within 5 business days beyond customary and reasonable fee and timeliness standards for comparable appraisal assignments, as documented by the mortgage originator or its agent;

''(3) the transaction value is less than $400,000; and

''(4) the mortgage originator is subject to oversight by a Federal financial institutions regulatory agency.

''(c) SALE, ASSIGNMENT, OR TRANSFER.—A mortgage originator that makes a loan without an appraisal under the terms of subsection (b) shall not sell, assign, or otherwise transfer legal title to the loan unless—

''(1) the loan is sold, assigned, or otherwise transferred to another person by reason of the bankruptcy or failure of the mortgage originator;

''(2) the loan is sold, assigned, or otherwise transferred to another person regulated by a Federal financial institutions regulatory agency, so long as the loan is retained in portfolio by the person;

''(3) the sale, assignment, or transfer is pursuant to a merger of the mortgage originator with another person or the acquisition of the mortgage originator by another person or of another person by the mortgage originator; or

''(4) the sale, loan, or transfer is to a wholly owned subsidiary of the mortgage originator, provided that, after the sale, assignment, or transfer, the loan is considered to be an asset of the mortgage originator for regulatory accounting purposes.

''(d) EXCEPTION.—Subsection (b) shall not apply if—

''(1) a Federal financial institutions regulatory agency requires an appraisal under section 225.63(c), 323.3(c), 34.43(c), or 722.3(e) of title 12, Code of Federal Regulations; or

''(2) the loan is a high-cost mortgage, as defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602).

''(e) ANTI-EVASION.—Each Federal financial institutions regulatory agency shall ensure that any mortgage originator that the Federal financial institutions regulatory agency oversees that makes a significant amount of loans under subsection (b) is complying with the requirements of subsection (b)(2) with respect to each loan.''.

SEC. 104. HOME MORTGAGE DISCLOSURE ACT ADJUSTMENT AND STUDY.

(a) IN GENERAL.—Section 304 of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803) is amended—

(1) by redesignating subsection (i) as paragraph (3) and adjusting the margins accordingly;

(2) by inserting before paragraph (3), as so redesignated, the following:

''(i) EXEMPTIONS.—

''(1) CLOSED-END MORTGAGE LOANS.—With respect to an insured depository institution or insured credit union, the requirements of paragraphs (5) and (6) of subsection (b) shall not apply with respect to closed-end mortgage loans if the insured depository institution or insured credit union originated fewer than 500 closed-end mortgage loans in each of the 2 preceding calendar years.

''(2) OPEN-END LINES OF CREDIT.—With respect to an insured depository institution or insured credit union, the requirements of paragraphs (5) and (6) of subsection (b) shall not apply with respect to open-end lines of credit if the insured depository institution or insured credit union originated fewer than 500 open-end lines of credit in each of the 2 preceding calendar years.

''(3) REQUIRED COMPLIANCE.—Notwithstanding paragraphs (1) and (2), an insured depository institution shall comply with paragraphs (5) and (6) of subsection (b) if the insured depository institution has received a rating of 'needs to improve record of meeting community credit needs' during each of its 2 most recent examinations or a rating of 'substantial noncompliance in meeting community credit needs' on its most recent examination under section 807(b)(2) of the Community Reinvestment Act of 1977 (12 U.S.C. 2906(b)(2)).''; and

(3) by adding at the end the following:

''(o) DEFINITIONS.—In this section—

''(1) the term 'insured credit union' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); and

''(2) the term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).''.

(b) LOOKBACK STUDY.—

(1) STUDY.—Not earlier than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to evaluate the impact of the amendments made by subsection (a) on the amount of data available under the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2801 et seq.) at the national and local level.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that includes the findings and conclusions of the Comptroller General with respect to the study required under paragraph (1).

(c) TECHNICAL CORRECTION.—Section 304(i)(3) of the Home Mortgage Disclosure Act of 1975, as so redesignated by subsection (a)(1), is amended by striking ''section 303(2)(A)'' and inserting ''section 303(3)(A)''.

SEC. 105. CREDIT UNION RESIDENTIAL LOANS.

(a) REMOVAL FROM MEMBER BUSINESS LOAN LIMITATION.—Section 107A(c)(1)(B)(i) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1)(B)(i)) is amended by striking ''that is the primary residence of a member''.

(b) RULE OF CONSTRUCTION.—Nothing in this section or the amendment made by this section shall preclude the National Credit Union Administration from treating an extension of credit that is fully secured by a lien on a 1- to 4-family dwelling that is not the primary residence of a member as a member business loan for purposes other than the member business loan limitation requirements under section 107A of the Federal Credit Union Act (12 U.S.C. 1757a).

SEC. 106. ELIMINATING BARRIERS TO JOBS FOR LOAN ORIGINATORS.

(a) IN GENERAL.—The S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) is amended by adding at the end the following:

''SEC. 1518. EMPLOYMENT TRANSITION OF LOAN ORIGINATORS.

''(a) DEFINITIONS.—In this section:

''(1) APPLICATION STATE.—The term 'application State' means a State in which a registered loan originator or a State-licensed loan originator seeks to be licensed.

''(2) STATE-LICENSED MORTGAGE COMPANY.—The term 'State-licensed mortgage company' means an entity that is licensed or registered under the law of any State to engage in residential mortgage loan origination and processing activities.

''(b) TEMPORARY AUTHORITY TO ORIGINATE LOANS FOR LOAN ORIGINATORS MOVING FROM A DEPOSITORY INSTITUTION TO A NON-DEPOSITORY INSTITUTION.—

''(1) IN GENERAL.—Upon becoming employed by a State-licensed mortgage company, an individual who is a registered loan originator shall be deemed to have temporary authority to act as a loan originator in an application State for the period described in paragraph (2) if the individual—

''(A) has not had—

''(i) an application for a loan originator license denied; or

''(ii) a loan originator license revoked or suspended in any governmental jurisdiction;

''(B) has not been subject to, or served with, a cease and desist order—

''(i) in any governmental jurisdiction; or

''(ii) under section 1514(c);

''(C) has not been convicted of a misdemeanor or felony that would preclude licensure under the law of the application State;

''(D) has submitted an application to be a State-licensed loan originator in the application State; and

''(E) was registered in the Nationwide Mortgage Licensing System and Registry as a loan originator during the 1-year period preceding the date on which the information required under section 1505(a) is submitted.

''(2) PERIOD.—The period described in this paragraph shall begin on the date on which an individual described in paragraph (1) submits the information required under section 1505(a) and shall end on the earliest of the date—

''(A) on which the individual withdraws the application to be a State-licensed loan originator in the application State;

''(B) on which the application State denies, or issues a notice of intent to deny, the application;

''(C) on which the application State grants a State license; or

''(D) that is 120 days after the date on which the individual submits the application, if the application is listed on the Nationwide Mortgage Licensing System and Registry as incomplete.

''(c) TEMPORARY AUTHORITY TO ORIGINATE LOANS FOR STATE-LICENSED LOAN ORIGINATORS MOVING INTERSTATE.—

''(1) IN GENERAL.—A State-licensed loan originator shall be deemed to have temporary authority to act as a loan originator in an application State for the period described in paragraph (2) if the State-licensed loan originator—

''(A) meets the requirements of subparagraphs (A), (B), (C), and (D) of subsection (b)(1);

''(B) is employed by a State-licensed mortgage company in the application State; and

''(C) was licensed in a State that is not the application State during the 30-day period preceding the date on which the information required under section 1505(a) was submitted in connection with the application submitted to the application State.

''(2) PERIOD.—The period described in this paragraph shall begin on the date on which the State-licensed loan originator submits the information required under section 1505(a) in connection with the application submitted to the application State and end on the earliest of the date—

''(A) on which the State-licensed loan originator withdraws the application to be a State-licensed loan originator in the application State;

''(B) on which the application State denies, or issues a notice of intent to deny, the application;

''(C) on which the application State grants a State license; or

''(D) that is 120 days after the date on which the State-licensed loan originator submits the application, if the application is listed on the Nationwide Mortgage Licensing System and Registry as incomplete.

''(d) APPLICABILITY.—

''(1) EMPLOYER OF LOAN ORIGINATORS.—Any person employing an individual who is deemed to have temporary authority to act as a loan originator in an application State under this section shall be subject to the requirements of this title and to applicable State law to the same extent as if that individual was a State-licensed loan originator licensed by the application State.

''(2) ENGAGING IN MORTGAGE LOAN ACTIVITIES.—Any individual who is deemed to have temporary authority to act as a loan originator in an application State under this section and who engages in residential mortgage loan origination activities shall be subject to the requirements of this title and to applicable State law to the same extent as if that individual was a State-licensed loan originator licensed by the application State.''.

(b) TABLE OF CONTENTS AMENDMENT.—Section 1(b) of the Housing and Economic Recovery Act of 2008 (42 U.S.C. 4501 note) is amended by inserting after the item relating to section 1517 the following:

''Sec. 1518. Employment transition of loan originators.''.

(c) CIVIL LIABILITY.—Section 1513 of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5112) is amended by striking ''persons who are loan originators or are applying for licensing or registration as loan originators.'' and inserting ''persons who—

''(1) have applied, are applying, or are licensed or registered through the Nationwide Mortgage Licensing System and Registry; and

''(2) work in an industry with respect to which persons were licensed or registered through the Nationwide Mortgage Licensing System and Registry on the date of enactment of the Economic Growth, Regulatory Relief, and Consumer Protection Act.''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date that is 18 months after the date of enactment of this Act.

SEC. 107. PROTECTING ACCESS TO MANUFACTURED HOMES.

Section 103 of the Truth in Lending Act (15 U.S.C. 1602) is amended—

(1) by redesignating the second subsection (cc) (relating to definitions relating to mortgage origination and residential mortgage loans) and subsection (dd) as subsections (dd) and (ee), respectively; and

(2) in paragraph (2) of subsection (dd), as so redesignated, by striking subparagraph (C) and inserting the following:

''(C) does not include any person who is—

''(i) not otherwise described in subparagraph (A) or (B) and who performs purely administrative or clerical tasks on behalf of a person who is described in any such subparagraph; or

''(ii) a retailer of manufactured or modular homes or an employee of the retailer if the retailer or employee, as applicable—

''(I) does not receive compensation or gain for engaging in activities described in subparagraph (A) that is in excess of any compensation or gain received in a comparable cash transaction;

''(II) discloses to the consumer—

''(aa) in writing any corporate affiliation with any creditor; and

''(bb) if the retailer has a corporate affiliation with any creditor, at least 1 unaffiliated creditor; and

''(III) does not directly negotiate with the consumer or lender on loan terms (including rates, fees, and other costs).''.

SEC. 108. ESCROW REQUIREMENTS RELATING TO CERTAIN CONSUMER CREDIT TRANSACTIONS.

Section 129D of the Truth in Lending Act (15 U.S.C. 1639d) is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and adjusting the margins accordingly;

(B) in the matter preceding subparagraph (A), as so redesignated, by striking ''The Board'' and inserting the following:

''(1) IN GENERAL.—The Bureau'';

(C) in paragraph (1), as so redesignated, by striking ''the Board'' each place that term appears and inserting ''the Bureau''; and

(D) by adding at the end the following:

''(2) TREATMENT OF LOANS HELD BY SMALLER INSTITUTIONS.—The Bureau shall, by regulation, exempt from the requirements of subsection (a) any loan made by an insured depository institution or an insured credit union secured by a first lien on the principal dwelling of a consumer if—

''(A) the insured depository institution or insured credit union has assets of $10,000,000,000 or less;

''(B) during the preceding calendar year, the insured depository institution or insured credit union and its affiliates originated 1,000 or fewer loans secured by a first lien on a principal dwelling; and

''(C) the transaction satisfies the criteria in sections 1026.35(b)(2)(iii)(A), 1026.35(b)(2)(iii)(D), and 1026.35(b)(2)(v) of title 12, Code of Federal Regulations, or any successor regulation.''; and

(2) in subsection (i), by adding at the end the following:

''(3) INSURED CREDIT UNION.—The term 'insured credit union' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

''(4) INSURED DEPOSITORY INSTITUTION.—The term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).''.

SEC. 109. NO WAIT FOR LOWER MORTGAGE RATES.

(a) IN GENERAL.—Section 129(b) of the Truth in Lending Act (15 U.S.C. 1639(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) NO WAIT FOR LOWER RATE.—If a creditor extends to a consumer a second offer of credit with a lower annual percentage rate, the transaction may be consummated without regard to the period specified in paragraph (1) with respect to the second offer.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, whereas the Bureau of Consumer Financial Protection issued a final rule entitled ''Integrated Mortgage Disclosures Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)'' (78 Fed. Reg. 79730 (December 31, 2013)) (in this subsection referred to as the ''TRID Rule'') to combine the disclosures a consumer receives in connection with applying for and closing on a mortgage loan, the Bureau of Consumer Financial Protection should endeavor to provide clearer, authoritative guidance on—

(1) the applicability of the TRID Rule to mortgage assumption transactions;

(2) the applicability of the TRID Rule to construction-to-permanent home loans, and the conditions under which those loans can be properly originated; and

(3) the extent to which lenders can rely on model disclosures published by the Bureau of Consumer Financial Protection without liability if recent changes to regulations are not reflected in the sample TRID Rule forms published by the Bureau of Consumer Financial Protection.

TITLE II—REGULATORY RELIEF AND PROTECTING CONSUMER ACCESS TO CREDIT

SEC. 201. CAPITAL SIMPLIFICATION FOR QUALIFYING COMMUNITY BANKS.

(a) DEFINITIONS.—In this section:

(1) COMMUNITY BANK LEVERAGE RATIO.—The term ''Community Bank Leverage Ratio'' means the ratio of the tangible equity capital of a qualifying community bank, as reported on the qualifying community bank's applicable regulatory filing with the qualifying community bank's appropriate Federal banking agency, to the average total consolidated assets of the qualifying community bank, as reported on the qualifying community bank's applicable regulatory filing with the qualifying community bank's appropriate Federal banking agency.

(2) GENERALLY APPLICABLE LEVERAGE CAPITAL REQUIREMENTS; GENERALLY APPLICABLE RISK-BASED CAPITAL REQUIREMENTS.—The terms ''generally applicable leverage capital requirements'' and ''generally applicable risk-based capital requirements'' have the meanings given those terms in section 171(a) of the Financial Stability Act of 2010 (12 U.S.C. 5371(a)).

(3) QUALIFYING COMMUNITY BANK.—

(A) ASSET THRESHOLD.—The term ''qualifying community bank'' means a depository institution or depository institution holding company with total consolidated assets of less than $10,000,000,000.

(B) RISK PROFILE.—The appropriate Federal banking agencies may determine that a depository institution or depository institution holding company (or a class of depository institutions or depository institution holding companies) described in subparagraph (A) is not a qualifying community bank based on the depository institution's or depository institution holding company's risk profile, which shall be based on consideration of—

(i) off-balance sheet exposures;

(ii) trading assets and liabilities;

(iii) total notional derivatives exposures; and

(iv) such other factors as the appropriate Federal banking agencies determine appropriate.

(b) COMMUNITY BANK LEVERAGE RATIO.—The appropriate Federal banking agencies shall, through notice and comment rule making under section 553 of title 5, United States Code—

(1) develop a Community Bank Leverage Ratio of not less than 8 percent and not more than 10 percent for qualifying community banks; and

(2) establish procedures for treatment of a qualifying community bank that has a Community Bank Leverage Ratio that falls below the percentage developed under paragraph (1) after exceeding the percentage developed under paragraph (1).

(c) CAPITAL COMPLIANCE.—

(1) IN GENERAL.—Any qualifying community bank that exceeds the Community Bank Leverage Ratio developed under subsection (b)(1) shall be considered to have met—

(A) the generally applicable leverage capital requirements and the generally applicable risk-based capital requirements;

(B) in the case of a qualifying community bank that is a depository institution, the capital ratio requirements that are required in order to be considered well capitalized

under section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o) and any regulation implementing that section; and

(C) any other capital or leverage requirements to which the qualifying community bank is subject.

(2) EXISTING AUTHORITIES.—Nothing in paragraph (1) shall limit the authority of the appropriate Federal banking agencies as in effect on the date of enactment of this Act.

(d) CONSULTATION.—The appropriate Federal banking agencies shall—

(1) consult with the applicable State bank supervisors in carrying out this section; and

(2) notify the applicable State bank supervisor of any qualifying community bank that it supervises that exceeds, or does not exceed after previously exceeding, the Community Bank Leverage ratio developed under subsection (b)(1).

SEC. 202. LIMITED EXCEPTION FOR RECIPROCAL DEPOSITS.

(a) IN GENERAL.—Section 29 of the Federal Deposit Insurance Act (12 U.S.C. 1831f) is amended by adding at the end the following:

''(i) LIMITED EXCEPTION FOR RECIPROCAL DEPOSITS.—

''(1) IN GENERAL.—Reciprocal deposits of an agent institution shall not be considered to be funds obtained, directly or indirectly, by or through a deposit broker to the extent that the total amount of such reciprocal deposits does not exceed the lesser of—

''(A) $5,000,000,000; or

''(B) an amount equal to 20 percent of the total liabilities of the agent institution.

''(2) DEFINITIONS.—In this subsection:

''(A) AGENT INSTITUTION.—The term 'agent institution' means an insured depository institution that places a covered deposit through a deposit placement network at other insured depository institutions in amounts that are less than or equal to the standard maximum deposit insurance amount, specifying the interest rate to be paid for such amounts, if the insured depository institution—

''(i)(I) when most recently examined under section 10(d) was found to have a composite condition of outstanding or good; and

''(II) is well capitalized;

''(ii) has obtained a waiver pursuant to subsection (c); or

''(iii) does not receive an amount of reciprocal deposits that causes the total amount of reciprocal deposits held by the agent institution to be greater than the average of the total amount of reciprocal deposits held by the agent institution on the last day of each of the 4 calendar quarters preceding the calendar quarter in which the agent institution was found not to have a composite condition of outstanding or good or was determined to be not well capitalized.

''(B) COVERED DEPOSIT.—The term 'covered deposit' means a deposit that—

''(i) is submitted for placement through a deposit placement network by an agent institution; and

''(ii) does not consist of funds that were obtained for the agent institution, directly or indirectly, by or through a deposit broker before submission for placement through a deposit placement network.

''(C) DEPOSIT PLACEMENT NETWORK.—The term 'deposit placement network' means a network in which an insured depository institution participates, together with other insured depository institutions, for the processing and receipt of reciprocal deposits.

''(D) NETWORK MEMBER BANK.—The term 'network member bank' means an insured depository institution that is a member of a deposit placement network.

''(E) RECIPROCAL DEPOSITS.—The term 'reciprocal deposits' means deposits received by an agent institution through a deposit placement network with the same maturity (if any) and in the same aggregate amount as covered deposits placed by the agent institution in other network member banks.

''(F) WELL CAPITALIZED.—The term 'well capitalized' has the meaning given the term in section 38(b)(1).''.

(b) INTEREST RATE RESTRICTION.—Section 29 of the Federal Deposit Insurance Act (12 U.S.C. 1831f) is amended by striking subsection (e) and inserting the following:

''(e) RESTRICTION ON INTEREST RATE PAID.—

''(1) DEFINITIONS.—In this subsection—

''(A) the terms 'agent institution', 'reciprocal deposits', and 'well capitalized' have the meanings given those terms in subsection (i); and

''(B) the term 'covered insured depository institution' means an insured depository institution that—

''(i) under subsection (c) or (d), accepts funds obtained, directly or indirectly, by or through a deposit broker; or

''(ii) while acting as an agent institution under subsection (i), accepts reciprocal deposits while not well capitalized.

''(2) PROHIBITION.—A covered insured depository institution may not pay a rate of interest on funds or reciprocal deposits described in paragraph (1) that, at the time that the funds or reciprocal deposits are accepted, significantly exceeds the limit set forth in paragraph (3).

''(3) LIMIT ON INTEREST RATES.—The limit on the rate of interest referred to in paragraph (2) shall be—

''(A) the rate paid on deposits of similar maturity in the normal market area of the covered insured depository institution for deposits accepted in the normal market area of the covered insured depository institution; or

''(B) the national rate paid on deposits of comparable maturity, as established by the Corporation, for deposits accepted outside the normal market area of the covered insured depository institution.''.

SEC. 203. COMMUNITY BANK RELIEF.

Section 13(h)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1851(h)(1)) is amended—

(1) in subparagraph (D), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(2) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(3) in the matter preceding clause (i), as so redesignated, in the second sentence, by striking ''institution that functions solely in a trust or fiduciary capacity, if—'' and inserting the following: ''institution—

''(A) that functions solely in a trust or fiduciary capacity, if—'';

(4) in clause (iv)(II), as so redesignated, by striking the period at the end and inserting ''; or''; and

(5) by adding at the end the following:

''(B) that does not have and is not controlled by a company that has—

''(i) more than $10,000,000,000 in total consolidated assets; and

''(ii) total trading assets and trading liabilities, as reported on the most recent applicable regulatory filing filed by the institution, that are more than 5 percent of total consolidated assets.''.

SEC. 204. REMOVING NAMING RESTRICTIONS.

Section 13 of the Bank Holding Company Act of 1956 (12 U.S.C. 1851) is amended—

(1) in subsection (d)(1)(G)(vi), by inserting before the semicolon the following: '', except that the hedge fund or private equity fund may share the same name or a variation of the same name as a banking entity that is an investment adviser to the hedge fund or private equity fund, if—

''(I) such investment adviser is not an insured depository institution, a company that controls an insured depository institution, or a company that is treated as a bank holding company for purposes of section 8 of the International Banking Act of 1978 (12 U.S.C. 3106);

''(II) such investment adviser does not share the same name or a variation of the same name as an insured depository institution, any company that controls an insured depository institution, or any company that is treated as a bank holding company for purposes of section 8 of the International Banking Act of 1978 (12 U.S.C. 3106); and

''(III) such name does not contain the word 'bank' ''; and

(2) in subsection (h)(5)(C), by inserting before the period the following: '', except as permitted under subsection (d)(1)(G)(vi)''.

SEC. 205. SHORT FORM CALL REPORTS.

Section 7(a) of the Federal Deposit Insurance Act (12 U.S.C. 1817(a)) is amended by adding at the end the following:

''(12) SHORT FORM REPORTING.—

''(A) IN GENERAL.—The appropriate Federal banking agencies shall issue regulations that allow for a reduced reporting requirement for a covered depository institution when the institution makes the first and third report of condition for a year, as required under paragraph (3).

''(B) DEFINITION.—In this paragraph, the term 'covered depository institution' means an insured depository institution that—

''(i) has less than $5,000,000,000 in total consolidated assets; and

''(ii) satisfies such other criteria as the appropriate Federal banking agencies determine appropriate.''.

SEC. 206. OPTION FOR FEDERAL SAVINGS ASSOCIATIONS TO OPERATE AS COVERED SAVINGS ASSOCIATIONS.

The Home Owners' Loan Act (12 U.S.C. 1461 et seq.) is amended by inserting after section 5 (12 U.S.C. 1464) the following:

''SEC. 5A. ELECTION TO OPERATE AS A COVERED SAVINGS ASSOCIATION.

''(a) DEFINITION.—In this section, the term 'covered savings association' means a Federal savings association that makes an election that is approved under subsection (b).

''(b) ELECTION.—

''(1) IN GENERAL.—In accordance with the rules issued under subsection (f), a Federal savings association with total consolidated assets equal to or less than $20,000,000,000, as reported by the association to the Comptroller as of December 31, 2017, may elect to operate as a covered savings association by submitting a notice to the Comptroller of that election.

''(2) APPROVAL.—A Federal savings association shall be deemed to be approved to operate as a covered savings association beginning on the date that is 60 days after the date on which the Comptroller receives the notice submitted under paragraph (1), unless the Comptroller notifies the Federal savings association that the Federal savings association is not eligible.

''(c) RIGHTS AND DUTIES.—Notwithstanding any other provision of law, and except as otherwise provided in this section, a covered savings association shall—

''(1) have the same rights and privileges as a national bank that has the main office of the national bank situated in the same location as the home office of the covered savings association; and

''(2) be subject to the same duties, restrictions, penalties, liabilities, conditions, and limitations that would apply to a national bank described in paragraph (1).

''(d) TREATMENT OF COVERED SAVINGS ASSOCIATIONS.—A covered savings association shall be treated as a Federal savings association for the purposes—

''(1) of governance of the covered savings association, including incorporation, bylaws, boards of directors, shareholders, and distribution of dividends;

''(2) of consolidation, merger, dissolution, conversion (including conversion to a stock bank or to another charter), conservatorship, and receivership; and

''(3) determined by regulation of the Comptroller.

''(e) EXISTING BRANCHES.—A covered savings association may continue to operate any branch or agency that the covered savings association operated on the date on which an election under subsection (b) is approved.

''(f) RULE MAKING.—The Comptroller shall issue rules to carry out this section—

''(1) that establish streamlined standards and procedures that clearly identify required documentation and timelines for an election under subsection (b);

''(2) that require a Federal savings association that makes an election under subsection (b) to identify specific assets and subsidiaries that—

''(A) do not conform to the requirements for assets and subsidiaries of a national bank; and

''(B) are held by the Federal savings association on the date on which the Federal savings association submits a notice of the election;

''(3) that establish—

''(A) a transition process for bringing the assets and subsidiaries described in paragraph (2) into conformance with the requirements for a national bank; and

''(B) procedures for allowing the Federal savings association to submit to the Comptroller an application to continue to hold assets and subsidiaries described in paragraph (2) after electing to operate as a covered savings association;

''(4) that establish standards and procedures to allow a covered savings association to—

''(A) terminate an election under subsection (b) after an appropriate period of time; and

''(B) make a subsequent election under subsection (b) after terminating an election under subparagraph (A);

''(5) that clarify requirements for the treatment of covered savings associations, including the provisions of law that apply to covered savings associations; and

''(6) as the Comptroller determines necessary in the interests of safety and soundness.

''(g) GRANDFATHERED COVERED SAVINGS ASSOCIATIONS.—Subject to the rules issued under subsection (f), a covered savings association may continue to operate as a covered savings association if, after the date on which the election is made under subsection (b), the covered savings association has total consolidated assets greater than $20,000,000,000.''.

SEC. 207. SMALL BANK HOLDING COMPANY POLICY STATEMENT.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Board of Governors of the Federal Reserve System.

(2) SAVINGS AND LOAN HOLDING COMPANY.—The term ''savings and loan holding company'' has the meaning given the term in section 10(a) of the Home Owners' Loan Act (12 U.S.C. 1467a(a)).

(b) CHANGES REQUIRED TO SMALL BANK HOLDING COMPANY POLICY STATEMENT ON ASSESSMENT OF FINANCIAL AND MANAGERIAL FACTORS.—Not later than 180 days after the date of enactment of this Act, the Board shall revise appendix C to part 225 of title 12, Code of Federal Regulations (commonly known as the ''Small Bank Holding Company and Savings and Loan Holding Company Policy Statement''), to raise the consolidated asset threshold under that appendix from $1,000,000,000 to $3,000,000,000 for any bank holding company or savings and loan holding company that—

(1) is not engaged in significant nonbanking activities either directly or through a nonbank subsidiary;

(2) does not conduct significant off-balance sheet activities (including securitization and asset management or administration) either directly or through a nonbank subsidiary; and

(3) does not have a material amount of debt or equity securities outstanding (other than trust preferred securities) that are registered with the Securities and Exchange Commission.

(c) EXCLUSIONS.—The Board may exclude any bank holding company or savings and loan holding company, regardless of asset size, from the revision under subsection (b) if the Board determines that such action is warranted for supervisory purposes.

(d) CONFORMING AMENDMENT.—Section 171(b)(5) of the Financial Stability Act of 2010 (12 U.S.C. 5371(b)(5)) is amended by striking subparagraph (C) and inserting the following:

''(C) any bank holding company or savings and loan holding company that is subject to the application of appendix C to part 225 of title 12, Code of Federal Regulations (commonly known as the 'Small Bank Holding Company and Savings and Loan Holding Company Policy Statement').''.

SEC. 208. APPLICATION OF THE EXPEDITED FUNDS AVAILABILITY ACT.

(a) IN GENERAL.—The Expedited Funds Availability Act (12 U.S.C. 4001 et seq.) is amended—

(1) in section 602 (12 U.S.C. 4001)—

(A) in paragraph (20), by inserting '', located in the United States,'' after ''ATM'';

(B) in paragraph (21), by inserting ''American Samoa, the Commonwealth of the Northern Mariana Islands, Guam,'' after ''Puerto Rico,''; and

(C) in paragraph (23), by inserting ''American Samoa, the Commonwealth of the Northern Mariana Islands, Guam,'' after ''Puerto Rico,''; and

(2) in section 603(d)(2)(A) (12 U.S.C. 4002(d)(2)(A)), by inserting ''American Samoa, the Commonwealth of the Northern Mariana Islands, Guam,'' after ''Puerto Rico,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 30 days after the date of enactment of this Act.

SEC. 209. SMALL PUBLIC HOUSING AGENCIES.

(a) SMALL PUBLIC HOUSING AGENCIES.—Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended by adding at the end the following:

''SEC. 38. SMALL PUBLIC HOUSING AGENCIES.

''(a) DEFINITIONS.—In this section:

''(1) HOUSING VOUCHER PROGRAM.—The term 'housing voucher program' means a program for tenant-based assistance under section 8.

''(2) SMALL PUBLIC HOUSING AGENCY.—The term 'small public housing agency' means a public housing agency—

''(A) for which the sum of the number of public housing dwelling units administered by the agency and the number of vouchers under section 8(o) administered by the agency is 550 or fewer; and

''(B) that predominantly operates in a rural area, as described in section 1026.35(b)(2)(iv)(A) of title 12, Code of Federal Regulations.

''(3) TROUBLED SMALL PUBLIC HOUSING AGENCY.—The term 'troubled small public housing agency' means a small public housing agency designated by the Secretary as a troubled small public housing agency under subsection (c)(3).

''(b) APPLICABILITY.—Except as otherwise provided in this section, a small public housing agency shall be subject to the same requirements as a public housing agency.

''(c) PROGRAM INSPECTIONS AND EVALUATIONS.—

''(1) PUBLIC HOUSING PROJECTS.—

''(A) FREQUENCY OF INSPECTIONS BY SECRETARY.—The Secretary shall carry out an inspection of the physical condition of a small public housing agency's public housing projects not more frequently than once every 3 years, unless the agency has been designated by the Secretary as a troubled small public housing agency based on deficiencies in the physical condition of its public housing projects. Nothing contained in this subparagraph relieves the Secretary from conducting lead safety inspections or assessments in accordance with procedures established by the Secretary under section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4822).

''(B) STANDARDS.—The Secretary shall apply to small public housing agencies the same standards for the acceptable condition of public housing projects that apply to projects assisted under section 8.

''(2) HOUSING VOUCHER PROGRAM.—Except as required by section 8(o)(8)(F), a small public housing agency administering assistance under section 8(o) shall make periodic physical inspections of each assisted dwelling unit not less frequently than once every 3 years to determine whether the unit is maintained in accordance with the requirements under section 8(o)(8)(A). Nothing contained in this paragraph relieves a small public housing agency from conducting lead safety inspections or assessments in accordance with procedures established by the Secretary under section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4822).

''(3) TROUBLED SMALL PUBLIC HOUSING AGENCIES.—

''(A) PUBLIC HOUSING PROGRAM.—Notwithstanding any other provision of law, the Secretary may designate a small public housing agency as a troubled small public housing agency with respect to the public housing program of the small public housing agency if the Secretary determines that the agency has failed to maintain the public housing units of the small public housing agency in a satisfactory physical condition, based upon an inspection conducted by the Secretary.

''(B) HOUSING VOUCHER PROGRAM.—Notwithstanding any other provision of law, the Secretary may designate a small public housing agency as a troubled small public housing agency with respect to the housing voucher program of the small public housing agency if the Secretary determines that the agency has failed to comply with the inspection requirements under paragraph (2).

''(C) APPEALS.—

''(i) ESTABLISHMENT.—The Secretary shall establish an appeals process under which a small public housing agency may dispute a designation as a troubled small public housing agency.

''(ii) OFFICIAL.—The appeals process established under clause (i) shall provide for a decision by an official who has not been involved, and is not subordinate to a person who has been involved, in the original determination to designate a small public housing agency as a troubled small public housing agency.

''(D) CORRECTIVE ACTION AGREEMENT.—

''(i) AGREEMENT REQUIRED.—Not later than 60 days after the date on which a small public housing agency is designated as a troubled public housing agency under subparagraph (A) or (B), the Secretary and the small

public housing agency shall enter into a corrective action agreement under which the small public housing agency shall undertake actions to correct the deficiencies upon which the designation is based.

''(ii) TERMS OF AGREEMENT.—A corrective action agreement entered into under clause (i) shall—

''(I) have a term of 1 year, and shall be renewable at the option of the Secretary;

''(II) provide, where feasible, for technical assistance to assist the public housing agency in curing its deficiencies;

''(III) provide for—

''(aa) reconsideration of the designation of the small public housing agency as a troubled small public housing agency not less frequently than annually; and

''(bb) termination of the agreement when the Secretary determines that the small public housing agency is no longer a troubled small public housing agency; and

''(IV) provide that in the event of substantial noncompliance by the small public housing agency under the agreement, the Secretary may—

''(aa) contract with another public housing agency or a private entity to manage the public housing of the troubled small public housing agency;

''(bb) withhold funds otherwise distributable to the troubled small public housing agency;

''(cc) assume possession of, and direct responsibility for, managing the public housing of the troubled small public housing agency;

''(dd) petition for the appointment of a receiver, in accordance with section 6(j)(3)(A)(ii); and

''(ee) exercise any other remedy available to the Secretary in the event of default under the public housing annual contributions contract entered into by the small public housing agency under section 5.

''(E) EMERGENCY ACTIONS.—Nothing in this paragraph may be construed to prohibit the Secretary from taking any emergency action necessary to protect Federal financial resources or the health or safety of residents of public housing projects.

''(d) REDUCTION OF ADMINISTRATIVE BURDENS.—

''(1) EXEMPTION.—Notwithstanding any other provision of law, a small public housing agency shall be exempt from any environmental review requirements with respect to a development or modernization project having a total cost of not more than $100,000.

''(2) STREAMLINED PROCEDURES.—The Secretary shall, by rule, establish streamlined procedures for environmental reviews of small public housing agency development and modernization projects having a total cost of more than $100,000.''.

(b) ENERGY CONSERVATION.—Section 9(e)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)(2)) is amended by adding at the end the following:

''(D) FREEZE OF CONSUMPTION LEVELS.—

''(i) IN GENERAL.—A small public housing agency, as defined in section 38(a), may elect to be paid for its utility and waste management costs under the formula for a period, at the discretion of the small public housing agency, of not more than 20 years based on the small public housing agency's average annual consumption during the 3-year period preceding the year in which the election is made (in this subparagraph referred to as the 'consumption base level').

''(ii) INITIAL ADJUSTMENT IN CONSUMPTION BASE LEVEL.—The Secretary shall make an initial one-time adjustment in the consumption base level to account for differences in the heating degree day average over the most recent 20-year period compared to the average in the consumption base level.

''(iii) ADJUSTMENTS IN CONSUMPTION BASE LEVEL.—The Secretary shall make adjustments in the consumption base level to account for an increase or reduction in units, a change in fuel source, a change in resident controlled electricity consumption, or for other reasons.

''(iv) SAVINGS.—All cost savings resulting from an election made by a small public housing agency under this subparagraph—

''(I) shall accrue to the small public housing agency; and

''(II) may be used for any public housing purpose at the discretion of the small public housing agency.

''(v) THIRD PARTIES.—A small public housing agency making an election under this subparagraph—

''(I) may use, but shall not be required to use, the services of a third party in its energy conservation program; and

''(II) shall have the sole discretion to determine the source, and terms and conditions, of any financing used for its energy conservation program.''.

(c) REPORTING BY AGENCIES OPERATING IN CONSORTIA.—Not later than 180 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall develop and deploy all electronic information systems necessary to accommodate full consolidated reporting by public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(6)), electing to operate in consortia under section 13(a) of such Act (42 U.S.C. 1437k(a)).

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 60 days after the date of enactment of this Act.

(e) SHARED WAITING LISTS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall make available to interested public housing agencies and owners of multifamily properties receiving assistance from the Department of Housing and Urban Development 1 or more software programs that will facilitate the voluntary use of a shared waiting list by multiple public housing agencies or owners receiving assistance, and shall publish on the website of the Department of Housing and Urban Development procedural guidance for implementing shared waiting lists that includes information on how to obtain the software.

SEC. 210. EXAMINATION CYCLE.

Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—

(1) in paragraph (4)(A), by striking ''$1,000,000,000'' and inserting ''$3,000,000,000''; and

(2) in paragraph (10), by striking ''$1,000,000,000'' and inserting ''$3,000,000,000''.

SEC. 211. INTERNATIONAL INSURANCE CAPITAL STANDARDS ACCOUNTABILITY.

(a) FINDINGS.—Congress finds that—

(1) the Secretary of the Treasury, Board of Governors of the Federal Reserve System, and Director of the Federal Insurance Office shall support increasing transparency at any global insurance or international standard-setting regulatory or supervisory forum in which they participate, including supporting and advocating for greater public observer access to working groups and committee meetings of the International Association of Insurance Supervisors; and

(2) to the extent that the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office take a position or reasonably intend to take a position with respect to an insurance proposal by a global insurance regulatory or supervisory forum, the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office shall achieve consensus positions with State insurance regulators through the National Association of Insurance Commissioners, when they are United States participants in negotiations on insurance issues before the International Association of Insurance Supervisors, Financial Stability Board, or any other international forum of financial regulators or supervisors that considers such issues.

(b) INSURANCE POLICY ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—There is established the Insurance Policy Advisory Committee on International Capital Standards and Other Insurance Issues at the Board of Governors of the Federal Reserve System.

(2) MEMBERSHIP.—The Committee shall be composed of not more than 21 members, all of whom represent a diverse set of expert perspectives from the various sectors of the United States insurance industry, including life insurance, property and casualty insurance and reinsurance, agents and brokers, academics, consumer advocates, or experts on issues facing underserved insurance communities and consumers.

(c) REPORTS.—

(1) REPORTS AND TESTIMONY BY SECRETARY OF THE TREASURY AND CHAIRMAN OF THE FEDERAL RESERVE.—

(A) IN GENERAL.—The Secretary of the Treasury and the Chairman of the Board of Governors of the Federal Reserve System, or their designee, shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives, an annual report and provide annual testimony to the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives on the efforts of the Secretary and the Chairman with the National Association of Insurance Commissioners with respect to global insurance regulatory or supervisory forums, including—

(i) a description of the insurance regulatory or supervisory standard-setting issues under discussion at international standard-setting bodies, including the Financial Stability Board and the International Association of Insurance Supervisors;

(ii) a description of the effects that proposals discussed at international insurance regulatory or supervisory forums of insurance could have on consumer and insurance markets in the United States;

(iii) a description of any position taken by the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office in international insurance discussions; and

(iv) a description of the efforts by the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office to increase transparency at the Financial Stability Board with respect to insurance proposals and the International Association of Insurance Supervisors, including efforts to provide additional public access to working groups and committees of the International Association of Insurance Supervisors.

(B) TERMINATION.—This paragraph shall terminate on December 31, 2024.

(2) REPORTS AND TESTIMONY BY NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS.—The National Association of Insurance Commissioners may provide testimony to Congress on the issues described in paragraph (1)(A).

(3) JOINT REPORT BY THE CHAIRMAN OF THE FEDERAL RESERVE AND THE DIRECTOR OF THE FEDERAL INSURANCE OFFICE.—

(A) IN GENERAL.—The Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office shall, in consultation with the National Association of Insurance Commissioners, complete a study on, and submit to Congress a report on the results of the study, the impact on consumers and markets in the United States before supporting or consenting to the adoption of any final international insurance capital standard.

(B) NOTICE AND COMMENT.—

(i) NOTICE.—The Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office shall provide public notice before the date on which drafting a report required under subparagraph (A) is commenced and after the date on which the draft of the report is completed.

(ii) OPPORTUNITY FOR COMMENT.—There shall be an opportunity for public comment for a period beginning on the date on which the report is submitted under subparagraph (A) and ending on the date that is 60 days after the date on which the report is submitted.

(C) REVIEW BY COMPTROLLER GENERAL.—The Secretary of the Treasury, Chairman of the Board of Governors of the Federal Reserve System, and the Director of the Federal Insurance Office shall submit to the Comptroller General of the United States the report described in subparagraph (A) for review.

(4) REPORT ON INCREASE IN TRANSPARENCY.—Not later than 180 days after the date of enactment of this Act, the Chairman of the Board of Governors of the Federal Reserve System and the Secretary of the Treasury, or their designees, shall submit to Congress a report and provide testimony to Congress on the efforts of the Chairman and the Secretary to increase transparency at meetings of the International Association of Insurance Supervisors.

SEC. 212. BUDGET TRANSPARENCY FOR THE NCUA.

Section 209(b) of the Federal Credit Union Act (12 U.S.C. 1789(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

''(1) on an annual basis and prior to the submission of the detailed business-type budget required under paragraph (2)—

''(A) make publicly available and publish in the Federal Register a draft of the detailed business-type budget; and

''(B) hold a public hearing, with public notice provided of the hearing, during which the public may submit comments on the draft of the detailed business-type budget;''; and

(3) in paragraph (2), as so redesignated—

(A) by inserting ''detailed'' after ''submit a''; and

(B) by inserting '', which shall address any comment submitted by the public under paragraph (1)(B)'' after ''Control Act''.

SEC. 213. MAKING ONLINE BANKING INITIATION LEGAL AND EASY.

(a) DEFINITIONS.—In this section:

(1) AFFILIATE.—The term ''affiliate'' has the meaning given the term in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841).

(2) DRIVER'S LICENSE.—The term ''driver's license'' means a license issued by a State to an individual that authorizes the individual to operate a motor vehicle on public streets, roads, or highways.

(3) FEDERAL BANK SECRECY LAWS.—The term ''Federal bank secrecy laws'' means—

(A) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

(B) section 123 of Public Law 91–508 (12 U.S.C. 1953); and

(C) subchapter II of chapter 53 of title 31, United States Code.

(4) FINANCIAL INSTITUTION.—The term ''financial institution'' means—

(A) an insured depository institution;

(B) an insured credit union; or

(C) any affiliate of an insured depository institution or insured credit union.

(5) FINANCIAL PRODUCT OR SERVICE.—The term ''financial product or service'' has the meaning given the term in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).

(6) INSURED CREDIT UNION.—The term ''insured credit union'' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

(7) INSURED DEPOSITORY INSTITUTION.—The term ''insured depository institution'' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(8) ONLINE SERVICE.—The term ''online service'' means any Internet-based service, such as a website or mobile application.

(9) PERSONAL IDENTIFICATION CARD.—The term ''personal identification card'' means an identification document issued by a State or local government to an individual solely for the purpose of identification of that individual.

(10) PERSONAL INFORMATION.—The term ''personal information'' means the information displayed on or electronically encoded on a driver's license or personal identification card that is reasonably necessary to fulfill the purpose and uses permitted by subsection (b).

(11) SCAN.—The term ''scan'' means the act of using a device or software to decipher, in an electronically readable format, personal information displayed on or electronically encoded on a driver's license or personal identification card.

(12) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other commonwealth, possession, or territory of the United States.

(b) USE OF A DRIVER'S LICENSE OR PERSONAL IDENTIFICATION CARD.—

(1) IN GENERAL.—When an individual initiates a request through an online service to open an account with a financial institution or obtain a financial product or service from a financial institution, the financial institution may record personal information from a scan of the driver's license or personal identification card of the individual, or make a copy or receive an image of the driver's license or personal identification card of the individual, and store or retain such information in any electronic format for the purposes described in paragraph (2).

(2) USES OF INFORMATION.—Except as required to comply with Federal bank secrecy laws, a financial institution may only use the information obtained under paragraph (1)—

(A) to verify the authenticity of the driver's license or personal identification card;

(B) to verify the identity of the individual; and

(C) to comply with a legal requirement to record, retain, or transmit the personal information in connection with opening an account or obtaining a financial product or service.

(3) DELETION OF IMAGE.—A financial institution that makes a copy or receives an image of a driver's license or personal identification card of an individual in accordance with paragraphs (1) and (2) shall, after using the image for the purposes described in paragraph (2), permanently delete—

(A) any image of the driver's license or personal identification card, as applicable; and

(B) any copy of any such image.

(4) DISCLOSURE OF PERSONAL INFORMATION.—Nothing in this section shall be construed to amend, modify, or otherwise affect any State or Federal law that governs a financial institution's disclosure and security of personal information that is not publicly available.

(c) RELATION TO STATE LAW.—The provisions of this section shall preempt and supersede any State law that conflicts with a provision of this section, but only to the extent of such conflict.

SEC. 214. PROMOTING CONSTRUCTION AND DEVELOPMENT ON MAIN STREET.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following new section:

''SEC. 51. CAPITAL REQUIREMENTS FOR CERTAIN ACQUISITION, DEVELOPMENT, OR CONSTRUCTION LOANS.

''(a) IN GENERAL.—The appropriate Federal banking agencies may only require a depository institution to assign a heightened risk weight to a high volatility commercial real estate (HVCRE) exposure (as such term is defined under section 324.2 of title 12, Code of Federal Regulations, as of October 11, 2017, or if a successor regulation is in effect as of the date of the enactment of this section, such term or any successor term contained in such successor regulation) under any risk-based capital requirement if such exposure is an HVCRE ADC loan.

''(b) HVCRE ADC LOAN DEFINED.—For purposes of this section and with respect to a depository institution, the term 'HVCRE ADC loan'—

''(1) means a credit facility secured by land or improved real property that, prior to being reclassified by the depository institution as a non-HVCRE ADC loan pursuant to subsection (d)—

''(A) primarily finances, has financed, or refinances the acquisition, development, or construction of real property;

''(B) has the purpose of providing financing to acquire, develop, or improve such real property into income-producing real property; and

''(C) is dependent upon future income or sales proceeds from, or refinancing of, such real property for the repayment of such credit facility;

''(2) does not include a credit facility financing—

''(A) the acquisition, development, or construction of properties that are—

''(i) one- to four-family residential properties;

''(ii) real property that would qualify as an investment in community development; or

''(iii) agricultural land;

''(B) the acquisition or refinance of existing income-producing real property secured by a mortgage on such property, if the cash flow being generated by the real property is sufficient to support the debt service and expenses of the real property, in accordance with the institution's applicable loan underwriting criteria for permanent financings;

''(C) improvements to existing income-producing improved real property secured by a mortgage on such property, if the cash flow being generated by the real property is sufficient to support the debt service and expenses of the real property, in accordance with the institution's applicable loan underwriting criteria for permanent financings; or

''(D) commercial real property projects in which—

''(i) the loan-to-value ratio is less than or equal to the applicable maximum supervisory loan-to-value ratio as determined by the appropriate Federal banking agency;

''(ii) the borrower has contributed capital of at least 15 percent of the real property's appraised, 'as completed' value to the project in the form of—

''(I) cash;

''(II) unencumbered readily marketable assets;

''(III) paid development expenses out-of-pocket; or

''(IV) contributed real property or improvements; and

''(iii) the borrower contributed the minimum amount of capital described under clause (ii) before the depository institution advances funds (other than the advance of a nominal sum made in order to secure the depository institution's lien against the real property) under the credit facility, and such minimum amount of capital contributed by the borrower is contractually required to remain in the project until the credit facility has been reclassified by the depository institution as a non-HVCRE ADC loan under subsection (d);

''(3) does not include any loan made prior to January 1, 2015; and

''(4) does not include a credit facility reclassified as a non-HVCRE ADC loan under subsection (d).

''(c) VALUE OF CONTRIBUTED REAL PROPERTY.—For purposes of this section, the value of any real property contributed by a borrower as a capital contribution shall be the appraised value of the property as determined under standards prescribed pursuant to section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339), in connection with the extension of the credit facility or loan to such borrower.

''(d) RECLASSIFICATION AS A NON-HVRCE ADC LOAN.—For purposes of this section and with respect to a credit facility and a depository institution, upon—

''(1) the substantial completion of the development or construction of the real property being financed by the credit facility; and

''(2) cash flow being generated by the real property being sufficient to support the debt service and expenses of the real property,

in accordance with the institution's applicable loan underwriting criteria for permanent financings, the credit facility may be reclassified by the depository institution as a Non-HVCRE ADC loan.

''(e) EXISTING AUTHORITIES.—Nothing in this section shall limit the supervisory, regulatory, or enforcement authority of an appropriate Federal banking agency to further the safe and sound operation of an institution under the supervision of the appropriate Federal banking agency.''.

SEC. 215. REDUCING IDENTITY FRAUD.

(a) PURPOSE.—The purpose of this section is to reduce the prevalence of synthetic identity fraud, which disproportionally affects vulnerable populations, such as minors and recent immigrants, by facilitating the validation by permitted entities of fraud protection data, pursuant to electronically received consumer consent, through use of a database maintained by the Commissioner.

(b) DEFINITIONS.—In this section:

(1) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Social Security Administration.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809).

(3) FRAUD PROTECTION DATA.—The term ''fraud protection data'' means a combination of the following information with respect to an individual:

(A) The name of the individual (including the first name and any family forename or surname of the individual).

(B) The social security number of the individual.

(C) The date of birth (including the month, day, and year) of the individual.

(4) PERMITTED ENTITY.—The term ''permitted entity'' means a financial institution or a service provider, subsidiary, affiliate, agent, subcontractor, or assignee of a financial institution.

(c) EFFICIENCY.—

(1) RELIANCE ON EXISTING METHODS.—The Commissioner shall evaluate the feasibility of making modifications to any database that is in existence as of the date of enactment of this Act or a similar resource such that the database or resource—

(A) is reasonably designed to effectuate the purpose of this section; and

(B) meets the requirements of subsection (d).

(2) EXECUTION.—The Commissioner shall make the modifications necessary to any database that is in existence as of the date of enactment of this Act or similar resource, or develop a database or similar resource, to effectuate the requirements described in paragraph (1).

(d) PROTECTION OF VULNERABLE CONSUMERS.—The database or similar resource described in subsection (c) shall—

(1) compare fraud protection data provided in an inquiry by a permitted entity against such information maintained by the Commissioner in order to confirm (or not confirm) the validity of the information provided;

(2) be scalable and accommodate reasonably anticipated volumes of verification requests from permitted entities with commercially reasonable uptime and availability; and

(3) allow permitted entities to submit—

(A) 1 or more individual requests electronically for real-time machine-to-machine (or similar functionality) accurate responses; and

(B) multiple requests electronically, such as those provided in a batch format, for accurate electronic responses within a reasonable period of time from submission, not to exceed 24 hours.

(e) CERTIFICATION REQUIRED.—Before providing confirmation of fraud protection data to a permitted entity, the Commissioner shall ensure that the Commissioner has a certification from the permitted entity that is dated not more than 2 years before the date on which that confirmation is provided that includes the following declarations:

(1) The entity is a permitted entity.

(2) The entity is in compliance with this section.

(3) The entity is, and will remain, in compliance with its privacy and data security requirements, as described in title V of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 et seq.), with respect to information the entity receives from the Commissioner pursuant to this section.

(4) The entity will retain sufficient records to demonstrate its compliance with its certification and this section for a period of not less than 2 years.

(f) CONSUMER CONSENT.—

(1) IN GENERAL.—Notwithstanding any other provision of law or regulation, a permitted entity may submit a request to the database or similar resource described in subsection (c) only—

(A) pursuant to the written, including electronic, consent received by a permitted entity from the individual who is the subject of the request; and

(B) in connection with a credit transaction or any circumstance described in section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b).

(2) ELECTRONIC CONSENT REQUIREMENTS.—For a permitted entity to use the consent of an individual received electronically pursuant to paragraph (1)(A), the permitted entity must obtain the individual's electronic signature, as defined in section 106 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006).

(3) EFFECTUATING ELECTRONIC CONSENT.—No provision of law or requirement, including section 552a of title 5, United States Code, shall prevent the use of electronic consent for purposes of this subsection or for use in any other consent based verification under the discretion of the Commissioner.

(g) COMPLIANCE AND ENFORCEMENT.—

(1) AUDITS AND MONITORING.—The Commissioner may—

(A) conduct audits and monitoring to—

(i) ensure proper use by permitted entities of the database or similar resource described in subsection (c); and

(ii) deter fraud and misuse by permitted entities with respect to the database or similar resource described in subsection (c); and

(B) terminate services for any permitted entity that prevents or refuses to allow the Commissioner to carry out the activities described in subparagraph (A).

(2) ENFORCEMENT.—

(A) IN GENERAL.—Notwithstanding any other provision of law, including the matter preceding paragraph (1) of section 505(a) of the Gramm-Leach-Bliley Act (15 U.S.C. 6805(a)), any violation of this section and any certification made under this section shall be enforced in accordance with paragraphs (1) through (7) of such section 505(a) by the agencies described in those paragraphs.

(B) RELEVANT INFORMATION.—Upon discovery by the Commissioner, pursuant to an audit described in paragraph (1), of any violation of this section or any certification made under this section, the Commissioner shall forward any relevant information pertaining to that violation to the appropriate agency described in subparagraph (A) for evaluation by the agency for purposes of enforcing this section.

(h) RECOVERY OF COSTS.—

(1) IN GENERAL.—

(A) IN GENERAL.—Amounts obligated to carry out this section shall be fully recovered from the users of the database or verification system by way of advances, reimbursements, user fees, or other recoveries as determined by the Commissioner. The funds recovered under this paragraph shall be deposited as an offsetting collection to the account providing appropriations for the Social Security Administration, to be used for the administration of this section without fiscal year limitation.

(B) PRICES FIXED BY COMMISSIONER.—The Commissioner shall establish the amount to be paid by the users under this paragraph, including the costs of any services or work performed, such as any appropriate upgrades, maintenance, and associated direct and indirect administrative costs, in support of carrying out the purposes described in this section, by reimbursement or in advance as determined by the Commissioner. The amount of such prices shall be periodically adjusted by the Commissioner to ensure that amounts collected are sufficient to fully offset the cost of the administration of this section.

(2) INITIAL DEVELOPMENT.—The Commissioner shall not begin development of a verification system to carry out this section until the Commissioner determines that amounts equal to at least 50 percent of program start-up costs have been collected under paragraph (1).

(3) EXISTING RESOURCES.—The Commissioner may use funds designated for information technology modernization to carry out this section.

(4) ANNUAL REPORT.—The Commissioner shall annually submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the amount of indirect costs to the Social Security Administration arising as a result of the implementation of this section.

SEC. 216. TREASURY REPORT ON RISKS OF CYBER THREATS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the risks of cyber threats to financial institutions and capital markets in the United States, including—

(1) an assessment of the material risks of cyber threats to financial institutions and capital markets in the United States;

(2) the impact and potential effects of material cyber attacks on financial institutions and capital markets in the United States;

(3) an analysis of how the appropriate Federal banking agencies and the Securities and Exchange Commission are addressing the material risks of cyber threats described in paragraph (1), including—

(A) how the appropriate Federal banking agencies and the Securities and Exchange Commission are assessing those threats;

(B) how the appropriate Federal banking agencies and the Securities and Exchange Commission are assessing the cyber vulnerabilities and preparedness of financial institutions;

(C) coordination amongst the appropriate Federal banking agencies and the Securities and Exchange Commission, and their coordination with other government agencies (including with respect to regulations, examinations, lexicon, duplication, and other regulatory tools); and

(D) areas for improvement; and

(4) a recommendation of whether any appropriate Federal banking agency or the Securities and Exchange Commission needs additional legal authorities or resources to adequately assess and address the material risks of cyber threats described in paragraph (1), given the analysis required by paragraph (3).

SEC. 217. DISCRETIONARY SURPLUS FUNDS.

Section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by striking ''$7,500,000,000'' and inserting ''$6,825,000,000''.

TITLE III—PROTECTIONS FOR VETERANS, CONSUMERS, AND HOMEOWNERS

SEC. 301. PROTECTING CONSUMERS' CREDIT.

(a) IN GENERAL.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in subsection (a)(1)(A), by striking ''90 days'' and inserting ''1 year''; and

(2) by adding at the end the following:

''(i) NATIONAL SECURITY FREEZE.—

''(1) DEFINITIONS.—For purposes of this subsection:

''(A) The term 'consumer reporting agency' means a consumer reporting agency described in section 603(p).

''(B) The term 'proper identification' has the meaning of such term as used under section 610.

''(C) The term 'security freeze' means a restriction that prohibits a consumer reporting agency from disclosing the contents of a consumer report that is subject to such security freeze to any person requesting the consumer report.

''(2) PLACEMENT OF SECURITY FREEZE.—

''(A) IN GENERAL.—Upon receiving a direct request from a consumer that a consumer reporting agency place a security freeze, and upon receiving proper identification from the consumer, the consumer reporting agency shall, free of charge, place the security freeze not later than—

''(i) in the case of a request that is by toll-free telephone or secure electronic means, 1 business day after receiving the request directly from the consumer; or

''(ii) in the case of a request that is by mail, 3 business days after receiving the request directly from the consumer.

''(B) CONFIRMATION AND ADDITIONAL INFORMATION.—Not later than 5 business days after placing a security freeze under subparagraph (A), a consumer reporting agency shall—

''(i) send confirmation of the placement to the consumer; and

''(ii) inform the consumer of—

''(I) the process by which the consumer may remove the security freeze, including a mechanism to authenticate the consumer; and

''(II) the consumer's right described in section 615(d)(1)(D).

''(C) NOTICE TO THIRD PARTIES.—A consumer reporting agency may advise a third party that a security freeze has been placed with respect to a consumer under subparagraph (A).

''(3) REMOVAL OF SECURITY FREEZE.—

''(A) IN GENERAL.—A consumer reporting agency shall remove a security freeze placed on the consumer report of a consumer only in the following cases:

''(i) Upon the direct request of the consumer.

''(ii) The security freeze was placed due to a material misrepresentation of fact by the consumer.

''(B) NOTICE IF REMOVAL NOT BY REQUEST.—If a consumer reporting agency removes a security freeze under subparagraph (A)(ii), the consumer reporting agency shall notify the consumer in writing prior to removing the security freeze.

''(C) REMOVAL OF SECURITY FREEZE BY CONSUMER REQUEST.—Except as provided in subparagraph (A)(ii), a security freeze shall remain in place until the consumer directly requests that the security freeze be removed. Upon receiving a direct request from a consumer that a consumer reporting agency remove a security freeze, and upon receiving proper identification from the consumer, the consumer reporting agency shall, free of charge, remove the security freeze not later than—

''(i) in the case of a request that is by toll-free telephone or secure electronic means, 1 hour after receiving the request for removal; or

''(ii) in the case of a request that is by mail, 3 business days after receiving the request for removal.

''(D) THIRD-PARTY REQUESTS.—If a third party requests access to a consumer report of a consumer with respect to which a security freeze is in effect, where such request is in connection with an application for credit, and the consumer does not allow such consumer report to be accessed, the third party may treat the application as incomplete.

''(E) TEMPORARY REMOVAL OF SECURITY FREEZE.—Upon receiving a direct request from a consumer under subparagraph (A)(i), if the consumer requests a temporary removal of a security freeze, the consumer reporting agency shall, in accordance with subparagraph (C), remove the security freeze for the period of time specified by the consumer.

''(4) EXCEPTIONS.—A security freeze shall not apply to the making of a consumer report for use of the following:

''(A) A person or entity, or a subsidiary, affiliate, or agent of that person or entity, or an assignee of a financial obligation owed by the consumer to that person or entity, or a prospective assignee of a financial obligation owed by the consumer to that person or entity in conjunction with the proposed purchase of the financial obligation, with which the consumer has or had prior to assignment an account or contract including a demand deposit account, or to whom the consumer issued a negotiable instrument, for the purposes of reviewing the account or collecting the financial obligation owed for the account, contract, or negotiable instrument. For purposes of this subparagraph, 'reviewing the account' includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

''(B) Any Federal, State, or local agency, law enforcement agency, trial court, or private collection agency acting pursuant to a court order, warrant, or subpoena.

''(C) A child support agency acting pursuant to part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.).

''(D) A Federal agency or a State or its agents or assigns acting to investigate fraud or acting to investigate or collect delinquent taxes or unpaid court orders or to fulfill any of its other statutory responsibilities, provided such responsibilities are consistent with a permissible purpose under section 604.

''(E) By a person using credit information for the purposes described under section 604(c).

''(F) Any person or entity administering a credit file monitoring subscription or similar service to which the consumer has subscribed.

''(G) Any person or entity for the purpose of providing a consumer with a copy of the consumer's consumer report or credit score, upon the request of the consumer.

''(H) Any person using the information in connection with the underwriting of insurance.

''(I) Any person using the information for employment, tenant, or background screening purposes.

''(J) Any person using the information for assessing, verifying, or authenticating a consumer's identity for purposes other than the granting of credit, or for investigating or preventing actual or potential fraud.

''(5) NOTICE OF RIGHTS.—At any time a consumer is required to receive a summary of rights required under section 609, the following notice shall be included:

''' 'CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

''' 'You have a right to place a ''security freeze'' on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

''' 'As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity

before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

''A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.'.

''(6) WEBPAGE.—

''(A) CONSUMER REPORTING AGENCIES.—A consumer reporting agency shall establish a webpage that—

''(i) allows a consumer to request a security freeze;

''(ii) allows a consumer to request an initial fraud alert;

''(iii) allows a consumer to request an extended fraud alert;

''(iv) allows a consumer to request an active duty fraud alert;

''(v) allows a consumer to opt-out of the use of information in a consumer report to send the consumer a solicitation of credit or insurance, in accordance with section 615(d); and

''(vi) shall not be the only mechanism by which a consumer may request a security freeze.

''(B) FTC.—The Federal Trade Commission shall establish a single webpage that includes a link to each webpage established under subparagraph (A) within the Federal Trade Commission's website www.Identitytheft.gov, or a successor website.

''(j) NATIONAL PROTECTION FOR FILES AND CREDIT RECORDS OF PROTECTED CONSUMERS.—

''(1) DEFINITIONS.—As used in this subsection:

''(A) The term 'consumer reporting agency' means a consumer reporting agency described in section 603(p).

''(B) The term 'protected consumer' means an individual who is—

''(i) under the age of 16 years at the time a request for the placement of a security freeze is made; or

''(ii) an incapacitated person or a protected person for whom a guardian or conservator has been appointed.

''(C) The term 'protected consumer's representative' means a person who provides to a consumer reporting agency sufficient proof of authority to act on behalf of a protected consumer.

''(D) The term 'record' means a compilation of information that—

''(i) identifies a protected consumer;

''(ii) is created by a consumer reporting agency solely for the purpose of complying with this subsection; and

''(iii) may not be created or used to consider the protected consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living.

''(E) The term 'security freeze' means a restriction that prohibits a consumer reporting agency from disclosing the contents of a consumer report that is the subject of such security freeze or, in the case of a protected consumer for whom the consumer reporting agency does not have a file, a record that is subject to such security freeze to any person requesting the consumer report for the purpose of opening a new account involving the extension of credit.

''(F) The term 'sufficient proof of authority' means documentation that shows a protected consumer's representative has authority to act on behalf of a protected consumer and includes—

''(i) an order issued by a court of law;

''(ii) a lawfully executed and valid power of attorney;

''(iii) a document issued by a Federal, State, or local government agency in the United States showing proof of parentage, including a birth certificate; or

''(iv) with respect to a protected consumer who has been placed in a foster care setting, a written communication from a county welfare department or its agent or designee, or a county probation department or its agent or designee, certifying that the protected consumer is in a foster care setting under its jurisdiction.

''(G) The term 'sufficient proof of identification' means information or documentation that identifies a protected consumer and a protected consumer's representative and includes—

''(i) a social security number or a copy of a social security card issued by the Social Security Administration;

''(ii) a certified or official copy of a birth certificate issued by the entity authorized to issue the birth certificate; or

''(iii) a copy of a driver's license, an identification card issued by the motor vehicle administration, or any other government issued identification.

''(2) PLACEMENT OF SECURITY FREEZE FOR A PROTECTED CONSUMER.—

''(A) IN GENERAL.—Upon receiving a direct request from a protected consumer's representative that a consumer reporting agency place a security freeze, and upon receiving sufficient proof of identification and sufficient proof of authority, the consumer reporting agency shall, free of charge, place the security freeze not later than—

''(i) in the case of a request that is by toll-free telephone or secure electronic means, 1 business day after receiving the request directly from the protected consumer's representative; or

''(ii) in the case of a request that is by mail, 3 business days after receiving the request directly from the protected consumer's representative.

''(B) CONFIRMATION AND ADDITIONAL INFORMATION.—Not later than 5 business days after placing a security freeze under subparagraph (A), a consumer reporting agency shall—

''(i) send confirmation of the placement to the protected consumer's representative; and

''(ii) inform the protected consumer's representative of the process by which the protected consumer may remove the security freeze, including a mechanism to authenticate the protected consumer's representative.

''(C) CREATION OF FILE.—If a consumer reporting agency does not have a file pertaining to a protected consumer when the consumer reporting agency receives a direct request under subparagraph (A), the consumer reporting agency shall create a record for the protected consumer.

''(3) PROHIBITION ON RELEASE OF RECORD OR FILE OF PROTECTED CONSUMER.—After a security freeze has been placed under paragraph (2)(A), and unless the security freeze is removed in accordance with this subsection, a consumer reporting agency may not release the protected consumer's consumer report, any information derived from the protected consumer's consumer report, or any record created for the protected consumer.

''(4) REMOVAL OF A PROTECTED CONSUMER SECURITY FREEZE.—

''(A) IN GENERAL.—A consumer reporting agency shall remove a security freeze placed on the consumer report of a protected consumer only in the following cases:

''(i) Upon the direct request of the protected consumer's representative.

''(ii) Upon the direct request of the protected consumer, if the protected consumer is not under the age of 16 years at the time of the request.

''(iii) The security freeze was placed due to a material misrepresentation of fact by the protected consumer's representative.

''(B) NOTICE IF REMOVAL NOT BY REQUEST.—If a consumer reporting agency removes a security freeze under subparagraph (A)(iii), the consumer reporting agency shall notify the protected consumer's representative in writing prior to removing the security freeze.

''(C) REMOVAL OF FREEZE BY REQUEST.—Except as provided in subparagraph (A)(iii), a security freeze shall remain in place until a protected consumer's representative or protected consumer described in subparagraph (A)(ii) directly requests that the security freeze be removed. Upon receiving a direct request from the protected consumer's representative or protected consumer described in subparagraph (A)(ii) that a consumer reporting agency remove a security freeze, and upon receiving sufficient proof of identification and sufficient proof of authority, the consumer reporting agency shall, free of charge, remove the security freeze not later than—

''(i) in the case of a request that is by toll-free telephone or secure electronic means, 1 hour after receiving the request for removal; or

''(ii) in the case of a request that is by mail, 3 business days after receiving the request for removal.

''(D) TEMPORARY REMOVAL OF SECURITY FREEZE.—Upon receiving a direct request from a protected consumer or a protected consumer's representative under subparagraph (A)(i), if the protected consumer or protected consumer's representative requests a temporary removal of a security freeze, the consumer reporting agency shall, in accordance with subparagraph (C), remove the security freeze for the period of time specified by the protected consumer or protected consumer's representative.''.

(b) CONFORMING AMENDMENT.—Section 625(b)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681t(b)(1)) is amended—

(1) in subparagraph (H), by striking ''or'' at the end; and

(2) by adding at the end the following:

''(J) subsections (i) and (j) of section 605A relating to security freezes; or''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 120 days after the date of enactment of this Act.

SEC. 302. PROTECTING VETERANS' CREDIT.

(a) PURPOSES.—The purposes of this section are—

(1) to rectify problematic reporting of medical debt included in a consumer report of a veteran due to inappropriate or delayed payment for hospital care, medical services, or extended care services provided in a non-Department of Veterans Affairs facility under the laws administered by the Secretary of Veterans Affairs; and

(2) to clarify the process of debt collection for such medical debt.

(b) AMENDMENTS TO FAIR CREDIT REPORTING ACT.—

(1) VETERAN'S MEDICAL DEBT DEFINED.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a) is amended by adding at the end the following:

''(z) VETERAN.—The term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.

''(aa) VETERAN'S MEDICAL DEBT.—The term 'veteran's medical debt'—

''(1) means a medical collection debt of a veteran owed to a non-Department of Veterans Affairs health care provider that was

submitted to the Department for payment for health care authorized by the Department of Veterans Affairs; and

''(2) includes medical collection debt that the Department of Veterans Affairs has wrongfully charged a veteran.''.

(2) EXCLUSION FOR VETERAN'S MEDICAL DEBT.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)) is amended by adding at the end the following:

''(7) With respect to a consumer reporting agency described in section 603(p), any information related to a veteran's medical debt if the date on which the hospital care, medical services, or extended care services was rendered relating to the debt antedates the report by less than 1 year if the consumer reporting agency has actual knowledge that the information is related to a veteran's medical debt and the consumer reporting agency is in compliance with its obligation under section 302(c)(5) of the Economic Growth, Regulatory Relief, and Consumer Protection Act.

''(8) With respect to a consumer reporting agency described in section 603(p), any information related to a fully paid or settled veteran's medical debt that had been characterized as delinquent, charged off, or in collection if the consumer reporting agency has actual knowledge that the information is related to a veteran's medical debt and the consumer reporting agency is in compliance with its obligation under section 302(c)(5) of the Economic Growth, Regulatory Relief, and Consumer Protection Act.''.

(3) REMOVAL OF VETERAN'S MEDICAL DEBT FROM CONSUMER REPORT.—Section 611 of the Fair Credit Reporting Act (15 U.S.C. 1681i) is amended—

(A) in subsection (a)(1)(A), by inserting ''and except as provided in subsection (g)'' after ''subsection (f)''; and

(B) by adding at the end the following:

''(g) DISPUTE PROCESS FOR VETERAN'S MEDICAL DEBT.—

''(1) IN GENERAL.—With respect to a veteran's medical debt, the veteran may submit a notice described in paragraph (2), proof of liability of the Department of Veterans Affairs for payment of that debt, or documentation that the Department of Veterans Affairs is in the process of making payment for authorized hospital care, medical services, or extended care services rendered to a consumer reporting agency or a reseller to dispute the inclusion of that debt on a consumer report of the veteran.

''(2) NOTIFICATION TO VETERAN.—The Department of Veterans Affairs shall submit to a veteran a notice that the Department of Veterans Affairs has assumed liability for part or all of a veteran's medical debt.

''(3) DELETION OF INFORMATION FROM FILE.—If a consumer reporting agency receives notice, proof of liability, or documentation under paragraph (1), the consumer reporting agency shall delete all information relating to the veteran's medical debt from the file of the veteran and notify the furnisher and the veteran of that deletion.''.

(c) VERIFICATION OF VETERAN'S MEDICAL DEBT.—

(1) DEFINITIONS.—For purposes of this subsection—

(A) the term ''consumer reporting agency'' means a consumer reporting agency described in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a(p)); and

(B) the terms ''veteran'' and ''veteran's medical debt'' have the meanings given those terms in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a), as added by subsection (b)(1).

(2) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Veterans Affairs shall establish a database to allow consumer reporting agencies to verify whether a debt furnished to a consumer reporting agency is a veteran's medical debt.

(3) DATABASE FEATURES.—The Secretary of Veterans Affairs shall ensure that the database established under paragraph (2), to the extent permitted by law, provides consumer reporting agencies with—

(A) sufficiently detailed and specific information to verify whether a debt being furnished to the consumer reporting agency is a veteran's medical debt;

(B) access to verification information in a secure electronic format;

(C) timely access to verification information; and

(D) any other features that would promote the efficient, timely, and secure delivery of information that consumer reporting agencies could use to verify whether a debt is a veteran's medical debt.

(4) STAKEHOLDER INPUT.—Prior to establishing the database for verification under paragraph (2), the Secretary of Veterans Affairs shall publish in the Federal Register a notice and request for comment that solicits input from consumer reporting agencies and other stakeholders.

(5) VERIFICATION.—Provided the database established under paragraph (2) is fully functional and the data available to consumer reporting agencies, a consumer reporting agency shall use the database as a means to identify a veteran's medical debt pursuant to paragraphs (7) and (8) of section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as added by subsection (b)(2).

(d) CREDIT MONITORING.—

(1) IN GENERAL.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1), as amended by section 301(a), is amended by adding at the end the following:

''(k) CREDIT MONITORING.—

''(1) DEFINITIONS.—In this subsection:

''(A) The term 'active duty military consumer' includes a member of the National Guard.

''(B) The term 'National Guard' has the meaning given the term in section 101(c) of title 10, United States Code.

''(2) CREDIT MONITORING.—A consumer reporting agency described in section 603(p) shall provide a free electronic credit monitoring service that, at a minimum, notifies a consumer of material additions or modifications to the file of the consumer at the consumer reporting agency to any consumer who provides to the consumer reporting agency—

''(A) appropriate proof that the consumer is an active duty military consumer; and

''(B) contact information of the consumer.

''(3) RULEMAKING.—Not later than 1 year after the date of enactment of this subsection, the Federal Trade Commission shall promulgate regulations regarding the requirements of this subsection, which shall at a minimum include—

''(A) a definition of an electronic credit monitoring service and material additions or modifications to the file of a consumer; and

''(B) what constitutes appropriate proof.

''(4) APPLICABILITY.—

''(A) Sections 616 and 617 shall not apply to any violation of this subsection.

''(B) This subsection shall be enforced exclusively under section 621 by the Federal agencies and Federal and State officials identified in that section.''.

(2) CONFORMING AMENDMENT.—Section 625(b)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681t(b)(1)), as amended by section 301(b), is amended by adding at the end the following:

''(K) subsection (k) of section 605A, relating to credit monitoring for active duty military consumers, as defined in that subsection;''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of enactment of this Act.

SEC. 303. IMMUNITY FROM SUIT FOR DISCLOSURE OF FINANCIAL EXPLOITATION OF SENIOR CITIZENS.

(a) IMMUNITY.—

(1) DEFINITIONS.—In this section—

(A) the term ''Bank Secrecy Act officer'' means an individual responsible for ensuring compliance with the requirements mandated by subchapter II of chapter 53 of title 31, United States Code (commonly known as the ''Bank Secrecy Act'');

(B) the term ''broker-dealer'' means a broker and a dealer, as those terms are defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a));

(C) the term ''covered agency'' means—

(i) a State financial regulatory agency, including a State securities or law enforcement authority and a State insurance regulator;

(ii) each of the Federal agencies represented in the membership of the Financial Institutions Examination Council established under section 1004 of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3303);

(iii) a securities association registered under section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3);

(iv) the Securities and Exchange Commission;

(v) a law enforcement agency; or

(vi) a State or local agency responsible for administering adult protective service laws;

(D) the term ''covered financial institution'' means—

(i) a credit union;

(ii) a depository institution;

(iii) an investment adviser;

(iv) a broker-dealer;

(v) an insurance company;

(vi) an insurance agency; or

(vii) a transfer agent;

(E) the term ''credit union'' has the meaning given the term in section 2 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301);

(F) the term ''depository institution'' has the meaning given the term in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c));

(G) the term ''exploitation'' means the fraudulent or otherwise illegal, unauthorized, or improper act or process of an individual, including a caregiver or a fiduciary, that—

(i) uses the resources of a senior citizen for monetary or personal benefit, profit, or gain; or

(ii) results in depriving a senior citizen of rightful access to or use of benefits, resources, belongings, or assets;

(H) the term ''insurance agency'' means any business entity that sells, solicits, or negotiates insurance coverage;

(I) the term ''insurance company'' has the meaning given the term in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a));

(J) the term ''insurance producer'' means an individual who is required under State law to be licensed in order to sell, solicit, or negotiate insurance coverage;

(K) the term ''investment adviser'' has the meaning given the term in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a));

(L) the term ''investment adviser representative'' means an individual who—

(i) is employed by, or associated with, an investment adviser; and

(ii) does not perform solely clerical or ministerial acts;

(M) the term ''registered representative'' means an individual who represents a broker-dealer in effecting or attempting to effect a purchase or sale of securities;

(N) the term ''senior citizen'' means an individual who is not younger than 65 years of age;

(O) the term ''State'' means each of the several States, the District of Columbia, and any territory or possession of the United States;

(P) the term ''State insurance regulator'' has the meaning given the term in section 315 of the Gramm-Leach-Bliley Act (15 U.S.C. 6735);

(Q) the term ''State securities or law enforcement authority'' has the meaning given the term in section 24(f)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78x(f)(4)); and

(R) the term ''transfer agent'' has the meaning given the term in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(2) IMMUNITY FROM SUIT.—

(A) IMMUNITY FOR INDIVIDUALS.—An individual who has received the training described in subsection (b) shall not be liable, including in any civil or administrative proceeding, for disclosing the suspected exploitation of a senior citizen to a covered agency if the individual, at the time of the disclosure—

(i) served as a supervisor or in a compliance or legal function (including as a Bank Secrecy Act officer) for, or, in the case of a registered representative, investment adviser representative, or insurance producer, was affiliated or associated with, a covered financial institution; and

(ii) made the disclosure—

(I) in good faith; and

(II) with reasonable care.

(B) IMMUNITY FOR COVERED FINANCIAL INSTITUTIONS.—A covered financial institution shall not be liable, including in any civil or administrative proceeding, for a disclosure made by an individual described in subparagraph (A) if—

(i) the individual was employed by, or, in the case of a registered representative, insurance producer, or investment adviser representative, affiliated or associated with, the covered financial institution at the time of the disclosure; and

(ii) before the time of the disclosure, each individual described in subsection (b)(1) received the training described in subsection (b).

(C) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) or (B) shall be construed to limit the liability of an individual or a covered financial institution in a civil action for any act, omission, or fraud that is not a disclosure described in subparagraph (A).

(b) TRAINING.—

(1) IN GENERAL.—A covered financial institution or a third party selected by a covered financial institution may provide the training described in paragraph (2)(A) to each officer or employee of, or registered representative, insurance producer, or investment adviser representative affiliated or associated with, the covered financial institution who—

(A) is described in subsection (a)(2)(A)(i);

(B) may come into contact with a senior citizen as a regular part of the professional duties of the individual; or

(C) may review or approve the financial documents, records, or transactions of a senior citizen in connection with providing financial services to a senior citizen.

(2) CONTENT.—

(A) IN GENERAL.—The content of the training that a covered financial institution or a third party selected by the covered financial institution may provide under paragraph (1) shall—

(i) be maintained by the covered financial institution and made available to a covered agency with examination authority over the covered financial institution, upon request, except that a covered financial institution shall not be required to maintain or make available such content with respect to any individual who is no longer employed by, or affiliated or associated with, the covered financial institution;

(ii) instruct any individual attending the training on how to identify and report the suspected exploitation of a senior citizen internally and, as appropriate, to government officials or law enforcement authorities, including common signs that indicate the financial exploitation of a senior citizen;

(iii) discuss the need to protect the privacy and respect the integrity of each individual customer of the covered financial institution; and

(iv) be appropriate to the job responsibilities of the individual attending the training.

(B) TIMING.—The training under paragraph (1) shall be provided—

(i) as soon as reasonably practicable; and

(ii) with respect to an individual who begins employment, or becomes affiliated or associated, with a covered financial institution after the date of enactment of this Act, not later than 1 year after the date on which the individual becomes employed by, or affiliated or associated with, the covered financial institution in a position described in subparagraph (A), (B), or (C) of paragraph (1).

(C) RECORDS.—A covered financial institution shall—

(i) maintain a record of each individual who—

(I) is employed by, or affiliated or associated with, the covered financial institution in a position described in subparagraph (A), (B), or (C) of paragraph (1); and

(II) has completed the training under paragraph (1), regardless of whether the training was—

(aa) provided by the covered financial institution or a third party selected by the covered financial institution;

(bb) completed before the individual was employed by, or affiliated or associated with, the covered financial institution; and

(cc) completed before, on, or after the date of enactment of this Act; and

(ii) upon request, provide a record described in clause (i) to a covered agency with examination authority over the covered financial institution.

(c) RELATIONSHIP TO STATE LAW.—Nothing in this section shall be construed to preempt or limit any provision of State law, except only to the extent that subsection (a) provides a greater level of protection against liability to an individual described in subsection (a)(2)(A) or to a covered financial institution described in subsection (a)(2)(B) than is provided under State law.

SEC. 304. RESTORATION OF THE PROTECTING TENANTS AT FORECLOSURE ACT OF 2009.

(a) REPEAL OF SUNSET PROVISION.—Section 704 of the Protecting Tenants at Foreclosure Act of 2009 (12 U.S.C. 5201 note; 12 U.S.C. 5220 note; 42 U.S.C. 1437f note) is repealed.

(b) RESTORATION.—Sections 701 through 703 of the Protecting Tenants at Foreclosure Act of 2009, the provisions of law amended by such sections, and any regulations promulgated pursuant to such sections, as were in effect on December 30, 2014, are restored and revived.

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the date that is 30 days after the date of enactment of this Act.

SEC. 305. REMEDIATING LEAD AND ASBESTOS HAZARDS.

Section 109(a)(1) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5219(a)(1)) is amended, in the second sentence, by inserting ''and to remediate lead and asbestos hazards in residential properties'' before the period at the end.

SEC. 306. FAMILY SELF-SUFFICIENCY PROGRAM.

(a) IN GENERAL.—Section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u) is amended—

(1) in subsection (a)—

(A) by striking ''public housing and''; and

(B) by striking ''the certificate and voucher programs under section 8'' and inserting ''sections 8 and 9'';

(2) by amending subsection (b) to read as follows:

''(b) CONTINUATION OF PRIOR REQUIRED PROGRAMS.—

''(1) IN GENERAL.—Each public housing agency that was required to administer a local Family Self-Sufficiency program on the date of enactment of the Economic Growth, Regulatory Relief, and Consumer Protection Act shall operate such local program for, at a minimum, the number of families the agency was required to serve on the date of enactment of such Act, subject only to the availability under appropriations Acts of sufficient amounts for housing assistance and the requirements of paragraph (2).

''(2) REDUCTION.—The number of families for which a public housing agency is required to operate such local program under paragraph (1) shall be decreased by 1 for each family from any supported rental housing program administered by such agency that, after October 21, 1998, fulfills its obligations under the contract of participation.

''(3) EXCEPTION.—The Secretary shall not require a public housing agency to carry out a mandatory program for a period of time upon the request of the public housing agency and upon a determination by the Secretary that implementation is not feasible because of local circumstances, which may include—

''(A) lack of supportive services accessible to eligible families, which shall include insufficient availability of resources for programs under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

''(B) lack of funding for reasonable administrative costs;

''(C) lack of cooperation by other units of State or local government; or

''(D) any other circumstances that the Secretary may consider appropriate.'';

(3) by striking subsection (i);

(4) by redesignating subsections (c), (d), (e), (f), (g), and (h) as subsections (d), (e), (f), (g), (h), and (i) respectively;

(5) by inserting after subsection (b), as amended, the following:

''(c) ELIGIBILITY.—

''(1) ELIGIBLE FAMILIES.—A family is eligible to participate in a local Family Self-Sufficiency program under this section if—

''(A) at least 1 household member seeks to become and remain employed in suitable employment or to increase earnings; and

''(B) the household member receives direct assistance under section 8 or resides in a unit assisted under section 8 or 9.

''(2) ELIGIBLE ENTITIES.—The following entities are eligible to administer a local Family Self-Sufficiency program under this section:

''(A) A public housing agency administering housing assistance to or on behalf of an eligible family under section 8 or 9.

''(B) The owner or sponsor of a multifamily property receiving project-based rental assistance under section 8, in accordance with the requirements under subsection (l).'';

(6) in subsection (d), as so redesignated—

(A) in paragraph (1)—

(i) by striking ''public housing agency'' the first time it appears and inserting ''eligible entity'';

(ii) in the first sentence, by striking ''each leaseholder receiving assistance under the certificate and voucher programs of the public housing agency under section 8 or residing in public housing administered by the agency'' and inserting ''a household member of an eligible family''; and

(iii) by striking the third sentence and inserting the following: ''Housing assistance may not be terminated as a consequence of either successful completion of the contract of participation or failure to complete such contract. A contract of participation shall remain in effect until the participating family exits the Family Self-Sufficiency program upon successful graduation or expiration of the contract of participation, or for other good cause.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence—

(aa) by striking ''A local program under this section'' and inserting ''An eligible entity'';

(bb) by striking ''provide'' and inserting ''coordinate''; and

(cc) by striking ''to'' and inserting ''for''; and

(II) in the second sentence—

(aa) by striking ''provided during'' and inserting ''coordinated for'';

(bb) by striking ''under section 8 or residing in public housing'' and inserting ''pursuant to section 8 or 9 and for the duration of the contract of participation''; and

(cc) by inserting '', but are not limited to'' after ''may include'';

(ii) in subparagraph (D), by inserting ''or attainment of a high school equivalency certificate'' after ''high school'';

(iii) by striking subparagraph (G);

(iv) by redesignating subparagraphs (E), (F), and (J) as subparagraphs (F), (G), and (K) respectively;

(v) by inserting after subparagraph (D) the following:

''(E) education in pursuit of a post-secondary degree or certification;'';

(vi) in subparagraph (H), by inserting ''financial literacy, such as training in financial management, financial coaching, and asset building, and'' after ''training in'';

(vii) in subparagraph (I), by striking ''and'' at the end; and

(viii) by inserting after subparagraph (I) the following:

''(J) homeownership education and assistance; and''; and

(C) in paragraph (3)—

(i) in the first sentence, by inserting ''the first recertification of income after'' after ''not later than 5 years after''; and

(ii) in the second sentence—

(I) by striking ''public housing agency'' and inserting ''eligible entity''; and

(II) by striking ''of the agency'';

(D) by amending paragraph (4) to read as follows:

''(4) EMPLOYMENT.—The contract of participation shall require 1 household member of the participating family to seek and maintain suitable employment.''; and

(E) by adding at the end the following:

''(5) NONPARTICIPATION.—Assistance under section 8 or 9 for a family that elects not to participate in a Family Self-Sufficiency program shall not be delayed by reason of such election.'';

(7) in subsection (e), as so redesignated—

(A) in paragraph (1), by striking ''whose monthly adjusted income does not exceed 50 percent'' and all that follows through the period at the end of the third sentence and inserting ''shall be calculated under the rental provisions of section 3 or section 8(o), as applicable.'';

(B) in paragraph (2)—

(i) by striking the first sentence and inserting the following: ''For each participating family, an amount equal to any increase in the amount of rent paid by the family in accordance with the provisions of section 3 or 8(o), as applicable, that is attributable to increases in earned income by the participating family, shall be placed in an interest-bearing escrow account established by the eligible entity on behalf of the participating family. Notwithstanding any other provision of law, an eligible entity may use funds it controls under section 8 or 9 for purposes of making the escrow deposit for participating families assisted under, or residing in units assisted under, section 8 or 9, respectively, provided such funds are offset by the increase in the amount of rent paid by the participating family.'';

(ii) by striking the second sentence and inserting the following: ''All Family Self-Sufficiency programs administered under this section shall include an escrow account.'';

(iii) in the fourth sentence, by striking ''subsection (c)'' and inserting ''subsection (d)''; and

(iv) in the last sentence—

(I) by striking ''A public housing agency'' and inserting ''An eligible entity''; and

(II) by striking ''the public housing agency'' and inserting ''such eligible entity''; and

(C) by amending paragraph (3) to read as follows:

''(3) FORFEITED ESCROW.—Any amount placed in an escrow account established by an eligible entity for a participating family as required under paragraph (2), that exists after the end of a contract of participation by a household member of a participating family that does not qualify to receive the escrow, shall be used by the eligible entity for the benefit of participating families in good standing.'';

(8) in subsection (f), as so redesignated, by striking '', unless the income of the family equals or exceeds 80 percent of the median income of the area (as determined by the Secretary with adjustments for smaller and larger families)'';

(9) in subsection (g), as so redesignated—

(A) in paragraph (1)—

(i) by striking ''public housing agency'' and inserting ''eligible entity'';

(ii) by striking ''the public housing agency'' and inserting ''such eligible entity''; and

(iii) by striking ''subsection (g)'' and inserting ''subsection (h)''; and

(B) in paragraph (2)—

(i) by striking ''public housing agency'' and inserting ''eligible entity'' each place that term appears;

(ii) by striking ''or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act'';

(iii) by inserting ''primary, secondary, and post-secondary'' after ''public and private''; and

(iv) in the second sentence, by inserting ''and tenants served by the program'' after ''the unit of general local government'';

(10) in subsection (h), as so redesignated—

(A) in paragraph (1)—

(i) by striking ''public housing agency'' and inserting ''eligible entity'';

(ii) by striking ''participating in the'' and inserting ''carrying out a''; and

(iii) by striking ''to the Secretary'';

(B) in paragraph (2)—

(i) by striking ''public housing agency'' and inserting ''eligible entity'';

(ii) by striking ''subsection (f)'' and inserting ''subsection (g)'';

(iii) by striking ''residents of the public housing'' and inserting ''the current and prospective participants of the program''; and

(iv) by striking ''or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act''; and

(C) in paragraph (3)—

(i) in subparagraph (C)—

(I) by striking ''subsection (c)(2)'' and inserting ''subsection (d)(2)'';

(II) by striking ''provided to'' and inserting ''coordinated on behalf of participating'';

(III) by inserting ''direct'' before ''assistance''; and

(IV) by striking ''the section 8 and public housing programs'' and inserting ''sections 8 and 9'';

(ii) in subparagraph (D)—

(I) by striking ''subsection (d)'' and inserting ''subsection (e)''; and

(II) by striking ''public housing agency'' and inserting ''eligible entity'';

(iii) in subparagraph (E), by striking ''deliver'' and inserting ''coordinate'';

(iv) in subparagraph (H), by striking ''the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act and''; and

(v) in subparagraph (I), by striking ''public housing or section 8 assistance'' and inserting ''assistance under section 8 or 9'';

(11) by amending subsection (i), as so redesignated, to read as follows:

''(i) FAMILY SELF-SUFFICIENCY AWARDS.—

''(1) IN GENERAL.—Subject to appropriations, the Secretary shall establish a formula by which annual funds shall be awarded or as otherwise determined by the Secretary for the costs incurred by an eligible entity in administering the Family Self-Sufficiency program under this section.

''(2) ELIGIBILITY FOR AWARDS.—The award established under paragraph (1) shall provide funding for family self-sufficiency coordinators as follows:

''(A) BASE AWARD.—An eligible entity serving 25 or more participants in the Family Self-Sufficiency program under this section is eligible to receive an award equal to the costs, as determined by the Secretary, of 1 full-time family self-sufficiency coordinator position. The Secretary may, by regulation or notice, determine the policy concerning the award for an eligible entity serving fewer than 25 such participants, including providing prorated awards or allowing such entities to combine their programs under this section for purposes of employing a coordinator.

''(B) ADDITIONAL AWARD.—An eligible entity that meets performance standards set by the Secretary is eligible to receive an additional award sufficient to cover the costs of filling an additional family self-sufficiency coordinator position if such entity has 75 or more participating families, and an additional coordinator for each additional 50 participating families, or such other ratio as may be established by the Secretary based on the award allocation evaluation under subparagraph (E).

''(C) STATE AND REGIONAL AGENCIES.—For purposes of calculating the award under this paragraph, each administratively distinct part of a State or regional eligible entity may be treated as a separate agency.

''(D) DETERMINATION OF NUMBER OF COORDINATORS.—In determining whether an eligible entity meets a specific threshold for funding pursuant to this paragraph, the Secretary shall consider the number of participants enrolled by the eligible entity in its Family Self-Sufficiency program as well as other criteria determined by the Secretary.

''(E) AWARD ALLOCATION EVALUATION.—The Secretary shall submit to Congress a report evaluating the award allocation under this subsection, and make recommendations based on this evaluation and other related findings to modify such allocation, within 4

years after the date of enactment of the Economic Growth, Regulatory Relief, and Consumer Protection Act, and not less frequently than every 4 years thereafter. The report requirement under this subparagraph shall terminate after the Secretary has submitted 2 such reports to Congress.

''(3) RENEWALS AND ALLOCATION.—

''(A) IN GENERAL.—Funds allocated by the Secretary under this subsection shall be allocated in the following order of priority:

''(i) FIRST PRIORITY.—Renewal of the full cost of all coordinators in the previous year at each eligible entity with an existing Family Self-Sufficiency program that meets applicable performance standards set by the Secretary.

''(ii) SECOND PRIORITY.—New or incremental coordinator funding authorized under this section.

''(B) GUIDANCE.—If the first priority, as described in subparagraph (A)(i), cannot be fully satisfied, the Secretary may prorate the funding for each eligible entity, as long as—

''(i) each eligible entity that has received funding for at least 1 part-time coordinator in the prior fiscal year is provided sufficient funding for at least 1 part-time coordinator as part of any such proration; and

''(ii) each eligible entity that has received funding for at least 1 full-time coordinator in the prior fiscal year is provided sufficient funding for at least 1 full-time coordinator as part of any such proration.

''(4) RECAPTURE OR OFFSET.—Any awards allocated under this subsection by the Secretary in a fiscal year that have not been spent by the end of the subsequent fiscal year or such other time period as determined by the Secretary may be recaptured by the Secretary and shall be available for providing additional awards pursuant to paragraph (2)(B), or may be offset as determined by the Secretary. Funds appropriated pursuant to this section shall remain available for 3 years in order to facilitate the re-use of any recaptured funds for this purpose.

''(5) PERFORMANCE REPORTING.—Programs under this section shall be required to report the number of families enrolled and graduated, the number of established escrow accounts and positive escrow balances, and any other information that the Secretary may require. Program performance shall be reviewed periodically as determined by the Secretary.

''(6) INCENTIVES FOR INNOVATION AND HIGH PERFORMANCE.—The Secretary may reserve up to 5 percent of the amounts made available under this subsection to provide support to or reward Family Self-Sufficiency programs based on the rate of successful completion, increased earned income, or other factors as may be established by the Secretary.'';

(12) in subsection (j)—

(A) by striking ''public housing agency'' and inserting ''eligible entity'';

(B) by striking ''public housing'' before ''units'';

(C) by striking ''in public housing projects administered by the agency'';

(D) by inserting ''or coordination'' after ''provision''; and

(E) by striking the last sentence;

(13) in subsection (k), by striking ''public housing agencies'' and inserting ''eligible entities'';

(14) by striking subsection (n);

(15) by striking subsection (o);

(16) by redesignating subsections (l) and (m) as subsections (m) and (n), respectively;

(17) by inserting after subsection (k) the following:

''(l) PROGRAMS FOR TENANTS IN PRIVATELY OWNED PROPERTIES WITH PROJECT-BASED ASSISTANCE.—

''(1) VOLUNTARY AVAILABILITY OF FSS PROGRAM.—The owner of a privately owned property may voluntarily make a Family Self-Sufficiency program available to the tenants of such property in accordance with procedures established by the Secretary. Such procedures shall permit the owner to enter into a cooperative agreement with a local public housing agency that administers a Family Self-Sufficiency program or, at the owner's option, operate a Family Self-Sufficiency program on its own or in partnership with another owner. An owner, who voluntarily makes a Family Self-Sufficiency program available pursuant to this subsection, may access funding from any residual receipt accounts for the property to hire a family self-sufficiency coordinator or coordinators for their program.

''(2) COOPERATIVE AGREEMENT.—Any cooperative agreement entered into pursuant to paragraph (1) shall require the public housing agency to open its Family Self-Sufficiency program waiting list to any eligible family residing in the owner's property who resides in a unit assisted under project-based rental assistance.

''(3) TREATMENT OF FAMILIES ASSISTED UNDER THIS SUBSECTION.—A public housing agency that enters into a cooperative agreement pursuant to paragraph (1) may count any family participating in its Family Self-Sufficiency program as a result of such agreement as part of the calculation of the award under subsection (i).

''(4) ESCROW.—

''(A) COOPERATIVE AGREEMENT.—A cooperative agreement entered into pursuant to paragraph (1) shall provide for the calculation and tracking of the escrow for participating residents and for the owner to make available, upon request of the public housing agency, escrow for participating residents, in accordance with paragraphs (2) and (3) of subsection (e), residing in units assisted under section 8.

''(B) CALCULATION AND TRACKING BY OWNER.—The owner of a privately owned property who voluntarily makes a Family Self-Sufficiency program available pursuant to paragraph (1) shall calculate and track the escrow for participating residents and make escrow for participating residents available in accordance with paragraphs (2) and (3) of subsection (e).

''(5) EXCEPTION.—This subsection shall not apply to properties assisted under section 8(o)(13).

''(6) SUSPENSION OF ENROLLMENT.—In any year, the Secretary may suspend the enrollment of new families in Family Self-Sufficiency programs under this subsection based on a determination that insufficient funding is available for this purpose.'';

(18) in subsection (m), as so redesignated—

(A) in paragraph (1)—

(i) in the first sentence, by striking ''Each public housing agency'' and inserting ''Each eligible entity'';

(ii) in the second sentence, by striking ''The report shall include'' and inserting ''The contents of the report shall include''; and

(iii) in subparagraph (D)—

(I) by striking ''public housing agency'' and inserting ''eligible entity''; and

(II) by striking ''local''; and

(B) in paragraph (2), by inserting ''and describing any additional research needs of the Secretary to evaluate the effectiveness of the program'' after ''under paragraph (1)'';

(19) in subsection (n), as so redesignated, by striking ''may'' and inserting ''shall''; and

(20) by adding at the end the following:

''(o) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that meets the requirements under subsection (c)(2) to administer a Family Self-Sufficiency program under this section.

''(2) ELIGIBLE FAMILY.—The term 'eligible family' means a family that meets the requirements under subsection (c)(1) to participate in the Family Self-Sufficiency program under this section.

''(3) PARTICIPATING FAMILY.—The term 'participating family' means an eligible family that is participating in the Family Self-Sufficiency program under this section.''.

(b) EFFECTIVE DATE.—Not later than 360 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue regulations to implement this section and any amendments made by this section, and this section and any amendments made by this section shall take effect upon such issuance.

SEC. 307. PROPERTY ASSESSED CLEAN ENERGY FINANCING.

Section 129C(b)(3) of the Truth in Lending Act (15 U.S.C. 1639c(b)(3)) is amended by adding at the end the following:

''(C) CONSIDERATION OF UNDERWRITING REQUIREMENTS FOR PROPERTY ASSESSED CLEAN ENERGY FINANCING.—

''(i) DEFINITION.—In this subparagraph, the term 'Property Assessed Clean Energy financing' means financing to cover the costs of home improvements that results in a tax assessment on the real property of the consumer.

''(ii) REGULATIONS.—The Bureau shall prescribe regulations that carry out the purposes of subsection (a) and apply section 130 with respect to violations under subsection (a) of this section with respect to Property Assessed Clean Energy financing, which shall account for the unique nature of Property Assessed Clean Energy financing.

''(iii) COLLECTION OF INFORMATION AND CONSULTATION.—In prescribing the regulations under this subparagraph, the Bureau—

''(I) may collect such information and data that the Bureau determines is necessary; and

''(II) shall consult with State and local governments and bond-issuing authorities.''.

SEC. 308. GAO REPORT ON CONSUMER REPORTING AGENCIES.

(a) DEFINITIONS.—In this section, the terms ''consumer'', ''consumer report'', and ''consumer reporting agency'' have the meanings given those terms in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a comprehensive report that includes—

(1) a review of the current legal and regulatory structure for consumer reporting agencies and an analysis of any gaps in that structure, including, in particular, the rulemaking, supervisory, and enforcement authority of State and Federal agencies under the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), the Gramm-Leach-Bliley Act (Public Law 106–102; 113 Stat. 1338), and any other relevant statutes;

(2) a review of the process by which consumers can appeal and expunge errors on their consumer reports;

(3) a review of the causes of consumer reporting errors;

(4) a review of the responsibilities of data furnishers to ensure that accurate information is initially reported to consumer reporting agencies and to ensure that such information continues to be accurate;

(5) a review of data security relating to consumer reporting agencies and their efforts to safeguard consumer data;

(6) a review of who has access to, and may use, consumer reports;

(7) a review of who has control or ownership of a consumer's credit data;

(8) an analysis of—

(A) which Federal and State regulatory agencies supervise and enforce laws relating to how consumer reporting agencies protect consumer data; and

(B) all laws relating to data security applicable to consumer reporting agencies; and

(9) recommendations to Congress on how to improve the consumer reporting system, including legislative, regulatory, and industry-specific recommendations.

SEC. 309. PROTECTING VETERANS FROM PREDATORY LENDING.

(a) PROTECTING VETERANS FROM PREDATORY LENDING.—

(1) IN GENERAL.—Subchapter I of chapter 37 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 3709. Refinancing of housing loans

''(a) FEE RECOUPMENT.—Except as provided in subsection (d) and notwithstanding section 3703 of this title or any other provision of law, a loan to a veteran for a purpose specified in section 3710 of this title that is being refinanced may not be guaranteed or insured under this chapter unless—

''(1) the issuer of the refinanced loan provides the Secretary with a certification of the recoupment period for fees, closing costs, and any expenses (other than taxes, amounts held in escrow, and fees paid under this chapter) that would be incurred by the borrower in the refinancing of the loan;

''(2) all of the fees and incurred costs are scheduled to be recouped on or before the date that is 36 months after the date of loan issuance; and

''(3) the recoupment is calculated through lower regular monthly payments (other than taxes, amounts held in escrow, and fees paid under this chapter) as a result of the refinanced loan.

''(b) NET TANGIBLE BENEFIT TEST.—Except as provided in subsection (d) and notwithstanding section 3703 of this title or any other provision of law, a loan to a veteran for a purpose specified in section 3710 of this title that is refinanced may not be guaranteed or insured under this chapter unless—

''(1) the issuer of the refinanced loan provides the borrower with a net tangible benefit test;

''(2) in a case in which the original loan had a fixed rate mortgage interest rate and the refinanced loan will have a fixed rate mortgage interest rate, the refinanced loan has a mortgage interest rate that is not less than 50 basis points less than the previous loan;

''(3) in a case in which the original loan had a fixed rate mortgage interest rate and the refinanced loan will have an adjustable rate mortgage interest rate, the refinanced loan has a mortgage interest rate that is not less than 200 basis points less than the previous loan; and

''(4) the lower interest rate is not produced solely from discount points, unless—

''(A) such points are paid at closing; and

''(B) such points are not added to the principal loan amount, unless—

''(i) for discount point amounts that are less than or equal to one discount point, the resulting loan balance after any fees and expenses allows the property with respect to which the loan was issued to maintain a loan to value ratio of 100 percent or less; and

''(ii) for discount point amounts that are greater than one discount point, the resulting loan balance after any fees and expenses allows the property with respect to which the loan was issued to maintain a loan to value ratio of 90 percent or less.

''(c) LOAN SEASONING.—Except as provided in subsection (d) and notwithstanding section 3703 of this title or any other provision of law, a loan to a veteran for a purpose specified in section 3710 of this title that is refinanced may not be guaranteed or insured under this chapter until the date that is the later of—

''(1) the date that is 210 days after the date on which the first monthly payment is made on the loan; and

''(2) the date on which the sixth monthly payment is made on the loan.

''(d) CASH-OUT REFINANCES.—(1) Subsections (a) through (c) shall not apply in a case of a loan refinancing in which the amount of the principal for the new loan to be guaranteed or insured under this chapter is larger than the payoff amount of the refinanced loan.

''(2) Not later than 180 days after the date of the enactment of this section, the Secretary shall promulgate such rules as the Secretary considers appropriate with respect to refinancing described in paragraph (1) to ensure that such refinancing is in the financial interest of the borrower, including rules relating to recoupment, seasoning, and net tangible benefits.''.

(2) REGULATIONS.—

(A) IN GENERAL.—In prescribing any regulation to carry out section 3709 of title 38, United States Code, as added by paragraph (1), the Secretary of Veterans Affairs may waive the requirements of sections 551 through 559 of title 5, United States Code, if—

(i) the Secretary determines that urgent or compelling circumstances make compliance with such requirements impracticable or contrary to the public interest;

(ii) the Secretary submits to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives, and publishes in the Federal Register, notice of such waiver, including a description of the determination made under clause (i); and

(iii) a period of 10 days elapses following the notification under clause (ii).

(B) PUBLIC NOTICE AND COMMENT.—If a regulation prescribed pursuant to a waiver made under subparagraph (A) is in effect for a period exceeding 1 year, the Secretary shall provide the public an opportunity for notice and comment regarding such regulation.

(C) EFFECTIVE DATE.—This paragraph shall take effect on the date of the enactment of this Act.

(D) TERMINATION DATE.—The authorities under this paragraph shall terminate on the date that is 1 year after the date of the enactment of this Act.

(3) REPORT ON CASH-OUT REFINANCES.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall, in consultation with the President of the Ginnie Mae, submit to Congress a report on refinancing—

(i) of loans—

(I) made to veterans for purposes specified in section 3710 of title 38, United States Code; and

(II) that were guaranteed or insured under chapter 37 of such title; and

(ii) in which the amount of the principal for the new loan to be guaranteed or insured under such chapter is larger than the payoff amount of the refinanced loan.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of whether additional requirements, including a net tangible benefit test, fee recoupment period, and loan seasoning requirement, are necessary to ensure that the refinancing described in subparagraph (A) is in the financial interest of the borrower.

(ii) Such recommendations as the Secretary may have for additional legislative or administrative action to ensure that refinancing described in subparagraph (A) is carried out in the financial interest of the borrower.

(4) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 38, United States Code, is amended by inserting after the item relating to section 3709 the following new item:

''3709. Refinancing of housing loans.''.

(b) LOAN SEASONING FOR GINNIE MAE MORTGAGE-BACKED SECURITIES.—Section 306(g)(1) of the National Housing Act (12 U.S.C. 1721(g)(1)) is amended by inserting ''The Association may not guarantee the timely payment of principal and interest on a security that is backed by a mortgage insured or guaranteed under chapter 37 of title 38, United States Code, and that was refinanced until the later of the date that is 210 days after the date on which the first monthly payment is made on the mortgage being refinanced and the date on which 6 full monthly payments have been made on the mortgage being refinanced.'' after ''Act of 1992.''.

(c) REPORT ON LIQUIDITY OF THE DEPARTMENT OF VETERANS AFFAIRS HOUSING LOAN PROGRAM.—

(1) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Housing and Urban Development and the President of the Ginnie Mae shall submit to the appropriate committees of Congress a report on the liquidity of the housing loan program under chapter 37 of title 38, United States Code, in the secondary mortgage market, which shall—

(A) assess the loans provided under that chapter that collateralize mortgage-backed securities that are guaranteed by Ginnie Mae; and

(B) include recommendations for actions that Ginnie Mae should take to ensure that the liquidity of that housing loan program is maintained.

(2) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(i) the Committee on Veterans' Affairs and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(ii) the Committee on Veterans' Affairs and the Committee on Financial Services of the House of Representatives.

(B) GINNIE MAE.—The term ''Ginnie Mae'' means the Government National Mortgage Association.

(d) ANNUAL REPORT ON DOCUMENT DISCLOSURE AND CONSUMER EDUCATION.—Not less frequently than once each year, the Secretary of Veterans Affairs shall issue a publicly available report that—

(1) examines, with respect to loans provided to veterans under chapter 37 of title 38, United States Code—

(A) the refinancing of fixed-rate mortgage loans to adjustable rate mortgage loans;

(B) whether veterans are informed of the risks and disclosures associated with that refinancing; and

(C) whether advertising materials for that refinancing are clear and do not contain misleading statements or assertions; and

(2) includes findings based on any complaints received by veterans and on an ongoing assessment of the refinancing market by the Secretary.

SEC. 310. CREDIT SCORE COMPETITION.

(a) USE OF CREDIT SCORES BY FANNIE MAE IN PURCHASING RESIDENTIAL MORTGAGES.—Section 302(b) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)) is amended by adding at the end the following:

''(7)(A) DEFINITIONS.—In this paragraph—

''(i) the term 'credit score' means a numerical value or a categorization created by a third party derived from a statistical tool or modeling system used by a person who makes or arranges a loan to predict the likelihood of certain credit behaviors, including default; and

''(ii) the term 'residential mortgage' has the meaning given the term in section 302 of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1451).

''(B) USE OF CREDIT SCORES.—The corporation shall condition purchase of a residential mortgage by the corporation under this subsection on the provision of a credit score for the borrower only if—

''(i) the credit score is derived from any credit scoring model that has been validated and approved by the corporation under this paragraph; and

''(ii) the corporation provides for the use of the credit score by all of the automated underwriting systems of the corporation and any other procedures and systems used by the corporation to purchase residential mortgages that use a credit score.

''(C) VALIDATION AND APPROVAL PROCESS.—The corporation shall establish a validation and approval process for the use of credit score models, under which the corporation may not validate and approve a credit score model unless the credit score model—

''(i) satisfies minimum requirements of integrity, reliability, and accuracy;

''(ii) has a historical record of measuring and predicting default rates and other credit behaviors;

''(iii) is consistent with the safe and sound operation of the corporation;

''(iv) complies with any standards and criteria established by the Director of the Federal Housing Finance Agency under section 1328(1) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992; and

''(v) satisfies any other requirements, as determined by the corporation.

''(D) REPLACEMENT OF CREDIT SCORE MODEL.—If the corporation has validated and approved 1 or more credit score models under subparagraph (C) and the corporation validates and approves an additional credit score model, the corporation may determine that—

''(i) the additional credit score model has replaced the credit score model or credit score models previously validated and approved; and

''(ii) the credit score model or credit score models previously validated and approved shall no longer be considered validated and approved for the purposes of subparagraph (B).

''(E) PUBLIC DISCLOSURE.—Upon establishing the validation and approval process required under subparagraph (C), the corporation shall make publicly available a description of the validation and approval process.

''(F) APPLICATION.—Not later than 30 days after the effective date of this paragraph, the corporation shall solicit applications from developers of credit scoring models for the validation and approval of those models under the process required under subparagraph (C).

''(G) TIMEFRAME FOR DETERMINATION; NOTICE.—

''(i) IN GENERAL.—The corporation shall make a determination with respect to any application submitted under subparagraph (F), and provide notice of that determination to the applicant, before a date established by the corporation that is not later than 180 days after the date on which an application is submitted to the corporation.

''(ii) EXTENSIONS.—The Director of the Federal Housing Finance Agency may authorize not more than 2 extensions of the date established under clause (i), each of which shall not exceed 30 days, upon a written request and a showing of good cause by the corporation.

''(iii) STATUS NOTICE.—The corporation shall provide notice to an applicant regarding the status of an application submitted under subparagraph (F) not later than 60 days after the date on which the application was submitted to the corporation.

''(iv) REASONS FOR DISAPPROVAL.—If an application submitted under subparagraph (F) is disapproved, the corporation shall provide to the applicant the reasons for the disapproval not later than 30 days after a determination is made under this subparagraph.

''(H) AUTHORITY OF DIRECTOR.—If the corporation elects to use a credit score model under this paragraph, the Director of the Federal Housing Finance Agency shall require the corporation to periodically review the validation and approval process required under subparagraph (C) as the Director determines necessary to ensure that the process remains appropriate and adequate and complies with any standards and criteria established pursuant to section 1328(1) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.

''(I) EXTENSION.—If, as of the effective date of this paragraph, a credit score model has not been approved under subparagraph (C), the corporation may use a credit score model that was in use before the effective date of this paragraph, if necessary to prevent substantial market disruptions, until the earlier of—

''(i) the date on which a credit score model is validated and approved under subparagraph (C); or

''(ii) the date that is 2 years after the effective date of this paragraph.''.

(b) USE OF CREDIT SCORES BY FREDDIE MAC IN PURCHASING RESIDENTIAL MORTGAGES.—Section 305 of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454) is amended by adding at the end the following:

''(d)(1) DEFINITION.—In this subsection, the term 'credit score' means a numerical value or a categorization created by a third party derived from a statistical tool or modeling system used by a person who makes or arranges a loan to predict the likelihood of certain credit behaviors, including default.

''(2) USE OF CREDIT SCORES.—The Corporation shall condition purchase of a residential mortgage by the Corporation under this section on the provision of a credit score for the borrower only if—

''(A) the credit score is derived from any credit scoring model that has been validated and approved by the Corporation under this subsection; and

''(B) the Corporation provides for the use of the credit score by all of the automated underwriting systems of the Corporation and any other procedures and systems used by the Corporation to purchase residential mortgages that use a credit score.

''(3) VALIDATION AND APPROVAL PROCESS.—The Corporation shall establish a validation and approval process for the use of credit score models, under which the Corporation may not validate and approve a credit score model unless the credit score model—

''(A) satisfies minimum requirements of integrity, reliability, and accuracy;

''(B) has a historical record of measuring and predicting default rates and other credit behaviors;

''(C) is consistent with the safe and sound operation of the corporation;

''(D) complies with any standards and criteria established by the Director of the Federal Housing Finance Agency under section 1328(1) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992; and

''(E) satisfies any other requirements, as determined by the Corporation.

''(4) REPLACEMENT OF CREDIT SCORE MODEL.—If the Corporation has validated and approved 1 or more credit score models under paragraph (3) and the Corporation validates and approves an additional credit score model, the Corporation may determine that—

''(A) the additional credit score model has replaced the credit score model or credit score models previously validated and approved; and

''(B) the credit score model or credit score models previously validated and approved shall no longer be considered validated and approved for the purposes of paragraph (2).

''(5) PUBLIC DISCLOSURE.—Upon establishing the validation and approval process required under paragraph (3), the Corporation shall make publicly available a description of the validation and approval process.

''(6) APPLICATION.—Not later than 30 days after the effective date of this subsection, the Corporation shall solicit applications from developers of credit scoring models for the validation and approval of those models under the process required under paragraph (3).

''(7) TIMEFRAME FOR DETERMINATION; NOTICE.—

''(A) IN GENERAL.—The Corporation shall make a determination with respect to any application submitted under paragraph (6), and provide notice of that determination to the applicant, before a date established by the Corporation that is not later than 180 days after the date on which an application is submitted to the Corporation.

''(B) EXTENSIONS.—The Director of the Federal Housing Finance Agency may authorize not more than 2 extensions of the date established under subparagraph (A), each of which shall not exceed 30 days, upon a written request and a showing of good cause by the Corporation.

''(C) STATUS NOTICE.—The Corporation shall provide notice to an applicant regarding the status of an application submitted under paragraph (6) not later than 60 days after the date on which the application was submitted to the Corporation.

''(D) REASONS FOR DISAPPROVAL.—If an application submitted under paragraph (6) is disapproved, the Corporation shall provide to the applicant the reasons for the disapproval not later than 30 days after a determination is made under this paragraph.

''(8) AUTHORITY OF DIRECTOR.—If the Corporation elects to use a credit score under this subsection, the Director of the Federal Housing Finance Agency shall require the Corporation to periodically review the validation and approval process required under paragraph (3) as the Director determines necessary to ensure that the process remains appropriate and adequate and complies with any standards and criteria established pursuant to section 1328(1) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.

''(9) EXTENSION.—If, as of the effective date of this subsection, a credit score model has not been approved under paragraph (3), the Corporation may use a credit score model that was in use before the effective date of this subsection, if necessary to prevent substantial market disruptions, until the earlier of—

''(A) the date on which a credit score model is validated and approved under paragraph (3); or

''(B) the date that is 2 years after the effective date of this subsection.''.

(c) AUTHORITY OF THE DIRECTOR.—Subpart A of part 2 of subtitle A of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4541 et seq.) is amended by adding at the end the following:

"SEC. 1328. REGULATIONS FOR USE OF CREDIT SCORES.

''The Director shall—

''(1) by regulation, establish standards and criteria for any process used by an enterprise to validate and approve credit scoring models pursuant to section 302(b)(7) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(7)) and section 305(d) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(d)); and

''(2) ensure that any credit scoring model that is validated and approved by an enterprise under section 302(b)(7) (12 U.S.C. 1717(b)(7)) of the Federal National Mortgage Association Charter Act or section 305(d) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(d)) meets the requirements of clauses (i), (ii), and (iii) of section 302(b)(7)(C) of the Federal National Mortgage Association Charter Act and subparagraphs (A), (B), and (C) of section 305(d)(3) of the Federal Home Loan Mortgage Corporation Act, respectively.''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 311. GAO REPORT ON PUERTO RICO FORECLOSURES.

Not earlier than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on foreclosures in the Commonwealth of Puerto Rico, including—

(1) the rate of foreclosures in the Commonwealth of Puerto Rico before and after Hurricane Maria;

(2) the rate of return for housing developers in the Commonwealth of Puerto Rico before and after Hurricane Maria;

(3) the rate of delinquency in the Commonwealth of Puerto Rico before and after Hurricane Maria;

(4) the rate of homeownership in the Commonwealth of Puerto Rico before and after Hurricane Maria; and

(5) the rate of defaults on federally insured mortgages in the Commonwealth of Puerto Rico before and after Hurricane Maria.

SEC. 312. REPORT ON CHILDREN'S LEAD-BASED PAINT HAZARD PREVENTION AND ABATEMENT.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Housing and Urban Development; and

(2) the term ''public housing agency'' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall submit to Congress a report that includes—

(1) an overview of existing policies and enforcement of the Department, including public outreach, relating to lead-based paint hazard prevention and abatement;

(2) recommendations and best practices for the Department, public housing agencies, and landlords for improving lead-based paint hazard prevention standards and Federal lead prevention and abatement policies to protect the environmental health and safety of children, including within housing receiving assistance from or occupied by families receiving housing assistance from the Department; and

(3) recommendations for legislation to improve lead-based paint hazard prevention and abatement.

SEC. 313. FORECLOSURE RELIEF AND EXTENSION FOR SERVICEMEMBERS.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 50 U.S.C. 3953 note) is amended by striking paragraphs (1) and (3).

TITLE IV—TAILORING REGULATIONS FOR CERTAIN BANK HOLDING COMPANIES

SEC. 401. ENHANCED SUPERVISION AND PRUDENTIAL STANDARDS FOR CERTAIN BANK HOLDING COMPANIES.

(a) IN GENERAL.—Section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''$50,000,000,000'' and inserting ''$250,000,000,000''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''may'' and inserting ''shall'';

(ii) in subparagraph (B), by striking ''$50,000,000,000'' and inserting ''the applicable threshold''; and

(iii) by adding at the end the following:

''(C) RISKS TO FINANCIAL STABILITY AND SAFETY AND SOUNDNESS.—The Board of Governors may by order or rule promulgated pursuant to section 553 of title 5, United States Code, apply any prudential standard established under this section to any bank holding company or bank holding companies with total consolidated assets equal to or greater than $100,000,000,000 to which the prudential standard does not otherwise apply provided that the Board of Governors—

''(i) determines that application of the prudential standard is appropriate—

''(I) to prevent or mitigate risks to the financial stability of the United States, as described in paragraph (1); or

''(II) to promote the safety and soundness of the bank holding company or bank holding companies; and

''(ii) takes into consideration the bank holding company's or bank holding companies' capital structure, riskiness, complexity, financial activities (including financial activities of subsidiaries), size, and any other risk-related factors that the Board of Governors deems appropriate.'';

(2) in subsection (b)(1)—

(A) in subparagraph (A)(iv), by striking ''and credit exposure report''; and

(B) in subparagraph (B)(ii), by inserting '', including credit exposure reports'' before the semicolon at the end;

(3) in subsection (d)(2), in the matter preceding subparagraph (A), by striking ''shall'' and inserting ''may'';

(4) in subsection (h)(2), by striking ''$10,000,000,000'' each place that term appears and inserting ''$50,000,000,000'';

(5) in subsection (i)—

(A) in paragraph (1)(B)(i)—

(i) by striking ''3'' and inserting ''2''; and

(ii) by striking '', adverse,''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the first sentence, by striking ''semi-annual'' and inserting ''periodic''; and

(II) in the second sentence—

(aa) by striking ''$10,000,000,000'' and inserting ''$250,000,000,000''; and

(bb) by striking ''annual'' and inserting ''periodic''; and

(ii) in subparagraph (C)(ii)—

(I) by striking ''3'' and inserting ''2''; and

(II) by striking '', adverse,''; and

(6) in subsection (j)(1), in the first sentence, by striking ''$50,000,000,000'' and inserting ''$250,000,000,000''.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to limit—

(1) the authority of the Board of Governors of the Federal Reserve System, in prescribing prudential standards under section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365) or any other law, to tailor or differentiate among companies on an individual basis or by category, taking into consideration their capital structure, riskiness, complexity, financial activities (including financial activities of their subsidiaries), size, and any other risk-related factors that the Board of Governors deems appropriate; or

(2) the supervisory, regulatory, or enforcement authority of an appropriate Federal banking agency to further the safe and sound operation of an institution under the supervision of the appropriate Federal banking agency.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) FINANCIAL STABILITY ACT OF 2010.—The Financial Stability Act of 2010 (12 U.S.C. 5311 et seq.) is amended—

(A) in section 115(a)(2)(B) (12 U.S.C. 5325(a)(2)(B)), by striking ''$50,000,000,000'' and inserting ''the applicable threshold'';

(B) in section 116(a) (12 U.S.C. 5326(a)), in the matter preceding paragraph (1), by striking ''$50,000,000,000'' and inserting ''$250,000,000,000'';

(C) in section 121(a) (12 U.S.C. 5331(a)), in the matter preceding paragraph (1), by striking ''$50,000,000,000'' and inserting ''$250,000,000,000'';

(D) in section 155(d) (12 U.S.C. 5345(d)), by striking ''50,000,000,000'' and inserting ''$250,000,000,000'';

(E) in section 163(b) (12 U.S.C. 5363(b)), by striking ''$50,000,000,000'' each place that term appears and inserting ''$250,000,000,000''; and

(F) in section 164 (12 U.S.C. 5364), by striking ''$50,000,000,000'' and inserting ''$250,000,000,000''.

(2) FEDERAL RESERVE ACT.—The second subsection (s) (relating to assessments) of section 11 of the Federal Reserve Act (12 U.S.C. 248(s)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''$50,000,000,000'' and inserting ''$100,000,000,000''; and

(ii) in subparagraph (B), by striking ''$50,000,000,000'' and inserting ''$100,000,000,000''; and

(B) by adding at the end the following:

''(3) TAILORING ASSESSMENTS.—In collecting assessments, fees, or other charges under paragraph (1) from each company described in paragraph (2) with total consolidated assets of between $100,000,000,000 and $250,000,000,000, the Board shall adjust the amount charged to reflect any changes in supervisory and regulatory responsibilities resulting from the Economic Growth, Regulatory Relief, and Consumer Protection Act with respect to each such company.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date that is 18 months after the date of enactment of this Act.

(2) EXCEPTION.—Notwithstanding paragraph (1), the amendments made by this section shall take effect on the date of enactment of this Act with respect to any bank holding company with total consolidated assets of less than $100,000,000,000.

(3) ADDITIONAL AUTHORITY.—Before the effective date described in paragraph (1), the Board of Governors of the Federal Reserve System may by order exempt any bank holding company with total consolidated assets of less than $250,000,000,000 from any prudential standard under section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365).

(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Board of Governors of the Federal Reserve

System from issuing an order or rule making under section 165(a)(2)(C) of the Financial Stability Act of 2010 (12 U.S.C. 5365(a)(2)(C)), as added by this section, before the effective date described in paragraph (1).

(e) SUPERVISORY STRESS TEST.—Beginning on the effective date described in subsection (d)(1), the Board of Governors of the Federal Reserve System shall, on a periodic basis, conduct supervisory stress tests of bank holding companies with total consolidated assets equal to or greater than $100,000,000,000 and total consolidated assets of less than $250,000,000,000 to evaluate whether such bank holding companies have the capital, on a total consolidated basis, necessary to absorb losses as a result of adverse economic conditions.

(f) GLOBAL SYSTEMICALLY IMPORTANT BANK HOLDING COMPANIES.—Any bank holding company, regardless of asset size, that has been identified as a global systemically important BHC under section 217.402 of title 12, Code of Federal Regulations, shall be considered a bank holding company with total consolidated assets equal to or greater than $250,000,000,000 with respect to the application of standards or requirements under—

(1) this section;

(2) sections 116(a), 121(a), 155(d), 163(b), 164, and 165 of the Financial Stability Act of 2010 (12 U.S.C. 5326(a), 5331(a), 5345(d), 5363(b), 5364, 5365); and

(3) paragraph (2)(A) of the second subsection (s) (relating to assessments) of section 11 of the Federal Reserve Act (12 U.S.C. 248(s)(2)).

(g) CLARIFICATION FOR FOREIGN BANKS.—Nothing in this section shall be construed to—

(1) affect the legal effect of the final rule of the Board of Governors of the Federal Reserve System entitled ''Enhanced Prudential Standards for Bank Holding Companies and Foreign Banking Organizations'' (79 Fed. Reg. 17240 (March 27, 2014)) as applied to foreign banking organizations with total consolidated assets equal to or greater than $100,000,000,000; or

(2) limit the authority of the Board of Governors of the Federal Reserve System to require the establishment of an intermediate holding company under, implement enhanced prudential standards with respect to, or tailor the regulation of a foreign banking organization with total consolidated assets equal to or greater than $100,000,000,000.

SEC. 402. SUPPLEMENTARY LEVERAGE RATIO FOR CUSTODIAL BANKS.

(a) DEFINITION.—In this section, the term ''custodial bank'' means any depository institution holding company predominantly engaged in custody, safekeeping, and asset servicing activities, including any insured depository institution subsidiary of such a holding company.

(b) REGULATIONS.—

(1) DEFINITION.—In this subsection, the term ''central bank'' means—

(A) the Federal Reserve System;

(B) the European Central Bank; and

(C) central banks of member countries of the Organisation for Economic Co-operation and Development, if—

(i) the member country has been assigned a zero percent risk weight under sections 3.32, 217.32, and 324.32 of title 12, Code of Federal Regulations, or any successor regulation; and

(ii) the sovereign debt of such member country is not in default or has not been in default during the previous 5 years.

(2) REGULATIONS.—The appropriate Federal banking agencies shall promulgate regulations to amend sections 3.10, 217.10, and 324.10 of title 12, Code of Federal Regulations, to specify that—

(A) subject to subparagraph (B), funds of a custodial bank that are deposited with a central bank shall not be taken into account when calculating the supplementary leverage ratio as applied to the custodial bank; and

(B) with respect to the funds described in subparagraph (A), any amount that exceeds the total value of deposits of the custodial bank that are linked to fiduciary or custodial and safekeeping accounts shall be taken into account when calculating the supplementary leverage ratio as applied to the custodial bank.

(c) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed to limit the authority of the appropriate Federal banking agencies to tailor or adjust the supplementary leverage ratio or any other leverage ratio for any company that is not a custodial bank.

SEC. 403. TREATMENT OF CERTAIN MUNICIPAL OBLIGATIONS.

(a) IN GENERAL.—Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended—

(1) by moving subsection (z) so that it appears after subsection (y); and

(2) by adding at the end the following:

''(aa) TREATMENT OF CERTAIN MUNICIPAL OBLIGATIONS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'investment grade', with respect to an obligation, has the meaning given the term in section 1.2 of title 12, Code of Federal Regulations, or any successor thereto;

''(B) the term 'liquid and readily-marketable' has the meaning given the term in section 249.3 of title 12, Code of Federal Regulations, or any successor thereto; and

''(C) the term 'municipal obligation' means an obligation of—

''(i) a State or any political subdivision thereof; or

''(ii) any agency or instrumentality of a State or any political subdivision thereof.

''(2) MUNICIPAL OBLIGATIONS.—For purposes of the final rule entitled 'Liquidity Coverage Ratio: Liquidity Risk Measurement Standards' (79 Fed. Reg. 61439 (October 10, 2014)), the final rule entitled 'Liquidity Coverage Ratio: Treatment of U.S. Municipal Securities as High-Quality Liquid Assets' (81 Fed. Reg. 21223 (April 11, 2016)), and any other regulation that incorporates a definition of the term 'high-quality liquid asset' or another substantially similar term, the appropriate Federal banking agencies shall treat a municipal obligation as a high-quality liquid asset that is a level 2B liquid asset if that obligation is, as of the date of calculation—

''(A) liquid and readily-marketable; and

''(B) investment grade.''.

(b) AMENDMENT TO LIQUIDITY COVERAGE RATIO REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, and the Comptroller of the Currency shall amend the final rule entitled ''Liquidity Coverage Ratio: Liquidity Risk Measurement Standards'' (79 Fed. Reg. 61439 (October 10, 2014)) and the final rule entitled ''Liquidity Coverage Ratio: Treatment of U.S. Municipal Securities as High-Quality Liquid Assets'' (81 Fed. Reg. 21223 (April 11, 2016)) to implement the amendments made by this section.

TITLE V—ENCOURAGING CAPITAL FORMATION

SEC. 501. NATIONAL SECURITIES EXCHANGE REGULATORY PARITY.

Section 18(b)(1) of the Securities Act of 1933 (15 U.S.C. 77r(b)(1)) is amended—

(1) by striking subparagraph (A);

(2) in subparagraph (B)—

(A) by inserting ''a security designated as qualified for trading in the national market system pursuant to section 11A(a)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78k–1(a)(2)) that is'' before ''listed''; and

(B) by striking ''that has listing standards that the Commission determines by rule (on its own initiative or on the basis of a petition) are substantially similar to the listing standards applicable to securities described in subparagraph (A)'';

(3) in subparagraph (C), by striking ''or (B)''; and

(4) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

SEC. 502. SEC STUDY ON ALGORITHMIC TRADING.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the staff of the Securities and Exchange Commission shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the risks and benefits of algorithmic trading in capital markets in the United States.

(b) MATTERS REQUIRED TO BE INCLUDED.—The matters covered by the report required by subsection (a) shall include the following:

(1) An assessment of the effect of algorithmic trading in equity and debt markets in the United States on the provision of liquidity in stressed and normal market conditions.

(2) An assessment of the benefits and risks to equity and debt markets in the United States by algorithmic trading.

(3) An analysis of whether the activity of algorithmic trading and entities that engage in algorithmic trading are subject to appropriate Federal supervision and regulation.

(4) A recommendation of whether—

(A) based on the analysis described in paragraphs (1), (2), and (3), any changes should be made to regulations; and

(B) the Securities and Exchange Commission needs additional legal authorities or resources to effect the changes described in subparagraph (A).

SEC. 503. ANNUAL REVIEW OF GOVERNMENT-BUSINESS FORUM ON CAPITAL FORMATION.

Section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c–1) is amended by adding at the end the following:

''(e) The Commission shall—

''(1) review the findings and recommendations of the forum; and

''(2) each time the forum submits a finding or recommendation to the Commission, promptly issue a public statement—

''(A) assessing the finding or recommendation of the forum; and

''(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.''.

SEC. 504. SUPPORTING AMERICA'S INNOVATORS.

Section 3(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(c)(1)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''(or, in the case of a qualifying venture capital fund, 250 persons)'' after ''one hundred persons''; and

(2) by adding at the end the following:

''(C)(i) The term 'qualifying venture capital fund' means a venture capital fund that has not more than $10,000,000 in aggregate capital contributions and uncalled committed capital, with such dollar amount to be indexed for inflation once every 5 years by the Commission, beginning from a measurement made by the Commission on a date selected by the Commission, rounded to the nearest $1,000,000.

''(ii) The term 'venture capital fund' has the meaning given the term in section 275.203(l)–1 of title 17, Code of Federal Regulations, or any successor regulation.''.

SEC. 505. SECURITIES AND EXCHANGE COMMISSION OVERPAYMENT CREDIT.

(a) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Securities and Exchange Commission;

(2) the term ''national securities association'' means an association that is registered under section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3); and

(3) the term ''national securities exchange'' means an exchange that is registered as a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).

(b) CREDIT FOR OVERPAYMENT OF FEES.—Notwithstanding section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)), and subject to subsection (c) of this section, if a national securities exchange or a national securities association has paid fees and assessments to the Commission in an amount that is more than the amount that the exchange or association was required to pay under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) and, not later than 10 years after the date of such payment, the exchange or association informs the Commission about the payment of such excess amount, the Commission shall offset future fees and assessments due by that exchange or association in an amount that is equal to the difference between the amount that the exchange or association paid and the amount that the exchange or association was required to pay under such section 31.

(c) APPLICABILITY.—Subsection (b) shall apply only to fees and assessments that a national securities exchange or a national securities association was required to pay to the Commission before the date of enactment of this Act.

SEC. 506. U.S. TERRITORIES INVESTOR PROTECTION.

(a) IN GENERAL.—Section 6(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–6(a)) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively.

(b) EFFECTIVE DATE AND SAFE HARBOR.—

(1) EFFECTIVE DATE.—Except as provided in paragraph (2), the amendment made by subsection (a) shall take effect on the date of enactment of this Act.

(2) SAFE HARBOR.—With respect to a company that is exempt under section 6(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–6(a)(1)) on the day before the date of enactment of this Act, the amendment made by subsection (a) shall take effect on the date that is 3 years after the date of enactment of this Act.

(3) EXTENSION OF SAFE HARBOR.—The Securities and Exchange Commission, by rule or regulation upon its own motion, or by order upon application, may conditionally or unconditionally, under section 6(c) of the Investment Company Act of 1940 (15 U.S.C. 80a–6(c)), further delay the effective date for a company described in paragraph (2) for a maximum of 3 years following the initial 3-year period if, before the end of the initial 3-year period, the Commission determines that such a rule, regulation, motion, or order is necessary or appropriate in the public interest and for the protection of investors.

SEC. 507. ENCOURAGING EMPLOYEE OWNERSHIP.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from $5,000,000 to $10,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest $1,000,000.

SEC. 508. IMPROVING ACCESS TO CAPITAL.

The Securities and Exchange Commission shall amend—

(1) section 230.251 of title 17, Code of Federal Regulations, to remove the requirement that the issuer not be subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) immediately before the offering; and

(2) section 230.257 of title 17, Code of Federal Regulations, with respect to an offering described in section 230.251(a)(2) of title 17, Code of Federal Regulations, to deem any issuer that is subject to section 13 or 15(d) of the Securities Exchange Act of 1934 as having met the periodic and current reporting requirements of section 230.257 of title 17, Code of Federal Regulations, if such issuer meets the reporting requirements of section 13 of the Securities Exchange Act of 1934.

SEC. 509. PARITY FOR CLOSED-END COMPANIES REGARDING OFFERING AND PROXY RULES.

(a) REVISION TO RULES.—Not later than the end of the 1-year period beginning on the date of enactment of this Act, the Securities and Exchange Commission shall propose and, not later than 2 years after the date of enactment of this Act, the Securities and Exchange Commission shall finalize any rules, as appropriate, to allow any closed-end company, as defined in section 5(a)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a–5), that is registered as an investment company under such Act, and is listed on a national securities exchange or that makes periodic repurchase offers pursuant to section 270.23c–3 of title 17, Code of Federal Regulations, to use the securities offering and proxy rules, subject to conditions the Commission determines appropriate, that are available to other issuers that are required to file reports under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)). Any action that the Commission takes pursuant to this subsection shall consider the availability of information to investors, including what disclosures constitute adequate information to be designated as a ''well-known seasoned issuer''.

(b) TREATMENT IF REVISIONS NOT COMPLETED IN A TIMELY MANNER.—If the Commission fails to complete the revisions required by subsection (a) by the time required by such subsection, any registered closed-end company that is listed on a national securities exchange or that makes periodic repurchase offers pursuant to section 270.23c–3 of title 17, Code of Federal Regulations, shall be deemed to be an eligible issuer under the final rule of the Commission titled ''Securities Offering Reform'' (70 Fed. Reg. 44722; published August 3, 2005).

(c) RULES OF CONSTRUCTION.—

(1) NO EFFECT ON RULE 482.—Nothing in this section or the amendments made by this section shall be construed to impair or limit in any way a registered closed-end company from using section 230.482 of title 17, Code of Federal Regulations, to distribute sales material.

(2) REFERENCES.—Any reference in this section to a section of title 17, Code of Federal Regulations, or to any form or schedule means such rule, section, form, or schedule, or any successor to any such rule, section, form, or schedule.

TITLE VI—PROTECTIONS FOR STUDENT BORROWERS

SEC. 601. PROTECTIONS IN THE EVENT OF DEATH OR BANKRUPTCY.

(a) IN GENERAL.—Section 140 of the Truth in Lending Act (15 U.S.C. 1650) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (8) as paragraphs (2) through (9), respectively; and

(B) by inserting before paragraph (2), as so redesignated, the following:

''(1) the term 'cosigner'—

''(A) means any individual who is liable for the obligation of another without compensation, regardless of how designated in the contract or instrument with respect to that obligation, other than an obligation under a private education loan extended to consolidate a consumer's pre-existing private education loans;

''(B) includes any person the signature of which is requested as condition to grant credit or to forbear on collection; and

''(C) does not include a spouse of an individual described in subparagraph (A), the signature of whom is needed to perfect the security interest in a loan.''; and

(2) by adding at the end the following:

''(g) ADDITIONAL PROTECTIONS RELATING TO BORROWER OR COSIGNER OF A PRIVATE EDUCATION LOAN.—

''(1) PROHIBITION ON AUTOMATIC DEFAULT IN CASE OF DEATH OR BANKRUPTCY OF NON-STUDENT OBLIGOR.—With respect to a private education loan involving a student obligor and 1 or more cosigners, the creditor shall not declare a default or accelerate the debt against the student obligor on the sole basis of a bankruptcy or death of a cosigner.

''(2) COSIGNER RELEASE IN CASE OF DEATH OF BORROWER.—

''(A) RELEASE OF COSIGNER.—The holder of a private education loan, when notified of the death of a student obligor, shall release within a reasonable timeframe any cosigner from the obligations of the cosigner under the private education loan.

''(B) NOTIFICATION OF RELEASE.—A holder or servicer of a private education loan, as applicable, shall within a reasonable timeframe notify any cosigners for the private education loan if a cosigner is released from the obligations of the cosigner for the private education loan under this paragraph.

''(C) DESIGNATION OF INDIVIDUAL TO ACT ON BEHALF OF THE BORROWER.—Any lender that extends a private education loan shall provide the student obligor an option to designate an individual to have the legal authority to act on behalf of the student obligor with respect to the private education loan in the event of the death of the student obligor.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall only apply to private education loan agreements entered into on or after the date that is 180 days after the date of enactment of this Act.

SEC. 602. REHABILITATION OF PRIVATE EDUCATION LOANS.

(a) IN GENERAL.—Section 623(a)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(1)) is amended by adding at the end the following:

''(E) REHABILITATION OF PRIVATE EDUCATION LOANS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this section, a consumer may request a financial institution to remove from a consumer report a reported default regarding a private education loan, and such information shall not be considered inaccurate, if—

''(I) the financial institution chooses to offer a loan rehabilitation program which includes, without limitation, a requirement of

the consumer to make consecutive on-time monthly payments in a number that demonstrates, in the assessment of the financial institution offering the loan rehabilitation program, a renewed ability and willingness to repay the loan; and

''(II) the requirements of the loan rehabilitation program described in subclause (I) are successfully met.

''(ii) BANKING AGENCIES.—

''(I) IN GENERAL.—If a financial institution is supervised by a Federal banking agency, the financial institution shall seek written approval concerning the terms and conditions of the loan rehabilitation program described in clause (i) from the appropriate Federal banking agency.

''(II) FEEDBACK.—An appropriate Federal banking agency shall provide feedback to a financial institution within 120 days of a request for approval under subclause (I).

''(iii) LIMITATION.—

''(I) IN GENERAL.—A consumer may obtain the benefits available under this subsection with respect to rehabilitating a loan only 1 time per loan.

''(II) RULE OF CONSTRUCTION.—Nothing in this subparagraph may be construed to require a financial institution to offer a loan rehabilitation program or to remove any reported default from a consumer report as a consideration of a loan rehabilitation program, except as described in clause (i).

''(iv) DEFINITIONS.—For purposes of this subparagraph—

''(I) the term 'appropriate Federal banking agency' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

''(II) the term 'private education loan' has the meaning given the term in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

(b) GAO STUDY.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study, in consultation with the appropriate Federal banking agencies, regarding—

(A) the implementation of subparagraph (E) of section 623(a)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(1)) (referred to in this paragraph as ''the provision''), as added by subsection (a);

(B) the estimated operational, compliance, and reporting costs associated with the requirements of the provision;

(C) the effects of the requirements of the provision on the accuracy of credit reporting;

(D) the risks to safety and soundness, if any, created by the loan rehabilitation programs described in the provision; and

(E) a review of the effectiveness and impact on the credit of participants in any loan rehabilitation programs described in the provision and whether such programs improved the ability of participants in the programs to access credit products.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains all findings and determinations made in conducting the study required under paragraph (1).

SEC. 603. BEST PRACTICES FOR HIGHER EDUCATION FINANCIAL LITERACY.

Section 514(a) of the Financial Literacy and Education Improvement Act (20 U.S.C. 9703(a)) is amended by adding at the end the following:

''(3) BEST PRACTICES FOR TEACHING FINANCIAL LITERACY.—

''(A) IN GENERAL.—After soliciting public comments and consulting with and receiving input from relevant parties, including a diverse set of institutions of higher education and other parties, the Commission shall, by not later than 1 year after the date of enactment of the Economic Growth, Regulatory Relief, and Consumer Protection Act, establish best practices for institutions of higher education regarding methods to—

''(i) teach financial literacy skills; and

''(ii) provide useful and necessary information to assist students at institutions of higher education when making financial decisions related to student borrowing.

''(B) BEST PRACTICES.—The best practices described in subparagraph (A) shall include the following:

''(i) Methods to ensure that each student has a clear sense of the student's total borrowing obligations, including monthly payments, and repayment options.

''(ii) The most effective ways to engage students in financial literacy education, including frequency and timing of communication with students.

''(iii) Information on how to target different student populations, including part-time students, first-time students, and other nontraditional students.

''(iv) Ways to clearly communicate the importance of graduating on a student's ability to repay student loans.

''(C) MAINTENANCE OF BEST PRACTICES.—The Commission shall maintain and periodically update the best practices information required under this paragraph and make the best practices available to the public.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require an institution of higher education to adopt the best practices required under this paragraph.''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and submit extraneous material on the bill under consideration.

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

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, for far too long, far too many people in our country have struggled to make ends meet. They have struggled to buy a car. They have struggled to buy a home. They have struggled—they have struggled for their version of the American Dream.

I hear from these people frequently, Mr. Speaker. I hear from Colton in Terrell, Texas, who said that he and his wife have been unable to get a mortgage due to credit and that they were 25, 30 years old and they had good credit but they were getting denied. They needed a home to provide a sense of stability, but they couldn't get it due to Washington's bureaucratic regulations.

Mr. Speaker, I heard from Dirk in Dallas. He said he used to have a $100,000 line of credit from his bank. He had an unsecured signature line of credit that he used for working capital for his small business. He often paid it down to zero, and cash flow was ample, but then the bank canceled it because of the bureaucratic government burden on the banking system.

I heard from Sherry in Eustace, who said:

> After a divorce 4 years ago, I needed to buy a car because my car was over 10 years old. I had a checking account in my name at my credit union, but they didn't loan me money for the car.

□ 1400

Mr. Speaker, we hear these stories far too often. The Main Street banks and credit unions that these people depend on have been suffering for years under the weight, the load, the volume, the complexity, and the cost of heavy Washington bureaucratic red tape. They haven't been able to serve these people to help get them into homes and to help get them into cars.

As one west Texas banker told me, Mr. Speaker: ''My major risks are not credit risks, risk of theft, or risk of some robber coming in with a gun in my office, my number one risk is regulatory risk.''

We have been losing a community bank or credit union every other day in America and, with it, the hopes and dreams of millions. But today, that changes. Help is on the way with the Economic Growth, Regulatory Relief, and Consumer Protection Act.

Mr. Speaker, this is the most pro-growth banking bill in a generation. You would have to go back to 1999 to Gramm-Leach-Bliley. Although we didn't have a formal conference with the Senate, I am proud that over half of the bills in this package, including three-quarters of the regulatory relief provisions, came from the House. These are the provisions to help hardworking, struggling taxpayers get into home mortgages, get into car loans, and get into their small businesses. This is what will help drive 3 percent economic growth, which is the birthright of all Americans.

Today is an important day in the history of economic opportunity in America, and I encourage all of us to support the Economic Growth, Regulatory Relief, and Consumer Protection Act.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I get into the remarks that I prepared, I think I had better share this information with my colleagues. The FDIC released its quarterly banking profile today for the first quarter of 2018, and reported that banks made more money than they ever have. $56 billion in profits in a single quarter represents a 27.5 percent surge compared to 2017. Some of these profits came from that so-called tax bill that we passed, which we know was the Republican tax scam law.

Democrats passed the Dodd-Frank Wall Street Reform and Consumer Protection Act to prevent another financial crisis and protect consumers, investors, and our economy. The 2008 financial crisis resulted in 9 million people losing their jobs, 11 million people losing their homes to foreclosure, and the loss of $13 trillion in wealth. It was an economic catastrophe that must never be repeated. Now my colleagues on the other side of the aisle are determined to help this President dismantle reforms that are designed to protect us from that kind of devastation to communities.

Republicans are trying to pass this bill off as an effort solely designed to benefit small community banks. But the truth is, the bill is packed with poisonous provisions that benefit the megabanks like Wells Fargo and companies like Equifax. It also weakens critical mortgage protections to ensure borrowers can afford their loans, and prevent discrimination and fraud.

One of the most harmful elements of this bill is its weakening of the Home Mortgage Disclosure Act, referred to as HMDA, which is a key tool to detect and prevent discriminatory practices in the mortgage market. S. 2155 would allow 85 percent of depository institutions to avoid ever having to report new HMDA data required by Dodd-Frank, even though they are already collecting the data, badly undermining efforts to ensure fair lending.

But that is not all. This bill guts many of the protections Democrats put in place to reduce the risk of bank failures and bailouts and ensure that bank failures don't bring down the economy. It weakens stress tests and capital requirements for big banks, and undermines supervision of large foreign banks like Deutsche Bank.

There is more. Despite Equifax's carelessness in exposing the personal data of 148 million Americans, S. 2155 rewards Equifax and the other two national credit bureaus by funneling more business their way. It also takes away Active Duty servicemembers' rights to sue the credit bureaus, even if the bureaus fail to provide required free credit monitoring, or notify them of scams involving their personal information.

Mr. Speaker, these are just some of the many ways the bill would be harmful. Republicans have stacked the bill with provisions that have nothing to do with benefiting hardworking Americans and everything to do with helping out Wall Street.

Donald Trump and the Republicans already gave a huge gift to big corporations with the tax scam, which came at the expense of hardworking Americans. Now they are pushing this rotten giveaway to Wall Street and big banks that harms consumers and increases the risk of another financial crisis.

Mr. Speaker, I urge Members to oppose this bill, and I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the leading voice in Congress on trying to bring rationality to the SIFI designation and accountability to the Financial Stability Oversight Council, the chairman of the Subcommittee on Financial Institutions and Consumer Credit.

Mr. LUETKEMEYER. Mr. Speaker, I thank Chairman HENSARLING for his commitment to regulatory relief. We wouldn't be here today if it wasn't for his diligence and for the hard work of all of the great folks of the Financial Services Committee, on both sides of the aisle.

Mr. Speaker, in the wake of the financial crisis the American people needed regulatory relief that would lift the economy. Instead, Congress responded with a framework that increased the cost of financial products, restricted access to loans, and redistributed credit from the middle-income borrowers to the high-income borrowers. Today, too many consumers are left struggling to get the tools they need to achieve financial independence.

S. 2155 is a big step in the right direction. The majority of the provisions included in the bill come from bipartisan House-passed measures, several of which were included in my CLEARR Act. Despite what rhetoric we might hear today, American borrowers are going to benefit from the relief that extends from this bill.

However, the conversation cannot end with S. 2155. While the provisions in this legislation are granting important relief, there is so much more to be done. The Financial Services Committee has marked up more than 100 bills this Congress, many of which have the support of the ranking member and deserve to be considered by our colleagues in the Senate.

We have to continue to rightsize regulation so that it is based not just on size or a single arbitrary factor, but on thoughtful analysis of an institution's business model and risk profile. Mr. Speaker, arbitrary figures don't necessarily guarantee a financial system.

Mr. Speaker, I thank, again, the chairman for his diligent work on this fine bill, and ask my colleagues to support S. 2155.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me repeat: The FDIC released its quarterly banking profile today for the first quarter of 2018, and reported that banks made more money than they ever have. I have to say this over and over again: $56 billion in profits in a single quarter represents a 27.5 percent surge compared to 2017. Some of these profits came from the tax scam bill that was passed.

These banks are just greedy. They will never get enough. They want to do away with Dodd-Frank because Dodd-Frank is protecting consumers from their fraud. Look how much money they are making. All they will tell you is this is all about community banks.

But let me just tell you that community banks, credit unions, and the economy are doing great with Dodd-Frank reforms in place. The banking industry keeps making record profits, an average of $167 billion in annual profits in the last 3 years. Banks have increased lending to businesses by 80 percent since 2010. Community banks are outperforming larger banks in increased lending. Credit unions are growing and have increased lending by more than 10 percent in 2014, 2015, 2016, and 2017.

Mr. Speaker, what more do they want? How much more money do they want from consumers? What is it they would have us do? What is it they would have us get rid of in Dodd-Frank that is protecting the average consumer, everyday working people? What would they have us do so that they can make more money?

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

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), the lead voice in the House for capital formation for our start-ups and small businesses, the chairman of the Subcommittee on Capital Markets, Securities, and Investment.

Mr. HUIZENGA. Mr. Speaker, like in Michigan, like so many other places around the country, in 2008, we saw a massive economic downturn where people lost their jobs, lost their savings, and some even lost their homes. The Obama administration and their allies in Congress put forward a very flawed solution, which was called Dodd-Frank, which led to the slowest, weakest recovery in modern history. The American people were sold a bill of goods.

Now what Congress is trying to do is get at the root cause. That is not what they had done before. They had denied hardworking families the economic recovery that they deserve. Economic growth stalled as access to basic financial services became less and less available to small businesses and lower income Americans. And America's small and medium-sized community financial institutions were saddled with a crushing regulatory burden. We are changing that in this bipartisan bill.

Instead of ending too-big-to-fail, this regulatory monstrosity, called Dodd-Frank, enshrined too-small-to-succeed. On average, we are losing a community financial institution a day because of the extensive burdens placed on them by this one-size-fits-all regulatory structure.

These crushing regulations have made it more difficult for consumers to access credit to buy a car, realize homeownership, save for retirement, plan for their kids to go to college, climb the ladder of opportunity, and grow their small businesses, which are critical to growing our economy.

Today's bill, the Economic Growth, Regulatory Relief, and Consumer Protection Act, begins to provide relief to consumers and small businesses on

Main Street. This bipartisan bill is combined with the momentum created by the tax reform bill that we had done previously. This bipartisan bill will continue to unleash American innovation, jobs, and capital, while supporting economic growth.

Now, you may have just heard that this is a Republican plan only. Wrong. Sixty-seven votes in the Senate, including my two Democrat Senators from Michigan, voted for this bill.

Mr. Speaker, I urge all of my colleagues to vote in favor of this historic pro-growth bill, which we haven't seen in almost a generation, not since Gramm-Leach-Bliley. I appreciate all of the work that has been put into this bill in a bipartisan manner, and I look forward to supporting it.

Ms. MAXINE WATERS of California. Mr. Speaker, some of the Senators are saying they wish that they had never voted for the bill.

Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. CAPUANO), a senior member of the Financial Services Committee.

Mr. CAPUANO. Mr. Speaker, I thank the gentlewoman for yielding.

There are some good things in this bill. I wanted to work with all of you to enshrine the good things and get rid of the bad things. We all did. We all offered it for years because Dodd-Frank is a good law, but it needs amending. We all agree. The limits are on it. We all have admitted that we just kind of picked them at the time. We were in a hurry, in a rush. But the amnesia around this place, I guess, is endemic.

Maybe it is hard for you today to look people in the eye and say: Gee, maybe you can't afford that loan.

But, for me, the hardest thing was looking people in the eye and saying: I am sorry you are losing your home. I am sorry you are losing your job. I am sorry your kids can't go to college because the economy just collapsed.

The numbers are the numbers. But didn't you get those phone calls? Didn't you hear from any of your constituents?

And what was your answer? Oh, the regulatory system is terrible.

You didn't answer that. You tried to help, and you couldn't because the economy had gone down the toilet.

If this bill passes, which it will—I know you wouldn't come to the floor unless you had the votes. I know that. I can count. When people ask you the next time we have an economic collapse, when they ask you what happened, here is the only answer you are going to be able to give them: I voted for this bill today.

□ 1415

The SPEAKER pro tempore (Mr. FRANCIS ROONEY of Florida). The time of the gentleman has expired.

Members are reminded to direct their remarks to the Chair.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Massachusetts.

Mr. CAPUANO. Mr. Speaker, the details of this bill, getting rid of HMDA requirements, do you not care about discrimination? Do you not recognize that it is real and that it exists? But, apparently, you don't care.

Do you not care that your constituents had their information sold out from under them and then not protected? But now you are going to give free credit monitoring only for people in the military—not for your mother, not for your sister, not for your student children, just for the military.

The bill has some good provisions in it. I am happy to work with you on some of these.

This bill goes too far, and you are responsible.

The SPEAKER pro tempore. Members are again reminded to direct their remarks to the Chair.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. DUFFY), chairman of the Subcommittee on Housing and Insurance and the author of the Family Self-Sufficiency provision in S. 2155.

Mr. DUFFY. Mr. Speaker, I thank Chairman HENSARLING for all of his work on Dodd-Frank reform.

I think it is important that we look back.

When Dodd-Frank passed, it was passed with a blindfold over our eyes, because the studies weren't even done about what the root cause of the crisis even was. Democrats opened up their files and poured every bill they had dreamed of for 20 years into Dodd-Frank.

And what did it do to my constituents, my small banks and credit unions? It made them shut their doors or made them consolidate with a bigger bank. So, now, Spooner, Wisconsin, the decisions of the bank might not be made in Spooner, but they might be made in Milwaukee or Chicago or Minneapolis.

I hear my friends talk about banks doing so well right now. Yes, because there are people who want to borrow money, and the economy is doing so well, that borrowers can pay back lenders so they make a little bit of money.

I think what is pretty evident in this conversation is some of my friends would prefer that we have socialized banking like socialized healthcare. Let the government, let the Democrats across the aisle run banking in America.

If you are confused about this debate and whether this is a good or bad bill, just do one thing: look at where the small community banks are, look at where the credit unions are. They are clamoring for this bill, they are begging for this bill, because they can't comply with Dodd-Frank, the rules and regulations. It is putting them out of business.

Small credit unions that care about their customers say ''yes'' to this bill. I hope, too, so do my Democratic friends.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member of the Small Business Committee and a senior member of the Financial Services Committee.

Ms. VELAZQUEZ. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in strong opposition to S. 2155, which strips back and weakens many of the regulatory tools and safeguards we enacted in Dodd-Frank.

Make no mistake, Mr. Speaker: this bill will make our financial system more vulnerable to a financial crisis.

The bill undermines important safety and soundness protections like stress tests and capital requirements, key reforms that Democrats put in place following the financial crisis that prevent the risk of bank bailouts and protect our economy and taxpayers.

The bill also weakens critical consumer protections like Dodd-Frank's enhanced HMDA data monitoring and reporting requirements. Under this bill, 85 percent of depository institutions are excused from these important requirements.

While many financial institutions say that these reporting requirements are too onerous and too difficult to comply with, S. 2155 will make it harder to determine if lenders are serving the credit needs of minority borrowers and to identify harmful and discriminatory lending patterns.

Instead of eliminating important tools like HMDA, we should be finding ways to eliminate discrimination in lending.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 20 seconds to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, as ranking member of the House Small Business Committee, I support targeted reforms that provide relief for community banks and local credit unions, but this bill does none of that. It is a solution in search of a problem that harms consumers.

Mr. Speaker, I urge my colleagues to vote ''no'' on this dangerous bill.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. MCHENRY), the vice chairman of the committee and the Chief Deputy Whip of the majority and author of two provisions of S. 2155 to promote capital formation and hold credit bureaus fully accountable.

Mr. MCHENRY. Mr. Speaker, I thank the chairman for making this day possible. Without the architecture of the work that the House Financial Services Committee did, the Senate wouldn't be able to come to terms with this major change to Dodd-Frank.

Mr. Speaker, I want to thank my Democratic colleagues for participating in these bipartisan negotiations that made this day possible.

The long, dark shadow of the financial crisis is over, and policymakers

are now shifting to the much-needed reforms we need in our banking system.

We know that we have fewer community banks now than we did before the financial crisis, we have fewer community banks now than we did 5 years ago, and our communities are more starved for capital now than ever before, especially with the economy changing and economic growth now coming back to communities across this country.

Now, today, Congress is coming to terms with a bipartisan bill, a bipartisan approach to make our banking system more inclusive and more accessible for everyday Americans.

I am proud my provision that I authored, the Supporting America's Innovators Act, is included, which helps small businesses get the investments they need to grow and prosper. Those communities have not been traditionally focused upon by investors.

I am also proud that this bill allows community banks to get into the business of lending to their community, getting back into the business of mortgage lending in their communities. And I am proud that this bill will allow consumers to freeze their credit reports in the event that there is a data breach or identity theft.

These are bipartisan pieces of this very important package. It is high time Congress gets on with it and passes this bill. I look forward to the outcome of today's vote, and I urge my colleagues to vote ''yes.''

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. AL GREEN), ranking member of the Subcommittee on Oversight and Investigations.

Mr. AL GREEN of Texas. Mr. Speaker, I am amazed at what I am hearing today, because I was there, and I understand that at the time we entered the financial crisis, the banks were not lending to each other.

There are many aspects of this to focus on, but today I will simply focus on the $163 billion that the banks made last year. A better name for this bill would be ''Too Much Is Not Enough.'' $163 billion, but that is not enough.

The banks would have us now eliminate the Volcker rule, which prevents the banks from using the money on the consumer side, taking that money and moving it over to the investment side, and go to Wall Street and gamble. If they win, they keep the profits; if they lose, they can socialize the losses.

This bill is not a bill that benefits consumers. It is a Big Bank bonanza. Too much is not enough, and too much is too much for me. I will vote against it.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS), the former chairman of the House Agriculture Committee and a senior member of the Financial Services Committee.

Mr. LUCAS. Mr. Speaker, it has been 10 long years since I was a conferee on Dodd-Frank. Since then, I have seen credit markets in my district and across the country dry up, thanks to the increased regulations.

That is why I am so happy to be speaking on a bill today that will roll back some of those burdens.

As I have said over the last decade, Dodd-Frank was not written on the back of the stone tablets. Dodd-Frank will be addressed in this bill, S. 2155.

S. 2155 is but the first step in making that perception a reality. It is the first step in bringing financial markets back to true efficiency and capacity. And, yes, I mean a first step. There are many more things this Congress could and should do to bring more relief to small community institutions across the country.

Every year, small financial institutions in Oklahoma have made the trek here to ask me for relief, any relief. For the first time, I can give them positive news, which is, thanks to this bill, sure, there is more to be done, of course, but things in this bill like changes to stress testing, risk management protocols, required data disclosure, among other things, will help those who rely on small banks and credit unions for their financial needs.

Mr. Speaker, I thank Chairman HENSARLING for this opportunity to vote on this bill today.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding, and I commend her for her extraordinary leadership in protecting the American consumer, the American taxpayer, our American financial systems. She has been just a remarkable, wonderful leader.

Mr. Speaker, I thank our distinguished Whip for yielding so that I could stay on schedule and for his great leadership as well.

Mr. Speaker, I rise in opposition to this bill, and I do so on behalf of the hardworking American people. It is a bad bill under the guise of helping community banks.

It rolls back key safeguards for American consumers, it opens the door to lending discrimination, and it potentially threatens the stability of our financial system and our economy.

The bill would take us back to the days when unchecked recklessness on Wall Street ignited a historic financial meltdown. Wall Street gambled with the livelihood of consumers, and then it was the middle class that lost its shirt.

I just want to share with my colleagues on both sides of the aisle why I have serious concerns about what is happening on the floor today. It is yet again another weakening of Dodd-Frank.

Here is what I want to call to your mind, because you may not remember this or you may not have been fully aware of it, but you should know it.

On the night of September 18, 2008, I called the Secretary of the Treasury and said: What is happening, that we have had in the past couple of weeks Lehman, Merrill Lynch, and then in that 24-hour period, AIG? I said: Can you come to the Capitol to explain tomorrow morning what is happening so that we can help restore confidence to the markets and not say anything that would do anything less than that?

He said: Madam Speaker—I was Speaker at the time—tomorrow morning will be too late.

Tomorrow morning will be too late. Why am I calling you?

So, in any event, the Secretary of the Treasury came to the Capitol for an emergency meeting. It was a bipartisan meeting, House and Senate, to inform us that a meltdown was imminent.

What he described to us that night was so stunning, he took us down to the gates of hell, to a place so deep that even Dante would not have had a name for that circle in hell, because it was so stunning in terms of what was happening, the meltdown that was happening to our financial institutions.

When I asked the Fed Chairman, who was also at the meeting, Ben Bernanke, what he thought, he said, ''If we do not act immediately, we will not have an economy by Monday.''

''An economy by Monday.'' We thought it might be one or the other financial institutions. ''We will not have an economy by Monday.''

To stop the meltdown, the Bush administration requested and Congress immediately passed emergency funding, the TARP bill. You may be familiar with it.

To prevent this from ever happening again, we passed Dodd-Frank, the most extensive banking and financial reforms in decades and the strongest set of consumer financial protections in history.

□ 1430

And since the Republicans have taken the majority in the Congress and now in the White House, there has been a series of weakenings of Dodd-Frank. So you cannot just view this bill as this bill today, bad enough as it is, worthy of a ''no,'' unworthy of support, but to see it in light of a series of weakenings of Dodd-Frank.

The bill dismantles key safeguards that are critical in combating racial discrimination in lending, despite overwhelming evidence that people of color are routinely discriminated against by financial institutions. All year, the GOP has opened the door to discrimination in our financial system. This is just another discriminatory piece of legislation.

They pushed a CRA to roll back protections against discrimination in auto lending. They voted to repeal an executive order requiring Federal contractors to comply with basic nondiscrimination laws. Big banks are also using the guise of protecting community banks to help out the largest banks on Wall Street.

The bill exempts 26 of the largest banks from the Dodd-Frank Act's heightened oversight. Since 2007, these same banks have been sued or cited by the regulators nearly 200 times and paid settlements of $40 billion, some of which they can deduct from their taxes.

Republicans are also using relief for community banks as a way of undermining the Volcker rule, threatening the stability of the financial system and the entire economy.

Republicans' willingness to abandon vulnerable Americans and jeopardize our entire financial system to further enrich wealthy Wall Street banks is astounding. Today, the FDIC reported that banks, helped by a massive tax cut, earned record profits in the first quarter of this year, as they have over the past 3 years as well.

Time after time, Republicans put Wall Street and the rich first and families last. The American people deserve a Congress that looks out for them, not one that sells out and leaves them high and dry.

This is a raw deal for the American people. Americans deserve a better deal, better jobs, better wages, and better futures. Democrats are fighting to put that economic power back.

Who has the leverage? Put the leverage back in the hands of America's great middle class, America's working families.

So just remember what they were willing to do leading up to 2008. They have forgotten, or maybe they don't care, but they want to take us right back down that path one piece of legislation at a time.

If I know Mr. HENSARLING, there is probably more to come, because I understand he doesn't think this bill goes far enough in the wrong direction, and he probably wants more.

But whatever that is, today is the judgment we have to make about this bill that our commitment—and by the way, some of the things they want to roll back are very harmful to our veterans as well, and they wanted me to be sure to make that point with you, in addition to all of the other concerns.

It is a threat to our financial system: $250 billion, I think that number is too large; the exploitation of the custody banks that some of the banks already told me they were going to try to pass themselves off as; the discrimination in lending that is in the bill; the lack of revealing the information, which is so central to knowing what the facts are.

Mr. Speaker, for these and so many other reasons, I urge a ''no'' vote.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Missouri (Mrs. WAGNER), who is the chair of our Subcommittee on Oversight and Investigations.

Mrs. WAGNER. Mr. Speaker, since returning to a Republican majority 8 years ago, the Financial Services Committee has set out to introduce and pass progrowth legislation that lessens the burdens unfairly put on community banks and credit unions and the customers they serve.

Today's bill will allow for these institutions to do what they do best: focus on their communities. Mr. Speaker, this is something to celebrate.

Under the leadership of Chairman HENSARLING, our committee has continuously made the case that the former administration's efforts were not only misguided, but made basic financial services less accessible to small businesses and low- and middle-income Americans.

With passage of today's bill, that changes. American families' and businesses' access to credit will improve. This is credit they can and will use to buy a new car, achieve the dream of homeownership, expand their businesses, and, most importantly, create jobs.

It is my sincere hope that we continue the momentum of today's vote and work with our Senate counterparts to roll back Washington red tape to further our Nation's economic growth and to continue to give hardworking Americans better access to affordable financial products.

Mr. Speaker, I urge all Members to support this much-needed bipartisan legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip.

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

Mr. HOYER. Mr. Speaker, I am constrained to say that the gentlewoman mentioned the progrowth administration. We had some 98 months of growth following the worst recession she and I have experienced in our lifetimes under the policies of the Bush administration.

Mr. Speaker, in the wake of the worst financial collapse since the Great Depression, the Congress enacted, over the opposition of our friends in the Republican Party, mostly, the Dodd-Frank reforms to safeguard our economy and safeguard consumers.

When we passed Dodd-Frank in 2010, no one believed it was perfect. No legislation is ever perfect. There is nothing wrong with evaluating Dodd-Frank 8 years after it was enacted to determine what is working well and where we might improve.

Many Democrats, myself included, support providing regulatory relief to community banks, and we ought to do that in a bipartisan fashion—not just a few bipartisan participants, but in a bipartisan fashion.

I have talked to the ranking member. She has indicated that that is something that she supports as well. However, the bill on the floor today goes much further and would weaken the rules that Dodd-Frank put in place.

It would undermine the regulatory framework for all banks. This would roll back parts of the Home Mortgage Disclosure Act, stress tests for large banks, and bank capital requirements.

It would also, as has been noted, raise the threshold for the automatic designation of systemically important financial institutions from $50 billion to $250 billion.

The changes that are proposed risk making our Nation's financial system vulnerable to another crisis that would require yet another taxpayer bailout.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, because of that and because I would like to see a truly bipartisan bill supported overwhelmingly on both sides of the aisle to make sure that our community banks are not impacted in a way that was never intended nor should it be intended by the Congress, I therefore urge opposition to this particular piece of legislation, and I thank Ranking Member WATERS for her hard work in making its consequences clear.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR), the chairman of our Subcommittee on Monetary Policy and Trade and the author of two provisions on access to manufactured housing and portfolio lending in S. 2155.

Mr. BARR. Mr. Speaker, I rise today in support of this bipartisan legislation incorporating 29 bills originated and passed in this House to ease the regulatory burden on community financial institutions and their customers. This is the most progrowth financial legislation in a generation, and I urge my colleagues to support it.

The 2010 financial control law, commonly known as Dodd-Frank, was supposed to protect consumers. Instead, this 2,300-page monstrosity unleashed an avalanche of huge new compliance costs on community financial institutions that had absolutely nothing to do with the financial crisis. This hurt consumers by forcing small banks and credit unions to cut back on the products and services they serve their customers with.

Critics who say this is about Wall Street are wrong. This is not about Wall Street. This is about community banks, community banks in eastern Kentucky who told me that they used to make a business judgment about the creditworthiness of a farmer and now the government, a bureaucrat, decides whether or not that farmer gets a loan. One prominent example of this is the ability-to-repay rule, which made it needlessly difficult for lenders to originate mortgages for creditworthy borrowers.

The Portfolio Lending and Mortgage Access Act, which I have worked on since I entered Congress, is included in today's package of reforms and would expand access to mortgage credit by extending the qualified mortgage safe harbor to small creditors who hold

their residential mortgage loans in portfolio rather than selling or securitizing them, allowing those lenders to satisfy the rule. This marks a return to relationship banking, where lenders can tailor products to meet the specific needs of customers without running afoul of government one-size-fits-all requirements. The result is expanded access to mortgage credit without additional risk to the financial system or the taxpayer.

Mr. Speaker, I want to thank Chairman HENSARLING and Chairman CRAPO for including this bill in the final legislation, and I want to thank the Kentucky Bankers Association, the Kentucky Credit Union League, and their customers for advocating and endorsing this solution.

Mr. Speaker, I encourage my colleagues to vote ''yes'' to finally unclog the plumbing of our economy and give Americans full access to the financial system.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON), the senior member of the Financial Services Committee.

Mr. ELLISON. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, in just about an hour or so, Congress will vote to roll back some of the rules for the biggest banks in the country.

Think about that for a minute. Just 10 years after the big banks crashed the economy, Senate Republicans and some Democrats want to roll back the rules that were put in place to prevent the next crash.

Some of my colleagues may have forgotten about the bad, bad days of that crash in 2008, but I sure have not. Millions of people lost their homes. In fact, 1 in 54 homes was in foreclosure. $2.6 trillion, with a T, vanished from people's retirement accounts.

Think about that for a moment. Why on Earth would we go back there?

And let me remind everyone here: Before this crash, we heard all this talk about progrowth. Before the big crash, they said we want to allow commercial banks and investment banks and insurance companies just to all conglomerate together. We want to allow banks to use the money of their depositors to make gambling decisions on Wall Street. We are going to sell people no-doc, low-doc loans, and we are going to let the seller get a yield spread premium for steering people to high-cost loans; and we are going to let them securitize all of it, and if they lose their money, it is okay because we are going to let them buy credit default swaps, which is insurance, so that the American people lose but the big banks and the insurance companies never do.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Minnesota.

Mr. ELLISON. Mr. Speaker, all this progrowth talk is a movie that we have seen before. Remember Alan Greenspan telling all us: Let them do what they want to do. It doesn't matter. You can't interfere with the market. The market has all the answers.

We found out who had the answers when it came to bailing out Wall Street. It was the American people.

Mr. Speaker, I urge my colleagues to not vote for this because it will be the American people who pay, not to mention people who live in manufactured homes who are going to be allowed to be charged more for their home choices, and it will open the door to racial discrimination which has been proved time and time again. This bill is bad. Vote ''no.''

□ 1445

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Arkansas (Mr. HILL), the committee's majority whip and the author of the amendment dealing with the Volcker rule.

Mr. HILL. Mr. Speaker, I thank the chairman of the full committee for having us on the floor today to talk about S. 2155.

I have heard all of this cold water from the opposition today, but this is the definition of bipartisanship. Sixty-seven votes in the Senate, in this environment, in this town, is bipartisan. So many of our bills emanated here in the House with strong bipartisan support.

As a former local chamber of commerce chairman and a local community banker, I have seen firsthand, Mr. Speaker, the negative effects of the Dodd-Frank Act since it was passed in 2010.

I know we have had 140 hearings on how to make sense of improving Dodd-Frank, to rightsize the regulatory system for small financial institutions, allowing our community banks and credit unions to actually serve our small businesses and our consumers.

Rather than spending too much time on compliance, these institutions can redirect resources toward what they do best: approving loans, mortgages, and providing credit to small business.

This bill has widespread support. You would never know it, listening to the opposition, but it has widespread support on a bicameral, bipartisan basis in this building.

One particular provision, led by my friend Mr. BARR from Kentucky, I know will help hundreds of Arkansans, hardworking families who need access to credit for manufactured housing in the rural parts of our State. This bill will help people get housing, thanks to the work of the Senate and the House.

Mr. Speaker, I encourage my colleagues to vote in favor of S. 2155.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Subcommittee on Capital Markets, Securities, and Investment of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today in strong opposition to S. 2155.

It is important to remember why we passed Dodd-Frank in the first place. We were suffering from the worst financial downturn in our country. This country suffered $15 trillion in household wealth that was lost. Eight million people lost their jobs and 6 million people lost their homes due to unfair and deceptive banking practices.

Dodd-Frank put in place protections for consumers.

Prior to the crisis, predatory lenders saddled unsuspecting borrowers with toxic mortgages that they didn't understand and could not afford. Too often, these predatory lenders targeted communities of color, and when these toxic mortgages blew up, it devastated these communities.

In response, we passed Dodd-Frank, which imposed tough new rules on mortgage lenders and beefed up our efforts to crack down on lending discrimination.

This bill would actually roll back some of these important protections. The bill would undermine fair lending laws by exempting the majority of lenders from the new reporting requirements on lending discrimination.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. The bill would also weaken the protections for mobile-home buyers by allowing retailers of mobile homes to accept kickbacks in exchange for steering borrowers into predatory loans that they can't afford. It is a terrible practice that Dodd-Frank outlawed.

The list goes on and on and on.

While the bill does contain some provisions that every House Democrat has supported, taken together, the bill goes too far in weakening the key mortgage rules that Dodd-Frank put in place. So I urge my colleagues to come together in a strong ''no'' vote.

Mr. HENSARLING. Mr. Speaker, I now am very pleased to yield 1½ minutes to the gentleman from Illinois (Mr. HULTGREN), the author of two different provisions in S. 2155 to give more flexibility to private companies and small banks with respect to their call reports.

Mr. HULTGREN. Mr. Speaker, first, I want to thank Chairman HENSARLING. Without his incredible commitment and effort, we would not be here today. I am convinced of that.

Mr. Speaker, I rise today to speak in support of the very bipartisan S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act.

I was not here when the Dodd-Frank Act was signed into law, but I have been interested in addressing some of these damaging effects since first running for office, and it was a big reason why I ran for Congress.

This legislation is a historic opportunity to tailor financial regulations in order to maximize economic growth in Illinois and across the country. We need to make sure that our community banks and credit unions are able to meet the needs of families and neighborhood businesses.

I am especially happy to see a number of provisions that I had the privilege of authoring with my colleagues in the House make their way into this package of bills. They were also very bipartisan bills.

The Community Bank Reporting Relief Act simplifies the call report so that smaller institutions can better focus on serving their customers. The Encouraging Employee Ownership Act makes it easier for private companies to provide ownership to their employees under SEC rule 701 so they can share in the benefits of growth.

I am also very excited that other legislation that was introduced by my colleagues that I also had a part in cosponsoring is also part of this: the MOBILE Act; the Protecting Children from Identity Theft Act; the Protecting Veterans Credit Act; the Pension, Endowment, and Mutual Fund Access to Banking Act; the Municipal Finance Support Act; the National Security Exchange Regulatory Parity Act; and the SEC Overpayment Credit Act.

I am incredibly supportive of the commonsense reforms that are made so that our regional banks are not automatically treated like major Wall Street banks. Please support this bill.

Ms. MAXINE WATERS of California. May I inquire as to how much time I have remaining.

The SPEAKER pro tempore (Mr. HOLDING). The gentlewoman from California has 12 minutes remaining.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. HECK), a valued member of the Financial Services Committee.

Mr. HECK. Mr. Speaker, I will regrettably vote ''no'' on S. 2155.

It is regrettable because I believe our local banks and credit unions are struggling under the weight of regulations. I believe that we have bank rules that need fixing. I wanted to support a bill that would do so.

But I cannot vote ''yes'' for two reasons.

First, this bill cannot release the pressure small banks are under because it does not address the single biggest cause. Every bank and credit union I have met with cites one regulatory burden as paramount, and that is the Bank Secrecy Act, CTRs, anti-money laundering. And what does this bill have? Not one section, not one sentence, not one word.

Secondly, this bill makes changes I believe could set us back. It has been cited; the increase of SIFI designation from $50 billion to $250 billion is a large step down a dangerous road.

The insurance provision, on the other hand, also goes against my goal of returning power to State regulators, who provide the greatest consumer protection.

If my colleagues had been allowed any input, I think we could have accomplished the goal. But this bill doesn't solve the problem it aims for and may create new ones. Accordingly, I cannot support it. I ask Members, as well, to oppose it.

Mr. HENSARLING. Mr. Speaker, I am now very pleased to yield 1½ minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the author of two different provisions in S. 2155 to bring clarity to the complex capital rules and flexibility to our savings associations.

Mr. ROTHFUS. Mr. Speaker, I rise in support of this bipartisan legislation.

Our economy has struggled for years under the weight of misguided Washington policies. Banks have closed and consolidated, and communities across this country have lost their local financial institutions. American families have found it harder to get the funds they need to buy a home, and small businesses have been starved of credit to innovate, invest, and hire more workers.

In this economic environment, small businesses have struggled to grow or even get off the ground. A recent study observed that we are missing 650,000 small businesses because of burdensome regulations relating to the financial industry over the last 10 years.

Everyone, from the single mom in Ambridge looking to buy her first home to the entrepreneur in Beaver Falls working to achieve his or her version of the American Dream, deserves access to financial services and the chance to thrive in a growing, healthy economy.

Today's bill addresses some of these barriers that have been holding us back.

I am also proud to say that two of my bills are in this legislation. One of these bills gives mutual banks the flexibility to evolve so that they can better serve their communities.

The other bill addresses the unintended negative impacts of the supplementary leverage ratio on custody banks. This is technical, but the current SLR actually makes it harder for custody banks to safeguard cash of pension funds and nonprofit foundations in times of stress. Today, we fix that.

Both of my bills received unanimous, bipartisan support in the committee, and I am glad they will soon become law.

Mr. Speaker, I commend Chairman HENSARLING for his work on this legislation, and I urge my colleagues to support this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Washington (Ms. JAYAPAL), a very hardworking progressive leader.

Ms. JAYAPAL. Mr. Speaker, I rise in strong opposition to S. 2155.

This bill will roll back many consumer protections, including protections that are critical for civil rights.

This bill will permit 85 percent of depository institutions to avoid public reporting on their mortgage lending activities. This reporting is absolutely critical to identifying discrimination against Black Americans, Latinos, and other minority groups.

Thanks to the public reporting requirement, we know that redlining still exists in 61 metropolitan areas across our country and that Black folks and Latinos are more than twice as likely as Whites to be denied mortgage credit.

It is an unacceptable reality, but it is a reality that we have to see and acknowledge. The idea that we would roll back these policies that help us identify these problems, when we have the facts right in front of us, is simply unthinkable.

I do want to make it clear that I have great sympathy for smaller banking institutions, including credit unions—I am a proud credit union member—and our community banks that have called for regulatory relief.

But let's be clear that, when we do that relief, Congress should be using a scalpel to create a fix for smaller banks, not taking a sledgehammer to the entire system that we set up to protect consumers and Main Street small businesses from the greed of big banks.

Mr. Speaker, I urge my colleagues to vote ''no.''

Mr. HENSARLING. Mr. Speaker, I now yield 1½ minutes to the gentleman from Colorado (Mr. TIPTON), the author of the MOBILE Act, Making Online Banking Initiation Legal and Easy.

Mr. TIPTON. Mr. Speaker, for too long, there has been a culture of disregard for our community financial institutions out of Washington, D.C.

Regulations that were intended to bring discipline to the Nation's largest institutions have instead suffocated Main Street and prevented communities across the country from finding their footing on the path to prosperity.

The passage of this historic, bipartisan, progrowth package today will mark a change in the regulatory rhetoric out of Washington. Communities will be heard instead of ignored. Families will find open doors where previously they were shut out. And small businesses will be empowered to grow rather than languish in regulatory uncertainty.

One provision of this legislation that I authored, the MOBILE Act, embodies exactly the kind of commonsense help for families that today's vote will provide.

The MOBILE Act will allow consumers across the country to open bank accounts on their mobile devices using a driver's license or personal ID, meaning access to financial services will start in your pocket and be more convenient than ever.

Approximately three-quarters of the 20 percent of the U.S. population that

is underbanked has access to a smartphone. This provision will help these Americans get access to the critical banking services that will set them on the path to financial success.

Mr. Speaker, this historic package is about unraveling red tape that stifles the financial success of all Americans, and I urge its passage here today.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE), co-chair of the House Democratic Policy and Communications Committee.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in strong opposition to the bank lobbyist act, which reverses the progress we have made since Wall Street brought our economy to the brink of collapse in 2008.

This is yet another giveaway from our friends on the other side of the aisle to the wealthy donors who bankroll their campaigns, and, once again, working people will get screwed.

Congress established the Consumer Financial Protection Bureau to protect the middle class from the big banks and corporate special interests. Since 2010, the CFPB has returned nearly $12 billion to consumers in all 50 States.

□ 1500

It has been a big step forward for working people, but this bill turns the clock back. Republicans are going to let the banks write the same risky loans that got us into the Great Recession in the first place. This is a bad deal for the American people. They deserve better.

Let's defeat this bill and put working families first.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. EMMER), the author of the key regulatory relief provision for small banks and credit unions in S. 2155.

Mr. EMMER. Mr. Speaker, today Congress has a rare opportunity to help millions of Americans achieve their version of the American Dream.

The Economic Growth, Regulatory Relief, and Consumer Protection Act is the most significant progrowth, deregulation bill this Chamber has considered in years. This bipartisan, bicameral legislation will reduce the amount of red tape that prevents Americans from accessing the credit they need to buy a home, a car, or start or expand a business. It will foster economic growth and make regulation efficient, effective, and tailored. Perhaps most importantly, it will empower individual Americans to make independent financial decisions and informed choices in the marketplace.

Dozens of the provisions in S. 2155 originated right here in the House, and I am pleased to see the text of my Home Mortgage Disclosure Adjustment Act and Keeping Capital Local for Underserved Communities Act, legislation that I worked on closely with my colleague from Wisconsin, Representative GWEN MOORE, included in the bill today.

Whether it is in Rockford, St. Cloud, or Forest Lake, Minnesota, I consistently hear from small banks and credit unions that want to be that next critical source of capital and support for families, businesses, and communities around the State. This bill will allow them to be just that.

Mr. Speaker, I thank Chairman HENSARLING for his tireless work on this legislation, and, knowing full well that our work here is far from complete, I urge my colleagues to make history today. Support giving more Americans the opportunity to achieve their American Dream, and pass S. 2155.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Maine (Mr. POLIQUIN), who is the author of two provisions in S. 2155, the Senior Safe Act and supporting capital formation for small companies.

Mr. POLIQUIN. Mr. Speaker, I thank the chairman for bringing this terrific bill to the floor.

Mr. Speaker, the unemployment rate in our great State of Maine is 2.7 percent. This is the lowest rate since the 1950s, and jobs, Mr. Speaker, are available everywhere for hardworking Mainers who now have bigger paychecks.

This growing economy, Mr. Speaker, is because taxes are lower and regulations are fewer. We must keep these reforms going. That is why, Mr. Speaker, I ask everyone, Republicans and Democrats, to vote ''yes'' on S. 2155.

This bipartisan bill includes two provisions which I have been pushing for 3 years. First, the Small Business Capital Formation Enhancement Act makes it easier for small businesses to borrow money when they need to grow, and that creates more jobs, bigger paychecks, more opportunity, and more freedom for our families.

Mr. Speaker, secondly, the Senior Safe Act helps protect our vulnerable seniors against financial scams. The legislation allows, for example, bank tellers, insurance agencies, and financial advisers to warn our seniors against draining their savings accounts and wiring the money to some distant location because someone is pretending to be their granddaughter in trouble. This bill, the Senior Safe Act, makes it easier to stop financial scams before they hurt our seniors.

Mr. Speaker, I would like to thank my colleague, Senator SUSAN COLLINS from Maine, for advancing this initiative in the Senate. Together, we pushed this commonsense provision in both the House and in the Senate.

I ask everyone, Mr. Speaker, to please vote ''yes'' on this bipartisan bill, S. 2155, and I thank the chairman for this opportunity.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. WILLIAMS), a fellow Texan who is an incredibly strong advocate on our committee for small business to obtain credit for their customers.

Mr. WILLIAMS. Mr. Speaker, I rise today in strong support of S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, which passed the Senate with bipartisan support last month.

This important legislation stems from years of consideration, hearings, markups, and floor votes in the House, coupled with a bicameral commitment with the Senate Banking, Housing, and Urban Affairs Committee to deliver relief for the American people.

More than half of the 53 provisions included in S. 2155 originated in the House Financial Services Committee, and I applaud the work of the chairman throughout this lengthy process.

Right now, small community banks cannot keep up with oppressive regulations that are reluctantly forcing so many to close their doors. As I have said time and time again, the practice of one-size-fits-all does not and should not apply to financial institutions. In order to unleash our economic potential, Congress must act now to repeal unnecessary regulations while properly tailoring those we need.

Mr. Speaker, S. 2155 will finally provide the relief for our community banks by cutting through red tape. In turn, small businesses and the American consumer will now have better access to credit and encourage more economic growth and consumption.

Make no mistake about it: this economy is roaring. I have been in business 47 years, and I know what I am talking about.

I am proud to join colleagues in support of this bipartisan, bicameral legislation and look forward to President Trump's signature as soon as possible.

In God we trust.

Ms. MAXINE WATERS of California. I continue to reserve the balance of my time, Mr. Speaker.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentlewoman from Utah (Mrs. LOVE), who is the author of a key regulatory relief provision to provide small banks the opportunity to grow.

Mrs. LOVE. Mr. Speaker, we have an economy that is humming right now. Utah's unemployment rate is better than the national average, and it is the best it has been in 10 years. We are adding jobs—1,400 just last month.

I am urging a ''yes'' vote on this bill because I want to keep the good news coming. America needs a financial system that is strong, resilient, and innovative.

As a former mayor, I know that access to credit is crucial for cities to build schools and roads, for families to buy a home, and for farmers to buy tractors. After the 2008 financial crisis, Congress passed laws to rein in large financial institutions, but the rules went

too far, and they are hurting the smaller banks, who can't handle all the red tape. S. 2155 would ease that burden without risk to the rest of the financial system.

My bill, H.R. 4771, is included in this package to help those small banks gain the access to capital they need to serve their community.

Mr. Speaker, I urge a ''yes'' vote for the good of people and for the health of our economy.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Ms. TENNEY), who is the author of two key regulatory relief provisions for our community banks and credit unions in S. 2155.

Ms. TENNEY. Mr. Speaker, I rise in strong support of the bipartisan Economic Growth, Regulatory Relief, and Consumer Protection Act.

This groundbreaking legislation is vital to rural communities like mine, where my constituents are actually struggling every day to make ends meet. This bill allows greater access to capital for consumers and small businesses that will unleash more opportunities for Main Street to flourish, finally. However, in order for Main Street to truly produce, we must ensure our community financial institutions are healthy, safe, and not overburdened to the point of closure.

In my district in New York, small banks and credit unions are the lifeline for consumers who seek access to capital. Whether it is a family buying their first home or a young adult purchasing a new car, consumers in New York rely heavily on our Nation's community financial institutions.

I am grateful to have two pieces of bipartisan legislation that promote relationship banking and regulatory relief that are included in this bill package today. Two of my bipartisan bills included in this package are the Small Bank Exam Cycle Improvement Act and the Community Institution Mortgage Relief Act which offer small, local communities and financial institutions a little much-needed assistance to help better serve their communities.

I am proud of the hard work my colleagues have done to craft this important, bipartisan legislation, and I am very thankful to Chairman HENSARLING for making sure that this bill becomes a reality for Americans.

Mr. Speaker, S. 2155 will help families in my district achieve financial independence, and I urge all of my colleagues to support this, including my cosponsors, Mr. SHERMAN and Mr. CRIST, who I hope will be joining us in support of this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, may I inquire of Mr. HENSARLING how many speakers he has remaining.

Mr. HENSARLING. Mr. Speaker, I have no more speakers on this side.

I believe I have the right to close.

Ms. WATERS of California. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore (Mr. BURGESS). The gentlewoman has 8 minutes remaining.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me again share with you what should be breaking news tonight: the FDIC released its quarterly banking profile today for the first quarter of 2018 and reported that banks made more money than they ever have.

Mr. Speaker, $56 billion in profits in a single quarter represents a 27.5 percent surge compared to 2017. Some of these profits came from the Republican tax reform bill that we have called a tax scam law.

The community banks, credit unions, and the economy are doing great with Dodd-Frank reforms in place. The banking industry keeps making record profits—an average of $167 billion in annual profits the last 3 years.

Banks have increased lending to businesses by 80 percent since 2010. Community banks are outperforming larger banks in increased lending, and the credit unions are growing and have increased lending by more than 10 percent in 2014, 2015, 2016, and 2017.

Despite all of that, we have this pay of CEOs of banks that represents so many times more than the median salary in their banks. Specifically, Wells Fargo's CEO made $17.4 million in 2017, 291 times the company's median salary. This is in spite of the fact that Wells Fargo has a track record of consumer abuses while demonstrating that the numerous fines imposed upon the bank have not been a sufficient deterrent to stop its pattern of appalling practices.

Let me just identify some of those practices: opening 3.5 million fraudulent credit card and deposit accounts, for which they were fined $185 million. It was so bad that former Chair Yellen capped the bank's size until it cleans up its act.

In addition to that, they were found to have illegal student loan servicing practices; inappropriate checking account overdraft fees; unlawful mortgage lending practices, such as overcharging veterans for refinance loans; and charging customers for automobile insurance policies they did not need, which resulted in some customers losing their vehicles.

They were fined $1 billion, but it really doesn't make them any different. It is just a cost of doing business.

Yet we have my friends on the opposite side of the aisle who come and ask us to be lenient on the banks, to do away with the Dodd-Frank reforms, and to forget about what happened in 2008. Somehow it is all right for these greedy banks to continue the practices that they have. Despite the fact that Dodd-Frank reined them in, they are doing very well.

S. 2155, again, is not a community bank bill, and it certainly does not help consumers, so we should not pretend that that is the case. Instead of considering improvements to this Senate bill or advancing narrowly tailored relief, my colleagues on the other side of the aisle are rubberstamping S. 2155 and advancing a Wall Street wish list that could jeopardize the stability of our country's financial system.

So, instead of considering a bill to address concerns raised by community banks, one that I am sure could easily pass both bodies with overwhelming bipartisan support, House Republicans have instead decided to take up a bill that is largely designed to fulfill the agenda of Wall Street's megabanks. Passing this bill with broad support would send the wrong message to regulators to accelerate their deregulatory efforts for Wall Street.

It is unfortunate that megabanks have once again piggybacked onto the substantial goodwill and support that exists to help ease the regulatory burden for community banks.

S. 2155 is a dangerous measure that weakens key consumer protections and will make it harder, not easier, to combat unfair mortgage lending practices. The bill takes advantage of people just trying to make ends meet for the benefit of the largest banks that are making record profits.

Make no mistake: I support our Nation's community banks and credit unions, and I support tailored regulatory relief for those institutions. That is a fact that I have made clear through my support of numerous individual measures which have advanced through this Congress, as well as through my community bank regulatory relief bill from last Congress.

□ 1515

I will continue to oppose any efforts to use regulatory relief for community banks as a vehicle to ram through deregulation for bad actors and megabanks.

If my words and the words of my colleagues here today are not enough of a warning, then I would urge Members to listen to the pleas of hundreds of consumer, civil rights, veteran, religious, and labor groups that strongly oppose S. 2155.

Though some of my colleagues in Congress may have short memories, the millions of Americans who lost their homes, their jobs, and their wealth during the 2008 financial crisis did not.

So I oppose this bill. I want the Members of Congress to stand up on this very important legislation and say to the greedy banks and the megabanks: No, you are not going to get away with these kinds of actions anymore.

Everything that you have done to try to undermine the Dodd-Frank reforms have resulted in more groups coming out to say: Congress, when are you going to stop these banks? They are making plenty of money. They are increasing their profits. Their CEOs are making high salaries. What more do you want from them?

I think that our consumers deserve better than any attempt to try and relieve them of those regulatory actions that would support our consumers. I would ask for a resounding ''no'' vote on this bill that would only feed into the greediness of the major banks of America.

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

Mr. HENSARLING. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 3 minutes remaining.

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

Mr. Speaker, since Dodd-Frank was passed, the big banks have become bigger and the small banks have become fewer. Free checking at banks has been cut in half. Credit cards: 200 basis points more, 15 percent fewer. Many creditworthy borrowers are having to pay almost $600 more for their auto loans.

Mr. Speaker, the American Dream is shrinking. We have 1.6 percent economic growth, stagnant paychecks, decimated savings, and a diminished American Dream. That is the legacy of Dodd-Frank.

Mr. Speaker, I wish I could believe 10 percent of what I heard from the other side of the aisle. I wish it did gut Dodd-Frank. It didn't. You can't find something in here. It is hard, challenging, to find anything in this bill that helps what the ranking member calls the so-called Wall Street megabanks.

Mr. Speaker, listening very carefully to this debate, it is clear that there are some voices that appear to be driven by their loathing of banks and credit unions, and there are other voices that are driven for our love and respect of our fellow citizens, hardworking taxpayers like Dirk in Colton and Sherry, who I mentioned in my opening statement, who are trying to capitalize a small business, who are trying to buy a car that is 10 years old, who are trying to buy that home. It is their American Dream, and they are being challenged due to this law.

I have heard so many of my friends on the other side of the aisle say: Oh, I believe in taking away bureaucracy and red tape from community financial institutions, and I believe in bipartisanship.

Well, they may believe in it, but they are not voting for it. The opportunity is right here in front of us with S. 2155, a strong, bipartisan bill that has come over from the United States Senate. So, again, they claim they believe it in theory; they just don't believe it in practice.

Mr. Speaker, at the end of the day, 3 percent economic growth counts. If you look at the history of our Republic, 3 percent growth is where all the job creation takes place. It is where the paycheck increases take place. It is where the poverty reductions take place. It is the birthright of the American people.

Thankfully, due to the leadership of our President and this Congress, we now have a 3 percent tax policy. We need a 3 percent regulatory policy, especially for our community banks and our credit unions, who help finance the American Dream for all of our citizens.

We should join in unison on this historic day to pass S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, for the help of all our citizens.

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

Mr. PALAZZO. Mr. Speaker, I rise today to discuss the bill before us, S. 2155. I support a majority of the provisions in this bill, as it makes crucial changes to federal banking laws that provide much needed relief from some of the worst, most burdensome financial regulations that have stifled American small businesses and in turn, harmed consumers.

I intend to vote in its favor, but I have a real issue with the way in which we are considering the bill. A huge bill, almost 200 pages—under a closed rule. The section I want to speak on is a section that most folks probably don't even realize is in the bill, and that is Small Public Housing reform, section 209.

This is an issue I've been working on for years now, and while I'm always happy to see others such as Chairman CRAPO caring about it, I'm frustrated by how haphazardly they are written, and disappointed by how good they could be.

Let me just go over a couple of things that are in the bill before us as they relate to small public housing authorities. The Senate tacked on a rural requirement to the definition of ''small public housing authority'' which is generally defined as a housing authority operating 550 or fewer combined units or vouchers.

For starters, how many times have we debated USDA's rural definition? It's one of the most complicated rural definitions that exist—why are we still using this in new legislation even though we know how difficult it is to come to a consensus on it? The small PHA definition of 550 and under covers approximately 76 percent of PHAs across the country—that number drops to a little over a half when we add the rural definition.

Moreover, there are already existing distinctions when it comes to small PHAs—fewer than 250 get to report less, fewer than 400 are exempt from asset management, etc. Now, we've created a new subsection—rural or non-rural.

So in theory we could have two PHAs of identical sizes in adjoining or nearby counties operating under different rules for performance and oversight. Both likely will have similar resource challenges but only one of them will get regulatory relief as a result of S. 2155.

We're creating complexity, not lessening it. We move physical inspection standards currently used in public housing (UPCS) and we say, let's move them to the less burdensome section 8—which, again, I'm all for, but we don't clarify which section 8. There are two types of section 8, tenant-based and project-based. Presumably they meant tenant-based, but that's something we need to clarify.

These are just a couple of small, non-controversial common sense corrections.

I'll be introducing authorizing legislation that makes these changes and a few others that I didn't have time to go over—and hopefully, we'll be able to attach some technical corrections to a must-pass piece of legislation I know many others share my frustration, to have this massive bill shoved down our throat with no opportunity to make the legislation better.

Isn't that our job as lawmakers? To make sure the bills we pass are the very best they could be. I applaud the deregulatory efforts on the financial side as well as the small public housing side, I'm jut disappointed to see that we don't have the opportunity to make some of these common sense edits on the front end, instead of having to make technical corrections afterwards because what has been signed into law contains well intended, but confusing and imperfect provisions.

Mr. ROYCE of California. Mr. Speaker, it was 5:39 a.m. on June 25, 2010 when we passed the Dodd-Frank Conference Committee Report. At that early morning hour—other than a need for sleep—there was little we agreed upon. But one thing stood out, Republicans and Democrats openly discussed that there were problems in the bill that would need fixing. We knew some of the unintended (and intended) consequences that community banks and credit unions would face when looking to lend to homeowners and small businesses.

Sadly, Mr. Speaker, it has taken nearly 8 years for us to pass into law any meaningful changes of those sweeping reforms. Smaller institutions have suffered; they have fewer assets over which to spread ever-increasing compliance costs. That's what leads to this conundrum where we have fewer banks today than we did during the Great Depression.

Today, we take a step in rewriting these wrongs. I'm particular proud that the bill before us includes many provisions I authored on a bipartisan basis. S. 2155 provides potential homeownership for the so-called ''credit invisibles,'' increases small business lending from credit unions, and improves access to capital for companies looking to go public and hire more workers.

I urge my colleagues to pass these overdue reforms.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). All time for debate has expired.

Pursuant to House Resolution 905, the previous question is ordered on the bill.

The question is on the third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

CHILDHOOD CANCER SURVIVORSHIP, TREATMENT, ACCESS, AND RESEARCH ACT OF 2018

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill

(S. 292) to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 292

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Childhood Cancer Survivorship, Treatment, Access, and Research Act of 2018'' or the ''Childhood Cancer STAR Act''.

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

TITLE I—MAXIMIZING RESEARCH THROUGH DISCOVERY

Subtitle A—Caroline Pryce Walker Conquer Childhood Cancer Reauthorization Act

SEC. 101. CHILDREN'S CANCER BIOREPOSITORIES AND BIOSPECIMEN RESEARCH.

Section 417E of the Public Health Service Act (42 U.S.C. 285a–11) is amended—

(1) in the section heading, by striking ''**RESEARCH AND AWARENESS**'' and inserting ''**RESEARCH, AWARENESS, AND SURVIVORSHIP**'';

(2) by striking subsection (a) and inserting the following:

''(a) CHILDREN'S CANCER BIOREPOSITORIES.—

''(1) AWARD.—The Secretary, acting through the Director of NIH, may make awards to an entity or entities described in paragraph (4) to build upon existing research efforts to collect biospecimens and clinical and demographic information of children, adolescents, and young adults with selected cancer subtypes (and their recurrences) for which current treatments are least effective, in order to achieve a better understanding of the causes of such cancer subtypes (and their recurrences), and the effects and outcomes of treatments for such cancers.

''(2) USE OF FUNDS.—Amounts received under an award under paragraph (1) may be used to carry out the following:

''(A) Collect and store high-quality, donated biospecimens and associated clinical and demographic information on children, adolescents, and young adults diagnosed with cancer in the United States, focusing on children, adolescents, and young adults with cancer enrolled in clinical trials for whom current treatments are least effective. Activities under this subparagraph may include storage of biospecimens and associated clinical and demographic data at existing biorepositories supported by the National Cancer Institute.

''(B) Maintain an interoperable, secure, and searchable database on stored biospecimens and associated clinical and demographic data from children, adolescents, and young adults with cancer for the purposes of research by scientists and qualified health care professionals.

''(C) Establish and implement procedures for evaluating applications for access to such biospecimens and clinical and demographic data from researchers and other qualified health care professionals.

''(D) Provide access to biospecimens and clinical and demographic data from children, adolescents, and young adults with cancer to researchers and qualified health care professionals for peer-reviewed research—

''(i) consistent with the procedures established pursuant to subparagraph (C);

''(ii) only to the extent permitted by applicable Federal and State law; and

''(iii) in a manner that protects personal privacy to the extent required by applicable Federal and State privacy law, at minimum.

''(3) NO REQUIREMENT.—No child, adolescent, or young adult with cancer shall be required under this subsection to contribute a specimen to a biorepository or share clinical or demographic data.

''(4) APPLICATION; CONSIDERATIONS.—

''(A) APPLICATION.—To be eligible to receive an award under paragraph (1) an entity shall submit an application to the Secretary at such a time, in such manner, and containing such information as the Secretary may reasonably require.

''(B) CONSIDERATIONS.—In evaluating applications submitted under subparagraph (A), the Secretary shall consider the existing infrastructure of the entity that would allow for the timely capture of biospecimens and related clinical and demographic information for children, adolescents, and young adults with cancer for whom current treatments are least effective.

''(5) PRIVACY PROTECTIONS AND INFORMED CONSENT.—

''(A) IN GENERAL.—The Secretary may not make an award under paragraph (1) to an entity unless the Secretary ensures that such entity—

''(i) collects biospecimens and associated clinical and demographic information only from participants who have given their informed consent in accordance with Federal and State law; and

''(ii) protects personal privacy to the extent required by applicable Federal and State law, at minimum.

''(B) INFORMED CONSENT.—The Secretary shall ensure biospecimens and associated clinical and demographic information are collected with informed consent, as described in subparagraph (A)(i).

''(6) GUIDELINES AND OVERSIGHT.—The Secretary shall develop and disseminate appropriate guidelines for the development and maintenance of the biorepositories supported under this subsection, including appropriate oversight, to facilitate further research on select cancer subtypes (and their recurrences) in children, adolescents, and young adults with such cancers (and their recurrences).

''(7) COORDINATION.—To encourage the greatest possible efficiency and effectiveness of federally supported efforts with respect to the activities described in this subsection, the Secretary shall ensure the appropriate coordination of programs supported under this section with existing federally supported cancer registry programs and the activities under section 399E–1, as appropriate.

''(8) SUPPLEMENT NOT SUPPLANT.—Funds provided under this subsection shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this subsection.

''(9) REPORT.—Not later than 4 years after the date of enactment of the Childhood Cancer Survivorship, Treatment, Access, and Research Act of 2018, the Secretary shall submit to Congress a report on—

''(A) the number of biospecimens and corresponding clinical demographic data collected through the biospecimen research efforts supported under paragraph (1);

''(B) the number of biospecimens and corresponding clinical demographic data requested for use by researchers;

''(C) barriers to the collection of biospecimens and corresponding clinical demographic data;

''(D) barriers experienced by researchers or health care professionals in accessing the biospecimens and corresponding clinical demographic data necessary for use in research; and

''(E) recommendations with respect to improving the biospecimen and biorepository research efforts under this subsection.

''(10) DEFINITIONS.—For purposes of this subsection:

''(A) AWARD.—The term 'award' includes a grant, contract, or cooperative agreement determined by the Secretary.

''(B) BIOSPECIMEN.—The term 'biospecimen' includes—

''(i) solid tumor tissue or bone marrow;

''(ii) normal or control tissue;

''(iii) blood and plasma;

''(iv) DNA and RNA extractions;

''(v) familial DNA; and

''(vi) any other sample relevant to cancer research, as required by the Secretary.

''(C) CLINICAL AND DEMOGRAPHIC INFORMATION.—The term 'clinical and demographic information' includes—

''(i) date of diagnosis;

''(ii) age at diagnosis;

''(iii) the patient's sex, race, ethnicity, and environmental exposures;

''(iv) extent of disease at enrollment;

''(v) site of metastases;

''(vi) location of primary tumor coded;

''(vii) histologic diagnosis;

''(viii) tumor marker data when available;

''(ix) treatment and outcome data;

''(x) information related to specimen quality; and

''(xi) any other applicable information required by the Secretary.''; and

(3) in subsection (c), by striking ''(42 U.S.C. 202 note)''.

SEC. 102. IMPROVING CHILDHOOD CANCER SURVEILLANCE.

(a) IN GENERAL.—Section 399E–1 of the Public Health Service Act (42 U.S.C. 280e–3a) is amended—

(1) in subsection (a)—

(A) by striking ''shall award a grant'' and inserting ''may make awards to State cancer registries''; and

(B) by striking ''track the epidemiology of pediatric cancer into a comprehensive nationwide registry of actual occurrences of pediatric cancer'' and inserting ''collect information to better understand the epidemiology of cancer in children, adolescents, and young adults''; and

(C) by striking the second sentence and inserting ''Such registries may be updated to include each occurrence of such cancers within a period of time designated by the Secretary.'';

(2) by redesignating subsection (b) as subsection (d);

(3) by inserting after subsection (a) the following:

''(b) ACTIVITIES.—The grants described in subsection (a) may be used for—

''(1) identifying, recruiting, and training potential sources for reporting childhood, adolescent, and young adult cancer cases;

''(2) developing practices to ensure early inclusion of childhood, adolescent, and young adult cancer cases in State cancer registries through the use of electronic reporting;

''(3) collecting and submitting deidentified data to the Centers for Disease Control and Prevention for inclusion in a national database that includes information on childhood, adolescent, and young adult cancers; and

''(4) improving State cancer registries and the database described in paragraph (3), as appropriate, including to support the early inclusion of childhood, adolescent, and young adult cancer cases.

''(c) COORDINATION.—To encourage the greatest possible efficiency and effectiveness of federally supported efforts with respect to the activities described in this section, the Secretary shall ensure the appropriate coordination of programs supported under this section with other federally supported cancer registry programs and the activities under section 417E(a), as appropriate.''; and

(4) in subsection (d), as so redesignated, by striking ''registry established pursuant to subsection (a)'' and inserting ''activities described in this section''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 417E(d) of the Public Health Service Act (42 U.S.C. 285a–11(d)) is amended—

(1) by striking ''2009 through 2013'' and inserting ''2019 through 2023''; and

(2) by striking the second sentence.

Subtitle B—Pediatric Expertise at NIH

SEC. 111. INCLUSION OF AT LEAST ONE PEDIATRIC ONCOLOGIST ON THE NATIONAL CANCER ADVISORY BOARD.

Clause (iii) of section 406(h)(2)(A) of the Public Health Service Act (42 U.S.C. 284a(h)(2)(A)) is amended—

(1) by striking ''Board not less than five'' and inserting ''Board—

''(I) not less than 5'';

(2) by inserting ''and'' after the semicolon; and

(3) by adding at the end the following:

''(II) not less than one member shall be an individual knowledgeable in pediatric oncology;''.

SEC. 112. SENSE OF CONGRESS REGARDING PEDIATRIC EXPERTISE AT THE NATIONAL CANCER INSTITUTE.

It is the sense of Congress that the Director of the National Cancer Institute should ensure that all applicable study sections, committees, advisory groups, and panels at the National Cancer Institute include one or more qualified pediatric oncologists, as appropriate.

Subtitle C—NIH Reporting on Childhood Cancer Activities

SEC. 121. REPORTING ON CHILDHOOD CANCER RESEARCH PROJECTS.

The Director of the National Institutes of Health shall ensure that childhood cancer research projects conducted or supported by the National Institutes of Health are included in appropriate reports to Congress, which may include the Pediatric Research Initiative report.

TITLE II—MAXIMIZING DELIVERY: CARE, QUALITY OF LIFE, SURVIVORSHIP, AND CAREGIVER SUPPORT

SEC. 201. CANCER SURVIVORSHIP PROGRAMS.

(a) PILOT PROGRAMS TO EXPLORE MODEL SYSTEMS OF CARE FOR PEDIATRIC CANCER SURVIVORS.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') may make awards to eligible entities to establish pilot programs to develop, study, or evaluate model systems for monitoring and caring for childhood cancer survivors throughout their lifespan, including evaluation of models for transition to adult care and care coordination.

(2) AWARDS.—

(A) TYPES OF ENTITIES.—In making awards under this subsection, the Secretary shall, to the extent practicable, include—

(i) small, medium, and large-sized eligible entities; and

(ii) sites located in different geographic areas, including rural and urban areas.

(B) ELIGIBLE ENTITIES.—In this subsection, the term ''eligible entity'' means—

(i) a medical school;

(ii) a children's hospital;

(iii) a cancer center;

(iv) a community-based medical facility; or

(v) any other entity with significant experience and expertise in treating survivors of childhood cancers.

(3) USE OF FUNDS.—Funds awarded under this subsection may be used—

(A) to develop, study, or evaluate one or more models for monitoring and caring for cancer survivors; and

(B) in developing, studying, and evaluating such models, to give special emphasis to—

(i) design of models of follow-up care, monitoring, and other survivorship programs (including peer support and mentoring programs);

(ii) development of models for providing multidisciplinary care;

(iii) dissemination of information to health care providers about culturally and linguistically appropriate follow-up care for cancer survivors and their families, as appropriate and practicable;

(iv) development of psychosocial and support programs to improve the quality of life of cancer survivors and their families, which may include peer support and mentoring programs;

(v) design of systems for the effective transfer of treatment information and care summaries from cancer care providers to other health care providers (including risk factors and a plan for recommended follow-up care);

(vi) dissemination of the information and programs described in clauses (i) through (v) to other health care providers (including primary care physicians and internists) and to cancer survivors and their families, where appropriate and in accordance with Federal and State law; and

(vii) development of initiatives that promote the coordination and effective transition of care between cancer care providers, primary care physicians, mental health professionals, and other health care professionals, as appropriate, including models that use a team-based or multi-disciplinary approach to care.

(b) WORKFORCE DEVELOPMENT FOR HEALTH CARE PROVIDERS ON MEDICAL AND PSYCHOSOCIAL CARE FOR CHILDHOOD CANCER SURVIVORS.—

(1) IN GENERAL.—The Secretary shall, not later than 1 year after the date of enactment of this Act, conduct a review of the activities of the Department of Health and Human Services related to workforce development for health care providers who treat pediatric cancer patients and survivors. Such review shall include—

(A) an assessment of the effectiveness of supportive psychosocial care services for pediatric cancer patients and survivors, including pediatric cancer survivorship care patient navigators and peer support programs;

(B) identification of existing models relevant to providing medical and psychosocial services to individuals surviving pediatric cancers, and programs related to training for health professionals who provide such services to individuals surviving pediatric cancers; and

(C) recommendations for improving the provision of psychosocial care for pediatric cancer survivors and patients.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and Committee on Energy and Commerce of the House of Representatives, a report concerning the findings and recommendations from the review conducted under paragraph (1).

SEC. 202. GRANTS TO IMPROVE CARE FOR PEDIATRIC CANCER SURVIVORS.

(a) IN GENERAL.—Section 417E of the Public Health Service Act (42 U.S.C. 285a–11), as amended by section 101, is further amended by striking subsection (b) and inserting the following:

''(b) IMPROVING CARE FOR PEDIATRIC CANCER SURVIVORS.—

''(1) RESEARCH ON PEDIATRIC CANCER SURVIVORSHIP.—The Director of NIH, in coordination with ongoing research activities, may continue to conduct or support pediatric cancer survivorship research including in any of the following areas:

''(A) Outcomes of pediatric cancer survivors, including within minority or other medically underserved populations and with respect to health disparities of such outcomes.

''(B) Barriers to follow-up care for pediatric cancer survivors, including within minority or other medically underserved populations.

''(C) The impact of relevant factors, which may include familial, socioeconomic, and other environmental factors, on treatment outcomes and survivorship.

''(D) The development of indicators used for long-term follow-up and analysis of the late effects of cancer treatment for pediatric cancer survivors.

''(E) The identification of, as applicable—

''(i) risk factors associated with the late effects of cancer treatment;

''(ii) predictors of adverse neurocognitive and psychosocial outcomes; and

''(iii) the molecular basis of long-term complications.

''(F) The development of targeted interventions to reduce the burden of morbidity borne by cancer survivors in order to protect such cancer survivors from the late effects of cancer.

''(2) BALANCED APPROACH.—In conducting or supporting research under paragraph (1)(A)(i) on pediatric cancer survivors within minority or other medically underserved populations, the Director of NIH shall ensure that such research addresses both the physical and the psychological needs of such survivors, as appropriate.''.

SEC. 203. BEST PRACTICES FOR LONG-TERM FOLLOW-UP SERVICES FOR PEDIATRIC CANCER SURVIVORS.

The Secretary of Health and Human Services may facilitate the identification of best practices for childhood and adolescent cancer survivorship care, and, as appropriate, may consult with individuals who have expertise in late effects of disease and treatment of childhood and adolescent cancers, which may include—

(1) oncologists, which may include pediatric oncologists;

(2) primary care providers engaged in survivorship care;

(3) survivors of childhood and adolescent cancer;

(4) parents of children and adolescents who have been diagnosed with and treated for cancer and parents of long-term survivors;
(5) nurses and social workers;
(6) mental health professionals;
(7) allied health professionals, including physical therapists and occupational therapists; and
(8) others, as the Secretary determines appropriate.

SEC. 204. TECHNICAL AMENDMENT.

(a) IN GENERAL.—Section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541) is amended by striking ''section 419C'' and inserting ''section 417C''.
(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, today, we are here to debate the Childhood Cancer Survivorship, Treatment, Access, and Research Act, also known as the Childhood Cancer STAR Act.

Each of us knows someone who has suffered from cancer, whether it is a family member, friend, patient, or loved one. It is especially heartwrenching to watch children go through a cancer diagnosis and cancer treatment.

The bill we are considering today is for our children, the future of our Nation. I would like to acknowledge and thank my fellow Texan, Congressman MICHAEL MCCAUL, for leading our work to deliver hope to America's youngest cancer patients.

Congress has done remarkable work to pass legislation such as the 21st Century Cures Act, which provided Americans with great hope that increased investment in biomedical research would lead to treatment and even cures for our most devastating diseases.

The 21st Century Cures Act authorized over $4.5 billion in new funding for the National Institutes of Health, including nearly $2 billion for the Cancer Moonshot.

The Childhood Cancer STAR Act builds upon the mission of 21st Century Cures but focuses on empowering the National Institutes of Health and the Centers for Disease Control and Prevention to increase the amount of research and surveillance for cancer in children, adolescents, and young adults.

Groundbreaking discoveries rely on robust and reliable investment in research, and this requires robust and reliable dollars for research.

This bill authorizes $30 million a year through fiscal year 2023 for the National Childhood Cancer Registry, which will provide grant funding for the purpose of collecting information to better understand the epidemiology of cancer in children, adolescents, and young adults.

The bill also authorizes the National Cancer Institute at the National Institutes of Health to make awards that will support childhood cancer biorepositories, giving physicians and researchers tools to better understand these diseases.

Mr. Speaker, it is vital that physicians and their teams can provide comprehensive and coordinated care for pediatric cancer patients. The bill allows the Secretary of the Department of Health and Human Services to make grants to establish pilot programs to develop, study, or evaluate model systems to improve the quality and the efficiency of care for childhood cancer survivors.

It also provides for greater efficiency and coordination of care for those survivors as they transition into adulthood and for the Secretary to work with experts to identify best practices.

Similarly, this bill gives the National Institutes of Health Director the authority to make grants to programs that conduct or support research relating to pediatric cancer survivors.

As I have said, this legislation is for our children. It is for the families that are building our Nation's future. If we can ensure that these young patients receive treatment and cures for childhood cancer, they may grow up to become biomedical researchers who will find the next generation of cures; they may write the next great American classic; they may become prima ballerinas, Olympic athletes, or all of the above.

This legislation is for kids like Sadie. Sadie was diagnosed with ALL, acute lymphoblastic leukemia, on February 25, 2015. She was just 7 years old at the time. This young north Texan fought through infections, blood transfusions, and rare side effects. She missed out on second grade and she missed out on third grade as she underwent weekly chemotherapy sessions.

Today, it is my great joy to share that Sadie beat the odds and Sadie survived leukemia. She received her last chemotherapy treatment May 26, 2017. Now, at 10 years old, Sadie is able to live the life of a normal kid.

I would like to thank Sadie and her family for their willingness to share their story and for their advocacy in support of this important legislation.

Mr. Speaker, I met Sadie in my office last spring, and I was inspired by her story. She started a nonprofit, the Sadie Keller Foundation, to raise money to help other kids who are facing cancer. Her mission is pretty simple. It is to put a smile on the faces of children fighting cancer all over the country and to remind them to keep fighting.

So, today, I urge Members of Congress to support this important bipartisan legislation. In sending this bill to the President's desk, we will help Sadie achieve her mission of putting a smile on the faces of children fighting cancer. We will provide families across this country with hope for a better tomorrow.

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

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

Mr. Speaker, I rise today in support of S. 292, the Childhood Cancer Survivorship, Treatment, Access, and Research Act.

I want to particularly thank our lead Democratic sponsor, Mr. BUTTERFIELD of North Carolina, for promoting this bill.

Nearly 16,000 children are diagnosed with cancer in the U.S. each year. Those children are forced to bravely battle a disease and carry burdens that no one their age should. The Childhood Cancer STAR Act gives those children and their families hope by encouraging improved research as well as survivorship programs for children with cancer.

This legislation urges the National Institutes of Health to find new opportunities to expand research into pediatric cancer and survivorship, such as supporting the collection of biospecimens, as well as supporting research on the causes of health disparities in pediatric cancer survivorship.

The bill also allows the Centers for Disease Control and Prevention to award funding to help States strengthen their infrastructure to track the epidemiology of pediatric cancer.

□ 1530

This improves childhood cancer surveillance and helps to guide public health decisionmaking as well as research inquiry.

Finally, this bill recognizes that expanding research that leads to treatments and cures is only part of the equation in improving the experience of children diagnosed with this disease. We must ensure that quality care is available to meet their needs for the remainder of their lives.

Unfortunately, the battle with pediatric cancer extends beyond beating the disease. As many as two-thirds of pediatric cancer survivors suffer from long-term effects of their disease and treatment, including secondary cancers and organ damage.

That is why this bill allows the Secretary of Health and Human Services to establish a pilot program to develop, study, or evaluate model systems for monitoring and caring for childhood cancer survivors through their lifespan, as well as to develop best practices for long-term followup services for pediatric cancer survivors.

I will continue to support efforts like this to improve outcomes for cancer

patients and survivors. However, unlike with this legislation, such efforts should proceed through the regular order process.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), the chairman of the full committee.

Mr. WALDEN. Mr. Speaker, I would thank my colleagues on both sides of the aisle, and our staffs, who worked so hard on this legislation.

I rise to offer my strong support for S. 292, the Childhood Cancer Survivorship, Treatment, Access, and Research Act of 2018, simply known as the Childhood Cancer STAR Act. The House version of this important legislation was spearheaded by several, including my colleague Representative MICHAEL MCCAUL of Texas, the chairman of the House Committee on Homeland Security. I would like to thank the gentleman for his leadership on this bipartisan initiative.

Being told your child has cancer is probably every parent's worst nightmare. Even though childhood cancer is rare, it is still the second leading cause of death in children aged 1 to 14. In the last Congress we passed the 21st Century Cures Act. This landmark legislation modernized the Nation's biomedical and innovation infrastructure, and it streamlined the process for how drugs and medical devices are approved so we can get new treatments to patients faster.

And we have invested heavily in the National Institutes of Health through the appropriations process—then and now—recently increasing their budget by $3 billion in the 2018 spending bill, which I supported. The STAR Act builds on these investments and expands the reach of the 21st Century Cures legislation by focusing critical resources to advance both research and treatments for pediatric cancer.

By reauthorizing and modifying the National Childhood Cancer Registry; supporting childhood cancer biorepositories; improving the tracking of cancer in children, adolescents, and young adults; and supporting efforts to improve the pediatric cancer survivorship care, the STAR Act will improve both treatment of children currently battling cancer and the quality of life for the young survivors who have beaten this terrible disease.

So I want to thank my colleagues on both sides of the aisle. This is good work we are doing here today in a bipartisan way in the United States House of Representatives. We will save lives. We will help families. Especially, we will help these children who are suffering mightily.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD), the lead Democratic sponsor, who is always out front on so many important healthcare issues.

Mr. BUTTERFIELD. Mr. Speaker, I thank Mr. PALLONE for his friendship and leadership on the committee. He has been an extraordinary leader in the healthcare space, and I want to publicly thank the gentleman for his work. As well as to Dr. BURGESS: I have been on the committee now for more than 10 years, and I have watched him and Mr. WALDEN, Mr. BARTON, and others engage in debate. I know that all of them are seriously and totally committed to improving health outcomes in this country, and I thank them all for their leadership.

Mr. Speaker, I rise today to urge my colleagues to support S. 292, the Childhood Cancer Survivorship, Treatment, Access, and Research Act, commonly referred to as the STAR Act. Along with Mr. MCCAUL, JACKIE SPEIER, and MIKE KELLY, I introduced H.R. 820, which is the House companion to S. 292.

Over 85 percent of the House has cosponsored this bill. It is, therefore, my great honor to serve as cochair of the bipartisan House Childhood Cancer Caucus. Through the work of this caucus, I have had the opportunity to work closely with pediatric patient groups and stakeholders to promote legislation that can help save and improve the lives of young people.

Passage of the STAR Act has long been a goal of those patients and of the Childhood Cancer Caucus, and I am grateful that the House is poised to send this important piece of legislation now to the President's desk for his signature.

Mr. Speaker, 16,000—16,000—children in the United States are diagnosed with cancer every year. Many of those have limited treatment options. The STAR Act, Mr. Speaker, is an important piece of legislation that will expand the opportunities for childhood cancer research, improve efforts to identify and track childhood cancer, and enhance the quality of life of childhood cancer survivors.

Childhood cancer remains the leading cause of death in American children. As many as two-thirds of childhood cancer survivors suffer from late effects of their disease or treatment, including secondary cancers or organ damage. That is why passage and enactment of this legislation is so important.

The bill enhances research on the late effects of childhood cancers, improves collaboration among providers so that doctors are better able to care for survivors as they age, and explores innovative models of care for childhood cancer survivors.

When enacted, S. 292 will help to advance pediatric cancer research and child-focused cancer treatments while also improving childhood cancer surveillance and providing enhanced resources for survivors. This bill, Mr. Speaker, is the most comprehensive childhood cancer legislation ever slated to be passed by this Congress.

The STAR Act will give young cancer patients and their families better access to life-saving treatments and the support they need even after beating cancer. I strongly urge my colleagues to support this legislation. Mr. Speaker, I thank all of the leaders of the committee for their work.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE), vice chairman of one of our subcommittees.

Mr. LANCE. Mr. Speaker, I rise today in strong support of the Childhood Cancer STAR Act, one of the most comprehensive pieces of childhood cancer legislation ever taken up by the Congress and another major bipartisan accomplishment of the House Committee on Energy and Commerce. I certainly congratulate Dr. BURGESS.

It is heartbreaking when a child is stricken with one of these life-threatening diseases. I have met with families who have faced these terrible circumstances, and I have been touched by their stories of perseverance and hope.

There is more work to be done. We need to improve Federal services for the pediatric cancer community, from research and access to treatment and survivorship. Federal healthcare and research entities must do all they can. The Childhood Cancer STAR Act delivers more resources and reform to make sure we are winning the fight against pediatric cancer by expanding grants for promising and expanded programs.

Last week I stopped by the Hunterdon County Relay for Life event in Ringoes, New Jersey. The event brought together cancer patients, survivors, and their families. The crowd was large and enthusiastic in the fight against these terrible diseases.

We owe it to those participants to ensure that federally supported research entities are doing all that they can do in this area. The Energy and Commerce Committee has made the cause of Cures a centerpiece of our work. This bill provides greater hope for all of the Nation's youngest patients and their loved ones.

Mr. Speaker, I urge a ''yes'' vote.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR), the vice ranking member of the House Committee on Energy and Commerce.

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentleman for his leadership and for yielding the time.

Mr. Speaker, we simply must do more for pediatric cancer and the children and families who are impacted by it. That is why I urge adoption of S. 292. It is also H.R. 820. I would like to thank my colleagues—Congressman MCCAUL, Congresswoman SPEIER, Congressman BUTTERFIELD, and Congressman KELLY—for leading the charge on this. It has broad bipartisan support.

Mr. Speaker, I mostly want to thank the families and the parents across America who have helped educate us—folks like Bonnie Woodworth; her husband, Scott; and kids Joe, Delaney, and Piper—who have educated me and

many policymakers across the Tampa Bay area. See, they lost their daughter and sister, Tatum, in 2012 to pediatric cancer.

On behalf of so many families who often are held back by the pain of losing a child or dealing with childhood cancer, they channeled their energy into making things better for other families. They have educated me and others, along with Mary Ann Massolio with the 1Voice Foundation, back in the Tampa Bay area.

I am so happy that it is paying off today. What they have explained is that, after you suffer this diagnosis, it is very isolating. America doesn't do a lot of research on pediatric cancer. It is not coordinated very well, and the resources just are not there to help bring families together to get through these kinds of varied diagnoses.

The STAR Act hopefully will make things better because we are going to ask the Centers for Disease Control to do more with States to track pediatric cancer. We are going to do a little more research on how it is best to care for survivors. We are going to try to endeavor to do better in coordination of care for kids with pediatric cancer, do more on research, and also, help folks in the minority community who often don't have the resources dedicated to them that they need.

Hopefully this will bring great relief to the families, and I urge a swift adoption.

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. MCCAUL), chairman of the House Committee on Homeland Security, fellow Texan, and the principal author of the bill that we have before us today.

Mr. MCCAUL. Mr. Speaker, I want to thank my good friend Dr. BURGESS for shepherding this bill through the Energy and Commerce Committee and taking us to the point where we are today on the floor.

Mr. Speaker, I rise in support of this bill, the Childhood Cancer STAR Act. The bill addresses 4 major concerns facing the pediatric cancer community: survivorship, treatment, access, and research.

I was proud to introduce this bill with Ms. JACKIE SPEIER, with G.K. BUTTERFIELD, and Mr. MIKE KELLY of Pennsylvania. This is the most comprehensive childhood cancer bill ever considered before this House. This bill passed the House in 2016, and I encourage the support of all Members today so we can finally send it to the President's desk for his signature. I am proud to say that today is the day. I know a lot of the advocates have been waiting for this day for quite some time.

Childhood cancer, unfortunately, remains the deadliest killer of our children. At some point we, as a Congress and as a Nation, must say enough is enough. In short, the STAR Act elevates and prioritizes the fight against childhood cancer at the NIH. Specifically, STAR places a pediatric oncologist on the board at the National Cancer Institute, so childhood cancer will now have a voice at the table when funding decisions are made.

It also expands opportunities to childhood cancer research, allowing doctors to better understand and track how cancer develops in children. Finally, we must also address the needs of the nearly 500,000 survivors of childhood cancer. Due to their treatments using chemotherapy, a World War I chemical agent, two-thirds of these survivors will face serious, lifelong medical conditions.

When I think about what this means, I think of my friend Sadie Keller. She is perhaps the strongest person I know. Sadie underwent over 2 years of chemotherapy at the age of 7 after being diagnosed with leukemia. She has been, at her young age, perhaps the most relentless advocate for this cause, this bill here on Capitol Hill, and throughout the childhood cancer community.

I just want to refer to this picture of little Sadie and myself when she was going through remission, on the Speaker's balcony, looking out over The Mall, with a vision towards the future, a future where children will no longer have to go through this disease, looking at the dark clouds but the sunlight coming through. That is what this bill represents is sunlight for the children who have been afflicted with this terrible disease.

□ 1545

While now her cancer is in remission, that does not mean her medical challenges are over. We must do more as a Nation to care for these survivors. To that end, the STAR Act will improve collaboration among providers so doctors are better able to care for survivors as they age.

I want to close by thanking Sadie, but I also want to thank people like Danielle Leach and the Alliance for Childhood Cancer team for their relentless advocacy on the Hill and work on this bill. I also want to thank Nancy Goodman and Kids v. Cancer and the entire childhood cancer advocacy community for standing up and getting us to the point where we are today.

They are the voice of these children. They made this event possible here today. And I want to thank them from the bottom of my heart.

I urge passage of this life-altering piece of legislation.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my good friend, the ranking member, the gentleman from New Jersey (Mr. PALLONE).

I rise today in support of the Childhood Cancer STAR Act.

Thanks to research funded by the National Institutes of Health, the private sector, and philanthropic funds, we have made progress in the study and treatment of childhood cancers. However, every year, 16,000 children and their families receive that terrible, nightmarish news that their child has been diagnosed with cancer.

My constituent Allison Easter-Lara was diagnosed with stage IV neuroblastoma when she was about 2 years old. Throughout her fight, she endured some of the harshest cancer treatments there are, with chemotherapy and stem cell transplants.

Allison's dad, Keith, visited my office earlier this year, and he shared a remarkable update. Allison is beating the odds. She is currently in remission and in a phase two drug trial.

We must pass the STAR Act because we need more good outcomes like Allison's. This bill will expand childhood cancer research opportunities at the NIH, improve our understanding of cancer as a disease, and work to enhance the quality of life for all survivors.

It may be a moonshot, but I believe we can find new treatments and eventually a cure for childhood cancer.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. Mr. Speaker, I thank Dr. BURGESS.

Mr. Speaker, I rise today in strong support of S. 204, the Right to Try Act.

I am a physician and scientist with almost 40 years of experience in treating patients, and far too many of them, Mr. Speaker, have been diagnosed with cancer.

A little over 3 years ago, my beloved wife, Pam Roe, who was a nurse, died of stage IV colon cancer, 5 weeks to the day after she was operated on. Pam would have liked the right to try.

Less than 2 months after that, one of the best friends I will ever have in my life, Phil Street, a Vietnam veteran, Air Force veteran, died of cancer related to Agent Orange. Phil would have liked to have had the right to try.

My senior partner in medical practice, a year later, good friend, Dr. Bill Bone, was diagnosed with brain cancer. Bill died. He would have liked to have had the right to try.

Shortly after that, Linda Baines, a scrub nurse that I operated with hundreds of times in my medical practice, was diagnosed with brain cancer and died shortly after that. Linda would have liked to have had the right to try.

Currently, I have three friends at this moment who are being treated with stage IV cancer. If those treatments don't work, they would like to have the right to try.

Mr. Speaker, my first pediatric rotation in medical school was at St. Jude Children's Hospital, where, at that time, 80 percent of children died of their disease. I can still see many of those children's faces today, and that was almost 50 years ago. Those children, today, have an 80 percent chance of living, but, as was stated, 16,000 parents have to face that this year.

I have had the misfortune of having to look patients in the eye and say: Your life is not in my hands anymore;

it is in God's hands. In that moment, I will tell you this: all that these patients want and deserve is a right to try.

Please support this legislation.

Mr. PALLONE. Mr. Speaker, I just want to urge support for this legislation. The support is obviously bipartisan, and I urge all my colleagues to support it.

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

Mr. BURGESS. Mr. Speaker, I, too, want to express my strong support for S. 292, the Childhood Cancer Survivorship, Treatment, Access, and Research Act of 2018, Childhood Cancer STAR Act.

And, once again, I want to thank my colleague, the gentleman from Texas (Mr. MCCAUL), for spearheading this effort.

I urge all my colleagues to support the legislation.

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

Ms. SPEIER. Mr. Speaker, I rise today in support of the Childhood Cancer Survivorship, Treatment, Access & Research (STAR) Act, a bill that will touch many lives affected by childhood cancer. This has been a true example of bipartisanship. I particularly want to thank my colleague Congressman MCCAUL for his leadership on this critical bill and my other fellow co-chairs of the Congressional Childhood Cancer Caucus, Congressmen BUTTERFIELD and KELLY. I also want to thank our Senate partners, Senators REED, MOORE CAPITO, VAN HOLLEN, and ISAKSON. And to all children and families affected by childhood cancer, this is their victory. It is because of their tireless advocacy that this landmark legislation will be sent to the President's desk and signed into law.

With the STAR Act, we have won a battle in our long-fought war against childhood cancer. This bill creates an arsenal of tools for the National Institutes of Health to promote vital research into childhood cancer, such as the establishment of National Biorepositories. It also improves the quality of life for survivors, including by funding models of long-term care to help monitor the progress of survivors as they age.

Mr. Speaker, I want to take a moment to recognize two of my constituents who have personally inspired my work on this important bill. The first is Christie Chaudry, who after surviving childhood cancer grew up to become a pediatric oncology nurse practitioner. For the last seven years, Christie has helped run the inpatient chemotherapy unit at Lucile Packard Children's Hospital at Stanford—the same hospital where she was treated as a child.

The second is Andrea Church, a childhood cancer advocate from San Carlos, California, who set a goal to have San Francisco City Hall lit up in gold in honor of Childhood Cancer Awareness Month. Andrea's daughter, Riley, passed away at age 14 due to an inoperable brain tumor. In her daughter's honor, Andrea reached and surpassed her goal two years ago. Not only did San Francisco City Hall go gold, so did Oakland City Hall, AT&T Park—the home of the San Francisco Giants—and the Oakland Coliseum—the home of the Oakland A's.

Mr. Speaker, the STAR Act opens the door to numerous opportunities for research and innovation in the treatment of childhood cancer. It addresses critical gaps in the care of childhood cancer survivors, and it creates a holistic approach to studying the disease. With the passage of this legislation, we are moving closer to a future where children and their families may one day live cancer-free. I thank my colleagues for their support.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, S. 292.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TRICKETT WENDLER, FRANK MONGIELLO, JORDAN MCLINN, AND MATTHEW BELLINA RIGHT TO TRY ACT OF 2017

Mr. BURGESS. Mr. Speaker, pursuant to House Resolution 905, I call up the bill (S. 204) to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 905, the bill is considered read.

The text of the bill is as follows:

S. 204

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017''.

SEC. 2. USE OF UNAPPROVED INVESTIGATIONAL DRUGS BY PATIENTS DIAGNOSED WITH A TERMINAL ILLNESS.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 561A (21 U.S.C. 360bbb–0) the following:

''SEC. 561B. INVESTIGATIONAL DRUGS FOR USE BY ELIGIBLE PATIENTS.

''(a) DEFINITIONS.—For purposes of this section—

''(1) the term 'eligible patient' means a patient—

''(A) who has been diagnosed with a life-threatening disease or condition (as defined in section 312.81 of title 21, Code of Federal Regulations (or any successor regulations));

''(B) who has exhausted approved treatment options and is unable to participate in a clinical trial involving the eligible investigational drug, as certified by a physician, who—

''(i) is in good standing with the physician's licensing organization or board; and

''(ii) will not be compensated directly by the manufacturer for so certifying; and

''(C) who has provided to the treating physician written informed consent regarding the eligible investigational drug, or, as applicable, on whose behalf a legally authorized representative of the patient has provided such consent;

''(2) the term 'eligible investigational drug' means an investigational drug (as such term is used in section 561)—

''(A) for which a Phase 1 clinical trial has been completed;

''(B) that has not been approved or licensed for any use under section 505 of this Act or section 351 of the Public Health Service Act;

''(C)(i) for which an application has been filed under section 505(b) of this Act or section 351(a) of the Public Health Service Act; or

''(ii) that is under investigation in a clinical trial that—

''(I) is intended to form the primary basis of a claim of effectiveness in support of approval or licensure under section 505 of this Act or section 351 of the Public Health Service Act; and

''(II) is the subject of an active investigational new drug application under section 505(i) of this Act or section 351(a)(3) of the Public Health Service Act, as applicable; and

''(D) the active development or production of which is ongoing and has not been discontinued by the manufacturer or placed on clinical hold under section 505(i); and

''(3) the term 'phase 1 trial' means a phase 1 clinical investigation of a drug as described in section 312.21 of title 21, Code of Federal Regulations (or any successor regulations).

''(b) EXEMPTIONS.—Eligible investigational drugs provided to eligible patients in compliance with this section are exempt from sections 502(f), 503(b)(4), 505(a), and 505(i) of this Act, section 351(a) of the Public Health Service Act, and parts 50, 56, and 312 of title 21, Code of Federal Regulations (or any successor regulations), provided that the sponsor of such eligible investigational drug or any person who manufactures, distributes, prescribes, dispenses, introduces or delivers for introduction into interstate commerce, or provides to an eligible patient an eligible investigational drug pursuant to this section is in compliance with the applicable requirements set forth in sections 312.6, 312.7, and 312.8(d)(1) of title 21, Code of Federal Regulations (or any successor regulations) that apply to investigational drugs.

''(c) USE OF CLINICAL OUTCOMES.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Public Health Service Act, or any other provision of Federal law, the Secretary may not use a clinical outcome associated with the use of an eligible investigational drug pursuant to this section to delay or adversely affect the review or approval of such drug under section 505 of this Act or section 351 of the Public Health Service Act unless—

''(A) the Secretary makes a determination, in accordance with paragraph (2), that use of such clinical outcome is critical to determining the safety of the eligible investigational drug; or

''(B) the sponsor requests use of such outcomes.

''(2) LIMITATION.—If the Secretary makes a determination under paragraph (1)(A), the Secretary shall provide written notice of such determination to the sponsor, including a public health justification for such determination, and such notice shall be made part of the administrative record. Such determination shall not be delegated below the director of the agency center that is charged with the premarket review of the eligible investigational drug.

''(d) REPORTING.—

''(1) IN GENERAL.—The manufacturer or sponsor of an eligible investigational drug shall submit to the Secretary an annual summary of any use of such drug under this section. The summary shall include the number of doses supplied, the number of patients treated, the uses for which the drug was made available, and any known serious adverse events. The Secretary shall specify by regulation the deadline of submission of such annual summary and may amend section

312.33 of title 21, Code of Federal Regulations (or any successor regulations) to require the submission of such annual summary in conjunction with the annual report for an applicable investigational new drug application for such drug.

''(2) POSTING OF INFORMATION.—The Secretary shall post an annual summary report of the use of this section on the internet website of the Food and Drug Administration, including the number of drugs for which clinical outcomes associated with the use of an eligible investigational drug pursuant to this section was—

''(A) used in accordance with subsection (c)(1)(A);

''(B) used in accordance with subsection (c)(1)(B); and

''(C) not used in the review of an application under section 505 of this Act or section 351 of the Public Health Service Act.''.

(b) NO LIABILITY.—

(1) ALLEGED ACTS OR OMISSIONS.—With respect to any alleged act or omission with respect to an eligible investigational drug provided to an eligible patient pursuant to section 561B of the Federal Food, Drug, and Cosmetic Act and in compliance with such section, no liability in a cause of action shall lie against—

(A) a sponsor or manufacturer; or

(B) a prescriber, dispenser, or other individual entity (other than a sponsor or manufacturer), unless the relevant conduct constitutes reckless or willful misconduct, gross negligence, or an intentional tort under any applicable State law.

(2) DETERMINATION NOT TO PROVIDE DRUG.—No liability shall lie against a sponsor manufacturer, prescriber, dispenser or other individual entity for its determination not to provide access to an eligible investigational drug under section 561B of the Federal Food, Drug, and Cosmetic Act.

(3) LIMITATION.—Except as set forth in paragraphs (1) and (2), nothing in this section shall be construed to modify or otherwise affect the right of any person to bring a private action under any State or Federal product liability, tort, consumer protection, or warranty law.

SEC. 3. SENSE OF THE SENATE.

It is the sense of the Senate that section 561B of the Federal Food, Drug, and Cosmetic Act, as added by section 2—

(1) does not establish a new entitlement or modify an existing entitlement, or otherwise establish a positive right to any party or individual;

(2) does not establish any new mandates, directives, or additional regulations;

(3) only expands the scope of individual liberty and agency among patients, in limited circumstances;

(4) is consistent with, and will act as an alternative pathway alongside, existing expanded access policies of the Food and Drug Administration;

(5) will not, and cannot, create a cure or effective therapy where none exists;

(6) recognizes that the eligible terminally ill patient population often consists of those patients with the highest risk of mortality, and use of experimental treatments under the criteria and procedure described in such section 561A involves an informed assumption of risk; and

(7) establishes national standards and rules by which investigational drugs may be provided to terminally ill patients.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Texas (Mr. BURGESS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, here in the people's House, we reflect the will of the American people. When the Right to Try Act is law in 40 States, it may no longer just be a grassroots movement. It is a call to action from Americans from coast to coast—many of the over 1 million Americans who die from a terminal illness every year—to return choice and control over treatment options to where it is most effective: with the patient, with the doctor.

Today, the House is taking up the Right to Try Act for the third time. But the reason we are here again debating this issue is because of the Senate Democrats' refusal to take up the revised right-to-try legislation that passed this House by a bipartisan vote 2 months ago.

That revised bill, H.R. 5247, was more narrowly crafted than this version of S. 204.

This version, the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017, is before us today. S. 204 was authored by Senator RON JOHNSON of Wisconsin and passed by unanimous consent in the Senate last August.

I think it is important, so let me take a moment to lay out the efforts by the Energy and Commerce Committee since that time.

First, the Energy and Commerce Health Subcommittee, which I chair, held a hearing last October to consider right-to-try bills, including this bill, S. 204, where Members heard from Dr. Scott Gottlieb, the Commissioner of the Food and Drug Administration, from patients and other groups that either support or oppose the concept of right to try.

For several months, our committee engaged in conversations with patients, advocates, the administration, particularly the Food and Drug Administration, and stakeholders on all sides of this complex topic.

Our aim was to open the door to innovative, experimental drugs for terminally ill patients without necessarily compromising the vital work and mission of the Food and Drug Administration. The product of that aim was H.R. 5247, the revised House right-to-try bill.

Sadly, Senate Democrats said ''thanks, but no thanks'' to the House bill. Frankly, I am perplexed by their decision, because not a single Senate Democrat expressed any reservation when S. 204 passed their Chamber by unanimous consent last August.

So House Republicans will show the American people that we hear you. We will act to deliver on a promise made by the President in this House before the joint session of the House and Senate during the State of the Union address. He told us that we would pass the right-to-try legislation. Well, today, we are doing just that.

You know, this was kind of a bold statement by the President, to stand up in the State of the Union and say that he wanted to sign this bill into law. So I am proud to boldly stand with him and stand with the American people.

Mr. Speaker, we live in the greatest Nation in the world. An unprecedented amount of innovation and scientific breakthrough is the norm. We have innovative treatments at our fingertips because of the valuable contributions of researchers in academia and the private sector.

Despite these achievements, I still hear from patients with serious, life-threatening conditions, including constituents from north Texas, who remain frustrated with the current regulatory processes that prevent them from trying or experimenting with new therapies when everything else has failed them.

As a physician, I understand that access to investigational drugs and therapies is a deeply personal priority for those seeking treatment for their loved ones with serious terminal conditions.

To my friends on the other side of the dais in the committee and the aisle here in the House, I have a simple question: Why do you not want to allow these patients to exercise their right to fight for their future?

Mr. Speaker, I am proud to support H.R. 5247, the House right-to-try bill that currently remains in the Senate.

However, the right-to-try legislation before the House today is the Senate bill, S. 204, so I am pleased that we are considering this right-to-try bill so that terminally ill patients have a chance, maybe a second chance, at life.

These patients are our constituents. They could be someone we know. Let us take this opportunity to improve access to experimental treatments for them and give them renewed hope.

S. 204 establishes an alternative pathway for terminally ill patients to access certain investigational drugs that have successfully completed a phase one clinical trial and have an active application at the Food and Drug Administration. They also must be under active development or production by the manufacturer.

It is important to note that, for these patients, they have exhausted all FDA-approved treatment options and are unable to participate in a clinical trial involving these investigational drugs.

The bill we will be voting out soon is about patients. It is about having more

time with their loved ones. In the words of Vice President MIKE PENCE, ''It's about restoring hope and giving patients with life-threatening diseases a fighting chance.''

With hundreds of thousands of Americans with a terminal illness and their families looking for us to act, I urge Members of this House, the people's House, to support restoring hope and giving them a fighting chance at life.

I urge a vote in support of S. 204. Let us send this groundbreaking legislation to the President's desk for his signature, and let it become the law of the land.

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

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

Mr. Speaker, I rise today in strong opposition to S. 204, the Federal Right to Try Act. This is dangerous legislation that threatens FDA's authority over ensuring that medical treatments are safe and effective. This bill needlessly exposes vulnerable patients to the risks of unproven medications.

□ 1600

We heard last night in the Rules Committee from my Republican colleagues that we must accept and pass this legislation because the Senate is unable to pass a bill that passed the House earlier this year. That House bill was bad enough, but this Senate bill is much worse. I cannot fathom why my Republican colleagues are surrendering to the Senate and agreeing to pass a more dangerous version of the right-to-try legislation.

The Senate bill, like the House bill, establishes an alternative pathway for experimental treatments that eliminates any review from the Food and Drug Administration and scientific and medical experts of an independent review board. This will provide fly-by-night physicians and clinics the opportunity to peddle false hope and ineffective drugs to desperate patients.

At a hearing before our committee, FDA Commissioner Scott Gottlieb cautioned that S. 204 risked ''exposing people to unwanted side effects from experimental therapies.''

Now, supporters of this bill would have you believe that this legislation is targeted at those with terminal illnesses, but this is simply not the case. S. 204 would, in fact, apply to a much broader range of patients diagnosed with life-threatening diseases or conditions. And the term ''life-threatening disease or condition'' could include chronic and often manageable diseases, such as diabetes or chronic heart failure.

If all patients with diabetes and other chronic but manageable illnesses were eligible, it would greatly expand the scope of the legislation well beyond the scope of most State laws and FDA's expanded access program. This exposes an even greater number of patients to risk and undermines our clinical trial program by diverting patients from trials that could support full approval to the alternate pathway.

Commissioner Gottlieb also cautioned Congress that this legislation risked ''undermining a regulatory process that has been carefully crafted over many years to strike a very careful balance.'' The Commissioner noted that S. 204 would not subject all participants to the alternate pathway to critical regulatory requirements, such as labeling products as investigational, charging limitations, and restrictions on promotion and commercialization of such treatments.

S. 204 could also impede the FDA from taking action against manufacturers and others that violate other provisions of the Federal Food, Drug, and Cosmetic Act. Under this bill, if a bad actor is not in compliance with good manufacturing practices or does not protect against intentional alteration—adulteration, I should say—or allows dishonest or misleading labeling, the FDA will not be able to take any enforcement action.

But, more importantly, Mr. Speaker, this Federal right-to-try bill simply is not necessary, in my opinion. FDA has an expanded access program and has an approval rate of nearly 100 percent.

To be clear, FDA's high approval rate is not just a rubberstamp for these applications. Of the applications FDA receives and approves, it also adjusts applications for 11 percent of patients to improve patient safety protections. This could include modifying the dosing, strengthening informed consent, or improving safety monitoring.

We must protect patients from bad actors or from dangerous treatments that might make their lives worse. Without this critical review, there will not be any oversight to ensure that patients are not being taken advantage of or put in harm's way.

The main reason this bill is being pushed is to chip away at FDA's authority to ensure the safety and effectiveness of our drugs.

FDA oversight of access to experimental treatment exists for a reason: it protects patients from potentially snake oil salesmen or from experimental treatments that might do more harm than good.

By removing the FDA oversight, you are counting on physicians and manufacturers to serve as the gatekeeper and protector of our patients. I simply don't buy that that is going to work.

Supporters of this bill want to blindly believe that there are no bad actors out there, but imagine someone like Martin Shkreli promising a dying patient a cure that could save their life. Under this bill, FDA would play no role in determining whether or not Martin Shkreli could provide that drug to that dying patient.

If S. 204 is signed into law, patients will be taken advantage of and will be harmed. Bad actors exist, and this Republican bill gives them the opportunity to prey on desperate people who are, understandably, looking for any treatment that may help save their lives.

Now, let me also point out that the supporters of this bill claim to be helping desperate patients who are looking for hope. If this is such a patient-centered bill, why does every major patient organization overwhelmingly oppose it? Where is the call from patients for this legislation?

More than 100 patient organizations, including the National Organization for Rare Disorders, Friends of Cancer Research, and American Cancer Society Cancer Action Network, sent a letter to Congress just yesterday opposing this legislation. In the letter, they stated: ''The Senate version of the legislation is less safe than the pathway proposed in the House version and is dangerous compared to the current expanded FDA access process.''

Four former FDA Commissioners from both parties also oppose this Republican legislation, noting: ''There is no evidence that either bill''—that is the House or the Senate—''would meaningfully improve access for patients, but both would remove the FDA from the process and create a dangerous precedent that would erode protections for vulnerable patients.''

Mr. Speaker, S. 204, I know, is a key agenda item for the President and the Vice President; but I think it is dangerous for our patients, and it is an unprecedented attempt to roll back FDA's oversight of investigational treatments.

Mr. Speaker, I urge my colleagues to stand with more than 100 organizations that have come forward to oppose this misguided and, I believe, harmful legislation.

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

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN), the chairman of the full committee.

Mr. WALDEN. Mr. Speaker, today represents the third time this year that the House has considered legislation to deliver hope to patients who are battling terminal diseases. Twice already, a bipartisan majority of Members has supported increasing patient access to investigational drugs through a new pathway outside of the existing expanded access program, and the bill before us today is deserving of that same support.

Thirty-nine States have right-to-try laws, including my home State of Oregon. While the State policies vary, they have a common goal: helping vulnerable patients. President Trump praised the movement during the State of the Union. He said: ''People who are terminally ill should not have to go from country to country to seek a cure. I want to give them a chance here at home.'' Those are the President's words. Since this time, he has continued to feverishly advocate for this legislation.

For today's debate, I believe it is important to understand that it is both

the background of this issue as well as the politics that have brought us back to this floor.

Today, there is an existing process for patients to access unapproved drugs. The FDA oversees the expanded access program, commonly known as compassionate use. This program has been critical in helping patients access experimental or investigative drugs.

As I previously said before in this Chamber, Commissioner Gottlieb and the agency should be commended for their continued work to improve the expanded access program for patients.

To improve this successful program, the bill this Chamber previously passed provides liability protections for manufacturers, sponsors, physicians, clinical investigators, and hospitals that participate in the existing expanded access program and the new alternative pathway created under the legislation. That provision removes one of the biggest hurdles patients face, as identified by the Government Accountability Office, in gaining access to experimental therapies: manufacturer hesitancy to participate. That is the obstacle. That same bill creates a new alternative pathway for patients who do not qualify for a clinical trial.

It is my view that the House-passed bill strengthens patient protections with clearer informed consent and adverse event reporting. The bill also ensures that the FDA is notified when a patient receives an unapproved drug through the new alternative pathway to ensure proper oversight.

But when a strong bipartisan majority of this Chamber, of the U.S. House of Representatives, Mr. Speaker, delivered for patients and answered President Trump's call to give Americans the right to try, leaders in the Senate on the other side of the aisle objected, blocking terminally ill patients from increasing access to investigational drugs. But we will not allow them to play politics to delay this effort any longer. That is why we are here today.

Mr. Speaker, across our great country, men, women, children, and parents are desperately seeking a beacon of hope, and the Senate bill we have before us today will provide it.

Mr. Speaker, I thank President Trump and Vice President PENCE for continuing to weigh in on this important issue; and the sponsors of past and current legislation, including Senator JOHNSON and Representatives FITZPATRICK and BIGGS, who are here with us today. They have all been tireless in their advocacy and their efforts for this worthy cause. I am glad to see that, together, we are once again going to deliver.

But, most importantly, I would like to acknowledge the individuals this bill is named after: Trickett, Frank, Jordan, and Matthew. Jordan was here on the House floor the first time we considered right-to-try legislation, and Matthew testified at our hearing last fall. Jordan is back with us today. It is through their advocacy and hope to find a treatment or a cure that we have this chance to give patients the right to try.

Mr. Speaker, it is time for the House to do what the entire United States Senate did and pass this legislation. It is time to send a right-to-try bill to President Trump's desk, where he is eager to sign it.

Mr. Speaker, I urge all of my colleagues to support this legislation.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. CASTOR), the vice ranking member of the Energy and Commerce Committee.

Ms. CASTOR of Florida. Mr. Speaker, I thank the ranking member for his leadership and for yielding me time.

Mr. Speaker, S. 204 is harmful legislation that offers a false hope of access to investigational therapies and endangers patients who have serious and life-threatening diseases. The bill establishes a dangerous and unnecessary alternative pathway that is void of any FDA review or oversight. It is opposed overwhelmingly by the patient community.

Mr. Speaker, I include in the RECORD a letter to the Speaker and minority leader from 104 patient advocacy groups. It includes such groups as the American Cancer Society Cancer Action Network, the American Lung Association, the Cystic Fibrosis Foundation—all opposed to this bill—the Leukemia & Lymphoma Society, and about 100 more.

MAY 21, 2018.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

The Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: The undersigned organizations collectively represent millions of patients with serious and life-threatening diseases. We write to express our strong opposition to the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act (S. 204).

On March 21st, The House of Representatives passed a version of the Right to Try Act (H.R. 5247), that incorporated important patient safeguards such as more robust informed consent and public reporting requirements, additional Food and Drug Administration (FDA) oversight, and a narrower definition of eligibility for this pathway. The Senate version does not include these safeguards and therefore could greatly increase the likelihood of our patients being harmed by unsafe and ineffective experimental therapies. Therefore, this version is substantially worse for patients.

We reiterate our concern with creating a secondary pathway for accessing investigational therapies outside of clinical trials. This pathway removes FDA approval and consultation and would not increase access to promising therapies for our patients because it does not address the primary barriers to access.

FDA's expanded access program, though imperfect, facilitates access to investigational therapies for over a thousand patients facing serious and life-threatening conditions each year. FDA repeatedly approves over 99 percent of requests while sometimes making important dosing and safety improvements to proposed expanded use. Conversely, it is often times the pharmaceutical company that denies access to its investigational therapy outside of its clinical trials for any number of reasons.

The Senate version of the legislation is less safe than the pathway proposed in the House version and is dangerous compared to the current expanded access process. The Senate's bill would allow unproven therapies to be given to patients without FDA notification for up to a full year and would not establish any standards for informed consent.

Additionally, both versions prohibit FDA from halting access to these experimental therapies short of placing a clinical hold on all clinical research on the therapy in question. Both House and Senate versions would also remove FDA's consultation on dosing, route of administration, dosing schedule, and other important safety measures available under FDA's current expanded access program.

While we did not support the recent House passed version of this legislation, the House legislation includes improved patient safeguards compared to the Senate version. The Senate version would negatively impact patient safety substantially, and our collective organizations are strongly opposed. We appreciate past efforts in the House to consider stakeholder perspectives and desire to continue the dialogue, but returning to the Senate version is simply not the way forward.

Sincerely,

A Twist of Fate-ATS; ADNP Kids Research Foundation; Adult Polyglucosan Body Disease Research Foundation; AIDS Action Baltimore; Alliance for Aging Research; Alliance of Dedicated Cancer Centers; American Cancer Society Cancer Action Network; American Lung Association; American Society of Clinical Oncology; American Syringomyelia and Chiari Alliance Project; Amyloidosis Support Groups; APS Type 1 Foundation; Association for Creatine Deficiencies; Association of American Medical Colleges; Benign Essential Blepharospasm Research Foundation; Bonnie J. Addario Lung Cancer Foundation; Bridge the Gap-SYNGAP Education and Research Foundation; CancerCare; Charlotte and Gwenyth Gray Foundation to Cure Batten Disease; Children's Cardiomyopathy Foundation.

Congenital Hyperinsulinism International; cureCADASIL; CurePSP; Cutaneous Lymphoma Foundation; Cystic Fibrosis Foundation; Defeat MSA; The Desmoid Tumor Research Foundation; The Disability Rights Legal Center; Dupl5q Alliance; Dysautonomia Foundation; Dyskeratosis Congenita Outreach, Inc.; Equal Access for Rare Disorders; Fight Colorectal Cancer; FORCE: Facing Our Risk of Cancer Empowered; Friedreich's Ataxia Research Alliance (FARA); Friends of Cancer Research; The Global Foundation for Peroxisomal Disorders; Glutl Deficiency Foundation; The Guthy-Jackson Charitable Foundation; Hemophilia Federation of America.

HLRCC Family Alliance; Hope for Hypothalamic Hamartomas; Hyper IgM Foundation, Inc.; Incontinentia Pigmenti International Foundation; Indian Organization for Rare Disorders; International Fibrodysplasia Ossificans Progressiva (FOP) Association; International Myeloma Foundation; International Pemphigus and Pemphigoid Foundation; International Society for Stem Cell Research; International Waldenstrom's Macroglobulinemia Foundation (IWMF); The Isaac Foundation; Jack McGovern Coats' Disease Foundation; The LAM Foundation; The Leukemia & Lymphoma Society; Li-Fraumeni Syndrome Association (LFS Association/LFSA); LUNGevity Foundation; Lymphangiomatosis

& Gorham's Disease Alliance; M-CM Network; Mattie Miracle Cancer Foundation; MitoAction.

MLD Foundation; Moebius Syndrome Foundation; The MSA Awareness Shoe; Mucolipidosis Type IV Foundation; The Myelin Project; Myotonic Dystrophy Foundation; National Brain Tumor Society; National Comprehensive Cancer Network; National Consumers League; National Health Council; National MPS Society; National Niemann-Pick Disease Foundation; National Organization for Rare Disorders (NORD); National Patient Advocate Foundation; National PKU Alliance; National PKU News; Neurofibromatosis Northeast; The Oley Foundation; Operation ASHA; Organic Acidemia Association.

PSC Partners Seeking a Cure; Platelet Disorder Support Association; PRP Alliance, Inc.; Pulmonary Fibrosis Foundation; Rare and Undiagnosed Network (RUN); Rothmund-Thomson Syndrome Foundation; The Snyder-Robinson Foundation; Sofia Sees Hope; SSADH Association; Susan G. Komen; TargetCancer Foundation; Tarlov Cyst Disease Foundation; Team Audrey; Treatment Action Group; The Turner Syndrome Society; United Leukodystrophy Foundation; United Mitochondrial Disease Foundation (UMDF); Vasculitis Foundation; Veterans Health Council; Vietnam Veterans of America; VHL Alliance; Wilhelm Foundation; Worldwide Syringomyelia & Chiari Task Force; The XLH Network, Inc.

Ms. CASTOR of Florida. Mr. Speaker, this bill is a bill in search of a problem. FDA has approved 99 percent of the expanded access requests it receives. FDA's expanded access program approves nearly all requests for investigational drugs or biologics it receives.

Physicians at the FDA are available 24 hours a day to approve any emergency expanded access requests that the agency receives, and it typically grants those emergency requests immediately over the phone and nonemergency requests in a median time of 4 days and generally no longer than 30 days. FDA has also taken actions to streamline this entire process.

The process of clinical trials at FDA is vital to the protection of the health of all of our neighbors and the folks we represent. In 11 percent of expanded access applications, FDA has raised a red flag and said: Do you know what? You have got to change this.

That is who we are trying to protect here: the actual patients. The patient groups across the country agree with us.

Many States have tinkered with right-to-try laws, but this is different. Forty States have enacted right-to-try laws, but there is no evidence that anyone has obtained the type of therapy via these laws that couldn't have been obtained through the FDA's expanded access program.

Right-to-try laws do not compel companies to provide patient access to these treatments. Therefore, under these laws, patients still do not have a right to try, only the right to request it from the company.

Sometimes those insurance companies will say: Do you know what? We are not going to pay for it.

So that is going to be another barrier.

Mr. Speaker, in the end, these right-to-try laws put patients at higher risk by prohibiting and weakening the FDA oversight, leaving our neighbors on the hook to cover the cost of unproven treatments.

For all of these reasons, I urge a ''no'' vote on the bill. Join with the patient advocates across America, who, in this letter, called this a dangerous proposal.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. BARTON), the vice chairman of the full committee and chairman emeritus of the Energy and Commerce Committee.

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

Mr. BARTON. Mr. Speaker, when I was a little boy, I used to read comic books, and one of them I read was Superman. In the Superman comic books, way back in the 1960s, Superman had an alterego that lived on Bizarro World.

□ 1615

In Bizarro World, everything was a little bit off-kilter. When I listen to my sincerely good friends on the minority side, I think they are on Bizarro World. I know they mean well, but they are not seeing the same planet I am seeing.

I have told this story a number of times about my brother John at the age of 40 having liver cancer. He had exhausted all conventional therapy. He was given less than 3 months to live.

Being a Member of Congress and on the Energy and Commerce Committee, I had access to the National Institutes of Health and the FDA. I called, and I said: Are there any experimental programs that you could get my brother into that might help him?

They checked, and they had a clinical trial, I believe, in San Antonio, Texas. We called down, and they got him into it. But they told him: This is experimental. It has helped a lot of people so far, but it doesn't help everybody. And if it doesn't help you, it accelerates your disease.

He and his wife prayed about it, and his mother and myself and his brother and sister, and we all decided, why not?

They put John in the trial, and it didn't help him, but we were at peace because we had used every available remedy that we could to try to help him.

This bill—which has passed the Senate, and if we pass it today, it goes to the President and it is going to be signed this week—gives patients, if their doctors approve, the right to try.

It has to be an investigational drug that is in an FDA clinical trial that has passed phase one, which has proved that it is nontoxic.

It gives them the right to try. There is no downside to this. This could become law. It would give a statutory right to try at the Federal level.

Why in the world my friends on the minority side have a problem with—it passed the Senate unanimously, which means, under the current Senate, 49 Democrats voted for it by a voice vote.

There is no downside to it. The FDA is still in control of what drugs are passed through this phase one clinical trial. And the doctor has to recommend it, and the patient has to accept it.

So I hope we will vote ''yes.''

The SPEAKER pro tempore (Mr. DONOVAN). The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Texas.

Mr. BARTON. Mr. Speaker, the bill has already passed the House on a bipartisan vote. I think I am right that it passed with 261 votes the last time we sent it.

The House bill is a little bit better bill than the Senate, but the Senate bill is better than no bill. So please vote ''yes'' when the time comes this afternoon.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank the gentleman for yielding, and I thank the Members of the House for talking about this issue.

Mr. Speaker, I rise in opposition to S. 204, the Right to Try Act. I don't agree with my friend from Texas that there is no downside, and I will go over that here in these 2 minutes.

The House took up this issue before, and I voted against it then. This version is worse, so of course I am going to oppose it.

It would weaken the FDA's authority and provide broad access to unproven treatments. The FDA's oversight of experimental treatment plays a critical role in protecting patients from bad actors with malicious intent or from drugs that are grossly untested. The FDA's oversight protections protect patients from experimental treatments that might do more harm than good.

Chipping away at the FDA's authority would put patients in my district and around the country in great danger by providing liability protections for manufacturers and weaken the FDA's oversight ability. This legislation would leave patients with no recourse in the case of harmful side effects.

This legislation is even more flawed, as I said, than the House bill that I voted against back in March. Like the earlier bill, the Senate bill contains the same dangerous, unnecessary pathways to experimental treatments, but it exposes a much larger number of patients to serious risk—not just terminal patients, but patients that would like to try something that is not even tested. In fact, it is so broad, that it exposes patients of all chronic conditions to the risk of experimental treatments.

More than 100 major patient safety groups have voiced their strong opposition to this bill.

Moreover, this bill is not even necessary. The FDA has an expedited approval process for terminal patients.

Mr. Speaker, I urge my colleagues to stand up for patient safety and vote against this flawed legislation.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), a valuable member of the Health Subcommittee.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of S. 204, the Right to Try Act, because this legislation will enhance access to potentially lifesaving treatments for patients with terminal diseases or conditions.

Currently, patients can only receive drugs that are undergoing FDA clinical trials through compassionate use or expanded access. At this time, patients and their physicians can acquire unapproved treatments through the FDA, not directly through the drug sponsor. This critical legislation would establish informed consent for patients to access unapproved drugs that could save their lives.

This bill still guards patients from manufacturers misbranding or mislabeling drugs and specifies that any unapproved drug used in the new alternative pathway must have an active application that is not the subject of a clinical hold.

Mr. Speaker, I want to thank the Speaker and the majority leader for recognizing the importance of right-to-try legislation and making sure that we fulfill our duty to patients looking for any chance to survive deadly conditions.

This is a great step forward toward ensuring our patients get to take advantage of the incredible pharmaceutical therapies that are being researched and developed in the United States.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentleman from New Jersey for yielding.

Mr. Speaker, I rise in strong opposition to the so-called Right to Try Act.

This ideologically driven legislation is trying to solve a problem that simply doesn't exist.

Every single Member of this body supports allowing terminally ill individuals to seek access to experimental treatments that could be potentially lifesaving. However, we have to do so in a structured way that won't undermine the role of the FDA in guaranteeing that the medications we all use are safe and are effective.

I believe the FDA's current expanded access program meets that test by ensuring proper informed consent and adverse event reporting and establishes the appropriate safeguards around access to experimental drugs.

The legislation before us would take the FDA out of the process completely and would allow a black market of snake oil salesmen to emerge, with unscrupulous companies selling untested drugs to a broad array of individuals, including those with manageable chronic conditions like diabetes.

Make no mistake about it: this legislation offers false hope to seriously ill individuals and will put patients at risk.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, before giving my remarks, I include in the RECORD a statement by Senator JOHNSON explaining the intent of S. 204.

STATEMENT OF LEGISLATIVE INTENT

(By Sen. Ron Johnson on S. 204 (as considered by the House of Representatives))

In a recent article about pending right to try legislation, FDA Commissioner Scott Gottlieb was quoted as saying: ''In terms of making sure that it balances [access to experimental drugs] against appropriate patient protections . . . with [S. 204], we'd have to do a little bit more . . . in guidance and perhaps in regulation to achieve some of those goals, and I think those are the goals that Congress wants us to achieve.'' The article went on to quote Commissioner Gottlieb as saying: ''We felt that there were certain aspects of [S. 204] that could be modified to build in additional patient protections, but if you weren't able to do that legislatively, that there [was] a pathway by which you do that administratively and still remain consistent with the letter and the spirit of this law.''

In response to this article, Commissioner Gottlieb tweeted the ''FDA . . . stands ready to implement [right to try] in a way consistent with the intent of Congress.''

As S. 204's primary author and lead sponsor, I want to make this legislation's intent absolutely clear and remove any ambiguity that the FDA could use to implement right to try in a way contrary to its aim.

S. 204, as originally introduced, applied to patients ''with a terminal illness,'' as defined by State law. In discussion with the FDA, the agency suggested it would prefer a uniform federal definition, especially one that already existed in federal statute or regulation, because an existing federal definition would facilitate implementation of the law. The FDA suggested defining terminal illness as an ''immediately life-threatening disease or condition.'' The FDA disclosed that its suggested definition would exclude, for example, patients with Duchenne muscular dystrophy—an illness explicitly intended to be covered by the legislation.

To be clear, I rejected this proposed definition because I believed it would inappropriately exclude patients with certain diseases from accessing treatments. By contrast, the legislation instead defines terminal illness as ''life-threatening disease or condition'' (which exists in current federal regulation), which the FDA confirmed would include patients diagnosed with Duchenne muscular dystrophy.

Contrary to the preference of FDA official Dr. Janet Woodcock, who expressed the FDA's desire to draft the legislation ''to make sure we don't include patients we (the FDA) doesn't intend to include,'' I replied and rejected that notion by stating my intent was completely opposite hers:

''I wanted to make sure we didn't exclude any one we didn't intend to exclude.'' My aim from the beginning was to be as inclusive as possible such that as many patients as possible who are facing no available alternatives could potentially qualify.

S. 204 is fundamentally about empowering terminally-ill patients and their doctors who, together with the cooperation of the developers of potentially life-saving therapies, should be in charge of making a determination about their own course of treatment. The bill is not intended to further empower any federal agency, including the FDA, to limit in any way the ability of an individual facing a life-threatening disease or condition from accessing treatment. S. 204 is about preserving a right to hope and about expanding individual freedom. It is not meant to empower the FDA to limit the right to hope by regulation or guidance.

S. 204 includes a provision ensuring the Secretary may not use a clinical outcome associated with the use of an eligible investigational drug to delay or adversely affect review or approval of the drugs, unless use of such clinical outcome is critical to determining safety. This language is in no way intended to enable the FDA to expand the scope of existing safety determinations regarding investigational drugs.

S. 204 requires, in certain circumstances, that an eligible investigational drug be under investigation in a clinical trial that is intended to form the primary basis of a claim of effectiveness in support of approval or licensure. According to the FDA, this language simply incorporates the standard definition of a clinical trial. This language is not in any way intended to enable the FDA to exclude any clinical trial as a basis for precluding access to treatments under right to try.

Mr. BIGGS. Mr. Speaker, I rise today in strong support of the Right to Try Act and on behalf of the patients who are fighting each and every day to try to save their own lives.

It has been a long ride, but we are in sight of our destination.

Mr. Speaker, I would like to take a brief moment to thank my friend and colleague, Representative FITZPATRICK, for working with me on this cause from the moment we both entered office last year, and to extend my appreciation to Senator JOHNSON, whose efforts on behalf of right to try have been extraordinary.

Mr. Speaker, I also thank Chairman WALDEN for his efforts and the leadership of President Trump and Vice President PENCE.

Mr. Speaker, I acknowledge and thank my predecessor, Congressman Matt Salmon, for his tireless efforts to pass right to try.

But it is the patients themselves and their tireless advocates who deserve the most recognition. I have said this before and I will continue to say it: when the Right to Try Act passes this Chamber and is signed into law by the President, it will be them, not us, who deserve the most credit for this remarkable victory.

Everyone here has heard me speak about the Right to Try Act more than a few times already and everyone here is aware of the widespread support that this legislation has garnered. Forty States have already passed right-to-try legislation, often with unanimous or overwhelming support from Republicans and Democrats alike.

If we can't come together to support a commonsense cause such as this one, I am not sure what effort we can unite behind.

Those on the other side of this debate—and they are a shrinking minority—argue that this legislation is unnecessary. Well, if it is so unnecessary, why do I receive phone calls and letters from patients each week urging me to do everything in my power to get this legislation passed?

I have no doubt the FDA's expanded access program helps patients, but I also know that the agency's personnel, including Director Gottlieb himself, want to help as many patients as possible, but their efforts simply are not enough.

The Right to Try Act doesn't eliminate the expanded access program. Far from it. We are merely providing another, more direct avenue for patients to acquire potentially lifesaving medications from pharmaceutical companies that don't require them to ask permission from a bureaucratic middleman.

Another argument I hear from the naysayers, one that makes me angry, is that we are peddling false hope. False hope? What is that?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Arizona.

Mr. BIGGS. Mr. Speaker, to this tired argument, I respond that there is no such thing as false hope. You either have hope or you don't.

I, for one, want those brave men and women who are fighting every day against terrible illnesses and almost insurmountable odds to have a choice, even if it is the last choice many of them will ever have the opportunity to make. I trust them to weigh the pros and cons and choose for themselves whether they wish to take a risk to try to save their own lives.

Make no mistake: it is a choice. We are not offering a mandate, merely an option.

Mr. Speaker, I urge all of my colleagues to vote ''yes'' on this legislation.

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

Mr. Speaker, I just want to respond briefly to the previous speaker on the Republican side.

I don't understand how the gentleman can say that the expanded access program will continue even under right to try.

The problem is, sure, on paper it will continue, but there wouldn't be any reason for anyone to go to the FDA. If the FDA is now out of the picture and all you have to do is find somebody who manufactures a drug or treatment and get the doctor to say, ''Okay, I will administer it,'' then you don't need to go to the expanded access program.

You see, the problem is that the gentleman assumes that people will go to the FDA and they will know that the expanded access program exists. I think the very nature of this legislation, which basically says that you don't have to go to the FDA, is going to mean that people won't even know that that is an option. And if they can get somebody to give them the drug without going to the FDA, they will just do it.

Let me just say this. I know the gentleman referred to the FDA's bureaucrats. I guess you could say that the people at the FDA are bureaucrats, but the FDA existed because, for many years before then, in the 19th century and early 20th century, all kinds of snake oil and things were advertised and promoted in the papers and in magazines, saying that this is going to cure that, this is going to cure that, and people demanded that there be some kind of Federal oversight as to whether drugs or treatments actually are effective, whether they have harm, whether they are toxic. That is why the FDA was started.

So I guess I just don't understand, because the bottom line is there is very little evidence that there is any significant number of people who are denied treatment or drugs because of the expanded access program. At least then they know that some agency has looked at this to see whether it is harmful, whether it has some negative impact.

The great concern that those of us on the other side of this issue have is that without the FDA, there is no guarantee that what somebody gets as a form of treatment is actually going to be meaningful, not be harmful.

So I don't want to prolong my response to the gentleman, but I do think that you have to understand that those of us on this side of the aisle actually think that the FDA has a purpose and actually performs an important function, and I don't think we should deny that. I think it is unfortunate that there are those who think that somehow the FDA is not doing its job.

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

□ 1630

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), another principal author of the bill.

Mr. FITZPATRICK. Mr. Speaker, today is long overdue; long, long overdue. I want to thank Leader MCCARTHY, Chairman WALDEN, Dr. BURGESS, Mr. GRIFFITH, my friend and colleague, ANDY BIGGS, Senator RON JOHNSON, and all of the advocates who have had a relentless fight to see right to try debated, passed, and signed into law once and for all.

And I want to thank the overwhelming bipartisan majority of my colleagues here in the House who we had to work on, many of them, back in March, who supported the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act and proved emphatically that right to try is about more than politics. It is about hope.

For those patients caught in between traditional drug delay approvals, a clinical trial process for which they do not qualify, and limited time, the Right to Try Act.

Simply establishes the freedom for patients and their doctors to try therapies where the benefits far outweigh the risks. It gives them the option of saving their life.

Mr. Speaker, I want to acknowledge the Wendler, Bellina, Mongiello, McLinn families, all who are here with us in this Chamber today to see history be made.

Although the FDA has a program that allows terminal patients to apply for early access to promising treatments, the Right to Try Act is needed because the FDA's compassionate use process does not help enough people.

While 99 percent of expanded access applications are approved, the application process is complicated, it is time consuming, and it is expensive.

Moreover, only about 1,200 people a year can make it through the application process. By contrast, Mr. Speaker, in 2014, more than 12,000 people in France were using investigational treatments through that government's equivalent program.

How is it, pray tell, that a country one-fifth the size of the United States can help 900 percent more people? The FDA program clearly is not working.

Mr. Speaker, the Right to Try Act gives people hope. And let me be clear: This bill requires robust informed consent between the patient, the doctor, and the manufacturer, while requiring notification be given to the FDA after an unapproved drug becomes available to an eligible patient, and requiring doctors and the manufacturers to report adverse events.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Speaker, when life hangs in the balance, the Federal Government must not stand in the way of this process. We have to get this done once and for all.

Mr. Speaker, today, I urge my colleagues on both sides of the aisle, appeal to the better angels of your nature. All the groups that they say are opposed to this bill, I will tell you who is in favor of this bill: Over 80 percent of the American people, and they are the ones who have the power in this country, and they are the ones we have to listen to.

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

Mr. Speaker, again, I would like to respond to the previous Republican speaker. He made three comments that disturb me.

One, he said that people should be able to try things, try the drugs or the treatment, when the benefits outweigh the risks. But how are they going to know that when the FDA isn't involved?

When the FDA goes through various phases of clinical trial, not only phase

one, which determines whether something is toxic, but beyond, to determine whether it is effective or whether it has harmful effects, then you do know. The FDA basically will tell you: Yes, the benefits outweigh the risk, and that is why we have an approval process in general for drugs, and that is why we have the expanded access, so that the FDA can look at it and say: Okay. Maybe you are going to risk this, but we want to make sure that you have some protection.

The gentleman said that the FDA process is complicated or time consuming. First of all, there is an emergency process where you can simply get on the phone or the doctor gets on the phone, and within 24 hours you can be approved.

But on the other hand, if it is not an emergency, the average approval time is 4 days. So I don't know how he can say that this is time consuming.

And then the last thing he said is that there is consent, that the doctors and the manufacturers have to agree. But who is going to enforce this?

Right now, because the FDA has to go through the expanded access process, the FDA has the enforcement. They can say: We are going to grant this; we are not; we are going to provide some safety or other protections.

But if the doctor and some fly-by-night manufacturer decide that they want to give you this drug or treatment, who is going to enforce that? How do we know that the doctor is legitimate? How do we know that the manufacturer is not selling snake oil?

Once the FDA is out of the picture, there is no way for the patient to know whether the doctor is unscrupulous, whether the manufacturer is unscrupulous. There is no review. There is no enforcement whatsoever.

So, again, this is the problem once you take the FDA out. I understand there are some that don't like the FDA, don't think maybe they should be involved. But in the absence of the FDA, I don't know how you possibly could know whether this thing is going to help you, whether the benefits outweigh the risk, whether there is a bad actor involved, either with the doctor or the manufacturer.

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

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to read from the Statement of Administration Policy that was put out by the Executive Office of the President.

The last paragraph:

Since the late 1980s, the Food and Drug Administration has facilitated access to investigational drugs, devices, and biological products for the treatment of seriously ill patients. Families in these situations have sometimes found this process challenging, and the Food and Drug Administration is constantly striving to make improvements to its expanded access program. Some patients and their families, however, still have challenges accessing investigational treatments. The administration believes that the treatment decisions for those facing terminal illnesses are best made by the patients with the support and the guidance of their treating physicians. This legislation will advance those principles.

Mr. Speaker, that is from the Statement of Administration Policy, and I reserve the balance of my time.

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

Mr. Speaker, I want my colleagues on the other side to understand why so many of us over here have been so upset by this proposal today.

As I think I said before, the House bill was bad enough. The Senate bill is worse for at least two reasons.

One is our concern, on the one hand, that rather than these drugs or treatments without FDA approval would be handed to just terminally ill patients, that the Senate bill says that it would apply to people who have life-threatening situations.

And the FDA and the commissioner of the FDA have stated quite clearly that they are concerned about the expansion from terminal to life-threatening, because it could be that people who have diseases like diabetes, severe diabetes, or chronic heart disease, for example, could make the argument that their situation is life-threatening, and, therefore, they can go and get these experimental drugs without FDA approval.

So that is a huge loophole that is very disconcerting.

The second thing is that the prohibition, if you will, on promotional activity with these investigational drugs is taken out by the Senate bill.

So the worst thing of all, we talk about snake oil and advertising, is now is some unscrupulous doctor or manufacturer now going to promote this and say: Well, if you take this, this may save your life?

So that is why the Senate bill is worse.

But I want to go back to the whole idea. The problem that I have with all this is that once you take out the FDA, and the FDA is not involved anymore, the way this bill is set up, how do I know, if I am the patient and I hear from some doctor or through some promotion or whatever, that there is something that might help me, and I am desperate, how do I know that the doctor that I go to or the manufacturer who is promoting this drug, that this is actually not a bad actor, not somebody who is taking advantage of the situation because there is no FDA approval?

In other words, who is going to determine whether this person's life is threatened or whether they are terminally ill? There is no FDA. Who determines that?

Who is going to determine whether this drug has any effectiveness at all?

Well, some of my Republican colleagues say: Well, it has to go through phase one, but phase one clinical trials could have 20 or 30 people. They are sometimes very small.

The FDA doesn't really have any ability to control those clinical trials. Sure, they have some oversight over clinical trials, but there are clinical trials that take place all over the country with very few people, and sometimes the drug manufacturers who are experimenting with these trials, with these small groups, are not necessarily known manufacturers or large ones that we know will be safeguarding these drugs or treatments.

So I just think the problem is, when we talk about snake oil and bad actors, it is almost as if the Republicans assume there are no bad actors.

Because if you assume that there are, which I do, and there are bad actors who are going to promote something that is not going to be effective or is going to harm somebody, and that there is a manufacturer who is not someone we know, who is going to determine whether or not they are a bad actor or what they are doing?

You need to have some kind of enforcement. You need to have somebody who is supervising this. Otherwise, it is any man for himself decides: I will try this drug. It went through phase one. Maybe it is not toxic.

So I really worry that this debate on the other side of the aisle is not taking into consideration that there always are going to be people who want to take advantage of the situation and sell something that they are going to make a buck on that is not necessarily going to have any real oversight in this situation.

So that is my fear. That is my fundamental fear about this bill, that these situations are going to arise, nobody is going to be in charge, nobody is going to know what is going on, and then the person is going to either die earlier or have some awful impact, and then they are going to say: Oh, how come the FDA didn't approve it? Or maybe they are going to assume the FDA approved it, and there is no FDA. They are gone.

Mr. Speaker, in any case, I would urge my colleagues to oppose what I consider very harmful legislation, and I yield back the balance of my time.

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

Mr. Speaker, on January 30 of this year, the President of the United States came to this House and addressed a joint session of the House and Senate in the State of the Union address, and he said, right from that podium, ''People who are terminally ill should not have to go from country to country to seek a cure. I want to give them a chance right here at home. It is time for Congress to give these wonderful Americans the right to try.''

Mr. Speaker, I couldn't say it any better than the President has already put it. The Right to Try Act is before us. It is a good bill. The House needs to support it, and it will go to the President for his signature.

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

Ms. MATSUI. Mr. Speaker, this proposed ''Right to Try'' legislation will make it possible for bad actors to take advantage of desperate families.

The pill would allow companies to completely circumvent the FDA if they claim to have a new drug or cure for a patient. And it dogs not require the doctor or the company to even report to FDA, so we will have no way of knowing who is trying which experimental drug. This legislation really does encourage snake oil salesmen.

Currently, legitimate companies may have new experimental drugs that have not yet been approved, but that could be helpful for patients who have no other options . . . but this bill is not limited to that situation. And, FDA does have an existing process to allow for patients with life-threatening conditions to try experimental drugs before they are approved.

And, this bill is not limited only to patients with a life-threatening condition. FDA has testified that the process under this bill would be available much more broadly to patients with chronic conditions such as diabetes.

That is a large population with a condition that is managed with currently available treatments. Under this bill, bad actors could see the dollar signs to market ineffective drugs to these patients.

The bill before us today does not require FDA or Institutional Review Boards (or IRB's) to review any request for experimental therapy, and rescinds any requirement to report adverse effects of a drug immediately.

This means that if someone loses their eyesight or dies from taking an unproven experimental treatment, then no one is required to report it immediately. This puts other patients taking the same drug in danger.

Additionally, if a patient does have a success with a drug, but it is not reported or considered in a clinical trial, that success will not translate to other patients that could be saved by the treatment.

I am also incredibly concerned that in 19 states, taking experimental treatment will result in the loss of people's hospice care, and in 4 states it will result in the loss of their insurance, completely.

To rake matters worse, this legislation does not stipulate that patients must be informed of this loss of coverage or hospice coverage in advance.

This legislation, therefore, puts patients' care network, financial stability, and safety at risk—without any legal recourse.

If we open this loophole, a surge of bad actors who may claim to have experimental drug therapies could make money peddling dangerous therapies to unsuspecting patients with no system of oversight, safety, and accountability.

The unfortunate victims will be families and their loved ones. I strongly urge my colleagues to vote no on this bill.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to S. 204, the so-called ''Right to Try'' bill that offers false hope for patients and families while circumventing FDA's role in overseeing drugs.

Two months ago, our chamber debated the House Republican version of this legislation, H.R. 5247. I spoke out in opposition to that bill due to my serious concerns over the lack of oversight and protections for terminally ill patients and their families, particularly by excluding the U.S. Food and Drug Administration from any role in ensuring the safety and efficacy of experimental therapies.

Instead of addressing our concerns, the Majority has double-downed on this unnecessary legislation with an even broader proposal that would expose a great number of patients to unproven medical treatments and unwanted side effects.

S. 204 eliminates critical patient protections, such as a review by a third party of clinical protocols and informed consent, and eliminates the requirement that treating physicians and manufacturers report adverse events to the FDA in real time.

Under this legislation, insurers and pharmaceutical companies are not required to cover the cost, or reduce the cost, of these often-expensive treatments—meaning the full cost of these experimental drugs would fall on patients and their families.

All the while, we already have a proven Right-to-Try system already in place through the FDA. This program, popularly known as Compassionate Use, has been helping seriously ill Americans have access to experimental therapies still under clinical trials for 31 years.

FDA approves nearly all requests for investigational drugs. For the past five years, FDA's approval rate for expanded access requests is over 99 percent. In fact, FDA physicians are available 24 hours a day to approve emergency requests.

My daughter, an infectious disease expert at the University of Nebraska, used FDA's Compassionate Use pathway to provide an experimental therapy for an American missionary who had contracted ebola while in Africa in 2014. FDA approved the request for the experimental treatment over the telephone in less than 24 hours.

The new pathway created in S. 204 is not necessary and, in fact, may well endanger the health and safety of seriously ill patients by bypassing FDA's oversight and expertise.

This is an unnecessary and dangerous bill that offers false hope to seriously ill patients and families. I ask my colleague to oppose this legislation and work with me to advance proven measures that will help Americans facing life-threatening diseases.

The SPEAKER pro tempore (Mr. KELLY of Pennsylvania). All time for debate has expired.

Pursuant to House Resolution 905, the previous question is ordered on the bill.

The question is on the third reading of the bill.

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

MOTION TO RECOMMIT

Ms. SCHAKOWSKY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SCHAKOWSKY. Mr. Speaker, I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Schakowsky moves to recommit the bill S. 204 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

Strike all after section 1 and insert the following:

SEC. 2. USE OF UNAPPROVED INVESTIGATIONAL DRUGS BY PATIENTS DIAGNOSED WITH A TERMINAL ILLNESS.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 561A (21 U.S.C. 360bbb–0) the following:

''SEC. 561B. ELIGIBLE INVESTIGATIONAL DRUGS FOR USE BY ELIGIBLE PATIENTS.

''(a) USE OF CLINICAL OUTCOMES.—

''(1) IN GENERAL.—The Secretary shall issue guidance describing the Secretary's consideration and evaluation, for purposes of the review of, and decision on whether to approve, a marketing application under section 505 of this Act or section 351 of the Public Health Service Act for an eligible investigational drug, of clinical outcomes associated with the provision by a sponsor or manufacturer of such drug under subsection (b) or (c) of section 561. Such guidance shall address—

''(A) specific instances in which the Secretary will determine that the public health requires such consideration and evaluation;

''(B) specific instances in which a sponsor may request such consideration and evaluation; and

''(C) the context in which such consideration and evaluation will occur, particularly with regard to information and data relevant to the evaluation of a marketing application under section 505 of this Act or section 351 of the Public Health Service Act for the eligible investigational drug.

''(2) GUIDANCE.—

''(A) DRAFT GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue draft guidance with a public comment period regarding the use of clinical outcomes associated with the use of an eligible investigational drug that a sponsor or manufacturer has provided under subsection (b) or (c) of section 561, as described in paragraph (1).

''(B) FINAL GUIDANCE.—Not later than 1 year after the public comment period on such draft guidance ends, the Secretary shall issue final guidance.

''(b) POSTING OF INFORMATION.—Not later than 1 year after the date of enactment of this section, the Secretary shall post on the internet website of the Food and Drug Administration and update annually, categorized by therapeutic area—

''(1) the number of requests that were received by the Food and Drug Administration for the provision by a sponsor or manufacturer of an eligible investigational drug under subsection (b) or (c) of section 561; and

''(2) the number of such requests that were granted.

''(c) DEFINITION.—In this section, the term 'eligible investigational drug' means an investigational drug (as such term is used in section 561)—

''(1) for which a Phase 1 clinical trial has been completed;

''(2) that has not been approved or licensed for any use under section 505 of this Act or section 351 of the Public Health Service Act;

''(3)(A) for which an application has been filed under section 505(b) of this Act or section 351(a) of the Public Health Service Act; or

''(B) that is under investigation in a clinical trial that—

''(i) is intended to form the primary basis of a claim of effectiveness in support of approval or licensure under section 505 of this Act or section 351 of the Public Health Service Act; and

''(ii) is the subject of an active investigational new drug application under section

505(i) of this Act or section 351(a)(3) of the Public Health Service Act, as applicable; and

''(4) the active development or production of which is ongoing and has not been discontinued by the manufacturer or placed on clinical hold under section 505(i); and''.

(b) REPORTING.—Section 561A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–0) is amended adding at the end the following:

''(g) REPORTING.—

''(1) IN GENERAL.—The manufacturer or sponsor of an eligible investigational drug shall post on the same publicly available internet website used by the manufacturer for purposes of subsection (b) of this section an annual summary of any provision by the manufacturer or sponsor of an eligible investigational drug under subsection (b) or (c) of section 561. The summary shall include the number of requests received, the number of requests granted, the number of patients treated, the therapeutic area of the drug made available, and any known or suspected serious adverse events. Such annual summary shall be provided to the Secretary upon request.

''(2) DEFINITION.—In this subsection, the term 'eligible investigational drug' has the meaning given to such term in section 561B(c).''.

(c) LIABILITY.—Section 561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) LIABILITY.—

''(1) ALLEGED ACTS OR OMISSIONS.—

''(A) MANUFACTURER OR SPONSOR.—No manufacturer or sponsor (or their agent or representative) of an eligible investigational drug provided to a single patient or small group of patients for treatment use shall be liable for any alleged act or omission related to the provision of such drug, so long as such drug was provided in accordance with subsection (b) or (c), including the reporting of safety information, from clinical trials or any other source, as required pursuant to section 312.32 of title 21, Code of Federal Regulations (or any successor regulations).

''(B) PHYSICIAN, CLINICAL INVESTIGATOR, OR HOSPITAL.—

''(i) No licensed physician, clinical investigator, or hospital shall be liable for any alleged act or omission related to the provision to a single patient or small group of patients for treatment use of an eligible investigational drug in accordance with the requirements described in clause (ii), unless such act or omission constitutes on the part of such physician, clinical investigator, or hospital with respect to such eligible investigational drug—

''(I) willful or criminal misconduct;

''(II) reckless misconduct;

''(III) gross negligence relative to the applicable standard of care and practice with respect to the administration or dispensing of such eligible investigational drug; or

''(IV) an intentional tort under applicable State law.

''(ii) The requirements described in this clause are the requirements under subsection (b) or (c), including—

''(I) the reporting of safety information, from clinical trials or any other source, as required pursuant to under section 312.32 of title 21, Code of Federal Regulations (or any successor regulations);

''(II) ensuring that the informed consent requirements of part 50 of title 21, Code of the Federal Regulations (or any successor regulations) are met; and

''(III) ensuring that review by an institutional review board is obtained in a manner consistent with the requirements of part 56 of title 21, Code of the Federal Regulations (or any successor regulations).

''(2) DETERMINATION NOT TO PROVIDE DRUG.—No manufacturer, sponsor, licensed physician, clinical investigator, or hospital, nor the Secretary, shall be liable for determining not to provide access to an eligible investigational drug under this section or for discontinuing any such access that it initially determined to provide.

''(3) LIMITATION.—

''(A) IN GENERAL.—Except as set forth in paragraphs (1) and (2), nothing in this section or section 561B shall be construed to modify or otherwise affect the right of any person to bring a private action against a manufacturer or sponsor (or their agent or representative), physician, clinical investigator, hospital, prescriber, dispenser, or other entity under any State or Federal product liability, tort, consumer protection, or warranty law.

''(B) FEDERAL GOVERNMENT.—Nothing in this section or section 561B shall be construed to modify or otherwise affect the authority of the Federal Government to bring suit under any Federal law.

''(2) DEFINITION.—In this subsection, the term 'eligible investigational drug' has the meaning given to such term in section 561B(c).''.

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Illinois is recognized for 5 minutes in support of her motion.

Ms. SCHAKOWSKY. Mr. Speaker, this that I am proposing today would be the final amendment to the bill, which will not kill the bill or send it back to committee.

If adopted, the bill will immediately proceed to final passage, as amended, and this amendment would offer a more targeted approach to improve FDA's expanded access program that allows patients access to experimental drugs that can possibly save their lives, which is the goal of all of us.

□ 1645

The FDA ensures that expanded access requests are safe, and it approves nearly 100 percent of all the requests that are made, and most in a matter of hours, if necessary.

The right-to-try legislation we are considering today presents a huge risk to patients and is much worse than the House bill we passed in March, as our ranking member explained.

If this bill is so good, why are 104 patient groups—these are the groups that represent the sick and dying people—opposed? And PhRMA, the big pharmaceutical companies, are not supportive because this gives open license to snake oil salesmen.

This bill exposes far more patients to serious risks through a dangerous and unnecessary pathway for experimental treatment.

FDA Commissioner Gottlieb noted this legislation is not limited to patients with terminal illness anymore: ''We are certainly going to be exposing patients with potentially less severe conditions to a risk.''

It is troubling that, in some States, patients using an investigational drug can lose their hospice coverage and, in other States, that they can be denied home care. These are the very people who need this care.

Why should we put more patients at risk when the current process does work? FDA already approves, as I said, nearly 100 percent of the requests for experimental therapies through the expanded access program. If a person is denied treatment, it is because the manufacturer will not provide it. It also isn't going about giving the terminally ill hope.

If that were true, then why would these 104 patient groups, including the American Cancer Society, the Cystic Fibrosis Foundation, and the Vietnam Veterans of America also oppose this bill?

The main reason that this bill is being pushed is to remove FDA oversight of the safety and effectiveness of our drugs. It allows manufacturers to serve as the gatekeeper and protector of patients. It opens the door for bad actors to prey on people desperate to save their lives or the lives of their children.

Imagine if someone like Martin Shkreli, the infamous pharmaceutical bad actor, promised a cure to save a child's life provided that the parents pay whatever price he might charge, under this bill, FDA would play no role in determining if that drug were safe and effective.

Bad actors do exist, and this Republican bill gives them the opportunity to prey on desperate people who are looking for any treatment that might help to save their lives.

Unlike S. 204, this motion to recommit is not based on the false premise that the FDA approval is a barrier to investigational treatments; rather, it provides clarification of the liability and how FDA will utilize clinical outcomes.

With this motion to recommit, the FDA would provide manufacturers guidance to clarify how FDA will consider clinical outcomes associated with treatments under expanded access when making a decision about whether or not the drug should be granted full approval. It also provides transparency as to how many patients are making expanded access requests and how often these requests are granted or denied by the FDA and manufacturers. It also offers to provide manufacturers or sponsors liability protection if they comply with the requirements of the expanded access program.

I believe that these legislative fixes facilitate patient accessing of experimental treatments while ensuring critical FDA oversight to protect public health.

In conclusion, patients already have the right to try. Rather than creating an unnecessary pathway that puts patients at risk by allowing the sale of

snake oil, I would urge my colleagues to join the over 100 patient groups, organizations that care about their neighbors and their friends and people who have these diseases, in support of the expanded access program.

These targeted improvements are one way to achieve that goal, so I urge my colleagues to support my motion to recommit and oppose the dangerous Republican proposal.

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

Mr. BURGESS. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, while the motion to recommit may be well intentioned, it has a practical effect of killing this bill because the Senate has rejected House attempts to refine the Senate bill that was passed by unanimous consent last August. So if you want to provide that right to try for patients, this is the vehicle.

Now, interestingly enough, the Food and Drug Administration Administrator, this morning, Dr. Gottlieb, put out a statement. He said that he is: ''. . . ready to implement it in a way that achieves Congress' intent to promote access and protect patients; and build on FDA's longstanding commitment to these important goals.''

Mr. Speaker, I urge people to vote against the motion to recommit and vote for the underlying bill. Let's give patients that expanded access, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

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

Passage of S. 204, if ordered;

The motion to suspend the rules on H.R. 5682; and

Passage of S. 2155.

The vote was taken by electronic device, and there were—yeas 187, nays 231, not voting 9, as follows:

[Roll No. 213]

YEAS—187

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

NAYS—231

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

NOT VOTING—9

Black
Frelinghuysen
Higgins (LA)
Mooney (WV)
Pearce
Rogers (KY)
Speier
Stivers
Walz

□ 1717

Ms. STEFANIK, Messrs. WALKER, MCCAUL, BILIRAKIS, and AUSTIN SCOTT of Georgia changed their vote from ''yea'' to ''nay.''

Ms. SÁNCHEZ, Mr. VISCLOSKY, and Ms. HANABUSA changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BERGMAN). The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 250, noes 169, not voting 8, as follows:

[Roll No. 214]

AYES—250

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Correa
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy

Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Gabbard
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
Lawson (FL)
Lesko
Lewis (MN)
Lieu, Ted
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Perlmutter
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Polis
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Veasey
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—169

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Lamb
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Maloney, Carolyn B.
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Panetta
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Black
Frelinghuysen
Higgins (LA)
Pearce
Rogers (KY)
Speier
Stivers
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

□ 1725

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FORMERLY INCARCERATED REENTER SOCIETY TRANSFORMED SAFELY TRANSITIONING EVERY PERSON ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5682) to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 360, nays 59, not voting 8, as follows:

[Roll No. 215]

YEAS—360

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blunt Rochester
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
Delaney
DelBene
Demings
Denham
DeSantis
DesJarlais
Diaz-Balart
Dingell
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Hultgren
Hunter
Hurd
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lesko
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Newhouse
Noem
Nolan
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Panetta
Pascrell
Paulsen
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Scalise
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Stefanik
Stewart
Suozzi
Swalwell (CA)
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Tonko
Trott
Tsongas
Turner
Upton
Valadao
Veasey
Vela
Velázquez
Visclosky
Wagner

Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—59

Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Bustos
Capuano
Chu, Judy
Correa
Cummings
Davis, Danny
DeGette
DeLauro
DeSaulnier
Deutch
Doggett
Gomez
Green, Al
Green, Gene
Grijalva
Huizenga
Jackson Lee
Jayapal
Johnson (GA)
Kennedy
Khanna
Kihuen
King (IA)
Krishnamoorthi
Larsen (WA)
Lee
Levin
Lewis (GA)
Lowenthal
Maloney, Carolyn B.
McGovern
Nadler
Napolitano
Neal
Norcross
Pallone
Payne
Polis
Quigley
Raskin
Roybal-Allard
Rush
Sarbanes
Schakowsky
Scott, David
Sires
Smith (WA)
Takano
Titus
Torres
Vargas
Waters, Maxine
Watson Coleman
Yarmuth

NOT VOTING—8

Black
Frelinghuysen
Higgins (LA)
Pearce
Rogers (KY)
Speier
Stivers
Walz

□ 1732

Mr. DEUTCH changed his vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (S. 2155) to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 258, nays 159, not voting 10, as follows:

[Roll No. 216]

YEAS—258

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

NAYS—159

Adams
Aguilar
Barragán
Bass
Beatty
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Courtney
Crist
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Lamb
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Black
Carter (GA)
Frelinghuysen
Higgins (LA)
Pearce
Rogers (KY)
Smith (MO)
Speier
Stivers
Walz

□ 1741

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CARTER of Georgia. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 216.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 5515.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 905 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5515.

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

□ 1743

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. HARPER in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from

Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I am pleased to bring to the House floor H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. This measure was reported favorably out of our committee by a vote of 60–1, and if signed into law, this would be the 58th consecutive year in which a National Defense Authorization Act was signed into law.

I want to begin by thanking the members of the House Armed Services Committee, because each of them has contributed to the work product that we bring before the House today. I particularly want to express my appreciation to the ranking member, the gentleman from Washington (Mr. SMITH), for not only his cooperative approach to matters of national security, but for all of the input, all of the good humor, all of the partnership that he brings into making this truly a bipartisan bill which we bring before the House today.

I also want to thank the staff of the committee on both sides of the aisle for incredible hours, incredible work, not only in the last few weeks, but throughout this process as we have conducted our hearings, our briefings, and traveled, done all sorts of work that contributed to this bill.

Mr. Chairman, I also want to especially thank the legislative counsel. We have had hundreds of amendments considered in committee. We have had hundreds of amendments which have been drafted for floor consideration. That is a lot of work on a very few individuals who have had to make sure it was in the appropriate legislative language. I especially want to thank legislative counsel working with our staffs for getting this measure ready for floor consideration.

Mr. Chairman, the best way to summarize this bill is that it takes the next steps: the next steps to rebuilding our military, the next steps to reforming the Pentagon, the next steps towards strengthening our country's national security.

We are going to hear a lot more about the details in the moments and days to come. I just want to emphasize that no one bill can do everything that needs to be done on behalf of the men and women who serve our Nation, especially in repairing their equipment, in repairing their readiness, and in giving them the best equipment, support, and training our Nation can provide. No one bill can do all those things, but this bill takes important next steps building on what was done in the 2018 bill.

Finally, Mr. Chairman, I just want to make this point: We live in a volatile and dangerous world. Our country has a number of tools at its disposal—diplomacy, economics and trade, soft power and influence, a variety of tools—but, in my view, the most important tool is our military strength. I believe our military strength enhances all of those other tools so that, when our military is strong, our diplomacy is more effective. When our military is strong, our economic tools and sanctions are more effective. When our military is strong, our soft power somehow becomes more persuasive.

Just to take one example, there is a lot in the news these days, even today, about whether or not there will be some sort of a negotiated agreement with North Korea. I don't know how that will come out. What I do know is a strong military improves our negotiating position, and a strong military helps make sure we can defend this country if negotiations do not bear fruit.

What we are trying to advance in this bill, along with the appropriations bill, which will come, is to put the United States in a stronger position, hopefully, to get a negotiated result with Iran, North Korea, a variety of other situations around the world, but, above all, to defend this country and to defend our way of life, to defend the American people by way of supporting the men and women who risk their lives for us. That, bottom line, is what this bill tries to do. It is what all of these thousands of pages and hundreds of amendments are designed to do. With the bipartisan support of this House, I believe it will be successful.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, first of all, I want to start off by agreeing with the chairman on the importance both of the bill, but also on the incredible work that we do in a bipartisan manner.

I think the chairman has set the right tone for the committee. His leadership makes all the difference in the world in terms of making sure that we all understand that we are working together to produce a product that is enormously important to the national security of this country.

Not that we don't have our disagreements—we have many—but we do so in a respectful way, always with the goal of what is the best policy for our national defense. The chairman's leadership has set the tone for that in a way that is helpful to all of us.

All 62 members of the committee also contribute, and, of course, the staff. The staff has to look through all the amendments, all the issues, and make sure that we are aware of them, and they do a fabulous job. This is the one bill that we pass every year, and the work that our staff does is always outstanding and always puts us Members in a position to do the best we can on the bill.

So I appreciate the staff, I appreciate the bipartisan spirit in the committee, and I look forward to having a 58th successful year in producing a National Defense Authorization Act because, first and foremost, it is incredibly important that we set national security policy for this country.

As the chairman mentioned, we face an incredibly complex set of threat environments. We need policy to figure out what the best approach to that is. Most importantly, right now, after nearly 17 years of war, we have really worked the men and women who serve us in the armed services very, very hard, and there is a very real readiness problem within our military, as we have underfunded that to fund the short-term needs as presented by the conflicts that we have gotten into.

I think the most important thing about this bill is it really begins to pay that back. It begins to bring back up the readiness levels so that the men and women who serve us are prepared for the fights that we ask them to do. That, to me, is the most important point.

We can have a very robust debate about how large the military budget should be, about what responsibilities we should take on, but wherever we come out on that debate, when we decide this is what we expect the military to do, it is incredibly important that we provide the funds and training to make sure that they can do it.

Now, again, we can argue that they should do less, but in my mind, it is completely unacceptable to say: Well, we have got so many priorities, We don't know how to do it. We are going to ask you to do all these things and then not have the men and women to get the training that they need to be ready for that fight.

I believe this bill starts moving us in the right direction. It also honors the agreement that we made just a few short months ago for both FY '18 and, now, FY '19 in terms of what the defense and nondefense numbers should be in the appropriations process. So I appreciate that.

There are several things; and as the chairman mentioned, in a bill of this size, of this magnitude, $717 billion, it would be a miracle if there were any one person who agreed with absolutely everything in the bill. I am sure there is not. But the one thing that I would point out that is most troubling to me is the endorsement of the nuclear posture review that was just put forward by the administration.

I am very concerned, number one, that we are spending too much money on our nuclear weapons arsenal going forward and what impact will that have on those other needs that I mentioned just a minute ago. What impact will that have on readiness? What impact will it have on our ability to have the forces forward deployed enough to deter Russia, to deter North Korea, to deal with China's rise in Asia? So I think we are overemphasizing nuclear weapons, number one, in terms of the amount of money that we are spending on them.

But equally as troubling, this bill authorizes low-yield nuclear weapons for

the first time in a very long time. It even authorizes a low-yield nuclear weapon for our submarines. I believe that that puts us down a dangerous course. We need to do more to make sure that we are deterring any possibility of nuclear war.

There is a huge risk as Russia rises back up, with what North Korea is doing, now that we are not in the nuclear agreement with Iran, what they might be doing, that we avoid miscalculation and stumble into a nuclear war. Thinking that there is such a thing as a tactical nuclear weapon, a weapon small enough that it doesn't really rise to the level of the other nuclear weapons, I think, is a mistake.

And, yes, I know Russia is building them. So the question is: How do we deter Russia? Well, I think we deter Russia in a very straightforward way. We have over 4,000 nuclear warheads. We have more than enough nuclear firepower to present a credible deterrent to what they are doing.

We don't have to say: Well, if you use a small nuclear weapon, we won't want to use a bigger one in response. We want to say that our deterrence is: If you cross the red line of all red lines and use a nuclear weapon, we will respond overwhelmingly. We want to make sure it never happens.

So I think building low-yield tactical nuclear weapons is a mistake. I also think it is incredibly important that we increase the dialogue between our country and Russia and China and North Korea, nuclear armed powers, to make sure that there is not a miscalculation and we don't stumble into a nuclear war.

Overall, I think this is a good product. I look forward to the amendment debate and look forward to supporting the bill.

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

Mr. THORNBERRY. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. WILSON), the chairman of the Subcommittee on Readiness.

Mr. WILSON of South Carolina. Mr. Chairman, I rise in strong support of H.R. 5515, the National Defense Authorization Act of 2019. I appreciate Chairman MAC THORNBERRY achieving a bipartisan success in the committee with 60 ''yes'' votes and only 1 ''no'' vote.

This bill contains significant policy and funding initiatives to provide the military resources necessary to restore lost readiness for peace through strength. The bill authorizes additional funding for equipment and weapons systems maintenance, spare parts, and training—all sorely needed to begin to reverse years of minimal funding and military readiness accounts.

In addition, the bill includes several provisions aimed at improving the readiness and operation of naval surface forces in response to the tragic collisions suffered last year with the loss of 17 sailors of the *Fitzgerald* and the *McCain*.

We also addressed aviation readiness concerns by increasing flying hours, funding for spare parts, and depot level repair capacity. With military end strength at a premium for operational units, Federal civilians are an ever-increasingly important component of military readiness.

This bill contains several measures meant to improve the civilian workforce management with a special emphasis on faster hiring. There is a provision that provides the Secretary of Defense hiring authority for many critical readiness skills until 2025, as well as the ability to hire new college graduates.

Also included are several additional authorities to provide commanders innovative ways to solve installation infrastructure problems, including a measure that will speed execution of force protection projects.

In conclusion, I want to thank Chairman MAC THORNBERRY and Ranking Member ADAM SMITH and the subcommittee's distinguished ranking member, the gentlewoman from Guam (Ms. BORDALLO), and her staff for their contributions to this bill and support in the process.

Of course, we were joined by an active and informed and dedicated group of subcommittee members with professional staff members. Their recommendations and priorities are clearly reflected in the National Defense Authorization Act for Fiscal Year 2019.

I strongly urge my colleagues to support this worthy bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Subcommittee on Emerging Threats and Capabilities.

Mr. LANGEVIN. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chairman, I would like to begin by thanking Chairman THORNBERRY, Ranking Member SMITH, and Chairwoman ELISE STEFANIK, the chair of the Subcommittee on Emerging Threats and Capabilities, on which I am proud to serve as ranking member. I thank them all for their contributions to this bill that is before us today. Each year, our committee's legislation addresses issues vital to the defense of our Nation, and their leadership was key in crafting this bill.

I would also like to thank the ETC staff for their work on this bill, particularly, Lindsay Kavanaugh, Pete Villano, Jamie Jackson, Eric Snelgrove, Katie Sutton, Mark Pepple, and Nevada Schadler, as well as my personal staff, Kathryn Mitchell-Thomas, and my two fellows, Brian Mandock and David Wagner.

□ 1800

Mr. Chairman, this bill contains many critical provisions that will enable and enhance our national security.

We added $1 billion beyond the President's request for the *Virginia*-class and *Columbia*-class submarines, ensuring continued naval and strategic superiority beneath the seas.

We also incorporated my provision to require the Department to include energy and climate resiliency efforts as a factor for consideration in major military installation master plans so that we can be better prepared to face climate change head-on.

The ETC portion of the bill ensures that we are also ready for future threats by strengthening cyber operations and increasing preparedness for countering weapons of mass destruction.

It also bolsters capability at the pointy tip of the spear, especially when it comes to supporting our Special Operations Forces, who execute our Nation's most difficult missions. We bolster this capability by embracing risk, enhancing innovation, and improving oversight.

To ensure we maintain strategic overmatch with near-peer adversaries, we invest heavily in research and development, with a specific focus on transitioning critical capabilities to the warfighter. For example, the bill includes $40 million in additional funding for electromagnetic railgun programs as well as $10 million to grow future cyber warriors through the DOD Cyber Scholarship Program.

The bill guides the Department as we confront new threats across the globe by expanding upon previous initiatives—for instance, encouraging the use of initiatives modeled on the successful Hack the Pentagon program to update cyber vulnerability and mitigation assessments of Department facilities—and by exploring ways to safeguard the integrity of increasingly globalized supply chains that support critical technologies.

As we look to protect our country from threats beyond the next ridge line, it is essential these science and technology initiatives remain prioritized. We will not defeat next-generation threats resting on the success of our past.

In closing, Mr. Chairman, I again thank and congratulate Chairwoman STEFANIK and all of the members of the subcommittee for their efforts as well as the members of the House Armed Services Committee for their dedication to national security.

Again, I thank the gentleman for yielding, and I thank the chairman and the ranking member for their outstanding leadership of the committee.

I look forward to voting in favor of this bill.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Ohio (Mr. TURNER), the chair of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I rise in strong support of the National Defense Authorization Act for Fiscal Year 2019.

I thank Chairman THORNBERRY and all of the members of the committee and certainly the group known as the

defense hawks in this body, who fought so diligently on increasing the top line so that this number will make a difference and change the direction of our national security.

I also thank our subcommittee ranking member, Ms. NIKI TSONGAS, for her support and contribution to this bill. The bipartisan partnership she and her staff demonstrated in helping to craft this bill is much appreciated.

NIKI has also served with me for the last 7 years as the co-chair of the Military Sexual Assault and Prevention Caucus. Although this will be her last National Defense Authorization Act, her work on the subcommittee and the caucus on sexual assault prevention will be a strong legacy.

Within the Subcommittee on Tactical Air and Land Force's jurisdiction, this bill recommends authorization of over $97 billion in needed modernization funding that is necessary for our comparative and competitive advantage against strategic peer competitors.

The bill again recognizes the importance of fifth-generation strike fighter capability and supports the President's budget request for 77 Joint Strike Fighters. This bill also authorizes the Department to procure additional F–35 aircraft if funds become available through cost savings and program efficiencies.

I also want to take this opportunity to highlight the many foreign partners that compromise the F–35 program, which often gets overlooked by many. These foreign partnerships strengthen our ability to better operate with our allies in future conflicts.

The bill includes several oversight provisions to facilitate mitigation efforts for physiological episodes occurring in military aircraft, to include requiring the Secretary of the Navy and the Secretary of the Air Force to certify that any new aircraft procured will have the most current technological advancements available to mitigate future physiological episodes.

However, much work remains to be done to improve overall aviation readiness and safety. Going forward, our subcommittee will conduct a more detailed review of the investigative and governance processes related to aviation safety mishaps.

The bill provides an additional $623 million for the JSTARS recap program. Based on our analysis resulting from extensive committee oversight activity, we have concluded that completely walking away from this program imposes an unacceptable level of risk to our warfighters.

The bill recommends funding to modernize 1.5 armored brigade combat teams, which is absolutely necessary for our Army.

For the seventh consecutive year, this bill addresses sexual assault in the military. The bill requires the Department to create a single office responsible for sexual offender registration; expands expedited transfer rights for victims of sexual assault; and further empowers the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

This bill also protects our servicemembers and their families by closing a gap in the way the Department prescribes controlled substances. The bill requires the Department to share more information with State prescription drug monitoring programs to combat the opioid epidemic.

Finally, I would like to recognize the role small businesses plays. The Small Business Innovation Research Program is highlighted and is bolstered in this.

Mr. Chairman, I encourage all of my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO), the ranking member of the Subcommittee on Readiness.

Ms. BORDALLO. Mr. Chairman, first, I commend Chairman THORNBERRY, Ranking Member SMITH, and the committee staff, who have worked many, many long nights on the fiscal year 2019 National Defense Authorization Act, a bill that displays a true example of bipartisan support.

The Subcommittee on Readiness' portion of the bill takes important steps to aid readiness recovery and improve our military's readiness.

The bill includes a number of provisions aimed at improving readiness of the surface Navy. This is a priority for the subcommittee, especially following the four incidents that occurred in the Pacific last year. While the Navy has taken steps to address issues identified in the Strategic Readiness Review and Comprehensive Review, additional steps are still necessary.

The bill also includes reporting requirements to improve oversight of key readiness issues and assess readiness over time. We further address military installations and infrastructure by supporting resiliency, force protection, research and development, and improvements to our defense communities.

The bill provides continuing support to our DOD civilian personnel, who are invaluable to military readiness. Their hard work does not go unnoticed.

I especially thank Chairman THORNBERRY for following through on his commitment to me to include my provision to address the critical workforce shortages on Guam for our construction and healthcare industries.

I also thank Ranking Member SMITH and the distinguished Subcommittee on Readiness chair, JOE WILSON, for all of their support.

It is important that we address Guam's workforce challenges to meet requirements of our international agreements and for enhancing our regional security. I look forward to continuing to work together to protect the full intent of this legislation.

This bill also supports American ship repair jobs on Guam and the United States. The bill requires the Navy to treat vessels without a homeport as if they are homeported in the U.S. or Guam. This will ensure that scheduled maintenance of these ships is performed, as intended, at domestic American shipyards rather than in foreign countries.

In addition, the bill prohibits the Navy from redeveloping Guam's former ship repair facility for any purpose other than to support depot-level maintenance, to include the mooring of a floating dry dock. The Navy should maintain depot-level ship repair capability, especially in the Western Pacific.

Mr. Chairman, I look forward to working with my colleagues on both sides of the aisle as this process continues.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Alabama (Mr. ROGERS), the distinguished chair of the Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chairman, I thank Chairman THORNBERRY and Ranking Member SMITH for their leadership in bringing this year's NDAA to the floor with another overwhelmingly bipartisan vote of 60–1 out of our committee.

I also thank my friend, the gentleman from Tennessee, JIM COOPER, the ranking member of the Subcommittee on Strategic Forces, for working with me on some of the most difficult and complex issue sets that the HASC is responsible for.

The issues we deal with—nuclear weapons, missile defense, and space—are difficult issue sets, but our strong, bipartisan working relationship ensures the best oversight and policy is provided for our warfighters. I thank the gentleman for helping all of us in this regard.

I will focus on some of the key provisions under the jurisdiction of our subcommittee.

First, nuclear modernization. This bill starts with a clear-minded view of the threat posed by our strategic competitors Russia and China. The Strategic Forces section of the bill heeds the advice of General John Hyten to ''go fast'' and ensures that the U.S. will have a safe, secure, and modern nuclear deterrent. We accelerate funding for the LRSO and GBSD. We ensure full funding of a low-yield nuclear weapon option, as recommended by the Nuclear Posture Review, and we invest in our nuclear infrastructure.

On missile defense, we place additional emphasis on space-based sensing, boost-phase intercept, and directed-energy efforts. We also preserve the Missile Defense Agency's unique acquisition authorities, ensuring that the MDA can continue to quickly deliver capabilities to defend against the missile threats of today and tomorrow. Additionally, we accelerate funding for our own conventional prompt strike hypersonic weapon development.

In the space domain, we continue to press the Department of Defense and

the Air Force to fix the significant flaws in the organization and the management of the national security space enterprise.

In our section of the bill, we direct the establishment of a new numbered Air Force to help better resource the space cadre. We establish a sub-unified command for space to help bring back the advocacy and priority of space within the COCOMs. And we continue pressing for space acquisition reform.

Since last year, President Trump has endorsed the establishment of an independent space force. We remain committed to laying the foundation for the space force and to keeping the pressure on the rest of the executive branch to make progress in this regard.

This is a strong defense bill that directly contributes to increasing the lethality and agility of our troops, and I urge the House to adopt this legislation and vote ''yes.''

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY), the ranking member of the Subcommittee on Seapower and Projection Forces.

Mr. COURTNEY. Mr. Chairman, I rise in support of this bill.

I want to begin by thanking the chair and ranking member of the full committee for their leadership in getting this bill to the floor and their commitment to regular order.

The bill before us has already gone through several rounds of bipartisan input, from the thousands of individual requests from members of the House Committee on Armed Services to more than 420 amendments and more than 14 hours of debate at full committee markup, to more than 560 amendments submitted from the whole House for potential debate this week.

I believe that this commitment to regular order is one of the main reasons, when we pass this bill this week, it will be the 58th year in a row that the House has passed a defense authorization.

I also salute my friend and colleague, Chairman ROB WITTMAN, for his inclusive and bipartisan approach to his role on the Subcommittee on Seapower and Projection Forces.

This year's mark continues a multiyear, bipartisan effort by the Subcommittee on Seapower and Projection Forces to push the Navy to explore options to build up important capabilities. To that end, the bill before us recommends 3 additional battle force ships above the 10 ships in the President's request.

It also continues the National Security Multi-Mission Vessel program to ensure that future mariners at our State maritime academies have new, American-made training ships and follows on last year's work on the subcommittee to recapitalize the Ready Reserve Force.

This bill also builds on the work our subcommittee has done to ensure that the Navy and industry have the resources to expand our undersea force. The need and rationale for a larger force of 66 fast attack submarines was laid out in the Navy's 2016 Force Structure Assessment, which was based on a thorough analysis of strategic challenges that are emerging in the maritime domain.

This year, and for the second year in a row, the committee heard blunt and powerful testimony from both Admiral Harris of Pacific Command and General Scaparrotti of European Command that their requirements for submarines are not being met by our current force structure and warned that the expected decline in the undersea fleet carried unacceptable risk for the country.

Last year, the Committee on Armed Services responded to these warnings by including authorization to procure additional submarines in our mark—authority that was eventually carried to the final NDAA and this year's omnibus.

Navy officials have recently testified before the subcommittee about their intention to use this new authority to provide options for additional submarines in the next 5-year construction contract. Therefore, this year, the NDAA will make a downpayment on two additional submarines by providing authorization to fund the long-lead materials necessary to take advantage of industrial base capacity in fiscal years 2022 and 2023.

I also note that this shipbuilding plan was based on the 2016 Force Structure Assessment and is not tied to the Nuclear Posture Review. The shipbuilding plan is about platforms; the posture review is about armaments. Its call for low-yield nuclear weapons is a profound departure from our existing strategic defense, and I want to associate my remarks today with Mr. SMITH regarding that issue.

□ 1815

This bill and the committee report also include several provisions which I sought in committee, including additional support for our Procurement Technical Assistance Centers, continued support for DOD impact aid, and ensuring that our troops receive imminent danger pay in a timely matter.

Finally, I want to highlight the hard work of the staff for their tireless effort to put together the Seapower sections of this bill.

The CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. Mr. Chair, I yield an additional 30 seconds to the gentleman from Connecticut.

Mr. COURTNEY. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I thank Dave Sienicki, Bruce Johnson, Phil MacNaughton, and Megan Handal. None of this is possible without the countless hours they put in and the invaluable expertise they provide us.

Mr. Chair, I again thank Chairman THORNBERRY and Ranking Member SMITH for a productive and collaborative process that has led to, I believe, an excellent product here today.

Mr. THORNBERRY. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished chair of the Subcommittee on Seapower and Projection Forces.

Mr. WITTMAN. Mr. Chair, I am continually asked why I believe we need to increase our financial support for our national security.

My credentials as a fiscal hawk could be perceived as contrary to my concerns on insufficient national security funding. I realize that our Federal Government has a variety of choices to either increase or diminish specific programs that, in the entirety, make a more efficient and effective government.

However, when it comes to our national security, our choices are quickly limited. It is painfully obvious that our Nation's military is at a crossroads. We can choose to retreat from the world and allow other nations to dictate the circumstances of our fiscal health, or we can choose to lead from the front and shape the affairs of our national security.

I choose the latter. I choose a military that can provide for our domestic security and is capable of protecting our national interests abroad.

Our force structure is rapidly diminishing. The capability and capacity that were provided during the Reagan military buildup era are quickly coming to an end. We have 11 aircraft carriers but are currently on track to reduce to 9 aircraft carriers in the next 30 years. Our attack submarine force structure will be reduced by 20 percent in the next 10 years. Our Air Force is the oldest, smallest, and least ready force in its history.

The axiom of ''quantity has a quality all of its own'' will be sorely tested.

Distressingly, our military readiness continues to atrophy. We lost 17 sailors in 2 ship collisions last year. We lost 25 airmen in 2 C–130 transport incidents.

We continue to see the impacts of the lack of readiness attention. As we review the reduction of our force structure along with increased accident rates over the last year, it is clear that we need to address both current readiness and future readiness concerns in this bill.

Mr. Chairman, I think our committee does a good job of prioritizing current and future readiness and efficiently acquiring required ships and aircraft.

I am particularly pleased that H.R. 5515 authorizes 13 ships, which includes the original 10 ships in the fiscal year 2019 budget request as well as an additional 3 battle force ships, including 1 *Ford*-class aircraft carrier and 2 additional LCS.

The bill authorizes advanced procurement for two additional *Virginia*-class submarines and authorized multiyear procurement for the Marine Corps' next amphibious ship class, LPD Flight II.

It also continues the critical research and development into the B–21 Raider

program and *Columbia*-class ballistic missile submarine. These investments continue strategic priorities that will serve to address our Nation's future readiness.

Mr. Chair, in closing, I want to recognize my ranking member, Mr. JOE COURTNEY, for his continued advocacy and bipartisan approach to rebuild our Navy. He has been an extraordinary proponent for an increased Navy presence, particularly in the undersea community. His insight has been instrumental in shaping the subcommittee mark.

I also want to thank Chairman THORNBERRY for his continued efforts and effective leadership as he navigates the twists and turns of the budget process and appropriations alignment. Our national security would be significantly diminished without his exemplary efforts.

I also want to thank Ranking Member SMITH for his continued collaboration and cooperation in this bipartisan approach to make sure that we produce the best bill possible.

I also would like to thank the staff for their extraordinary efforts, and I encourage my colleagues to support the National Defense Authorization Act for Fiscal Year 2019.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS), our ranking member on the Tactical Air and Land Forces Subcommittee.

Ms. TSONGAS. Mr. Chair, I thank Ranking Member SMITH for yielding.

Earlier this month, the Armed Services Committee advanced the fiscal year 2019 National Defense Authorization Act to the House floor with broad, bipartisan support.

I thank Chairman THORNBERRY and Ranking Member SMITH for their work in developing this year's bill. I have greatly appreciated the bipartisan tradition that annually allows us to come together to best protect our country and those who serve on our behalf.

The Tactical Air and Land Forces Subcommittee has embodied that spirit of bipartisanship, and I would like to thank my friend and colleague Congressman MIKE TURNER for all the work we have done together over the past several years.

I am especially pleased that the bill under consideration today includes proposals related to better understanding and reducing physiological episodes in Navy, Marine Corps, and Air Force aircraft. I believe it is important to keep calling on DOD to solve this problem across multiple aircraft, wherever it occurs.

The bill also appropriately directs the Air Force to continue the JSTARS recap program while the service works to develop a next-generation JSTARS in order to ensure this critical capability remains available to maximum effect to our servicemembers.

The proposal makes important investments in research and development aimed at using advanced materials to increase ballistic protection and reduce the weight of the personal protective equipment we issue to those we send into harm's way.

With these provisions in mind, I look forward to continuing to work with my colleagues to see that we provide our men and women in uniform with the resources they need to carry out their mission.

Finally, I would like to thank all the members of the subcommittee and the professional staff members for all of their dedicated work to help produce this mark.

Mr. Chair, I urge passage of this bill.

Mr. THORNBERRY. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. COFFMAN), the distinguished chair of the Subcommittee on Military Personnel.

Mr. COFFMAN. Mr. Chairman, I rise in strong support of H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019.

The bill contains a variety of significant policy funding initiatives that continue our commitment to maintaining military personnel and family readiness and addresses issues important to our men and women in uniform.

The provisions contained in this bill provide our warfighters, retirees, and their families with pay and benefits necessary to sustain them in today's highly stressed force.

To that end, this bill increases end strength across the services and Reserve components, allowing the military services to increase mission readiness while reducing strain on servicemembers and their families.

It extends pay and bonuses to servicemembers in high-demand fields, providing the military services with the necessary tools to attract and retain critical talent.

It improves the Transition Assistance Program to ensure that servicemembers who are leaving the military receive training and resources tailored to their post-military career plans.

And it requires a comprehensive review of wounded warrior care and mental healthcare services, ensuring the highest possible quality of care to those who have sacrificed for our Nation.

The bill also continues to provide oversight of critical issues including additional protections for victims of sexual assault, improvements to the Department of Defense's process for reporting crimes to the FBI database, and the establishment of a Department of Defense prescription drug monitoring program to share information with State drug monitoring programs.

Mr. Chair, in conclusion, I want to thank my colleagues on the Military Personnel Subcommittee, Ranking Member JACKIE SPEIER, and the rest of the members of the subcommittee for their contributions to the mark and support in this process. Their recommendations are clearly reflected in the National Defense Authorization Act for Fiscal Year 2019.

Mr. Chair, I strongly urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. BROWN), a member of the Armed Services Committee and a veteran of our military. I appreciate his service on the committee.

Mr. BROWN of Maryland. Mr. Chair, I want to first thank Chairman THORNBERRY and Ranking Member SMITH for bringing a solid, bipartisan defense authorization bill to the floor.

As we consider one of the largest defense authorizations since World War II, we must demand responsible leadership from both the Pentagon and the Commander in Chief.

Responsible leadership starts with fiscal responsibility. A larger budget doesn't guarantee a more capable force. We must spend our money wisely. Instead of spending money on parades and walls or cutting civilian jobs that support our worldwide mission, we should focus on modernization, warfighter readiness, and our technological edge.

Responsible leadership, beginning with President Trump, must keep faith with those who serve and treat them fairly and justly. We are providing our troops with the largest pay raise in nearly a decade, but we must also honor the service of every American: the transgender soldier overseas, the Dreamer ready to defend the only country they know, the HBCU student aspiring to a national security career. And every member should be able to serve free from sexual harassment and assault.

Responsible leadership requires our national security leadership team to be responsive to evolving challenges and make strategic choices.

Our adversaries are attempting to shape the future. Russia is meddling in democratic elections worldwide and disregarding international borders and treaties. We cannot ignore this.

Our competitors are deploying every tool—military, economic, information, and diplomatic—and so must the United States.

While China has outlined strategies through 2050 to become the dominant global power, we must not hamstring our Defense Department or limit the diplomatic and development efforts.

This bill gives our armed services the tools and resources they need to defend our homeland, promote our values abroad, and respond to security threats around the world.

Congress is doing its part, and the administration must do its, to move from the vagaries of a Commander in Chief to responsible leadership within a strategic framework.

Mr. THORNBERRY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), the distinguished chair of the Subcommittee on Oversight and Investigations.

Mrs. HARTZLER. Mr. Chairman, I rise in support of the National Defense

Authorization Act for Fiscal Year 2019. I thank Chairman THORNBERRY and Ranking Member SMITH for bringing this important bill to the floor.

For years, the House Armed Services Committee has been fighting relentlessly to increase defense spending to ensure our troops have the capabilities, capacity, and training needed to face the growing threats of today.

Thanks to the leadership of Chairman THORNBERRY, we were able to pass a 2-year budget agreement earlier this year that paved the way for the committee to draft a defense authorization bill that will continue our military's road to recovery.

As chairwoman of the Oversight and Investigations Subcommittee, I am proud of the provisions included in this bill that relate to the subcommittee's work, and I appreciate Ranking Member SETH MOULTON's support of these efforts, including several important provisions to combat efforts by our adversaries to gain unauthorized access to highly sensitive military technology.

We must face the reality that countries like China are using a whole-of-nation approach to steal and exploit highly sensitive U.S. military information.

This bill adds an extra layer of vetting for dual nationals who wish to work at the DOD or the National Nuclear Security Administration.

The subcommittee is also conducting oversight on the transition of DOD security clearances from the Office of Personnel Management to the Department of Defense. The bill seeks to tackle security clearance reciprocity issues by directing DOD to ensure seamless transition of investigations between authorized investigative agencies.

This bill is also good news for the warfighter. It fully funds continued development of the new B–21 bomber. Nuclear deterrence remains the foundation of national security for the United States and is fundamental to preserving international stability. The bomber fleet is the most flexible leg of the nuclear triad, and it is vital that we continue to invest in this new capability.

As we invest in the B–21, we must also ensure that our current bomber fleet remains effective until the B–21 is operational. The NDAA supports responsible modernization programs for the current fleet, such as the B–2, to ensure we maintain our long-range strike capability.

It also continues to address readiness and modernization needs by authorizing 24 additional F–18 Super Hornets, investing in A–10 modifications, and adding 4,000 troops to the Army's end strength.

These investments, along with many other important provisions, will ensure our Nation remains safe and secure.

Mr. Chair, once again, I thank Chairman THORNBERRY for his leadership in advocating on behalf of our national defense.

I am proud of this bipartisan bill, and I urge my colleagues to support its passage.

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Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI), a member of the committee.

Mr. GARAMENDI. Mr. Chairman, my congratulations to the chairman of our committee, Mr. THORNBERRY, and the ranking member, Mr. SMITH, for helping us put together an extremely important bill that does many, many good things for our military and our national security. You have heard speakers before me talk about those issues ranging from the additional pay for our military personnel, both civil and enlisted. All that is good.

However, I do want to raise an issue here, and that is, this bill also pushes even further and faster down the path towards a new nuclear arms race. I said before, we are well into the first quarter of it. Well, when this bill goes into law, we will be well into the second quarter, an extraordinarily expensive proposition, costing this country well over $1.2 trillion to $1.5 trillion over the next 20 years.

It also puts us in a position where I believe we are not going to be more safe. Many of the weapons that are being developed—the bombs, the delivery systems—are designed not to be observed. So much of what we have learned over the years about how to keep ourselves and our enemies at bay on the mutually assured destruction track will not apply as we go into this.

A couple of things immediately on my mind. A low-yield nuclear weapon, there is no such thing as ''low.'' It happens to be a whole lot, much larger than the bombs that were dropped on Hiroshima. So where are we going to go here? Does it make us safer to have a low-yield nuclear weapon on one of our submarines? Probably not, because now that submarine has become not a strategic but, rather, a tactical weapon and puts it in an entirely different class.

Also, there is a lot of money being spent on the National Nuclear Security Administration, way over budget, $198 million—$115 million. It goes on and on. Is that a smart thing to spend $115 million for the mixed oxide facility? I think not.

So there are questions that could be raised, and hopefully, as this bill progresses through the Congress, those questions will lead to a better resolution.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from New York (Ms. STEFANIK), the distinguished chair of the Subcommittee on Emerging Threats and Capabilities.

Ms. STEFANIK. Mr. Chairman, I rise in strong support of this bipartisan bill that will help ensure our technological superiority over the next decade.

As the chairwoman of the Subcommittee on Emerging Threats and Capabilities, I am proud of our portion of the bill which energizes our science and technology enterprise, strengthens our cyber warfare capabilities, enables our Special Operations Forces around the globe, provides resources and authorities to counter terrorism and unconventional warfare threats, and advances programs and activities that counter the spread of weapons of mass destruction.

I am especially pleased with the subcommittee's work to review and understand our adversarial threats, most notably, from China and Russia.

We have maintained our focus on emerging technologies such as artificial intelligence, directed energy, hypersonics, synthetic biology, and robotics.

The bill before the House incorporates four broad subcommittee themes. First, the bill better organizes the DOD to oversee, accelerate, and integrate AI and machine learning across the defense enterprise by including H.R. 5365, a bill I introduced with subcommittee ranking member, JIM LANGEVIN. This will establish a national security commission on artificial intelligence to conduct a thorough review of the wide ranging military applications of this decisive technology.

Second, we build upon previous NDAAs and advance prototyping and testing of directed energy weapons and hypersonic vehicles and accelerate these technologies by authorizing an additional $100 million. This bill also demonstrates our resolve to protect our servicemembers from the threat posed by our adversaries' deliberate efforts to develop and field new technologies, ranging from unmanned aerial systems to quantum sciences.

Third, the bill strengthens our whole of government cybersecurity posture by establishing a pilot program that improves coordination and partnering between the DOD and Homeland Security to prevent and respond to cyber attacks against our critical infrastructure. It also reinforces international partnerships in cyber warfare to counter aggressive adversaries, such as Russia, China, and North Korea, and it also includes support for our NATO partners to enhance cooperative cyber and information warfare capabilities.

And finally, the bill authorizes U.S. Special Operations Command's programs and activities, including ongoing efforts in Iraq, Syria, Afghanistan, Somalia, and Eastern Europe. The bill will also strengthen congressional oversight of ongoing counterterrorism and sensitive activities and streamline DOD's oversight of countering weapons of mass destruction.

Before I conclude, I want to thank Chairman MAC THORNBERRY for his leadership, as well as my subcommittee ranking member JIM LANGEVIN of Rhode Island for his leadership.

I urge my colleagues to support the bill.

Mr. SMITH of Washington. Mr. Chairman, may I inquire as to how much time is left on each side.

The Acting CHAIR (Mr. JOHNSON of Louisiana). The gentleman from Washington has 10 minutes remaining. The gentleman from Texas has 6½ minutes remaining.

Mr. SMITH of Washington. Mr. Chair, I don't have any further speakers at this time. If the gentleman from Texas is prepared to close, then I am prepared to close as well.

I yield myself the balance of the time.

Again, I just want to emphasize the most important aspect of this bill is the bipartisan effort that we have done working together. There are literally thousands of provisions in this bill. All of them are important in their own way to helping make sure that we set the right policy and make sure that the Department of Defense can be as strong as is humanly possible.

One thing I didn't say in the opening remarks, that I do want to point out, I particularly want to thank Chairman THORNBERRY on his leadership on acquisition reform and reform in general—the idea of how can we make sure that every dollar we spend at the Pentagon is spent as wisely as possible. As we know that has not always been the case. I think we made a number of reforms, more in the previous two years' bill than in this one, but this one continues on that. I think it put us on a path to having a more efficient and effective use use of dollars on the Pentagon side.

We all look forward to that day, which is supposed to happen I believe this year, when we actually get the full audit from the Pentagon on where they spend their money. In these times of scarce resources, it is incredibly important we get the most out of what we spend.

And the last little piece on that point, I do worry about the future from a fiscal standpoint. We are right now spending roughly 20 percent more money than we take in every year, and that is projected to go up. The debt to GDP ratio is over 100 percent and, again, is projected to only go up.

We have got the deal for FY18 and FY19 which gives some degree of predictability for our military—and that is good—because the last, gosh, 8 years now, we have gone from CR to CR, couple of government shutdowns, a number of threatened government shutdowns, and a large amount of unpredictability which is a problem for the entire discretionary budget—not just for the Department of Defense but every other Department that is dependent upon the discretionary budget has lived with uncertainty. That makes our government less efficient and less effective. We need to lock in more predictability.

Now, traditionally at this point, this is when everyone says that the Budget Control Act and the budget caps have got to go, and I agree with that. The problem is you can get rid of the budget caps and you can get rid of the Budget Control Act—and we certainly should. That was passed back in 2011. It wasn't even passed for a good reason back then.

But even if you get rid of those caps, it doesn't make money magically appear. We still have the debt and the deficit that we are facing. We still have the crushing needs that we have, not just in the Department of Defense, but in infrastructure and research and education and a whole bunch of critical areas to the health and wellbeing of our country.

Someone thought I was joking when someone talked about his ''fiscal hawk credentials.'' I am wondering if anyone has fiscal hawk credentials at this point when you look at the debt and deficit. We have got to get that in order. Now I don't think we are going to balance the budget tomorrow. I don't think we should. I think the impact on the economy will be devastating, but we have got to get on a glide path to a more fiscally sustainable situation or we are headed for trouble.

I simply don't believe that you can spend 20 percent more money than you take in forever and not have it be a problem. And everything you want to know about how big a problem this is is contained in three votes that we took over a couple month period.

There are many, many Members of Congress who voted for the tax cut, which estimates say it is going to reduce our revenue by $2 trillion; for the spending agreement, which increased our spending by $500 billion; and then, a week later, they voted for a balanced budget amendment.

To say that that is a math problem is the understatement of the year. It doesn't add up. We all say we want to balance the budget. We don't want to raise taxes. We don't want to cut spending. That doesn't work and a lot of different aspects of our government pay a price for that.

But the Department of Defense is one of the biggest. As the largest portion of the discretionary budget, they pay the highest price when we don't get ourselves on a fiscally responsible path, and national security is at least one of, if not the most important function that our government needs to provide.

So I think FY18 and FY19, those are good deals. The building code for the future, we have got to get on a fiscally responsible path.

But, again, within this bill—and you have heard a lot of it from our Members—there are a lot of good policies that I think are going to make a very positive difference in terms of making our Department of Defense work better and, most importantly, providing for the men and women who serve our country and their families.

I thank the chairman. I thank the staff. I think, once again, we have done outstanding work. I hope that we can get through the amendment process, get this bill passed, and then go chat with the Senate about getting the bill finished. They are marking their bill up in committee this week, so I think we are on a good path to do that as well.

With that, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I would just pick up on a couple of the points the ranking member made, largely in agreement with him.

We do have fiscal challenges in this country, and that is even more reason that, together, we need to continue to work to see that the taxpayers get more value for the money that is spent by the Pentagon. That is part of the reason that we have put such an effort, again, on a bipartisan basis, on defense reform, on buying things and services smarter, so that we can get more value for the taxpayer, but also, so we can make decisions faster. With the world moving so quickly around us, we have to be able to be more agile, and our reform efforts are a part of that goal.

But I do think Secretary Mattis has cut to the heart of the matter when he says, We can afford survival. Currently, defense is roughly 15 percent of the Federal budget, not much for all that it provides for the American people and for the country. Yes, the country can afford to survive.

Lastly, Mr. Chairman, I just want to make the point that over the next 3 days we are going to consider many amendments. We are going to hear debate about some of them. We got a taste of that tonight with a difference, for example, on some of the policies in the nuclear posture review, and we will have to vote on some of those amendments. There will be people pro and con. Some Members, including me, may not have our position prevail on all of those amendments.

But none of that should take away from the fact that there is far more in this bill upon which we agree than upon which we disagree. I think that is a very important message for friends and allies around the world to hear, for adversaries or potential adversaries around the world to hear, and, most importantly, for the men and women who have volunteered to risk their lives, to serve our Nation, to protect our freedoms, defend our country, they need to hear that there is far more in this bill upon which there is agreement on a bipartisan basis than any of the disagreements that we may discuss and, ultimately, vote on.

The country has to be defended. I am very proud, on a bipartisan basis and a vote of 60–1, this bill has been reported favorably to the House floor, and I look forward to its consideration over the next 3 days.

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

Mr. THORNBERRY. Mr. Chair, I include in the RECORD the following exchange of letters during consideration of H.R. 5515:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 10, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. This legislation contains subject matter within the jurisdiction of the Committee on the Budget. However, in order to expedite floor consideration of this important legislation, the Committee waive consideration of the bill.

The Committee on the Budget takes this action only with the understanding that the Committee's jurisdictional interests over this and similar legislation are in no way diminished or altered. I also ask that the Committee on the Budget be appropriately consulted and involved as this bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its jurisdiction.

The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. I would appreciate your response to this letter, confirming this understanding with respect to H.R. 5515 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during House Floor consideration. Thank you for your attention to these matters.

Sincerely,

STEVE WOMACK,
Chairman, Committee on the Budget.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. STEVE WOMACK,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Budget is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 11, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write in regard to H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019. Although the Committee on Energy and Commerce has jurisdictional interests in the bill, I wanted to notify you that the Committee will forgo action on the bill so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 5515 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 5515 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

GREG WALDEN,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing to you regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. There are certain provisions of H.R. 5515 which fall within the Rule X jurisdiction of the Committee on Financial Services.

In the interest of permitting your committee to have the House expeditiously consider H.R. 5515, I am writing to waive this Committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Financial Services does not waive any future jurisdictional claim over the subject matters contained in H.R. 5515 which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of the Committee on Financial Services to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 5515 and into the Congressional Record during consideration of the measure on the House floor. Thank you for your attention to these important matters.

Sincerely,

JEB HENSARLING,
Chairman, Committee on Financial Services.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act Fiscal Year 2019. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr. THORNBERRY. Mr. Chair, I include in the RECORD the following exchange of letters during consideration of H.R. 5515:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. DAVID P. ROE, M.D.,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, May 9, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. This legislation contains subject matter within the jurisdiction of the Committee on Veterans' Affairs. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Committee on Veterans' Affairs takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I appreciate your including this letter in the Committee Report and as part of the Congressional Record during consideration of H.R. 5515 on the House Floor.

Thank you for your attention to these matters.

Sincerely,

DAVID P. ROE, M.D.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing with respect to the jurisdictional interest of the Committee on Ways and Means in matters being considered in H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019.

As a result of your having consulted with us on provisions in H.R. 5515 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive formal consideration of this bill so that it may move expeditiously to the floor. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject

matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 5515.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Ways and Means has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Ways and Means is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr. THORNBERRY. Mr. Chair, I include in the RECORD the following exchange of letters during consideration of H.R. 5515:

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE AND TECHNOLOGY,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I am writing to you concerning the bill H.R. 5515, the National Defense Authorization Act for fiscal Year 2019. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Science, Space, and Technology.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Science, Space, and Technology does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 5515 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the Congressional Record.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, May 10, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. This legislation contains subject matter within the jurisdiction of the House of Representatives' Committee on Small Business. However, in order to expedite floor consideration of this important legislation, the Committee waives consideration of the bill.

The House of Representatives' Committee on Small Business takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 5515 on the House Floor. Thank you for you're the cooperative spirit in which you have worked on these issues and others between our respective committees.

Sincerely,

STEVE CHABOT,
Chairman, Committee on Small Business.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Small Business has valid jurisdictional to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing to you concerning the jurisdictional interest of the Committee on Transportation and Infrastructure in matters being considered in H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019.

Our Committee recognizes the importance of H.R. 5515 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Transportation and Infrastructure, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Transportation and Infrastructure also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

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

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr, THORNBERRY. Mr. Chair, I include in the RECORD the following exchange of letters during consideration of H.R. 5515:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 14, 2018.

Hon. William M. ''Mac'' Thornberry,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I am writing to you concerning the bill H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Natural Resources.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of

the bill the Committee on Natural Resources does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 5515 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. This bill contains provisions within the jurisdiction of the Committee on Oversight and Government Reform. As a result of your having consulted with me concerning the provisions of the bill that fall within our Rule X jurisdiction, I agree to forgo consideration of the bill, so the bill may proceed expeditiously to the House floor.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5515 we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so we may address any remaining issues within our Rule X jurisdiction. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference on this or related legislation.

Finally, I would appreciate a response confirming this understanding and ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Armed Services, as well as in the Congressional Record during floor consideration thereof.

Sincerely,

TREY GOWDY.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. TREY GOWDY,
Chairman, Committee on Oversight and Government Reform, House of Representatives,Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, May 15, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to you concerning H.R. 5515, National Defense Authorization Act for Fiscal Year 2019, which contains provisions within the Rule X jurisdiction of the Permanent Select Committee on Intelligence (''the Committee''). The Committee recognizes the need for proceeding expeditiously to Floor consideration of this important bill. Therefore, I do not intend to request a sequential referral.

This waiver is conditional on our mutual understanding that my decision to forego Committee consideration of this legislation does not diminish or otherwise affect any future claim over the matters in the bill which fall within the Committee's jurisdiction, and that a copy of this letter and your response acknowledging the Committee's jurisdictional interest will be included into the Congressional Record during consideration of this bill on the House Floor.

I also intend to seek the appointment of Committee Members to any House-Senate conference on this legislation and request your support if such a request is made. Thank you for the cooperative spirit in which you have worked regarding this and other matters between our respective committees.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 16, 2018.

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

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr. THORNBERRY. Mr. Chair, I include in the RECORD the following exchange of letters during consideration of H.R. 5515:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, House Armed Services Committee, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019, which contains substantial matter that falls within the Rule X legislative jurisdiction of the Foreign Affairs Committee. I appreciate the cooperation that allowed us to work out mutually agreeable text on numerous matters prior to your markup.

Based on that cooperation and our associated understandings, the Foreign Affairs Committee will not seek a sequential referral or object to floor consideration of the bill text approved at your Committee markup. This decision in no way diminishes or alters the jurisdictional interests of the Foreign Affairs Committee in this bill, any subsequent amendments, or similar legislation. I request your support for the appointment of House Foreign Affairs conferees during any House-Senate conference on this legislation.

Finally, I respectfully request that you include this letter and your response in your committee report on the bill and in the Congressional Record during consideration of H.R. 5515 on the House floor.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 14, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY, I write with respect to H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019.'' As a result of your having consulted with us on provisions within H.R. 5515 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5515 at this time,

we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 5515 and would ask that a copy of our exchange of letters on this matter be included your committee report and in the *Congressional Record* during floor consideration of H.R. 5515.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 10, 2018.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I am writing to you concerning H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. There are certain provisions in this legislation which fall within the Rule X jurisdiction of the Committee on Homeland Security.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. However, I do so with the understanding that by waiving consideration of the bill, the Committee on Homeland Security does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 5515 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you and your staff have worked regarding this matter and others between our respective committees.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 14, 2018.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019. I agree that the Committee on Homeland Security has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Homeland Security is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–70 is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 5515

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

SECTION 1. SHORT TITLE.

This Act may be cited as the '' National Defense Authorization Act for Fiscal Year 2019''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT REPORT.

(a) IN GENERAL.—Section 10541(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) A joint assessment by the Chief of Staff of the Army and the Chief of the National Guard Bureau on the efforts of the Army to achieve parity among the active component, the Army Reserve, and the Army National Guard with respect to equipment and capabilities. Each assessment shall include a comparison of the inventory of high priority items of equipment available to each component of the Army described in preceding sentence, including—

''(A) AH–64 Attack Helicopters;

''(B) UH–60 Black Hawk Utility Helicopters;

''(C) Abrams Main Battle Tanks;

''(D) Bradley Infantry Fighting Vehicles;

''(E) Stryker Combat Vehicles; and

''(F) any other items of equipment identified as high priority by the Chief of Staff of the Army or the Chief of the National Guard Bureau.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reports required to be submitted under section 10541 of title 10, United States Code, after the date of the enactment of this Act.

SEC. 112. LIMITATION ON AVAILABILITY OF FUNDS FOR M27 INFANTRY AUTOMATIC RIFLE PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the M27 Infantry Automatic Rifle program of the Marine Corps, not more than 80 percent may be obligated or expended until the date on which the Commandant of the Marine Corps submits to the Committees on Armed Services of the Senate and the House of Representatives the assessment described in subsection (b).

(b) ASSESSMENT.—The assessment described in this subsection is a written summary of the views of the Marine Corps with respect to the Small Arms Ammunition Configuration Study of the Army, including—

(1) an explanation of how the study informs the future small arms modernization requirements of the Marine Corps; and

(2) near-term and long-term modernization strategies for the small arms weapon systems of the Marine Corps, including associated funding and schedule profiles.

Subtitle C—Navy Programs

SEC. 121. INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS OF THE NAVY.

(a) FINDINGS.—Congress finds the following:

(1) The aircraft carrier can fulfill the Navy's core missions of forward presence, sea control, ensuring safe sea lanes, and power projection as well as providing flexibility and versatility to execute a wide range of additional missions.

(2) Forward airpower is integral to the security and joint forces operations of the United States. Carriers play a central role in delivering forward airpower from sovereign territory of the United States in both permissive and nonpermissive environments.

(3) Aircraft carriers provide our Nation the ability to rapidly and decisively respond to national threats, as well as conducting worldwide, on-station diplomacy and providing deterrence against threats to the United States allies, partners, and friends.

(4) Since the end of the cold war, aircraft carrier deployments have increased while the aircraft carrier force structure has declined.

(5) Considering the increased array of complex threats across the globe, the Navy aircraft carrier is operating at maximum capacity, increasing deployment lengths and decreasing maintenance periods in order to meet operational requirements.

(6) To meet global peacetime and wartime requirements, the Navy has indicated a requirement to maintain two aircraft carriers deployed overseas and have three additional aircraft carriers capable of deploying within 90 days. However, the Navy has indicated that the existing aircraft carrier force structure cannot support these military requirements.

(7) Despite the requirement to maintain an aircraft carrier strike group in both the United States Central Command and the United States Pacific Command, the Navy has been unable to generate sufficient capacity to support combatant commanders and has developed significant carrier gaps in these critical areas.

(8) Because of the continuing use of a diminished aircraft carrier force structure, extensive maintenance availabilities result which typically exceed program costs and increase time in shipyards. These expansive maintenance availabilities exacerbate existing carrier gaps.

(9) Developing an alternative design to the Ford-class aircraft carrier is not cost beneficial. A smaller design is projected to incur significant design and engineering cost while significantly reducing magazine size, carrier air wing size, sortie rate, and on-station effectiveness, among other vital factors, as compared to the Ford-class. Furthermore, a new design will delay the introduction of future aircraft carriers, exacerbating existing carrier gaps and threatening the national security of the United States.

(10) The 2016 Navy Force Structure Assessment states ''A minimum of 12 aircraft carriers are required to meet the increased warfighting response requirements of the Defense Planning Guidance Defeat/Deny force sizing direction.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should expedite delivery of 12 aircraft carriers; and

(2) an aircraft carrier should be authorized every three years.

(c) INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS OF THE NAVY.—

(1) INCREASE.—Section 5062(b) of title 10, United States Code, is amended by striking ''11 operational aircraft carriers'' and inserting ''12 operational aircraft carriers''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2022.

SEC. 122. PROCUREMENT AUTHORITY FOR FORD CLASS AIRCRAFT CARRIER PROGRAM.

(a) CONTRACT AUTHORITY.—

(1) PROCUREMENT AUTHORIZED.—The Secretary of the Navy may enter into one or more contracts, beginning with the fiscal year 2019 program year, for the procurement of one Ford class aircraft carrier to be designated CVN–81.

(2) PROCUREMENT IN CONJUNCTION WITH CVN–80.—The aircraft carrier authorized to be procured under subsection (a) may be procured as an addition to the contract covering the Ford class aircraft carrier designated CVN–80 that is authorized to be constructed under section 121 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104).

(b) USE OF INCREMENTAL FUNDING.—With respect to a contract entered into under subsection (a), the Secretary of the Navy may use incremental funding to make payments under the contract.

(c) LIABILITY.—A contract entered into under subsection (a) shall provide that the total liability to the Government for termination of the contract entered into shall be limited to the total amount of funding obligated at the time of termination.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 123. FULL SHIP SHOCK TRIAL FOR FORD CLASS AIRCRAFT CARRIER.

The Secretary of the Navy shall ensure that full ship shock trials results are incorporated into the construction of the Ford class aircraft carrier designated CVN–81.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR AMPHIBIOUS VESSELS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of not more than five amphibious vessels.

(b) LIMITATION.—The Secretary of the Navy may not modify a contract entered into under subsection (a) if the modification would increase the target price of an amphibious vessel by more than 10 percent above the target price specified in the original contract awarded for the amphibious vessel under subsection (a).

(c) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with the amphibious vessels for which authorization to enter into a multiyear procurement contract is provided under subsection (a) and for equipment or subsystems associated with the amphibious vessels, including procurement of—

(1) long lead time material; or

(2) material or equipment in economic order quantities when cost savings are achievable.

(d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(e) LIMITATION ON TERMINATION LIABILITY.—A contract for the construction of amphibious vessels entered into under subsection (a) shall include a clause that limits the liability of the United States to the contractor for any termination of the contract. The maximum liability of the United States under the clause shall be the amount appropriated for the amphibious vessels covered by the contract regardless of the amount obligated under the contract.

(f) AMPHIBIOUS VESSEL DEFINED.—The term ''amphibious vessel'' means a San Antonio class amphibious transport dock ship with a Flight II configuration.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR STANDARD MISSILE–6.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 625 standard missile–6 missiles at a rate of not more than 125 missiles per year during the covered period.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(c) COVERED PERIOD DEFINED.—In this section, the term ''covered period'' means the 5-year period beginning with the fiscal year 2019 program year and ending with the fiscal year 2023 program year.

SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR E–2D AIRCRAFT.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 24 E–2D aircraft.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 127. MULTIYEAR PROCUREMENT AUTHORITY FOR F/A–18E/F AIRCRAFT AND EA–18G AIRCRAFT.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of the following:

(1) F/A–18E/F aircraft.

(2) EA–18G aircraft.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(c) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2019, for advance procurement associated with the aircraft for which authorization to enter into a multiyear procurement contract is provided under subsection (a), which may include one or more contracts for the procurement of economic order quantities of material and equipment for such aircraft.

SEC. 128. MODIFICATIONS TO F/A–18 AIRCRAFT TO MITIGATE PHYSIOLOGICAL EPISODES.

(a) MODIFICATIONS REQUIRED.—The Secretary of the Navy shall modify the F/A-18 aircraft to reduce the occurrence of, and mitigate the risk posed by, physiological episodes affecting crewmembers of the aircraft. The modifications shall include, at minimum—

(1) replacement of the F/A–18 cockpit altimeter;

(2) upgrade of the F/A–18 onboard oxygen generation system;

(3) redesign of the F/A–18 aircraft life support systems required to meet onboard oxygen generation system input specifications;

(4) installation of equipment associated with improved F/A–18 physiological monitoring and alert systems; and

(5) installation of an automatic ground collision avoidance system.

(b) REPORT REQUIRED.—Not later than February 1, 2019, and annually thereafter through February 1, 2021, the Secretary of the Navy shall submit to the congressional defense committees a written update on the status of all modifications to the F/A–18 aircraft carried out by the Secretary pursuant to subsection (a).

(c) WAIVER.—The Secretary of the Navy may waive the requirement to make a modification under subsection (a) if the Secretary certifies to the congressional defense committees that the specific modification is inadvisable and provides a detailed justification for excluding the modification from the Navy's planned upgrades for the F/A–18 aircraft.

SEC. 129. FRIGATE CLASS SHIP PROGRAM.

(a) TECHNICAL DATA.—

(1) REQUIREMENT.—As part of the solicitation for proposals for the procurement of any frigate class ship, the Secretary of the Navy shall require that an offeror submit a proposal that provides for conveying technical data as part of the proposal for the frigate.

(2) RIGHTS OF THE UNITED STATES.—The Secretary of the Navy shall ensure that the Government's rights in technical data for any frigate class ship are sufficient to allow the Government to—

(A) by not later than the date on which funds are obligated for the last covered frigate, use the technical data to conduct a full and open competition (pursuant to section 2304 of title 10, United States Code) for any subsequent procurement of a frigate class ship; and

(B) transition the frigate class ship combat systems to Government-furnished equipment to achieve open architecture and foster competition to modernize future systems.

(b) DEFINITIONS.—In this section:

(1) The term ''covered frigate'' means each of the first 10 frigate class ships procured after January 1, 2020.

(2) The term ''technical data'' means a compilation of detailed engineering plans and specifications for the construction of a frigate class ship.

SEC. 130. LIMITATION ON PROCUREMENT OF ECONOMIC ORDER QUANTITIES FOR VIRGINIA CLASS SUBMARINE PROGRAM.

Section 124 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended—

(1) in subsection (c)(2), by striking ''material'' and inserting ''subject to subsection (d), material'';

(2) by redesignating subsection (d) through (f) as subsections (e) through (g), respectively; and

(3) by inserting after subsection (c), the following:

''(d) LIMITATION ON PROCUREMENT OF ECONOMIC ORDER QUANTITIES.—The Secretary of the Navy may not enter into contracts for economic order quantities under subsection (c)(2) until the date on which the Secretary certifies to the congressional defense committees that any funds made available for such contracts will be used to procure economic order quantities of material and equipment for not fewer than 12 Virginia class submarines.''.

SEC. 131. LIMITATION ON USE OF FUNDS FOR DDG–51 DESTROYERS.

None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2019 for Shipbuilding and Conversion, Navy, for DDG–51 class destroyers may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees a report that includes—

(1) a detailed description of the current degaussing standards;

(2) a plan for incorporating such standards into the destroyer construction program; and

(3) an assessment of the requirement to backfit such standards in service destroyers.

Subtitle D—Air Force Programs

SEC. 141. INVENTORY REQUIREMENT FOR AIR REFUELING TANKER AIRCRAFT; LIMITATION ON RETIREMENT OF KC–10A AIRCRAFT.

(a) INVENTORY REQUIREMENT.—Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(j)(1) Except as provided in paragraph (2), effective October 1, 2019, the Secretary of the Air Force shall maintain a total primary assigned aircraft inventory of air refueling tanker aircraft of not less than 479 aircraft.

''(2) The Secretary of the Air Force may reduce the number of air refueling tanker aircraft in the primary assigned aircraft inventory of the Air Force below 479 only if—

''(A) the Secretary certifies to the congressional defense committees that such reduction is justified by the results of the mobility capability and requirements study conducted under section 144(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91); and

''(B) a period of 30 days has elapsed following the date on which the certification is made to the congressional defense committees under subparagraph (A).

''(3) In this subsection:

''(A) The term 'air refueling tanker aircraft' means an aircraft that has as its primary mission the refueling of other aircraft.

''(B) The term 'primary assigned aircraft inventory' means aircraft authorized to a flying unit for operations or training.''.

(b) LIMITATION ON RETIREMENT OF KC–10A.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year for the Air Force may be obligated or expended to retire, or to prepare to retire, any KC–10A aircraft until the date that is 30 days after the date on which the Secretary of the Air Force certifies to the congressional defense committees that Secretary has met the minimum inventory requirement under section 8062(j) of title 10, United States Code, as added by subsection (a) of this section.

(2) EXCEPTION FOR CERTAIN AIRCRAFT.—The requirement of paragraph (1) does not apply to individual KC–10A aircraft that the Secretary of the Air Force determines, on a

case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

SEC. 142. LIMITATION ON USE OF FUNDS FOR KC-46A AIRCRAFT PENDING SUBMITTAL OF CERTIFICATION.

(a) CERTIFICATION REQUIRED.—The Secretary of the Air Force shall submit to the congressional defense committees certification that, as of the date of the certification—

(1) the supplemental type certification and the military type certification for the KC-46A aircraft have been approved; and

(2) the Air Force has accepted the delivery of the first KC-46A aircraft.

(b) LIMITATION ON USE OF FUNDS.—None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2019 for Aircraft Procurement, Air Force, may be obligated or expended for three KC-46A aircraft until the Secretary of the Air Force submits the certification required under subsection (a).

SEC. 143. RETIREMENT DATE FOR VC–25A AIRCRAFT.

(a) IN GENERAL.—For purposes of the application of section 2244a of title 10, United States Code, the retirement date of the covered aircraft is deemed to be not later than December 31, 2025.

(b) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means the two VC–25A aircraft of the Air Force that are in service as of the date of the enactment of this Act.

SEC. 144. CONTRACT FOR LOGISTICS SUPPORT FOR VC–25B AIRCRAFT.

The Secretary of the Air Force shall—

(1) ensure that the total period of any contract awarded for logistics support for the VC–25B aircraft does not exceed five years, as required under part 17.204(e) of the Federal Acquisition Regulation, unless otherwise approved in accordance with established procedures; and

(2) comply with section 2304 of title 10, United States Code, regarding full and open competition through the use of competitive procedures for the award of any logistics support contract following the initial five-year contract period.

SEC. 145. MULTIYEAR PROCUREMENT AUTHORITY FOR C–130J AIRCRAFT.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Air Force may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 52 C–130J aircraft.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 146. REMOVAL OF WAITING PERIOD FOR LIMITATION ON AVAILABILITY OF FUNDS FOR EC–130H COMPASS CALL RECAPITALIZATION PROGRAM.

Section 135(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended by striking ''a period of 30 days has elapsed following''.

SEC. 147. FINDINGS AND SENSE OF CONGRESS REGARDING KC–46 AERIAL REFUELING TANKERS.

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

(1) Aerial refueling tankers provide an essential foundation for our nation's ability to project power and deter adversaries, enabling the global reach of our joint force.

(2) 87 percent of the legacy aerial refueling fleet is comprised of KC–135 aircraft with an average age of 56 years.

(3) The Commander of United States Transportation Command has identified the aerial refueling fleet as the ''most stressed of our air mobility forces'' and stated that ''delaying KC–46 production puts the Joint Force's ability to effectively execute war plans at risk''.

(4) As directed by the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), the Air Force is undertaking an updated mobility capability and requirements study that will reflect guidance articulated in the 2018 National Defense Strategy and reassess the current tanker requirement of 479 aircraft.

(5) The fixed-price contract for KC–46A calls for 179 aircraft to be delivered by 2028.

(6) The KC–46 is a multirole platform that will bring enhanced capabilities to both the aerial refueling and strategic airlift missions. The aircraft provides the ability to refuel joint and coalition aircraft by both boom and drogue systems in the same sortie; improved cargo, passenger and aeromedical evacuation capabilities; and enhanced survivability with multiple layers of protection enabling it to operate safely in a broader range of threat environments than legacy tankers.

(7) The Government Accountability Office has stated: ''The KC–46 program's total acquisition cost estimate remained stable over the past year at $44,400,000,000, which is about $7,300,000,000 less than the original estimate.''

(8) The Commander of Air Mobility Command has stated that the KC–46 ''will bring tremendous capability to our joint warfighter''.

(9) The Assistant Secretary of the Air Force for Acquisition has stated: ''Stability of requirements and funding are the keys to KC–46 program success and will enable the Air Force to deliver this new tanker ready for employment on day one.''

(10) The Military Deputy to the Assistant Secretary of the Air Force for Acquisition has identified the KC–46 as the Air Force's second highest combat aviation acquisition priority ''for the role that it plays in being able to power project''.

(11) With the support of Congress, the Air Force has executed three low rate initial production contracts for a total of 34 aircraft. In fiscal year 2018, Congress provided funding for a fourth production lot totaling 18 aircraft.

(12) A steady production rate of 1.3 aircraft per month has been maintained through independent investment by industry in order to expedite deliveries to the Air Force upon completion of developmental testing and certification.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Air Force and industry should dedicate the resources and manpower necessary to ensure the first KC–46 is delivered in fiscal year 2018;

(2) the Air Force should maximize efficiency in the test and certification process to ensure that—

(A) test points are not redundant;

(B) test plans are approved expeditiously;

(C) receiver aircraft are available to support test flights; and

(D) Air Force inputs necessary for Federal Aviation Administration and military airworthiness certifications are expedited; and

(3) the Assistant Secretary of the Air Force for Acquisition and the Director of the Defense Contract Management Agency should develop and implement a plan enabling the Air Force to accept and field KC–46 aircraft at a rate higher than three aircraft per month after the delivery of the first aircraft.

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

SEC. 151. BUY-TO-BUDGET ACQUISITION OF F–35 AIRCRAFT.

Subject to section 2308 of title 10, United States Code, using funds authorized to be appropriated by this Act for the procurement of F–35 aircraft, the Secretary of Defense may procure a quantity of F–35 aircraft in excess of the quantity authorized by this Act if such additional procurement does not require additional funds to be authorized to be appropriated because of production efficiencies or other cost reductions.

SEC. 152. CERTIFICATION ON INCLUSION OF TECHNOLOGY TO MINIMIZE PHYSIOLOGICAL EPISODES IN CERTAIN AIRCRAFT.

(a) CERTIFICATION REQUIRED.—Not later than 15 days before entering into a contract for the procurement of a covered aircraft, the Secretary concerned shall submit to the congressional defense committees a written statement certifying that the aircraft to be procured under the contract will include the most recent technological advancements necessary to minimize the impact of physiological episodes on aircraft crewmembers.

(b) WAIVER.—The Secretary concerned may waive the requirement of subsection (a) if the Secretary—

(1) determines the waiver is required in the interest of national security; and

(2) not later than 15 days before entering into a contract for the procurement of a covered aircraft, notifies the congressional defense committees of the rationale for the waiver.

(c) TERMINATION.—The requirement to submit a certification under subsection (a) shall terminate on September 30, 2021.

(d) DEFINITIONS.—In this section:

(1) The term ''covered aircraft'' means a fighter aircraft, an attack aircraft, or a fixed wing trainer aircraft.

(2) The term ''Secretary concerned'' means—

(A) the Secretary of the Navy, with respect to covered aircraft of Navy; and

(B) the Secretary of the Air Force, with respect to covered aircraft of the Air Force.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization Of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

Section 2371b(f) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(4) Contracts or transactions entered into pursuant to this subsection that are expected to cost the Department of Defense in excess of $100,000,000 but not in excess of $500,000,000 (including all options) may be awarded only upon written determination by the senior procurement executive for the agency as designated for the purpose of section 1702(c) of title 41, or, by the senior procurement executive for the Defense Advanced Research Projects Agency that award of the contract or transaction is essential to meet critical national security interests.

''(5) Contracts and transactions entered into pursuant to this subsection that are expected to cost the Department of Defense in excess of $500,000,000 (including all options) may be awarded only if—

''(A) the Under Secretary of Defense for Acquisition and Sustainment determines in writing that award of the contract or transaction is essential to meet critical national security objectives; and

''(B) the congressional defense committees are notified in writing not later than 30 days before award of the contract or transaction.''.

SEC. 212. EXTENSION OF DIRECTED ENERGY PROTOTYPE AUTHORITY.

Section 219(c)(4) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2431 note) is amended—

(1) in subparagraph (A), by striking ''Except as provided in subparagraph (B)'' and inserting ''Except as provided in subparagraph (C)'';

(2) by redesignating subparagraph (B) as subparagraph (C);

(3) by inserting after subparagraph (A) the following:

''(B) Except as provided in subparagraph (C) and subject to the availability of appropriations for such purpose, of the funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2019 or otherwise made available for fiscal year 2019 for research, development, test, and evaluation, defense-wide, up to $100,000,000 may be available to the Under Secretary to allocate to the military departments, the defense agencies, and the combatant commands to carry out the program established under paragraph (1).''; and

(4) in subparagraph (C), as so redesignated, by striking ''made available under subparagraph (A)'' and inserting ''made available under subparagraph (A) or subparagraph (B)''.

SEC. 213. PROHIBITION ON AVAILABILITY OF FUNDS FOR THE WEATHER COMMON COMPONENT PROGRAM.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for research, development, test, and evaluation, Air Force, for weather service (PE 0305111F, Project 672738) for product development, test and evaluation, and management services associated with the Weather Common Component program may be obligated or expended.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of the Air force shall submit to the congressional defense committees a report on technologies and capabilities that—

(A) provide real-time or near real-time meteorological situational awareness data through the use of sensors installed on manned and unmanned aircraft; and

(B) were developed primarily using funds of the Department of Defense.

(2) ELEMENTS.—The report under paragraph (1) shall include—

(A) a description of all technologies and capabilities described in paragraph (1) that exist as of the date on which the report is submitted;

(B) a description of any testing activities that have been completed for such technologies and capabilities, and the results of those testing activities;

(C) the total amount of funds used by the Department of Defense for the development of such technologies and capabilities;

(D) a list of capability gaps or shortfalls in any major commands of the Air Force relating to the gathering, processing, exploitation, and dissemination of real-time or near real-time meteorological situational awareness data for unmanned systems;

(E) an explanation of how such gaps or shortfalls may be remedied to supplement the weather forecasting capabilities of the Air Force and to enhance the efficiency or effectiveness of combat air power; and

(F) a plan for fielding existing technologies and capabilities to mitigate such gaps or shortfalls.

SEC. 214. LIMITATION PENDING CERTIFICATION ON THE JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM RECAPITALIZATION PROGRAM.

(a) LIMITATION.—Until a period of 15 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the certification described in subsection (b)—

(1) of the total amount of funds authorized to be appropriated by this Act or otherwise made available for the Air Force for fiscal year 2019 for the covered programs not more than 50 percent may be obligated or expended for the programs; and

(2) the Secretary of the Air Force may not divest more than one legacy E–8 Joint Surveillance Target Attack Radar System aircraft.

(b) CERTIFICATION.—The certification described in this subsection is a written statement of the Secretary of the Air Force certifying that—

(1) the Secretary has awarded one or more contracts under the Joint Surveillance Target Attack Radar System recapitalization program for—

(A) engineering, manufacturing, and development

(B) low-rate initial production;

(C) production; and

(D) initial contractor support; and

(2) the program is proceeding in accordance with the plans for the program set forth in the budget request of the President submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2018.

(c) GAO REPORT AND BRIEFING.—

(1) REPORT REQUIRED.—Not later than March 1, 2020, the Comptroller General of the United States shall submit to the congressional defense committees a report on Increment 1, Increment 2, and Increment 3 of the 21st Century Advanced Battle-Management System of Systems capability of the Air Force. The report shall include a review of—

(A) the technologies that compose the capability and the level of maturation of such technologies;

(B) the resources budgeted for the capability;

(C) the fielding plan for the capability;

(D) any risk assessments associated with the capability; and

(E) the overall acquisition strategy for the capability.

(2) INTERIM BRIEFING.—Not later than March 1, 2019, the Comptroller General of the United States shall provide to the Committee on Armed Services of the House of Representatives a briefing on the topics to be covered by the report under paragraph (1), including any preliminary data and any issues or concerns of the Comptroller General relating to the report.

(d) AIR FORCE REPORT.—Not later than February 5, 2019, the Secretary of the Air Force shall submit to the congressional defense committees a report on the legacy fleet of E–8C Joint Surveillance Target Attack Radar System aircraft that includes—

(1) the modernization and sustainment strategy, and associated costs, for the airframe and mission systems that will be used to maintain the legacy fleet of such aircraft until the Joint Surveillance Target Attack Radar System recapitalization program achieves initial operational capability; and

(2) a plan that describes how the Secretary will—

(A) continue to provide combatant commanders with the current level of E–8C force support;

(B) accelerate the Joint Surveillance Target Attack Radar System recapitalization program to significantly decrease the time needed to achieve initial operational capability without adversely affecting currently programmed E–8C manpower levels; and

(C) maintain acceptable levels of risk while carrying out the activities described in subparagraphs (A) and (B).

(e) PROGRAM OFFICE PERSONNEL.—Using funds authorized to be appropriated by this Act or otherwise made available for the Air Force for fiscal year 2019 for the Joint Surveillance Target Attack Radar System recapitalization program, the Secretary of the Air Force may obligate and expend funds necessary for civilian pay expenses required to manage, execute, and deliver the Joint Surveillance Target Attack Radar System recapitalization weapon system capability.

(f) COVERED PROGRAM DEFINED.—In this section, the term ''covered program'' means any program comprising Increment 1, Increment 2, or Increment 3, of the 21st Century Advanced Battle-Management System of Systems capability of the Air Force, except the term does not include any activities under the legacy E–8C program or the Joint Surveillance Target Attack Radar System recapitalization program of the Air Force.

SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR F–35 CONTINUOUS CAPABILITY DEVELOPMENT AND DELIVERY.

(a) LIMITATION.—Except as provided in subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the F–35 continuous capability development and delivery program, not more than 75 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees a detailed cost estimate and baseline schedule for the program, which shall include any information required for a major defense acquisition program under section 2435 of title 10, United States Code.

(b) EXCEPTION.—The limitation in subsection (a) does not apply to any funds authorized to be appropriated or otherwise made available for the development of the F–35 dual capable aircraft capability.

SEC. 216. LIMITATION ON AVAILABILITY OF FUNDS PENDING REPORT ON AGILE SOFTWARE DEVELOPMENT AND SOFTWARE OPERATIONS.

(a) LIMITATION.—Of the of funds described in subsection (d), not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits the report required under subsection (b).

(b) REPORT.—Subject to subsection (c), the Secretary of the Air Force shall submit to the congressional defense committees a report that includes a description of each of the following:

(1) The specific cost-estimating tools and methodologies used to formulate Air Force budgets for software application development using Agile Software Development and Software Operations (referred to in this section as ''Agile DevOps'') in support of modernization and upgrade activities for Air Operations Centers.

(2) The types of contracts used to execute Agile DevOps activities and the rationale for using each type of contract.

(3) How intellectual property ownership issues associated with software applications developed with Agile DevOps processes will be addressed to ensure future sustainment, maintenance, and upgrades to software applications after the applications are fielded.

(4) The Secretary's strategy for ensuring that software applications developed for Air Operations Centers are transportable and

translatable among all the Centers to avoid any duplication of efforts.

(5) Any tools and software applications that have been developed for the Air Operations Centers and the costs and cost categories associated with developing each such tool and software application.

(c) REVIEW.—Before submitting the report under subsection (b), the Secretary of the Air Force shall ensure that the report is reviewed and approved by the Director of Defense Pricing and the Defense Procurement and Acquisition Policy.

(d) FUNDS DESCRIBED.—The funds described in this subsection are the following:

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for research, development, test, and evaluation, Air Force, for Air and Space Operations Centers (PE 0207410F, Project 674596).

(2) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for other procurement, Air Force, for Air and Space Operations Centers.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN HIGH ENERGY LASER ADVANCED TECHNOLOGY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense for High Energy Laser Advanced Technology (PE 0603924D8Z), not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees—

(1) a logical roadmap and detailed assessment of the high energy laser programs of the Department of Defense; and

(2) a justification for the $33,533,000 of increased funding for high energy laser programs authorized in the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(b) RULE OF CONSTRUCTION.—The limitation in subsection (a) shall not be construed to apply to any other high energy laser program of the Department of Defense other than the program element specified in such subsection.

SEC. 218. PLAN FOR ELIMINATION OR TRANSFER OF THE STRATEGIC CAPABILITIES OFFICE OF THE DEPARTMENT OF DEFENSE.

(a) PLAN REQUIRED.—Not later than March 1, 2019, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall submit to the congressional defense committees a plan—

(1) to eliminate the Strategic Capabilities Office of the Department of Defense by not later than October 1, 2020; or

(2) to transfer the functions of the Strategic Capabilities Office to another organization or element of the Department by not later than October 1, 2020.

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

(1) A timeline for the potential elimination or transfer of the activities, functions, programs, plans, and resources of the Strategic Capabilities Office.

(2) A strategy for mitigating risk to the programs of the Strategic Capabilities Office while the elimination or transfer is carried out.

(3) A strategy for implementing the lessons learned and best practices of the Strategic Capabilities Office across the organizations and elements of the Department of Defense to promote enterprise-wide innovation.

(c) FORM OF PLAN.—The plan required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 219. NATIONAL SECURITY SCIENCE AND TECHNOLOGY STRATEGY.

(a) STRATEGY.—Not later than February 4, 2019, the Secretary of Defense shall develop and implement a strategy (to be known as the ''National Security Science and Technology Strategy'') to prioritize the science and technology efforts and investments of the Department of Defense.

(b) ELEMENTS.—The strategy under subsection (a) shall—

(1) include specific goals for the science and technology programs of the Department of Defense in which personnel and resources of the Department are invested;

(2) be aligned with the National Defense Strategy and Government-wide strategic science and technology priorities, including the defense budget priorities of the Office of Science and Technology Policy of the President;

(3) align the acquisition priorities, programs, and timelines of the Department with the acquisition priorities, programs, and timelines of defense enterprise laboratories and services;

(4) contain an assessment of high priority emerging technology programs of the Department, including programs relating to hypersonics, directed energy, synthetic biology, and artificial intelligence;

(5) identify high priority research and engineering requirements and gaps;

(6) include recommendations for changes in authorities, regulations, policies, or any other relevant areas, that would support the achievement of the goals set forth in the strategy; and

(7) contain such other information as the Secretary of Defense determines to be appropriate.

(c) ANNUAL SUBMISSION.—

(1) IN GENERAL.—Not later than February 4, 2019, and annually thereafter through December 31, 2021, the Secretary of Defense shall submit to the congressional defense committees the most recent version of the strategy developed under subsection (a).

(2) FORM OF SUBMISSION.—Each strategy submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex

(d) BRIEFING.—Not later than 14 days after the date on which the initial strategy under subsection (a) is completed, the Under Secretary of Defense for Research and Engineering shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the implementation of the strategy.

SEC. 220. MODIFICATION OF CVN–73 TO SUPPORT FIELDING OF MQ–25 UNMANNED AERIAL VEHICLE.

The Secretary of the Navy shall ensure that the aircraft carrier designated CVN–73 is modified to support the fielding of the MQ–25 unmanned aerial vehicle before the date on which the refueling and complex overhaul of the aircraft carrier is completed.

Subtitle C—Reports and Other Matters

SEC. 221. REPORT ON SURVIVABILITY OF AIR DEFENSE ARTILLERY.

(a) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the efforts of the Army to improve the survivability of air defense artillery, with a particular focus on the efforts of the Army to improve passive and active nonkinetic capabilities and training with respect to such artillery.

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

(1) An analysis of the utility of relevant passive and active non-kinetic integrated air and missile defense capabilities, including tactical mobility, new passive and active sensors, signature reduction, concealment, and deception systems, and electronic warfare and high-powered radio frequency systems.

(2) An analysis of the utility of relevant active kinetic capabilities, such as a new, long-range counter-maneuvering threat missile and additional indirect fire protection capability units to defend Patriot and Terminal High Altitude Area Defense batteries.

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 222. REPORT ON T–45 AIRCRAFT PHYSIOLOGICAL EPISODE MITIGATION ACTIONS.

(a) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of the Navy shall submit to the congressional defense committees a report on modifications made to T–45 aircraft and associated ground equipment to mitigate the risk of physiological episodes among T–45 aircraft crewmembers.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) a list of all modifications to the T–45 aircraft and associated ground equipment carried out during fiscal years 2017 through 2019 to mitigate the risk of physiological episodes among T–45 crewmembers;

(2) the results achieved by such modifications as determined by relevant testing and operational activities;

(3) the cost of such modifications; and

(4) any plans of the Navy for future modifications.

SEC. 223. REPORT ON EFFORTS OF THE AIR FORCE TO MITIGATE PHYSIOLOGICAL EPISODES AFFECTING AIRCRAFT CREWMEMBERS.

(a) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of the Air Force shall submit to the congressional defense committees a report on all efforts of the Air Force to reduce the occurrence of, and mitigate the risk posed by, physiological episodes affecting crewmembers of covered aircraft.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) information on the rate of physiological episodes affecting crewmembers of covered aircraft;

(2) a description of the specific actions carried out by the Air Force to address such episodes, including a description of any upgrades or other modifications made to covered aircraft to address such episodes;

(3) schedules and cost estimates for any upgrades or modifications identified under paragraph (3); and

(4) an explanation of any organizational or other changes to the Air Force carried out to address such physiological episodes.

(c) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means—

(1) F–35A aircraft of the Air Force;

(2) T–6A aircraft of the Air Force; and

(3) any other aircraft of the Air Force as determined by the Secretary of the Air Force.

SEC. 224. BRIEFING ON USE OF QUANTUM SCIENCES FOR MILITARY APPLICATIONS AND OTHER PURPOSES.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the strategy of the Secretary for using quantum sciences for military applications and other purposes.

(b) ELEMENTS.—The briefing under subsection (a) shall include—

(1) a description of the knowledge-base of the Department of Defense with respect to

quantum sciences and any plans of the Secretary of Defense to enhance such knowledge-base;

(2) a plan that describes how the Secretary intends to use quantum sciences for military applications and to meet other needs of the Department; and

(3) an assessment of the efforts of foreign powers to use quantum sciences for military applications and other purposes.

(c) FORM OF BRIEFING.—The briefing under subsection (a) may be provided in classified or unclassified form.

SEC. 225. REPORT ON DEFENSE INNOVATION UNIT EXPERIMENTAL.

Not later than May 1, 2019, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report on Defense Innovation Unit Experimental (in this section referred to as the ''Unit''). Such a report shall include the following:

(1) The integration of the Unit into the broader Department of Defense research and engineering community to coordinate and de-conflict activities of the Unit with similar activities of the military departments, Defense Agencies, Department of Defense laboratories, the Defense Advanced Research Project Agency, and other entities.

(2) The metrics used to measure the effectiveness of the Unit and the results of these metrics.

(3) The number and types of transitions by the Unit to the military departments or fielded to the warfighter.

(4) The use of other transaction authority by the Unit to include the process, procedures, documentation, and oversight of awards made using such authority.

(5) The impact of the Unit's initiatives, outreach, and investments on Department of Defense access to technology leaders and technology not otherwise accessible to the Department including—

(A) identification of the number of non-traditional companies with Department of Defense contracts resulting directly from the Unit's initiatives, investments, or outreach;

(B) the number of innovations delivered into the hands of the warfighter; and

(C) how the Department is notifying its internal components about participation in the Unit.

(6) How the Department of Defense is documenting and institutionalizing lessons learned and best practices of the Unit to alleviate the systematic problems with technology access and timely contract execution.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here by authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. INCLUSION OF CONSIDERATION OF ENERGY AND CLIMATE RESILIENCY EFFORTS IN MASTER PLANS FOR MAJOR MILITARY INSTALLATIONS.

Section 2864 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(E) energy and climate resiliency efforts.''; and

(2) in subsection (d), by adding at the end the following new paragraph:

''(3) The term 'energy and climate resiliency' means anticipation, preparation for, and adaptation to utility disruptions and changing environmental conditions and the ability to withstand, respond to and recover rapidly from utility disruptions while ensuring the sustainment of mission-critical operations.''.

SEC. 312. USE OF PROCEEDS FROM SALES OF ELECTRICAL ENERGY DERIVED FROM GEOTHERMAL RESOURCES FOR PROJECTS AT MILITARY INSTALLATIONS WHERE RESOURCES ARE LOCATED.

Subsection (b) of section 2916 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''Proceeds'' and inserting ''Except as provided in paragraph (3), proceeds''; and

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

''(3) In the case of proceeds from a sale of electrical energy generated from any geothermal energy resource—

''(A) 50 percent shall be credited to the appropriation account described in paragraph (1); and

''(B) 50 percent shall be deposited in a special account in the Treasury established by the Secretary concerned which shall be available, for military construction projects described in paragraph (2) or for installation energy or water security projects directly coordinated with local area energy or groundwater governing authorities, for the military installation in which the geothermal energy resource is located.''.

SEC. 313. EXTENSION OF AUTHORIZED PERIODS OF PERMITTED INCIDENTAL TAKINGS OF MARINE MAMMALS IN THE COURSE OF SPECIFIED ACTIVITIES BY DEPARTMENT OF DEFENSE.

Section 101(a)(5)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(a)(5)(A)) is amended—

(1) in clause (i), by striking ''Upon request'' and inserting ''Except as provided by clause (ii), upon request'';

(2) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(3) by inserting after clause (i) the following new clause (ii):

''(ii) In the case of a request described in clause (i) made by the Department of Defense, such clause shall be applied—

''(I) in the matter preceding clause (I), by substituting 'ten consecutive years' for 'five consecutive years'; and

''(II) in clause (I), by substituting 'ten-year' for 'five-year'.''.

SEC. 314. STATE MANAGEMENT AND CONSERVATION OF SPECIES.

(a) SAGE-GROUSE AND PRAIRIE-CHICKEN.—

(1) IN GENERAL.—During the 10-year period beginning on the date of the enactment of this Act, the conservation status of each of the Greater Sage-grouse (*Centrocercus urophasianus*) and the Lesser Prairie-Chicken (*Tympanuchus pallidicinctus*) under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) shall be not-warranted for listing.

(2) SUBSEQUENT DETERMINATIONS.—In determining conservation efficacy for purposes of making any determination of such status after such 10-year period, the Secretary of the Interior shall fully consider all conservation actions of States, Federal agencies, and military installations.

(b) AMERICAN BURYING BEETLE.—Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle (*Nicrophorus americanus*) may not be listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) JUDICIAL REVIEW.—Notwithstanding any other provision of statute or regulation, this section shall not be subject to judicial review.

Subtitle C—Logistics and Sustainment

SEC. 321. EXAMINATION OF NAVAL VESSELS.

Section 7304(a) of title 10, United States Code, is amended—

(1) by striking ''The Secretary'' and inserting ''(1) The Secretary''; and

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

''(2) Any naval vessel examined under this section on or after October 1, 2019, shall be examined without prior notice provided to the crew of the vessel.

''(3) Any report generated relating to an examination under this section shall be unclassified and made publicly available.''.

SEC. 322. OVERHAUL AND REPAIR OF NAVAL VESSELS IN FOREIGN SHIPYARDS.

(a) TREATMENT OF NAVAL VESSELS WITHOUT DESIGNATED HOMEPORTS.—Subsection (a)(1) of section 7310 of title 10, United States Code, is amended by adding at the end the following new sentence: ''For the purpose of this section, a naval vessel that does not have a designated homeport shall be treated in the same manner as a vessel with a homeport in the United States or Guam.''.

(b) DEFINITION OF VOYAGE REPAIR.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (3)(C), by striking ''as defined'' and all that follows through ''Volume III''; and

(B) by striking paragraph (5); and

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

''(d) DEFINITIONS.—In this section:

''(1) The term 'covered naval vessel' means any of the following:

''(A) A naval vessel.

''(B) Any other vessel under the jurisdiction of the Secretary of the Navy.

''(C) A vessel not described in subparagraph (A) or (B) that is operated pursuant to a contract entered into by the Secretary of the Navy and the Maritime Administration or the United States Transportation Command in support of Department of Defense operations.

''(2) The term 'voyage repair' means repair performed solely for the corrective maintenance of mission or safety essential items necessary for a vessel to deploy or continue its deployment.''.

SEC. 323. LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT OF NAVAL VESSELS.

(a) LIMITATION.—

(1) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7320. Limitation on length of overseas forward deployment of naval vessels

''(a) LIMITATION.—The Secretary of the Navy shall ensure that no naval vessel is forward deployed overseas for a period in excess of ten years. At the end of a period of overseas forward deployment, the vessel shall be assigned a homeport in the United States.

''(b) WAIVER.—The Secretary of the Navy may waive the limitation under subsection (a) with respect to a naval vessel if the Secretary submits to the congressional defense committees notice in writing of—

''(1) the waiver of such limitation with respect to the vessel;

''(2) the date on which the period of overseas forward deployment of the vessel is expected to end; and

''(3) the factors used by the Secretary to determine that a longer period of deployment would promote the national defense or be in the public interest.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new section:

''7320. Limitation on length of overseas forward deployment of naval vessels.''.

(b) TREATMENT OF CURRENTLY DEPLOYED VESSELS.—In the case of any naval vessel that has been forward deployed overseas for a period in excess of ten years as of the date of the enactment of this Act, the Secretary of the Navy shall ensure that such vessel is assigned a homeport in the United States by not later than three years after the date of the enactment of this Act.

(c) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing on the plan of the Secretary for the rotation of forward deployed naval vessels.

SEC. 324. TEMPORARY MODIFICATION OF WORKLOAD CARRYOVER FORMULA.

During the period beginning on the date of the enactment of this Act and ending on September 30, 2021, in carrying out chapter 9, volume 2B (relating to Instructions for the Preparation of Exhibit Fund-11a Carryover Reconciliation) of Department of Defense regulation 7000.14-R, entitled ''Financial Management Regulation (FMR)'', in addition to any other applicable exemptions, the Secretary of Defense shall ensure that with respect to each military department depot or arsenal, outlay rates—

(1) reflect the timing of when during a fiscal year appropriations have historically funded workload; and

(2) account for the varying repair cycle times of the workload supported.

SEC. 325. LIMITATION ON USE OF FUNDS FOR IMPLEMENTATION OF ELEMENTS OF MASTER PLAN FOR REDEVELOPMENT OF FORMER SHIP REPAIR FACILITY IN GUAM.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Navy for fiscal year 2019 may be obligated or expended for any construction, alteration, repair, or development of the real property consisting of the Former Ship Repair Facility in Guam.

(b) EXCEPTION.—The limitation under subsection (a) does not apply to any project that directly supports depot-level ship maintenance capabilities, including the mooring of a floating dry dock.

(c) FORMER SHIP REPAIR FACILITY IN GUAM.—In this section, the term ''Former Ship Repair Facility in Guam'' means the property identified by that name under the base realignment and closure authority carried out under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 USC 2687 note).

SEC. 326. BUSINESS CASE ANALYSIS FOR PROPOSED RELOCATION OF J85 ENGINE REGIONAL REPAIR CENTER.

(a) BUSINESS CASE ANALYSIS.—The Secretary of the Air Force shall prepare a business case analysis on the proposed relocation of the J85 Engine Regional Repair Center. Such analysis shall include each of the following:

(1) An overview of each alternative considered for the J85 Engine Regional Repair Center.

(2) The one-time and annual costs associated with each such alternative.

(3) The effect of each such alternative on workload capacity, capability, schedule, throughput, and costs.

(4) The effect of each such alternative on Government-furnished parts, components, and equipment, including mitigation strategies to address known limitations to T38 production throughput, especially such limitations caused by Government-furnished parts, equipment, or transportation.

(5) The effect of each such alternative on the transition of the Air Force to the T-X training aircraft.

(6) A detailed rationale for the selection of an alternative considered as part of the business case analysis under this section.

(b) LIMITATION ON USE OF FUNDS FOR RELOCATION.—None of the funds authorized to be appropriated by this Act, or otherwise made available for the Air Force, may be obligated or expended for any action to relocate the J85 Engine Regional Repair Center until the date that is 150 days after the date on which the Secretary of the Air Force provides to the Committees on Armed Services of the Senate and House of Representatives a briefing on the business case analysis required by subsection (a).

SEC. 327. ARMY ADVANCED AND ADDITIVE MANUFACTURING CENTER OF EXCELLENCE.

(a) DESIGNATION.—The Secretary of the Army shall establish a Center of Excellence on Advanced and Additive Manufacturing at an arsenal (hereafter referred to as ''the Center'').

(b) PURPOSES.—The Center established in section (a) shall—

(1) support the efforts of the Army to implement advanced and additive manufacturing techniques and capabilities across the Army industrial facilities (as defined by section 4544(j) of title 10, United States Code);

(2) identify improvements to sustainment methods for component parts and other logistics needs;

(3) identify and implement appropriate cyber protections to ensure viability of advanced and additive manufacturing within the Army organic industrial base in consultation with the Army Cyber Center of Excellence and other appropriate government and private sector entities; and

(4) aid in the procurement of advanced and additive manufacturing equipment and support services including training.

(c) ASSISTANCE.—

(1) IN GENERAL.—The Secretary of the Army may use public-private partnerships and other transactional activity pursuant to section 2371 of title 10, United States Code, with covered entities to facilitate the development of advanced and additive manufacturing techniques in support of Army industrial facilities.

(2) TERMS OF PARTNERSHIPS AND AGREEMENTS.—Public-private partnerships and other transactional activity under paragraph (1)—

(A) shall facilitate development and implementation of advanced and additive manufacturing techniques and capabilities that support the Army organic industrial base;

(B) may support necessary workforce development and support efforts to sustain advanced and additive manufacturing in the Army organic industrial base;

(C) shall facilitate appropriate sharing of information in the adaptation of advanced and additive manufacturing into the Army organic industrial base; and

(D) shall facilitate implementation of appropriate cyber protections into advanced and additive manufacturing tools and techniques.

(d) DEFINITION OF COVERED ENTITY.—In this section, the term ''covered entity'' includes—

(1) community and technical colleges;

(2) research universities;

(3) State and local governments;

(4) economic development entities;

(5) non-profit technical associations in advanced manufacturing; and

(6) non-profit organizations with a focus on improving the defense industrial base.

Subtitle D—Reports

SEC. 331. MATTERS FOR INCLUSION IN QUARTERLY REPORTS ON PERSONNEL AND UNIT READINESS.

Section 482 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by inserting after ''deficiency'' the following: ''in the ground, sea, air, space, and cyber forces, and in such other such areas as determined by the Secretary of Defense,''; and

(2) in subsection (d)—

(A) in the subsection heading, by striking ''ASSIGNED MISSION'';

(B) by striking paragraph (3);

(C) by redesignating paragraphs (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following new paragraph (2):

''(2) A report for the second or fourth quarter of a calendar year under this section shall also include an assessment by each commander of a geographic or functional combatant command of the readiness of the command to conduct operations in a multi-domain battle that integrates ground, air, sea, space, and cyber forces.''.

SEC. 332. ANNUAL COMPTROLLER GENERAL REVIEWS OF READINESS OF ARMED FORCES TO CONDUCT FULL SPECTRUM OPERATIONS.

(a) REVIEWS REQUIRED.—For each of calendar years 2018 through 2021, the Comptroller General of the United States shall conduct an annual review of the readiness of the Armed Forces to conduct each of the following types of full spectrum operations:

(1) Ground.

(2) Sea.

(3) Air.

(4) Space.

(5) Cyber.

(b) ELEMENTS OF REVIEW.—In conducting a review under subsection (a), the Comptroller General shall—

(1) use standard methodology and reporting formats in order to show changes over time;

(2) evaluate, using fiscal year 2017 as the base year of analysis—

(A) force structure;

(B) the ability of major operational units to conduct operations; and

(C) the status of equipment, manning, and training; and

(3) provide reasons for any variances in readiness levels, including changes in funding, availability in parts, training opportunities, and operational demands.

(c) METRICS.—For purposes of the reviews required by this section, the Secretary of Defense shall identify and establish metrics for measuring readiness for the operations covered by subsection (a). In the first review conducted under this section, the Comptroller General shall evaluate and determine the validity of such metrics.

(d) ACCESS TO RELEVANT DATA.—For purposes of this section, the Secretary of Defense shall ensure that the Comptroller General has access to all relevant data, including—

(1) any assessments of the ability of the Department of Defense and the Armed Forces to execute operational and contingency plans;

(2) any internal Department readiness and force structure assessments; and

(3) the readiness databases of the Department and the Armed Forces.

(e) REPORTS.—

(1) ANNUAL REPORT.—Not later than February 28, 2019, and annually thereafter until 2022, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on the review conducted under subsection (a) for the year preceding the year during which the report is submitted.

(2) ADDITIONAL REPORTS.—At the discretion of the Comptroller General, the Comptroller General may submit to the Committees on Armed Services of the Senate and House of Representatives additional reports addressing specific mission areas within the operations covered by subsection (a) in order to provide an independent assessment of readiness in the areas of equipping, mapping, and training.

SEC. 333. SURFACE WARFARE TRAINING IMPROVEMENT.

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

(1) In 2017, there were three collisions and one grounding involving United States Navy ships in the Western Pacific. The two most recent mishaps involved separate incidents of a Japan-based United States Navy destroyer colliding with a commercial merchant vessel, resulting in the combined loss of 17 sailors.

(2) The causal factors in these four mishaps are linked directly to a failure to take sufficient action in accordance with the rules of good seamanship.

(3) Because risks are high in the maritime environment, there are widely accepted standards for safe seamanship and navigation. In the United States, the International Convention on Standards of Training, Certification and Watchkeeping (hereinafter in this section referred to as the ''STCW'') for Seafarers, standardizes the skills and foundational knowledge a maritime professional must have in seamanship and navigation.

(4) Section 568 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2139) endorsed the STCW process and required the Secretary of Defense to maximize the extent to which Armed Forces service, training, and qualifications are creditable toward meeting merchant mariner licenses and certifications.

(5) The Surface Warfare Officer Course Curriculum is being modified to include ten individual Go/No Go Mariner Assessments/Competency Check Milestones to ensure standardization and quality of the surface warfare community.

(6) The Military-to-Mariner Transition report of September 2017 notes the Army maintains an extensive STCW qualifications program and that a similar Navy program does not exist.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of the Navy should establish a comprehensive individual proficiency assessment process and include such an assessment prior to all operational surface warfare officer tour assignments; and

(2) the Secretary of the Navy should significantly expand the STCW qualifications process to improve seamanship and navigation individual skills training for surface warfare candidates, surface warfare officers, quartermasters and operations specialists to include an increased set of courses that directly correspond to STCW standards.

(c) REPORT.—Not later than March 1, 2019, the Secretary of the Navy shall submit to the congressional defense committees a report that includes each of the following:

(1) A detailed description of the surface warfare officer assessments process.

(2) A list of programs that have been approved for credit toward merchant mariner credentials.

(3) A complete gap analysis of the existing surface warfare training curriculum and STCW.

(4) A complete gap analysis of the existing surface warfare training curriculum and the 3rd mate unlimited licensing requirement.

(5) An assessment of surface warfare options to complete the 3rd mate unlimited license and the STCW qualification.

SEC. 334. REPORT ON OPTIMIZING SURFACE NAVY VESSEL INSPECTIONS AND CREW CERTIFICATIONS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to Congress a report on optimizing surface Navy vessel inspections and crew certifications to reduce the burden of inspection type visits that vessels undergo. Such report shall include—

(1) an audit of all surface Navy vessel inspections, certifications, and required and recommended assist visits;

(2) an analysis of such inspections, certifications, and visits for redundancies, as well as any necessary items not covered;

(3) recommendations to streamline surface vessel inspections, certifications, and required and recommended assist visits to optimize effectiveness, improve material readiness, and restore training readiness; and

(4) recommendations for congressional action to address the needs of the Navy as identified in the report.

(b) CONGRESSIONAL BRIEFING.—Not later than January 31, 2019, the Secretary of the Navy shall provide to the Senate Committee on Armed Services and the House Committee on Armed Services an interim briefing on the matters to be included in the report required by subsection (a).

Subtitle E—Other Matters

SEC. 341. COAST GUARD REPRESENTATION ON EXPLOSIVE SAFETY BOARD.

Section 172(a) of title 10, United States Code, is amended—

(1) by striking ''and Marine Corps'' and inserting ''Marine Corps, and Coast Guard''; and

(2) by adding at the end the following new sentence: ''When the Coast Guard is not operating as a service in the Department of the Navy, the Secretary of Homeland Security shall appoint an officer of the Coast Guard to serve as a voting member of the board.''.

SEC. 342. SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION.

(a) AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.—

(1) ADDITIONAL AREAS.—The boundary of Shiloh National Military Park is modified to include the areas that are generally depicted on the map entitled ''Shiloh National Military Park, Proposed Boundary Adjustment'', numbered 304/80,011, and dated July 2014, as follows:

(A) Fallen Timbers Battlefield.

(B) Russell House Battlefield.

(C) Davis Bridge Battlefield.

(2) ACQUISITION AUTHORITY.—The Secretary may acquire lands described in paragraph (1) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(3) ADMINISTRATION.—Any lands acquired under this section shall be administered as part of the Park.

(b) ESTABLISHMENT OF AFFILIATED AREA.—

(1) IN GENERAL.—Parker's Crossroads Battlefield in the State of Tennessee is hereby established as an affiliated area of the National Park System.

(2) DESCRIPTION.—The affiliated area shall consist of the area generally depicted within the ''Proposed Boundary'' on the map entitled ''Parker's Crossroads Battlefield, Proposed Boundary'', numbered 903/80,073, and dated July 2014.

(3) ADMINISTRATION.—The affiliated area shall be managed in accordance with this section and all laws generally applicable to units of the National Park System.

(4) MANAGEMENT ENTITY.—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(5) COOPERATIVE AGREEMENTS.—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance with marketing, marking, interpretation, and preservation of the affiliated area.

(6) LIMITED ROLE OF THE SECRETARY.—Nothing in this section authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(7) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area. The plan shall be prepared in accordance with section 100502 of title 54, United States Code.

(B) TRANSMITTAL.—Not later than 3 years after the date that funds are made available for this section, the Secretary shall provide a copy of the completed general management plan to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) PRIVATE PROPERTY PROTECTION.—

(1) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interests in land under this section or for the purposes of this section.

(2) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Shiloh National Military Park without the written consent of the owner.

(3) NO BUFFER ZONE CREATED.—Nothing in this section, the establishment of the Shiloh National Military Park, or the management plan for the Shiloh National Military Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Shiloh National Military Park shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Park.

(d) DEFINITIONS.—In this section:

(1) The term ''affiliated area'' means the Parker's Crossroads Battlefield established as an affiliated area of the National Park System under subsection (b).

(2) The term ''Park'' means Shiloh National Military Park, a unit of the National Park System.

(3) The term ''Secretary'' means the Secretary of the Interior.

SEC. 343. SENSE OF CONGRESS REGARDING CRITICAL MINERALS.

It is the sense of Congress that the final composition of the critical minerals list, as ordered by Executive Order 13817, should include aggregates, copper, molybendum, gold, zinc, nickel, lead, silver, and certain fertilizer compounds in addition to the 35 minerals included in the draft list, as published on February 16, 2018, for public comment.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2019, as follows:

(1) The Army, 487,500.

(2) The Navy, 335,400.

(3) The Marine Corps, 186,100.

(4) The Air Force, 329,100.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 487,500.

''(2) For the Navy, 335,400.

''(3) For the Marine Corps, 186,100.

''(4) For the Air Force, 329,100.''.

Subtitle B—Reserve Forces

SEC. 411 . END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2019, as follows:

(1) The Army National Guard of the United States, 343,500.

(2) The Army Reserve, 199,500.

(3) The Navy Reserve, 59,100.

(4) The Marine Corps Reserve, 38,500.

(5) The Air National Guard of the United States, 107,100.

(6) The Air Force Reserve, 70,000.

(7) The Coast Guard Reserve, 7,000.

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

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

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

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

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2019, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,595.

(2) The Army Reserve, 16,386.

(3) The Navy Reserve, 10,110.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 19,861.

(6) The Air Force Reserve, 3,849.

SEC. 413 . END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2019 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 18,969.

(4) For the Air Force Reserve, 8,880.

SEC. 414 . MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2019, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421 . MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2019.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Regular Component Management

SEC. 501. EXPANSION OF AUTHORITY TO AWARD CONSTRUCTIVE SERVICE CREDIT FOR ADVANCED EDUCATION, EXPERIENCE, OR TRAINING, UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.

(a) ACTIVE-DUTY LIST APPOINTMENTS.—Section 533(g) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''with cyberspace-related experience or advanced education'' and inserting ''with advanced education, special experience, or special training in a designated field''; and

(ii) by striking ''critically'';

(B) in subparagraph (A)—

(i) by striking ''in a particular cyberspace-related field'' and inserting ''in such designated field''; and

(ii) by striking ''operational''; and

(C) in subparagraph (B)—

(i) by striking ''in a cyberspace-related field'' and inserting ''in such designated field''; and

(ii) by striking ''operational'';

(2) by striking paragraph (2) and inserting the following:

''(2) The amount of constructive service credited an officer under this subsection may not exceed the amount required for the officer to be eligible for an original appointment in the grade of—

''(A) colonel in the Army, Air Force, or Marine Corps; or

''(B) captain in the Navy.''; and

(3) by striking paragraph (4) and inserting the following new paragraph:

''(4) In this subsection, the term 'designated field' includes the following:

''(A) Cyberspace.

''(B) Any scientific or technical field designated by the Secretary of Defense.

''(C) Any other field designated by the Secretary of Defense as a field—

''(i) that requires a high level of skill; and

''(ii) that an insufficient number of officers possess in the military department concerned.''.

(b) RESERVE ACTIVE-STATUS LIST APPOINTMENTS.—Section 12207 of such title is amended—

(1) in subsection (a)(2), by striking ''subsection (b) or (e)'' and inserting ''subsection (b), (e), or (g)'';

(2) in subsection (f), by striking ''or (e)'' and inserting ''(e), or (g)'';

(3) by redesignating subsection (g) as subsection (h); and

(4) by inserting after subsection (f) the following new subsection (g):

''(g)(1) Under regulations prescribed by the Secretary of Defense, if the Secretary of a military department determines that the number of commissioned officers serving on the reserve active-status list in an armed force under the jurisdiction of such Secretary with advanced education, special experience, or special training in a designated field is below the number needed, such Secretary may credit any person receiving an original appointment with a period of constructive service for the following:

''(A) Any period of advanced education in such designated field beyond the baccalaureate degree level if such advanced education is directly related to the needs of the armed force concerned.

''(B) Special experience or special training in such designated field if such experience or training is directly related to the needs of the armed force concerned.

''(2) The amount of constructive service credited an officer under this subsection may not exceed the amount required for the officer to be eligible for an original appointment in the grade of—

''(A) colonel in the Army, Air Force, or Marine Corps; or

''(B) captain in the Navy.

''(3) Constructive service credited an officer under this subsection is in addition to any service credited that officer under subsection (a) and shall be credited at the time of the original appointment of the officer.

''(4) In this subsection, the term 'designated field' means any of the following:

''(A) Cyberspace.

''(B) Any scientific or technical field designated by the Secretary of Defense.

''(C) Any other field designated by the Secretary of Defense as a field—

''(i) that requires a high level of skill; and

''(ii) that an insufficient number of officers possess in the military department concerned.''.

SEC. 502. SURFACE WARFARE OFFICERS CAREER PATHS.

(a) IN GENERAL.—Chapter 602 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6933. Surface warfare officers: career paths

''Any naval officer who is commissioned as a surface warfare officer on or after January 1, 2021, shall be assigned to one of the following career paths:

''(1) Ship engineering systems.

''(2) Ship operations and combat systems.''.

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

''6933. Surface warfare officers: career paths.''.

SEC. 503. AUTHORITY OF SELECTION BOARDS TO RECOMMEND OFFICERS OF PARTICULAR MERIT BE PLACED AT THE TOP OF THE PROMOTION LIST.

(a) RECOMMENDATION BY SELECTION BOARD.—Section 616 of title 10, United States Code, is amended by adding at the end the following new subsection (g):

''(g)(1) A selection board may recommend an officer of particular merit from among officers recommended for promotion under subsection (a) to be placed at the top of a promotion list established by the Secretary of the military department concerned under section 624(a)(1) of this title.

''(2) A selection board may make a recommendation under this subsection only if such recommendation is appropriate in the opinion of a majority of the members of the selection board.

''(3) A selection board may make recommendations under this subsection for no more than the number equal to 20 percent of the maximum number of officers that the board is authorized to recommend for promotion. If the number determined under this paragraph is less than one, the board may recommend one such officer.

''(4) A selection board that recommends under this subsection that more than one officer be placed at the top of a promotion list shall recommend the order in which such officers should be promoted.''.

(b) ACTION BY SECRETARY CONCERNED ON RECOMMENDATION OF SELECTION BOARD.—Section 618(a) of such title is amended—

(1) by striking ''to law or regulation or to guidelines'' and inserting ''to law, regulation, or guidelines'' each place it appears;

(2) by inserting ''or, in the case of a recommendation under section 616(g) of this title, the determination of the Secretary concerned'' after ''section 615(b) of this title'' each place it appears; and

(3) in paragraph (2), by striking ''law, regulation, and such guidelines'' and inserting ''law, regulation, such guidelines, and the determination of the Secretary concerned,''.

(c) PRIORITY IN PROMOTION LIST.—Section 624(a)(1) of such title is amended by inserting '', subject to section 616(g) of this title'' after ''active-duty list''.

SEC. 504. DEFERRED DEPLOYMENT FOR MEMBERS WHO GIVE BIRTH.

Section 701 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(l) A member of the armed forces who gives birth while on active duty may not be deployed during the period of 12 months beginning on the date of such birth except—

''(1) at the election of such member; and

''(2) with the approval of a health care provider employed at a military medical treatment facility.''.

SEC. 505. CODIFICATION OF LOWERED GRADE FOR RETIRED OFFICERS OR PERSONS WHO COMMITTED MISCONDUCT IN A LOWER GRADE.

(a) IN GENERAL.—Subsection (b) of section 1370 of title 10, United States Code, is amended—

(1) in the heading, by striking ''NEXT'';

(2) by striking ''An'' and inserting ''(1) An''; and

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

''(2) In the case of an officer or person whom the Secretary concerned determines committed misconduct in a lower grade, the Secretary concerned may determine the officer or person has not served satisfactorily in any grade equal to or higher than that lower grade.''.

(b) CONFORMING AMENDMENTS.—Such section is amended—

(1) in subsection (a)(1)—

(A) by striking ''higher'' and inserting ''different''; and

(B) by striking ''except as provided in paragraph (2)'' and inserting ''subject to paragraph (2) and subsection (b)'';

(2) in subsection (c)(1), by striking ''An officer'' and inserting ''Subject to subsection (b), an officer''; and

(3) in subsection (d)(1)—

(A) by striking ''higher'' each place it appears and inserting ''different''; and

(B) by inserting '', subject to subsection (b),'' before ''shall''.

SEC. 506. RETENTION OF MILITARY TECHNICIANS WHO LOSE DUAL STATUS UNDER CERTAIN CIRCUMSTANCES.

Section 10216(g) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''as the result of a combat-related disability (as defined in section 1413a of this title), the person may be retained'' and inserting ''for any reason other than a disqualification described in subparagraph (B), the Secretary shall appoint that person to a position under section 3101 of title 5, in accordance with section 2102(a) of that title,'';

(2) in paragraph (1)(A), by striking ''the combat-related''; and

(3) by striking paragraph (3).

Subtitle B—Reserve Component Management

SEC. 511. PLACEMENT OF NATIONAL GUARD MILITARY TECHNICIANS (DUAL STATUS) IN THE COMPETITIVE SERVICE.

Section 10508 of title 10, United States Code, is amended—

(1) in subsection (b)(1), by striking ''sections 2103'' and inserting ''sections 2102''; and

(2) by adding at the end the following:

''(c) TREATMENT OF MILITARY TECHNICIAN (DUAL STATUS).—

''(1) PRIOR CONVERSIONS.—Not later than 30 days after the date of enactment of this subsection, the Chief of the National Guard Bureau shall convert any military technician (dual status) occupying a position in the excepted service to a position in the competitive service. For purposes of this paragraph, the term 'military technician (dual status)' means any military technician (dual status) of the National Guard of any State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands who, before the date of enactment of this subsection, was converted to a position in the excepted service by operation of this section and section 1053 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 981; 10 U.S.C. 10216 note).

''(2) FUTURE CONVERSIONS.—Any military technician (dual status) of the National Guard of any State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands converted under this section and such section 1053 after the date of enactment of this subsection to a position filled by individuals who are employed under section 3101 of title 5 shall be converted to a position in the competitive service.

''(3) DEFINITIONS.—In this subsection—

''(A) the term 'competitive service' has the meaning given that term in section 2102 of title 5; and

''(B) the term 'excepted service' has the meaning given that term in section 2103 of such title.''.

SEC. 512. AUTHORIZED STRENGTH AND DISTRIBUTION IN GRADE.

(a) STRENGTH AND GRADE AUTHORIZATIONS.—Section 12011(a) of title 10, United States Code is amended by striking those parts of the table pertaining to the Air National Guard and inserting the following:

''Air National Guard:

	Major	Lieutenant Colonel	Colonel
10,000	763	745	333
12,000	915	923	377
14,000	1,065	1,057	402
16,000	1,211	1,185	426
18,000	1,347	1,313	450
20,000	1,463	1,440	468
22,000	1,606	1,569	494
24,000	1,739	1,697	517
26,000	1,872	1,825	539
28,000	2,005	1,954	562
30,000	2,138	2,082	585
32,000	2,271	2,210	608
34,000	2,404	2,338	630
36,000	2,537	2,466	653
38,000	2,670	2,595	676
40,000	2,803	2,723	698''.

(b) STRENGTH AND GRADE AUTHORIZATIONS.—Section 12012(a) of title 10, United States Code is amended by striking those parts of the table pertaining to the Air National Guard and inserting the following:

''Air National Guard:

	E-8	E-9
10,000	1,350	550
12,000	1,466	594
14,000	1,582	636
16,000	1,698	676
18,000	1,814	714
20,000	1,930	752
22,000	2,046	790
24,000	2,162	828
26,000	2,278	866
28,000	2,394	904
30,000	2,510	942
32,000	2,626	980
34,000	2,742	1,018
36,000	2,858	1,056
38,000	2,974	1,094
40,000	3,090	1,132''.

SEC. 513. NATIONAL GUARD PROMOTION ACCOUNTABILITY.

(a) SHORT TITLE.—This section may be cited as the ''National Guard Promotion Accountability Act''.

(b) DATE OF RANK OF COMMISSIONED NATIONAL GUARD OFFICERS PROMOTED TO A HIGHER GRADE.—

(1) IN GENERAL.—Section 14308(f) of title 10, United States Code, is amended—

(A) by inserting ''(1)'' before ''The effective date'';

(B) in paragraph (1), as designated by subparagraph (A) of this paragraph, by striking ''on which such Federal recognition in that grade is so extended'' and inserting ''of the approval of the promotion of the officer to that grade by the State concerned''; and

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

''(2)(A) Notwithstanding subsection (c)(1), the date of rank in a higher grade of an officer whose effective date of promotion to such grade is governed by paragraph (1) shall be such effective date of promotion.

''(B) The specification of the date of rank of an officer in a grade pursuant to subparagraph (A) shall be deemed an adjustment of the date of rank of the officer to that grade in the manner of section 741(d)(4) of this title, pursuant to subsection (c)(2), to which section 741(d)(4)(C) of this title shall apply, notwithstanding subsection (c)(3).''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to National Guard officers whose promotion to a grade is approved by a State after that date.

(c) NOTICE TO CONGRESS ON DELAY IN PUBLICATION OF SCROLLS INDICATING PROMOTION OF COMMISSIONED NATIONAL GUARD OFFICERS.—

(1) NOTICE REQUIRED.—If at the end of the 200-day period beginning on the receipt by the Department of the Army or the Department of the Air Force of a scroll indicating the promotion of commissioned officers in the Army National Guard or Air National Guard, as applicable, the scroll has not been published by the military department concerned, the Secretary of the Army or the

Secretary of the Air Force, as the case may be, shall immediately notify the congressional defense committees, in writing, of the following:

(A) The date on which the scroll was so received.

(B) A description of the processing of the scroll by the military department concerned as of the date of the report, including a statement of the length of time in processing at each stage in the process through that date.

(C) The reason why the scroll was not published within 200 days of receipt, and the intended remediation for the delay in publication.

(2) DEFINITIONS.—In this subsection:

(A) The term ''congressional defense committees'' has the meaning given such term in section 101(a)(16) of title 10, United States Code.

(B) The term ''scroll'' has the meaning given that term in Department of Defense Instruction 1310.02, and any successor instruction or document.

SEC. 514. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON USE OF RETIRED SENIOR ENLISTED MEMBERS OF THE ARMY NATIONAL GUARD AS ARMY NATIONAL GUARD RECRUITERS.

Section 514 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended—

(1) in subsection (d), by striking ''2020'' and inserting ''2021''; and

(2) in subsection (f), by striking ''2019'' and inserting ''2020''.

Subtitle C—General Service Authorities and Correction of Military Records

SEC. 521. ENLISTMENTS VITAL TO THE NATIONAL INTEREST.

(a) IN GENERAL.—Section 504(b) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting ''and subject to paragraph (3),'' after ''Notwithstanding paragraph (1),'';

(B) by striking ''enlistment is vital to the national interest.'' and inserting ''person possesses a skill or expertise—''; and

(C) by adding at the end the following new subparagraphs:

''(A) that is vital to the national interest; and

''(B) that the person will use in daily duties as a member of the armed forces.''; and

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

''(3)(A) No person who enlists under paragraph (2) may report to initial training until after the Secretary concerned has completed all required background investigations and security and suitability screening as determined by the Secretary of Defense regarding that person.

''(B) A Secretary concerned may not authorize more than 1,000 enlistments under paragraph (2) per military department in a calendar year until after—

''(i) the Secretary of Defense submits to Congress written notice of the intent of that Secretary concerned to authorize more than 1,000 such enlistments in a calendar year; and

''(ii) a period of 30 days has elapsed after the date on which Congress receives the notice.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2019, and annually thereafter for each of the subsequent four years, the Secretary concerned shall submit a report to the Committees on Armed Services and the Judiciary of the Senate and the House of Representatives regarding persons who enter into enlistment contracts under section 504(b)(2) of title 10, United States Code, as amended by subsection (a).

(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) The number of such persons who have entered into such contracts during the preceding calendar year.

(B) How many such persons have successfully completed background investigations and vetting procedures.

(C) How many such persons have begun initial training.

(D) The skills that are vital to the national interest that such persons possess.

SEC. 522. STATEMENT OF BENEFITS.

(a) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1155. Statement of benefits

''(a) BEFORE SEPARATION.—Not later than 30 days before a member retires, is released, is discharged, or otherwise separates from the armed forces (or as soon as is practicable in the case of an unanticipated separation), the Secretary concerned shall provide that member with a current assessment of all benefits to which that member is entitled under laws administered by—

''(1) the Secretary of Defense; and

''(2) the Secretary of Veterans Affairs.

''(b) ANNUAL STATEMENT FOR RESERVES.—Not less than once each year, the Secretary concerned shall provide each member of a reserve component with a current assessment of benefits described in subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1154 the following new item:

''1155. Statement of benefits.''.

SEC. 523. MODIFICATION TO FORMS OF SUPPORT THAT MAY BE ACCEPTED IN SUPPORT OF THE MISSION OF THE DEFENSE POW/MIA ACCOUNTING AGENCY.

(a) PUBLIC-PRIVATE PARTNERSHIPS.—Subsection (a) of section 1501a of title 10, United States Code, is amended by adding at the end the following new sentence: ''An employee of an entity outside the Government that has entered into a public-private partnership, cooperative agreement, or a grant arrangement with, or in direct support of, the designated Defense Agency under this section shall be considered to be an employee of the Federal Government by reason of participation in such partnership, cooperative agreement, or grant, only for the purposes of section 552a of title 5 (relating to maintenance of records on individuals).''.

(b) AUTHORITY TO ACCEPT GIFTS IN SUPPORT OF MISSION TO ACCOUNT FOR MISSING PERSONS FROM PAST CONFLICTS.—Such section is further amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(2) by inserting after subsection (d) the following new subsection (e):

''(e) ACCEPTANCE OF GIFTS.—

''(1) AUTHORITY TO ACCEPT.—Subject to subsection (f)(2), the Secretary may accept, hold, administer, spend, and use any gift of personal property, money, or services made on the condition that the gift be used for the purpose of facilitating accounting for missing persons pursuant to section 1501(a)(2)(C) of this title.

''(2) GIFT FUNDS.—Gifts and bequests of money accepted under this subsection shall be deposited in the Treasury in the Department of Defense General Gift Fund.

''(3) USE OF GIFTS.—Personal property and money accepted under this subsection may be used by the Secretary, and services accepted under this subsection may be performed, without further specific authorization in law.

''(4) EXPENSES OF TRANSFER.—The Secretary may pay all necessary expenses in connection with the conveyance or transfer of a gift accepted under this subsection.

''(5) EXPENSES OF CARE.—The Secretary may pay all reasonable and necessary expenses in connection with the care of a gift accepted under this subsection.''; and

(3) by adding at the end of subsection (g), as redesignated by paragraph (1) of this subsection, the following new paragraph:

''(3) GIFT.—The term 'gift' includes a devise or bequest.''.

(c) CONFORMING AMENDMENT.—Subsection (a) of such section is further amended by striking ''subsection (e)(1)'' and inserting ''subsection (f)(1)''.

SEC. 524. CORRECTION OF MILITARY RECORDS WEBSITE.

(a) IN GENERAL.—Section 1552(a)(5) of title 10, United States Code, is amended by striking the second sentence and inserting the following: ''The Secretary shall also publish on such website a summary of each such decision, indexed by subject matter. The Secretary shall redact all personally identifiable information from any such decision and summary.''

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2019.

SEC. 525. MODIFICATION OF DD FORM 214 TO INCLUDE EMAIL ADDRESSES.

(a) IN GENERAL.—The Secretary of Defense shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) by adding an entry block in which a member of the Armed Forces may provide one or more email addresses at which the member may be contacted after separation from active duty in the Armed Forces.

(b) DEADLINE.—The Secretary shall carry out subsection (a) not later than one year after the date of the enactment of this Act.

SEC. 526. PUBLIC AVAILABILITY OF REPORTS RELATED TO SENIOR LEADER MISCONDUCT.

(a) ESTABLISHMENT OF WEBSITE.—The Secretary of Defense and each Secretary of a military department shall make available on a public website of the Department of Defense all reports on substantiated investigations of misconduct completed by the Inspectors General of the Department and each military department regarding—

(1) an officer in the grade of O-7 or higher;

(2) an officer selected for promotion to grade O-7; or

(3) a civilian member of the Senior Executive Service.

(b) PUBLISHED REPORTS.—Each report under subsection (a) shall be—

(1) properly redacted;

(2) segregated from documents regarding ongoing investigations (including announcements);

(3) labelled with the name of subject of the investigation; and

(4) searchable by the name of subject of the investigation.

(c) DEADLINE.—The Secretary shall carry out this section not later than 90 days after the enactment of this Act.

SEC. 527. APPOINTMENT AND TRAINING OF PERSONNEL TO STAFF THE BOARD OF CORRECTIONS FOR MILITARY AND NAVAL RECORDS.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Service Secretaries and Joint Chiefs, shall provide for the appointment and training of qualified personnel to join the staff of the Boards of Corrections for Military and Naval Records.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense a total of $3,000,000.00, in order to carry out the training required by subsection (a) and to provide related equipment and accommodations.

Subtitle D—Military Justice

SEC. 531. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.

Section 856(b)(1) of title 10, United States Code (article 56(b)(1) of the Uniform Code of Military Justice), is amended by striking ''such punishment must include, at a minimum, dismissal or dishonorable discharge, except as provided for in section 860 of this title (article 60)'' and inserting ''except as provided for in section 860 of this title (article 60), such punishment must include, at a minimum—''

''(A) dismissal or dishonorable discharge; and

''(B) confinement for two years.''.

SEC. 532. PUNITIVE ARTICLE IN THE UNIFORM CODE OF MILITARY JUSTICE ON DOMESTIC VIOLENCE.

(a) IN GENERAL.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after the item relating to section 928 (article 128) the following new section (article):

''§ 928a. Art 128a. Domestic violence

''(a) DOMESTIC VIOLENCE.—Any person subject to this chapter who, unlawfully and with force or violence, attempts, offers to, or does intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound another person of whom the person is an intimate partner is guilty of domestic violence and shall be punished as a court-martial may direct.

''(b) AGGRAVATED DOMESTIC VIOLENCE.—Any person subject to this chapter who, in committing domestic violence, uses a weapon, means, or force in a manner likely to produce death or grievous bodily harm is guilty of aggravated domestic violence and shall be punished as a court-martial may direct.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of such title is amended by inserting after the item relating to section 928 (article 128) the following new item:

''928a. 128a. Domestic violence.''.

SEC. 533. DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(c)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1561 note) is amended by adding at the end the following new sentence: ''After a majority vote by the Advisory Committee and upon request of the Chair of the Advisory Committee, the Secretary of Defense shall provide to the Advisory Committee information the Secretary determines is relevant to the scope and mission of the Advisory Committee under this section.''.

SEC. 534. MODIFICATION OF MILITARY RULES OF EVIDENCE TO EXCLUDE ADMISSIBILITY OF GENERAL MILITARY CHARACTER TOWARD PROBABILITY OF INNOCENCE IN ANY OFFENSE NOT STRICTLY RELATED TO PERFORMANCE OF MILITARY DUTIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, Rule 404(a) of the Military Rules of Evidence shall be amended to provide that the general military character of an accused is not admissible for the purpose of showing the probability of innocence of the accused for any offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), unless such offense is strictly and solely related to the performance of military duties.

(b) SPECIFICATION OF OFFENSES FOR WHICH ADMISSIBILITY ALLOWED.—

(1) IN GENERAL.—Each Secretary concerned shall specify, and may from time to time modify, the offenses under chapter 47 of title 10, United States Code, for which the military character of members of the Armed Forces under the jurisdiction of such Secretary is admissible pursuant to subsection (a) as a result of such offense being strictly and solely related to the performance of military duties.

(2) APPROVAL OF PRESIDENT REQUIRED.—The specification of an offense pursuant to paragraph (1), and any modification of such specification, shall not be effective unless approved by the President.

(3) SECRETARY CONCERNED DEFINED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 535. IMPROVED CRIME REPORTING.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the secretaries of the military departments, shall establish a consolidated tracking process for the entire Department of Defense to ensure increased oversight of the timely submission of crime reporting data to the Federal Bureau of Investigation under section 922(g) of title 18, United States Code, and Department of Defense Instruction 5505.11, ''Fingerprint Card and Final Disposition Report Submission Requirements''. The tracking process shall, to the maximum extent possible, standardize and automate reporting and increase the ability of the Department to track such submissions.

(b) REPORT REQUIRED.—Not later than July 1, 2019, the Secretary of Defense shall submit a report to the Committees on Armed Services of the Senate and House of Representatives that details the tracking process.

SEC. 536. OVERSIGHT OF REGISTERED SEX OFFENDER MANAGEMENT PROGRAM.

(a) DESIGNATION OF OFFICIAL OR ENTITY.—The Secretary of Defense shall designate a single official or entity within the Office of the Secretary of Defense to serve as the official or entity (as the case may be) with principal responsibility in the Department of Defense for providing oversight of the registered sex offender management program of the Department.

(b) DUTIES.—The official or entity designated under subsection (a) shall—

(1) monitor compliance with Department of Defense Instruction 5525.20 and other relevant polices;

(2) compile data on members serving in the military departments who have been convicted of a qualifying sex offense, including data on the sex offender registration status of each such member;

(3) maintain statistics on the total number of active duty service members in each military department who are required to register as sex offenders; and

(4) perform such other duties as the Secretary of Defense determines to be appropriate.

(c) BRIEFING REQUIRED.—Not later than June 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing on—

(1) the compliance of the military departments with the policies of the Department of Defense relating to registered sex offenders;

(2) the results of the data compilation described in subsection (b)(2); and

(3) any other matters the Secretary determines to be appropriate.

(d) MILITARY DEPARTMENTS DEFINED.—In this section, the term ''military departments'' has the meaning given that term in section 101(a)(8) of title 10, United States Code.

Subtitle E—Other Legal Matters

SEC. 541. SECURITY CLEARANCE REINVESTIGATION OF CERTAIN PERSONNEL WHO COMMIT CERTAIN OFFENSES.

Section 1564 of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), (e), and (f) as subsection (d), (e), (f), and (g), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) REINVESTIGATION OF CERTAIN INDIVIDUALS.—(1) The Secretary of Defense shall conduct an investigation under subsection (a) of any individual described in paragraph (2) upon—

''(A) conviction of that individual by a court of competent jurisdiction for—

''(i) sexual assault;

''(ii) sexual harassment;

''(iii) fraud against the United States; or

''(iv) any other violation that the Secretary determines renders that individual susceptible to blackmail or raises serious concern regarding the ability of that individual to hold a security clearance; or

''(B) determination by a commanding officer that the individual has committed an offense described in subparagraph (A).

''(2) An individual described in this paragraph has a security clearance and is—

''(A) a flag officer;

''(B) a general officer; or

''(C) an employee of the Department of Defense in the Senior Executive Service.

''(3) The Secretary shall conduct an investigation under this subsection of an individual described in paragraph (2) regardless of whether that individual has retired or resigned, is discharged or released, or otherwise separated from the armed forces or Department of Defense.

''(4) In this subsection:

''(A) The term 'sexual assault' includes rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit such offenses, as those terms are defined in the Uniform Code of Military Justice.

''(B) The term 'sexual harassment' has the meaning given that term in section 1561 of this title.

''(C) The term 'fraud against the United States' means a violation of section 932 of this title (Article 132 of the Uniform Code of Military Justice).''.

SEC. 542. CONSIDERATION OF APPLICATION FOR TRANSFER FOR A STUDENT OF A MILITARY SERVICE ACADEMY WHO IS THE VICTIM OF A SEXUAL ASSAULT OR RELATED OFFENSE.

(a) MILITARY ACADEMY.—Section 4361 of title 10, United States Code, is amended by adding at the end the following new subsection (e):

''(e) CONSIDERATION OF APPLICATION FOR TRANSFER FOR A CADET WHO IS THE VICTIM OF A SEXUAL ASSAULT OR RELATED OFFENSE.—(1) The Secretary of the Army shall provide for timely determination and action on an application for consideration of a transfer to another military service academy submitted by a cadet who was a victim of a sexual assault or other offense covered by section 920, 920a, or 920c of this title (article 120, 120a, or 120c of the Uniform Code of Military Justice) so as to reduce the possibility of retaliation against the cadet for reporting the sexual assault or other offense.

''(2) The Secretary of the Army shall prescribe regulations to carry out this subsection, within guidelines provided by the Secretary of Defense that direct the Superintendent of the Military Academy, in coordination with the Superintendent of the military service academy to which the cadet wishes to transfer, to approve or deny an application under this subsection not later

than 72 hours after the submission of the application. If the Superintendent denies such an application, the cadet may request review of the denial by the Secretary of the Army, who shall grant or deny review not later than 72 hours after submission of the request for review.''.

(b) NAVAL ACADEMY.—Section 6980 of title 10, United States Code, is amended by adding at the end the following new subsection (e):

''(e) CONSIDERATION OF APPLICATION FOR TRANSFER FOR A MIDSHIPMAN WHO IS THE VICTIM OF A SEXUAL ASSAULT OR RELATED OFFENSE.—(1) The Secretary of the Navy shall provide for timely determination and action on an application for consideration of a transfer to another military service academy submitted by a midshipman who was a victim of a sexual assault or other offense covered by section 920, 920a, or 920c of this title (article 120, 120a, or 120c of the Uniform Code of Military Justice) so as to reduce the possibility of retaliation against the midshipman for reporting the sexual assault or other offense.

''(2) The Secretary of the Navy shall prescribe regulations to carry out this subsection, within guidelines provided by the Secretary of Defense that direct the Superintendent of the Naval Academy, in coordination with the Superintendent of the military service academy to which the midshipman wishes to transfer, to approve or deny an application under this subsection not later than 72 hours after the submission of the application. If the Superintendent denies such an application, the midshipman may request review of the denial by the Secretary of the Navy, who shall grant or deny review not later than 72 hours after submission of the request for review.''.

(c) AIR FORCE ACADEMY.—Section 9361 of title 10, United States Code, is amended by adding at the end the following new subsection (e):

''(e) CONSIDERATION OF APPLICATION FOR TRANSFER FOR A CADET WHO IS THE VICTIM OF A SEXUAL ASSAULT OR RELATED OFFENSE.—(1) The Secretary of the Air Force shall provide for timely determination and action on an application for consideration of a transfer to another military service academy submitted by a cadet who was a victim of a sexual assault or other offense covered by section 920, 920a, or 920c of this title (article 120, 120a, or 120c of the Uniform Code of Military Justice) so as to reduce the possibility of retaliation against the cadet for reporting the sexual assault or other offense.

''(2) The Secretary of the Air Force shall prescribe regulations to carry out this subsection, within guidelines provided by the Secretary of Defense that direct the Superintendent of the Air Force Academy, in coordination with the Superintendent of the military service academy to which the cadet wishes to transfer, to approve or deny an application under this subsection not later than 72 hours after the submission of the application. If the Superintendent denies such an application, the cadet may request review of the denial by the Secretary of the Air Force, who shall grant or deny review not later than 72 hours after submission of the request for review.''.

SEC. 543. STANDARDIZATION OF POLICIES RELATED TO EXPEDITED TRANSFER IN CASES OF SEXUAL ASSAULT.

(a) POLICIES FOR MEMBERS.—The Secretary of Defense shall modify all policies related to the expedited transfer of a member of the Army, Navy, Air Force, or Marine Corps who is the victim of sexual assault (regardless of whether the case is handled under the Sexual Assault Prevention and Response Program or Family Advocacy Program) that the Secretary determines necessary to establish a standardized expedited transfer process for such members, consistent with section 673 of title 10, United States Code.

(b) POLICIES FOR DEPENDENTS OF MEMBERS.—The Secretary of Defense shall establish a policy to allow the transfer of a member of the Army, Navy, Air Force, or Marine Corps whose dependent is the victim of sexual assault perpetrated by a member of the Armed Forces who is not related to the victim.

SEC. 544. DEVELOPMENT OF OVERSIGHT PLAN FOR IMPLEMENTATION OF DEPARTMENT OF DEFENSE HARASSMENT PREVENTION AND RESPONSE POLICY.

(a) DEVELOPMENT.—The Secretary of Defense shall develop a plan for overseeing the implementation of the instruction titled ''Harassment Prevention and Response in the Armed Forces'', published on February 8, 2018 (DODI–1020.03).

(b) ELEMENTS.—The plan under subsection (a) shall require the military services and other components of the Department of Defense to take steps by certain dates to implement harassment prevention and response programs under such instruction, including no less than the following:

(1) Submitting implementation plans to the Director, Force Resiliency.

(2) Incorporating results-oriented performance measures that assess the effectiveness of harassment prevention and response programs.

(3) Adopting compliance standards for promoting, supporting, and enforcing policies, plans, and programs.

(4) Tracking, collecting, and reporting data and information on sexual harassment incidents based on standards established by the Secretary.

(5) Instituting anonymous complaint mechanisms.

(c) REPORT.—Not later than July 1, 2019, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the oversight plan developed under this section. The report shall include, for each military service and component of the Department of Defense, the implementation status of each element of the oversight plan.

SEC. 545. DEVELOPMENT OF RESOURCE GUIDES REGARDING SEXUAL ASSAULT FOR THE MILITARY SERVICE ACADEMIES.

(a) DEVELOPMENT.—Not later than 30 days after the date of the enactment of this Act, each Superintendent of a military service academy shall develop and maintain a resource guide for students at the respective military service academies regarding sexual assault.

(b) ELEMENTS.—Each guide developed under this section shall include the following information with regards to the relevant military service academy:

(1) PROCESS OVERVIEW AND DEFINITIONS.—

(A) A clear explanation of prohibited conduct, including examples.

(B) A clear explanation of consent.

(C) Victims' rights.

(D) Clearly described complaint process, including multiple ways to file a complaint.

(E) Explanations of restricted and unrestricted reporting.

(F) List of mandatory reporters.

(G) Protections from retaliation.

(H) Assurance that leadership will take immediate and proportionate corrective action.

(I) References to specific policies.

(J) Additional resources for survivors.

(2) EMERGENCY SERVICES.—

(A) Contact information.

(B) Location.

(3) SUPPORT AND COUNSELING.—Contact information for the following support and counseling resources:

(A) The Sexual Assault Prevention and Response Victim Advocate or other equivalent advocate or counselor available to students in cases of sexual assault.

(B) The Sexual Harassment/Assault Response and Prevention Resource Program Center.

(C) Peer counseling.

(D) Medical care.

(E) Legal counsel.

(F) Hotlines.

(G) Chaplain or other spiritual representatives.

(4) ESCALATION.—

(A) A victim may report an incident to any authority.

(B) A victim may consult any authority named in this paragraph.

(C) The Superintendent determines the outcome of an investigation and has the authority to convene a court-martial after an initial hearing.

(D) The Secretary of the military department concerned reviews determinations in cases not referred for trial by court-martial.

(E) The Inspector General reviews cases of reprisal or professional retaliation.

(F) A Member of Congress (as that term is defined in section 1563 of title 10, United States Code).

(c) DISTRIBUTION.—Each Superintendent shall provide a copy of the current guide developed by that Superintendent under this section—

(1) not later than 30 days after completing development under subsection (a) to each student who is enrolled at the military service academy of that Superintendent on the date of the enactment of this Act;

(2) at the beginning of each academic year after the date of the enactment of this Act to each student who enrolls at the military service academy of that Superintendent; and

(3) as soon as practicable to a student at the military service academy of that Superintendent reports that such student is a victim of sexual assault.

SEC. 546. REPORT ON VICTIMS IN MCIO REPORTS.

Not later than September 30, 2019, and not less than once every two years thereafter, the Secretary of Defense, through the Defense Advisory Committee on Investigations, Prosecutions, and Defense of Sexual Assault in the Armed Forces, shall submit to Congress a report regarding the frequency at which individuals, who are identified as victims of sexual offenses in case files of military criminal investigative organizations (hereinafter, ''MCIO''), are accused of or punished for misconduct or crimes considered collateral to the investigation of sexual assault during the MCIO investigations in which the individuals were so identified.

Subtitle F—Member Education, Training, Resilience, and Transition

SEC. 551. PERMANENT CAREER INTERMISSION PROGRAM.

(a) CODIFICATION AND PERMANENT AUTHORITY.—Chapter 40 of title 10, United States Code, is amended by adding at the end the following new section 710:

''§ 710. Career flexibility to enhance retention of members

''(a) PROGRAMS AUTHORIZED.—Each Secretary of a military department may carry out programs under which members of the regular components and members on Active Guard and Reserve duty of the armed forces under the jurisdiction of such Secretary may be inactivated from active service in order to meet personal or professional needs and returned to active service at the end of such period of inactivation from active service.

''(b) PERIOD OF INACTIVATION FROM ACTIVE SERVICE; EFFECT OF INACTIVATION.—(1) The period of inactivation from active service under a program under this section of a member participating in the program shall

be such period as the Secretary of the military department concerned shall specify in the agreement of the member under subsection (c), except that such period may not exceed three years.

''(2) Any service by a Reserve officer while participating in a program under this section shall be excluded from computation of the total years of service of that officer pursuant to section 14706(a) of this title.

''(3) Any period of participation of a member in a program under this section shall not count toward—

''(A) eligibility for retirement or transfer to the Ready Reserve under either chapter 571 or 1223 of this title; or

''(B) computation of retired or retainer pay under chapter 71 or 1223 of this title.

''(c) AGREEMENT.—Each member of the armed forces who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerned under which agreement that member shall agree as follows:

''(1) To accept an appointment or enlist, as applicable, and serve in the Ready Reserve of the armed force concerned during the period of the inactivation of the member from active service under the program.

''(2) To undergo during the period of the inactivation of the member from active service under the program such inactive service training as the Secretary concerned shall require in order to ensure that the member retains proficiency, at a level determined by the Secretary concerned to be sufficient, in the military skills, professional qualifications, and physical readiness of the member during the inactivation of the member from active service.

''(3) Following completion of the period of the inactivation of the member from active service under the program, to serve two months as a member of the armed forces on active service for each month of the period of the inactivation of the member from active service under the program.

''(d) CONDITIONS OF RELEASE.—The Secretary of Defense shall prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c). At a minimum, the Secretary shall prescribe the procedures and standards to be used to instruct a member on the obligations to be assumed by the member under paragraph (2) of such subsection while the member is released from active service.

''(e) ORDER TO ACTIVE SERVICE.—Under regulations prescribed by the Secretary of the military department concerned, a member of the armed forces participating in a program under this section may, in the discretion of such Secretary, be required to terminate participation in the program and be ordered to active service.

''(f) PAY AND ALLOWANCES.—(1) During each month of participation in a program under this section, a member who participates in the program shall be paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the member would otherwise be entitled under section 204 of title 37 as a member of the uniformed services on active service in the grade and years of service of the member when the member commences participation in the program.

''(2)(A) A member who participates in a program shall not, while participating in the program, be paid any special or incentive pay or bonus to which the member is otherwise entitled under an agreement under chapter 5 of title 37 that is in force when the member commences participation in the program.

''(B) The inactivation from active service of a member participating in a program shall not be treated as a failure of the member to perform any period of service required of the member in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37 that is in force when the member commences participation in the program.

''(3)(A) Subject to subparagraph (B), upon the return of a member to active service after completion by the member of participation in a program—

''(i) any agreement entered into by the member under chapter 5 of title 37 for the payment of a special or incentive pay or bonus that was in force when the member commenced participation in the program shall be revived, with the term of such agreement after revival being the period of the agreement remaining to run when the member commenced participation in the program; and

''(ii) any special or incentive pay or bonus shall be payable to the member in accordance with the terms of the agreement concerned for the term specified in clause (i).

''(B)(i) Subparagraph (A) shall not apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to a member if, at the time of the return of the member to active service as described in that subparagraph—

''(I) such pay or bonus is no longer authorized by law; or

''(II) the member does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the member to active service.

''(ii) Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to a member if, during the term of the revived agreement of the member under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

''(C) A member who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance with the terms of the applicable agreement of the member under chapter 5 of title 37.

''(D) Any service required of a member under an agreement covered by this paragraph after the member returns to active service as described in subparagraph (A) shall be in addition to any service required of the member under an agreement under subsection (c).

''(4)(A) Subject to subparagraph (B), a member who participates in a program is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474 of title 37 for—

''(i) travel performed from the residence of the member, at the time of release from active service to participate in the program, to the location in the United States designated by the member as his residence during the period of participation in the program; and

''(ii) travel performed to the residence of the member upon return to active service at the end of the participation of the member in the program.

''(B) An allowance is payable under this paragraph only with respect to travel of a member to and from a single residence.

''(5) A member who participates in a program is entitled to carry forward the leave balance existing as of the day on which the member begins participation and accumulated in accordance with section 701 of this title, but not to exceed 60 days.

''(g) PROMOTION.—(1)(A) An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under chapter 36 or 1405 of this title.

''(B) Upon the return of an officer to active service after completion by the officer of participation in a program—

''(i) the Secretary of the military department concerned shall adjust the date of rank of the officer in such manner as the Secretary of Defense shall prescribe in regulations for purposes of this section; and

''(ii) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

''(2) An enlisted member participating in a program shall not be eligible for consideration for promotion during the period that—

''(A) begins on the date of the inactivation of the member from active service under the program; and

''(B) ends at such time after the return of the member to active service under the program that the member is treatable as eligible for promotion by reason of time in grade and such other requirements as the Secretary of the military department concerned shall prescribe in regulations for purposes of the program.

''(h) CONTINUED ENTITLEMENTS.—A member participating in a program under this section shall, while participating in the program, be treated as a member of the armed forces on active duty for a period of more than 30 days for purposes of—

''(1) the entitlement of the member and of the dependents of the member to medical and dental care under the provisions of chapter 55 of this title; and

''(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 709a the following new item:

710. Career flexibility to enhance retention of members.

(2) CONFORMING REPEAL.—Section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is repealed.

SEC. 552. IMPROVEMENTS TO TRANSITION ASSISTANCE PROGRAM.

(a) PATHWAYS FOR TAP.—

(1) IN GENERAL.—Section 1142 of title 10, United States Code, is amended—

(A) in the section heading by striking ''**medical**'' and inserting ''**certain**'';

(B) in subsection (a)—

(i) in paragraph (1), by inserting ''(regardless of character of discharge)'' after ''discharge'';

(ii) in paragraph (3)(A)—

(I) by striking ''as soon as possible during the 12-month period preceding'' and inserting ''not later than 365 days before'';

(II) by striking ''90 days'' and inserting ''365 days''; and

(III) by striking ''discharge or release'' and inserting ''retirement or other separation''; and

(iii) in paragraph (3)(B)—

(I) by striking ''90'' and inserting ''365''; and

(II) by striking ''90-day'' and inserting ''365-day'';

(C) by redesignating subsection (c) as subsection (d);

(D) by inserting after subsection (b) the following new subsection (c):

''(c) COUNSELING PATHWAYS.—(1) Each Secretary concerned, in consultation with the Secretaries of Labor and Veterans Affairs, shall establish at least three pathways for members of the military department concerned receiving individualized counseling

under this section. The Secretaries shall design the pathways to address the needs of members, based on the following factors:

''(A) Rank.

''(B) Term of service.

''(C) Gender.

''(D) Whether the member was a member of a regular or reserve component of an armed force.

''(E) Disability.

''(F) Character of discharge (including expedited discharge and discharge under conditions other than honorable).

''(G) Health (including mental health).

''(H) Military occupational specialty.

''(I) Whether the member intends, after separation, retirement, or discharge, to—

''(i) seek employment;

''(ii) enroll in a program of higher education;

''(iii) enroll in a program of vocational training; or

''(iv) become an entrepreneur.

''(J) The educational history of the member.

''(K) The employment history of the member.

''(L) Whether the member has secured—

''(i) employment;

''(ii) enrollment in a program of education; or

''(iii) enrollment in a program of vocational training.

''(M) Other factors the Secretary of Defense and the Secretary of Homeland Security, in consultation with the Secretaries of Labor and Veterans Affairs, determine appropriate.

''(2) Each member described in subsection (a) shall meet in person or by video conference with a counselor before beginning counseling under this section to—

''(A) take a self-assessment designed by the Secretary concerned (in consultation with the Secretaries of Labor and Veterans Affairs) to ensure that the Secretary concerned places the member in the appropriate pathway under this subsection; and

''(B) receive information from the counselor regarding reenlistment in the armed forces; and

''(C) receive information from the counselor regarding resources—

''(i) for members of the armed forces separated, retired, or discharged;

''(ii) located in the community in which the member will reside after separation, retirement, or discharge.

''(3) At the meeting under paragraph (2), the member may elect to have the Secretary concerned (in consultation with the Secretaries of Labor and Veterans Affairs) provide the contact information of the member to the resources described in paragraph (2)(B).''; and

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

''(e) JOINT SERVICE TRANSCRIPT.—(1) The Secretary concerned shall provide a copy of the joint service transcript of a member described in subsection (a) to—

''(A) that member—

''(i) at the meeting with a counselor under subsection (c)(2); and

''(ii) on the day the member separates, retires, or is discharged.

''(B) the Secretary of Veterans Affairs on the day the member separates, retires, or is discharged.

''(2) The Secretary of Veterans Affairs shall ensure that a member who has separated, retired, or is discharged may access the joint service transcript of that member from a website of the Department of Veterans Affairs not later than one year after the day the member separates, retires, or is discharged.''.

(2) DEADLINE.—Each Secretary concerned shall carry out subsection (c) of such section, as amended by paragraph (1), not later than one year after the date of the enactment of this Act.

(3) GAO STUDY.—Not later than one year after the Secretaries concerned carry out subsection (c) of such section, as amended by paragraph (1), the Comptroller General of the United States shall submit to Congress a review of the pathways for the Transition Assistance Program established under such subsection (c).

(b) CONTENTS OF TAP.—

(1) IN GENERAL.—Section 1144 of title 10, United States Code, is amended—

(A) in subsection (a), by striking ''Such services'' and inserting ''Subject to subsection (f)(2), such services''; and

(B) by amending subsection (f) to read as follows:

''(f) PROGRAM CONTENTS.—(1) The program carried out under this section shall consist of instruction as follows:

''(A) One day of preseparation training specific to the armed force concerned, as determined by the Secretary concerned.

''(B) One day of instruction regarding—

''(i) benefits under laws administered by the Secretary of Veterans Affairs; and

''(ii) other subjects determined by the Secretary concerned.

''(C) One day of instruction regarding preparation for employment.

''(D) Two days of instruction regarding a topic selected by the member from the following subjects:

''(i) Preparation for employment.

''(ii) Preparation for education.

''(iii) Preparation for vocational training.

''(iv) Preparation for entrepreneurship.

''(v) Other options determined by the Secretary concerned.

''(2) The Secretary concerned may permit a member to attend training and instruction under the program established under this section—

''(A) before the time periods established under section 1142(a)(3) of this title;

''(B) in addition to such training and instruction required during such time periods.''.

(2) DEADLINE.—The Transition Assistance Program shall comply with the requirements of section 1144(f) of title 10, United States Code, as amended by paragraph (1), not later than one year after the date of the enactment of this Act.

(3) ACTION PLAN.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit an action plan to the congressional defense committees that—

(A) details how the Secretary shall implement the requirements of section 1144(f) of title 10, United States Code, as amended by paragraph (1); and

(B) details how the Secretary, in consultation with the Secretaries of Veterans Affairs and Labor, shall establish standardized performance metrics to measure Transition Assistance Program participation and outcome-based objective benchmarks in order to—

(i) provide feedback to the Departments of Defense, Veterans Affairs, and Labor;

(ii) improve the curriculum of the Transition Assistance Program;

(iii) share best practices; and

(iv) facilitate effective oversight of the Transition Assistance Program.

(4) REPORT.—On the date that is two years after the date of the enactment of this Act and annually thereafter for the subsequent four years, the Secretary of Defense shall submit to the Committees on Armed Services and Veterans' Affairs of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a report regarding members of the Armed Forces who have attended Transition Assistance Program counseling during the preceding year. The report shall detail the following:

(A) The total number of members who attended Transition Assistance Program counseling.

(B) The number of members who attended Transition Assistance Program counseling under paragraph (1) of section 1144(f) of title 10, as amended by paragraph (1).

(C) The number of members who attended Transition Assistance Program counseling under paragraph (2) of such section.

(D) The number of members who elected to attend each two-day instruction under paragraph (1)(D) of such section.

SEC. 553. EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY MEMBERS AT THE JOINT SPECIAL OPERATIONS UNIVERSITY.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) The Joint Special Operations University.''.

SEC. 554. PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING PROFESSIONAL CREDENTIALS.

Section 2015(a) of title 10, United States Code, is amended by striking ''related to military training'' and all that follows through the period at the end of paragraph (2) and inserting ''that translate into civilian occupations.''.

SEC. 555. EXTENSION OF PILOT PROGRAM TO ASSIST MEMBERS IN OBTAINING POST-SERVICE EMPLOYMENT.

Section 555(i) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 1143 note) is amended by striking ''2018'' and inserting ''2023''.

SEC. 556. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE RESERVE COMPONENTS AND VETERANS.

(a) AUTHORITY.—The Secretary of Defense may enter into agreements with the chief executives of the States to carry out pilot programs to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to unemployed or underemployed members of the reserve components of the Armed Forces and veterans.

(b) COST-SHARING.—Any agreement under subsection (a) shall require that the State must contribute an amount, derived from non-Federal sources, that equals or exceeds 50 percent of the funds provided by the Secretary to the State under this section to support the operation of the pilot program in that State.

(c) ADMINISTRATION.—The pilot program in a State shall be administered by the adjutant general in that State appointed under section 314 of title 32, United States Code. If the adjutant general is unavailable or unable to administer a pilot program, the Secretary, after consulting with the chief executive of the State, shall designate an official of that State to administer that pilot program.

(d) PROGRAM MODEL.—A pilot program under this section—

(1) shall use a job placement program model that focuses on working one-on-one with individuals described in subsection (a) to provide cost-effective job placement services, including—

(A) job matching services;

(B) resume editing;

(C) interview preparation; and

(D) post-employment follow up; and

(2) shall incorporate best practices of State-operated direct employment programs for members of the reserve components of the Armed Forces and veterans, such as the programs conducted in California and South Carolina.

(e) SKILLBRIDGE TRAINING OPPORTUNITIES.—A pilot program under this section shall utilize civilian training opportunities through the SkillBridge transition training program administered by the Department of Defense.

(f) EVALUATION.—The Secretary shall develop outcome measurements to evaluate the success of any pilot program established under this provision.

(g) REPORTING.—

(1) REPORT REQUIRED.—Not later than March 1, 2021, the Secretary, in coordination with the Secretary of Veterans Affairs and Chief of the National Guard Bureau, shall submit to the congressional defense committees a report describing the results of any pilot program established under this section.

(2) ELEMENTS.—A report under paragraph (1) shall include the following elements:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including—

(i) the number of members of the reserve components of the Armed Forces and veterans hired; and

(ii) the cost-per-placement of participating members and veterans.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on—

(i) the readiness of members of the reserve components of the Armed Forces; and

(ii) retention of service members.

(C) A comparison of the pilot program to other programs conducted by the Department of Defense or Department of Veterans Affairs to provide unemployment and underemployment support to members of the reserve components of the Armed Forces or veterans, including best practices the improved the effectiveness of such programs.

(D) Any other matter the Secretary determines to be appropriate.

(h) DURATION OF AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the authority to carry out a pilot program under this section expires on September 30, 2023.

(2) EXTENSION.—The Secretary may extend a pilot program under this section beyond the date in paragraph (1) by not more than two years.

SEC. 557. EXTENDED DURATION OF AVAILABILITY OF MILITARY ONESOURCE PROGRAM SERVICES FOR MEMBERS OF THE ARMED FORCES UPON THEIR SEPARATION OR RETIREMENT.

The Secretary of Defense shall ensure that retired and honorably discharged members of the Armed Forces, including members medically discharged, separated, or on the temporary disability retirement list, and their immediate family remain eligible for services under the Military OneSource Program for at least one year after the end of the member's tour of service, the member's retirement date, or the member's separation date, as the case may be.

SEC. 558. COMPTROLLER GENERAL BRIEFING AND REPORT ON PERMANENT EMPLOYMENT ASSISTANCE CENTERS.

(a) REQUIREMENT.— Not later than 240 days after the date of the enactment of this Act, the Comptroller General of the United States shall provide a briefing to the Armed Services Committees of the Senate and House of Representatives, with a report to follow on a date agreed to at the time of the briefing. The briefing and report shall provide information on employment assistance required under section 1143 of title 10, United States Code, and related information regarding civilian employment requiring certification or licensure.

(b) CONTENTS.—The information required under subsection (a) shall include the following:

(1) A description of the content of the database required by section 1143(a)(2)(A) of such title.

(2) A list and description of permanent employment assistance centers required by section 1143(b) of such title.

(3) A list and description of employment skills training programs and eligible members of the Armed Forces.

(4) A list and description of State and non-State entities that have interacted with civilian employers.

(5) A description of the use by members of the Armed Forces of the permanent employment assistance centers.

(6) An assessment of the permanent employment assistance centers and challenges, if any, the centers have experienced as of the date of the briefing or report.

SEC. 559. ACTIVITIES TO INCREASE AWARENESS OF APPRENTICESHIP PROGRAMS.

The Secretary of Defense shall ensure that, as part of the transition counseling provided by the Department of Defense to members of the Armed Forces who are in the process of separating from the Armed Forces (including the reserve components), information is provided to such members on—

(1) the potential benefits of apprenticeship programs;

(2) the appropriate use of veterans' education benefits to pay for apprenticeship programs, and

(3) the availability of veteran-focused, nonprofit apprenticeship programs.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

SEC. 561. ENHANCEMENT AND CLARIFICATION OF FAMILY SUPPORT SERVICES FOR FAMILY MEMBERS OF MEMBERS OF SPECIAL OPERATIONS FORCES.

Section 1788a of title 10, United States Code, is amended—

(1) by striking ''activities'' each place it appears and inserting ''services'';

(2) in subsection (b)(2), by striking ''activity'' and inserting ''service'';

(3) in subsection (c), by striking ''$5,000,000'' and inserting ''$10,000,000'';

(4) in subsection (d)(1), by striking ''thereafter'' and inserting ''of the next two years''; and

(5) in subsection (e), by adding at the end the following new paragraph:

''(4) The term 'family support services' includes costs of transportation, food, lodging, child care, supplies, fees, and training materials for immediate family members of members of the armed forces assigned to special operations forces while participating in programs under subsection (a).''.

SEC. 562. ADDITIONAL MATTERS FOR ASSESSMENT AND REPORT ON CHILDCARE SERVICES OF THE DEPARTMENT OF DEFENSE.

Section 575 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended—

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

''(5) Expanding the childcare hours at military installations that host initial training units in order to accommodate drill instructors, trainers, and support staff.

''(6) Modifying the rate of use of subsidized, off-installation childcare services by military families, including whether such rate could be increased by altering policies that cap the amount of subsidies for military families for such services based on the cost of living for families and the average cost of civilian childcare services.

''(7) Permitting the issuance of employee clearances on a provisional or interim basis for those working at military childcare centers.''; and

(2) in subsection (b)—

(A) by striking ''September 1, 2018'' and inserting ''March 1, 2019'';

(B) by striking ''the results of the assessment conducted under subsection (a).'' and inserting an em dash; and

(C) by adding at the end the following new paragraphs:

''(1) the results of the assessment conducted under subsection (a); and

''(2) assessments of—

''(A) the underlying factors contributing to the childcare backlogs at many installations;

''(B) the effect of such backlogs on member recruitment and retention; and

''(C) the effect of such backlogs on military spouse unemployment and underemployment.''.

SEC. 563. CONTINUED ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2019 in Division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in Section 4301 of this Act, $40,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—Of the amount authorized to be appropriated for fiscal year 2019 in Division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in Section 4301 of this Act, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398; 20 U.S.C. 7703a).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 564. DEPARTMENT OF DEFENSE EDUCATION ACTIVITY MISCONDUCT DATABASE.

(a) COMPREHENSIVE DATABASE.—The Secretary of Defense shall consolidate the various databases and mechanisms for the reporting and tracking of juvenile misconduct in Department of Defense Education Activity (hereinafter in this section referred to as ''DODEA'') schools into one comprehensive database for DODEA juvenile misconduct. The comprehensive database shall include, at a minimum, all reportable allegations of juvenile-on-juvenile sexual misconduct, regardless of the final disposition of the case.

(b) POLICY.—The Secretary shall establish a comprehensive policy regarding the reporting and tracking of juvenile misconduct cases occurring in DODEA schools, including policies establishing appropriate safeguards to prevent unauthorized disclosure of sensitive information contained in the comprehensive database required by subsection (a).

SEC. 565. REPORT ON ASSESSMENT OF FREQUENCY OF PERMANENT CHANGES OF STATION OF MEMBERS OF THE ARMED FORCES ON EMPLOYMENT AMONG MILITARY SPOUSES.

(a) IN GENERAL.—The Secretary of Defense shall submit to Congress a report setting

forth an assessment of the effects of the frequency of permanent changes of station of members of the Armed Forces on stability of employment among military spouses.

(b) ELEMENTS.—The report under this section shall include the following:

(1) An assessment of the effects of the frequency of permanent changes of station of members of the Armed Forces on stability of employment among military spouses, including the contribution of frequent permanent changes of station to unemployment or underemployment among military spouses.

(2) An assessment of the effects of unemployment and underemployment among military spouses on force readiness.

(3) Such recommendations as the Secretary considers appropriate regarding legislative or administration action to achieve force readiness and stabilization through the minimization of the impacts of frequent permanent changes on stability of employment among military spouses.

Subtitle H—Decorations and Awards

SEC. 571. LIMITATIONS ON AUTHORITY TO REVOKE CERTAIN MILITARY DECORATIONS AWARDED TO MEMBERS OF THE ARMED FORCES.

(a) ARMY.—

(1) LIMITATIONS.—Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 3757. Military decorations: limitations on revocation

''(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Army may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

''(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

''(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

''(B) the conviction of the member for a felony.

''(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Army shall take into account, as an extenuating factor, whether the member has been diagnosed with traumatic brain injury or post-traumatic stress disorder.

''(c) MILITARY DECORATION DEFINED.—In this section, the term 'military decoration' means the distinguished-service cross, distinguished-service medal, silver star, distinguished flying cross, or Soldier's Medal. The term does not include the medal of honor.''.

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

''3757. Military decorations: limitations on revocation.''.

(b) NAVY AND MARINE CORPS.—

(1) LIMITATIONS.—Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6259. Military decorations: limitations on revocation

''(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Navy may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

''(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

''(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

''(B) the conviction of the member for a felony.

''(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Navy shall take into account, as an extenuating factor, whether the member has been diagnosed with traumatic brain injury or post-traumatic stress disorder.

''(c) MILITARY DECORATION DEFINED.—In this section, the term 'military decoration' means the Navy cross, distinguished-service medal, silver star medal, distinguished flying cross, or Navy and Marine Corps Medal. The term does not include the medal of honor.''.

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

''6259. Military decorations: limitations on revocation.''.

(c) AIR FORCE.—

(1) LIMITATIONS.—Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8757. Military decorations: limitations on revocation

''(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Air Force may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

''(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

''(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

''(B) the conviction of the member for a felony.

''(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Air Force shall take into account, as an extenuating factor, whether the member has been diagnosed with traumatic brain injury or post-traumatic stress disorder.

''(c) MILITARY DECORATION DEFINED.—In this section, the term 'military decoration' means the Air Force cross, distinguished-service medal, silver star, distinguished flying cross, or Airman's Medal. The term does not include the medal of honor.''.

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

''8757. Military decorations: limitations on revocation.''.

SEC. 572. AUTHORIZATION FOR AWARD OF EXPEDITIONARY MEDAL TO CERTAIN MARINES FOR ACTIONS ON JUNE 8, 1995.

Notwithstanding any time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of Defense may award the Armed Forces Expeditionary Medal to a member or former member of the 24th Marine Expeditionary Unit, Special Operations Capable, for the mission to rescue Captain Scott O'Grady, United States Air Force, from Bosnia on June 8, 1995.

Subtitle I—Miscellaneous Reports and Other Matters

SEC. 581. PUBLIC AVAILABILITY OF TOP-LINE NUMBERS OF DEPLOYED MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Defense shall make publicly available the top-line numbers of members of the Armed Forces deployed for each country.

(b) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the requirement under subsection (a) in the case of a sensitive military operation if—

(A) the Secretary determines the public disclosure of the number of deployed members of the Armed Forces could reasonably be expected to provide an operational military advantage to an adversary; or

(B) members of the Armed Forces are deployed for a period that does not exceed 30 days.

(2) NOTICE.— If the Secretary issues a waiver under this subsection, the Secretary submit to the congressional defense committees a notice of the waiver and the reasons for the determination that led to the waiver.

(c) SENSITIVE MILITARY OPERATION DEFINED.—The term ''sensitive military operation'' has the meaning given that term in section 130f(d) of title 10, United States Code.

SEC. 582. CRITERIA FOR INTERMENT AT ARLINGTON NATIONAL CEMETERY.

(a) CRITERIA.—The Secretary of the Army, in consultation with the Secretary of Defense, shall prescribe revised criteria for interment at Arlington National Cemetery that preserve Arlington National Cemetery as an active burial ground ''well into the future,'' as that term is used in the report submitted by the Secretary of the Army to the Committees on Veterans' Affairs and the Committees on Armed Services of the House of Representatives and the Senate, dated February 14, 2017, and titled ''The Future of Arlington National Cemetery: Report on the Cemetery's Interment and Inurnment Capacity 2017''.

(b) DEADLINE.—The Secretary of the Army shall establish the criteria under subsection (a) not later than September 30, 2019.

SEC. 583. REPORT ON GENERAL AND FLAG OFFICER COSTS.

Not later than nine months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on general and flag officer costs. Such report shall include cost estimates for direct and indirect costs associated with general and flag officers generally and for specific positions in accordance with the recommendations of the Office of the Secretary of Defense-Cost Assessment and Program Evaluation report entitled ''Defining General and Flag Officer Costs'' dated December 2017, including—

(1) direct compensation for all general and flag officers and for specific general and flag officer positions, using the full cost of manpower model to estimate where possible;

(2) personal money allowances for positions that receive an allowance;

(3) deferred compensation and health care costs for all general and flag officers and for specific general and flag officer positions;

(4) costs associated with providing security details for specific general and flag officer positions that merit continuous security;

(5) costs associated with Government and commercial travel for general and flag officers who qualify for tier one or two travel, including commercial travel costs using defense travel sytstem data;

(6) general flag officer per diems for specific positions, based on average travel per diem costs;

(7) costs for enlisted and officer aide housing for general and flag officers generally and for specific general and flag officer positions, including basic housing assistance costs for staff;

(8) on a case-by-case basis, costs associated with enlisted and officer aide travel, taking into consideration the cost of data collection;

(9) costs associated with additional support staff for general and flag officers and their travel, equipment, and per diem costs for all general and flag officers and specific general and flag officer positions based on the average numbers per general or flag officer and estimations using the full cost of manpower model;

(10) costs associated with the upkeep and maintenance of official residences not captured by basic housing assistance; and

(11) costs associated with training for general and flag officers generally and specific general and flag officer positions using estimations from the full cost of manpower model.

SEC. 584. REPORT ON OUTSIDE EMPLOYMENT OF SENIOR PERSONNEL.

(a) REPORT REQUIRED.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit a report to Congress on requests by senior personnel for approval of outside employment during the preceding fiscal year.

(b) ELEMENTS.—The report under this section shall contain the following regarding:

(1) The number of such requests.

(2) The number of such requests approved.

(3) The types of positions for which senior personnel made such requests.

(4) The range and average of the time commitment for such positions.

(5) The range and average of the compensation for such positions.

(6) Any ethical lapses or abuses by senior personnel in the course of employment pursuant to approved requests.

(c) SENIOR PERSONNEL DEFINED.—In this section, the term ''senior personnel'' means any of the following:

(1) An officer in the regular or reserve component of an armed force above the grade of O-6.

(2) An employee of the Department of Defense in the Senior Executive Service.

SEC. 585. LIMITATION ON USE OF FUNDS PENDING SUBMITTAL OF REPORT ON ARMY MARKETING AND ADVERTISING PROGRAM.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of the Army shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the recommendations contained in the audit conducted by the Army Audit Agency of the Army's Marketing and Advertising Program concerning contract oversight and return on investment.

(2) CONTENTS.—The report required by paragraph (1) shall address each of the following:

(A) The mitigation and oversight measures implemented to assure improved program return and contract management including the establishment of specific goals to measure long-term effects of investments in marketing efforts.

(B) The establishment of a review process to regularly evaluate the effectiveness and efficiency of marketing efforts including efforts to better support the accessions missions of the Army.

(C) The increase of acquisition and marketing experience within the Army Marketing and Research Group (hereinafter in this section referred to as the ''AMRG'').

(D) A workforce analysis of AMRG in cooperation with the Office of Personnel Management and industry experts assessing the AMRG organizational structure, staffing, and training, including an assessment of the workplace climate and culture internal to the AMRG.

(E) The establishment of an Army Marketing and Advisory Board comprised of senior Army and marketing and advertising leaders and an assessment of industry and service marketing and advertising best practices including a plan to incorporate relevant practices.

(F) The status of the implementation of contracting practices recommended by the Army Audit Agency's audit of contracting oversight of AMRG contained in Audit Report A-2018-0033-MTH.

(b) LIMITATION ON USE OF FUNDS.—Not more than 60 percent of the amounts authorized to be appropriated or otherwise made available in this Act for the AMRG for fiscal year 2019 for advertising and marketing activities may be obligated or expended until the Secretary of the Army submits the report required by subsection (a).

(c) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date of the submittal of the report required by subsection (a), the Comptroller General of the United States shall conduct a review of the results and implementation of the recommendations of the Army Audit Agency Audits of the AMRG on contract oversight and return on investment. Such review shall include an assessment of the effects of the implementation of the recommendations on the AMRG leadership, workforce and business practices, and return on investment.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601 . PROMPT REVIEW OF REQUEST FOR IMMINENT DANGER PAY.

Section 310(d)(1) of title 37, United States Code, is amended by adding at the end the following new sentence: ''The Secretary of Defense shall issue a determination regarding special pay under this section not later than 90 days after receiving a request for such determination from the commander of a geographic combatant command.''

SEC. 602 . APPLICATION OF BASIC ALLOWANCE FOR HOUSING TO MEMBERS OF THE UNIFORMED SERVICES IN THE VIRGIN ISLANDS.

(a) IN GENERAL.—Section 403(b) of title 37, United States Code, is amended—

(1) in the heading, by inserting ''AND THE VIRGIN ISLANDS'' after ''THE UNITED STATES'';

(2) in paragraph (1), by inserting ''and the Virgin Islands'' after ''the United States''; and

(3) in paragraphs (2), (3)(A), and (6), by inserting ''or the Virgin Islands'' after ''the United States'' each place it appears.

(b) CONFORMING AMENDMENTS.—Section 403(c) of title 37, United States Code, is amended—

(1) in the heading, by inserting ''OR THE VIRGIN ISLANDS'' after ''THE UNITED STATES''; and

(2) in paragraphs (1), (2), (3)(A)(i), and (3)(B), by inserting ''or the Virgin Islands'' after ''the United States'' each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to payments under section 403 of title 37, United States Code, beginning on January 1, 2019.

SEC. 603 . MANDATORY INCREASE IN INSURANCE COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE FOR MEMBERS DEPLOYED TO COMBAT THEATERS OF OPERATION.

Section 1967(a)(3) of title 38, United States Code, is amended—

(1) in subparagraph (A), by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraphs (B), (C), and (D)''; and

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

''(D) In the case of a member who elects under paragraph (2)(A) not to be insured under this section, or who elects under subparagraph (B) to be insured for an amount less than the maximum amount provided under subparagraph (A), and who is deployed to a combat theater of operations the member—

''(i) shall be insured under this subchapter for the maximum amount provided under subparagraph (A) for the period of such deployment; and

''(ii) upon the end of such deployment—

''(I) shall be insured in the amount elected by the member under subparagraph (B); or

''(II) shall not be insured, if so elected under paragraph (2)(A)''.

SEC. 604 . MILITARY HOUSING PRIVATIZATION INITIATIVE.

(a) PAYMENT AUTHORITY.—Each month beginning on the first month after the date of the enactment of this Act, the Secretary shall pay a lessor of covered housing 5 percent of the amount calculated under section 403(b)(3)(A)(i) of title 37, United States Code, for the area in which the covered housing exists. Any such payment shall be in addition to any other payment made by the Secretary to that lessor.

(b) PLAN FOR MHPI HOUSING.—Not later than December 1, 2018, the Secretary shall submit to the congressional defense committees a long-range plan to develop measures to consistently address the future sustainment, recapitalization, and financial condition of MHPI housing. The plan shall include—

(1) efforts to mitigate the losses incurred by MHPI housing projects because of the reductions to BAH under section 603 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 37 U.S.C. 403(b)(3)(B)); and

(2) a full assessment of the effects of such reductions (in relation to calculations of market rates for rent and utilities) on the financial condition of MHPI housing.

(c) REPORTING.—The Secretary shall direct the Assistant Secretary of Defense for Energy, Installations, and Environment to take the following steps regarding reports under section 2884(c) of title 10, United States Code:

(1) Provide additional contextual information on MHPI housing to identify any differences in the calculation of debt coverage ratios and any effect of such differences on their comparability.

(2) Immediately resume issuing such reports on the financial condition of MHPI housing.

(3) Revise Department of Defense guidance on MHPI housing—

(A) to ensure that relevant financial data (such as debt coverage ratios) in such reports are consistent and comparable in terms of the time periods of the data collected;

(B) to include a requirement that the secretary of each military department includes measures of future sustainment into each assessments of MHPI housing projects; and

(C) to require the secretary of each military department to define risk tolerance regarding the future sustainability of MHPI housing projects.

(4) Report financial information on future sustainment of each MHPI housing project in such reports.

(5) Provide Department of Defense guidance to the secretaries of the military departments to—

(A) assess the significance of the specific risks to individual MHPI housing projects from the reduction in BAH; and

(B) identify methods to mitigate such risks based on their significance.

(6) Not later than December 1, 2018, finalize Department of Defense guidance that clearly defines—

(A) the circumstances in which the military departments shall provide notification

of housing project changes to the congressional defense committees; and

(B) which types of such changes require prior notification to or prior approval from the congressional defense committees.

(d) DEFINITIONS.—In this section:

(1) The term ''BAH'' means the basic allowance for housing under section 403 of title 37, United States Code.

(2) The term ''covered housing'' means a unit of MHPI housing that is leased to a member of a uniformed service who resides in such unit.

(3) The term ''MHPI housing'' means housing acquired or constructed under the alternative authority of subchapter IV of chapter 169 of title 10, United States Code (known as the Military Housing Privatization Initiative).

SEC. 605 . PER DIEM ALLOWANCE POLICIES.

(a) POLICY AND REGULATIONS.—

(1) EXISTING POLICY AND REGULATIONS.—The Secretary of each military department may not implement the policy in the memorandum dated October 1, 2014, titled ''UTD/CTS for MAP 118-13/CAP 118-13 – Flat Rate Per Diem for Long Term TDY'', regarding per diem allowances, or any regulations prescribed pursuant to such memorandum, on or after the date of the enactment of this Act.

(2) FUTURE POLICY AND REGULATIONS.—(A) The Secretary of each military department concerned may not implement a new policy regarding per diem allowances under section 474 of title 37, United States Code, until after the Secretary of Defense issues the report under subsection (b).

(B) The Secretary of the military department concerned shall notify the appropriate congressional committees not less than 60 days before implementing a new policy regarding per diem allowances under section 474 of title 37, United States Code.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue a report to the appropriate congressional committees regarding options to reduce travel costs incurred by the Department of Defense, including the adoption of practices used by private entities.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

Subtitle B—Bonuses and Special Incentive Pays

SEC. 611 . ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2018'' and inserting ''December 31, 2019'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2018'' and inserting ''December 31, 2019'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

Subtitle C—Other Matters

SEC. 621 . EXPANSIONS OF INSTALLATION BENEFITS TO SURVIVING SPOUSES, DEPENDENT CHILDREN, AND OTHER NEXT OF KIN.

(a) ISSUANCE OF GOLD STAR INSTALLATION ACCESS CARDS.—

(1) ISSUANCE AND CONDITIONS ON USE.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1126 the following new section:

''§ 1126a. Gold Star Installation Access Card: issuance and protections

''(a) ISSUANCE TO GOLD STAR SURVIVING SPOUSE AND DEPENDENT CHILDREN OF DECEASED MEMBER REQUIRED.—The Secretary concerned shall provide for the issuance of a standardized Gold Star Installation Access Card to the widow and dependent children of a deceased member of the armed forces described in section 1126(a) of this title to facilitate their ability to gain unescorted access to military installations for the purpose of attending memorial events, visiting gravesites, and obtaining the on-installation services and benefits to which they are entitled or eligible.

''(b) ISSUANCE TO OTHER NEXT OF KIN AUTHORIZED.—At the discretion of the Secretary concerned, the Secretary concerned may provide the Gold Star Installation Access Card to the parents and other next of kin of a deceased member of the armed forces described in section 1126(a) of this title.

''(c) SERVICE-WIDE ACCEPTANCE OF ACCESS CARD.—The Secretaries concerned shall work together to ensure that a Gold Star Installation Access Card issued by one armed force is accepted for access to military installations under the jurisdiction of another armed force.

''(d) PROTECTION OF INSTALLATION SECURITY.—In developing, issuing, and accepting the Gold Star Installation Access Card, the Secretary concerned may take such measures as the Secretary concerned considers necessary—

''(1) to prevent fraud in the procurement or use of the Gold Star Installation Access Card;

''(2) to limit installation access to those areas of the installation that provide the services and benefits for which the recipient of the Gold Star Installation Access Card is entitled or eligible; and

''(3) to ensure that the availability and use of the Gold Star Installation Access Card does not adversely affect military installation security.

''(e) TERMINATION.—The Gold Star Installation Access Card for the widow and dependent children of a deceased member of the armed forces shall remain valid for the life of the widow or child, regardless of subsequent marital status of the widow, subject to periodic renewal as determined by the Secretary concerned to ensure military installation security.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title 10, United States Code, is amended by inserting after the item relating to section 1126 the following new item:

''1126a. Gold Star Installation Access Card: issuance and protections.''.

(2) APPLICABILITY OF CURRENT DEFINITIONS.—Section 1126(d) of title 10, United States Code is amended by striking the matter preceding paragraph (1) and inserting the following: ''In this section and section 1126a of this title:''.

(b) EXTENSION OF COMMISSARY AND EXCHANGE BENEFITS FOR REMARRIED SPOUSES WITH DEPENDENT CHILDREN.—

(1) BENEFITS.—Section 1062 of title 10, United States Code, is amended—

(A) by striking ''The Secretary of Defense'' and inserting the following:

''(a) CERTAIN UNREMARRIED FORMER SPOUSES.—The Secretary of Defense''; and

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

''(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The Secretary of Defense shall prescribe such regulations as may be necessary to provide that a surviving spouse of a deceased member of the armed forces, regardless of the marital status of the surviving spouse, who has guardianship of dependent children of the deceased member is entitled to use commissary stores and MWR retail facilities to the same extent and on the same basis as the unremarried surviving spouse of a member of the uniformed services.''.

(2) CONFORMING AMENDMENTS.—Section 1062 of title 10, United States Code, is further amended—

(A) by striking ''commissary and exchange privileges'' and inserting ''use commissary stores and MWR retail facilities''; and

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

''(c) MWR RETAIL FACILITIES.—The term 'MWR retail facilities' has the meaning given that term in section 1063(e) of this title.''.

(3) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of section 1062 of title 10, United States Code, is amended to read as follows:

''§ 1062. Certain former spouses and surviving spouses''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by striking the item relating to section 1062 and inserting the following new item:

''1062. Certain former spouses and surviving spouses.''.

SEC. 622 . TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PERMANENT DISABILITY RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any veteran with a service-connected, permanent disability rated as total on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

''(2) The transportation priority required by paragraph (1) for veterans described in such paragraph applies whether or not the Secretary establishes the travel program authorized by this section.

''(3) In this subsection, the terms 'veteran' and 'service-connected' have the meanings given those terms in section 101 of title 38.''.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SEC. 623 . EXTENSION OF PARKING EXPENSES ALLOWANCE TO CIVILIAN EMPLOYEES AT RECRUITING FACILITIES.

Section 481i(b)(1) of title 37, United States Code, is amended by striking ''as a recruiter for any'' and inserting ''at a recruiting facility''.

SEC. 624 . ADVISORY BOARDS REGARDING MILITARY COMMISSARIES AND EXCHANGES.

The Secretary of Defense shall direct each commanding officer of a military base on which there is a military commissary or exchange to establish an advisory board, comprised of representatives of military or veterans service organizations, to advise the commanding officer regarding the interests of patrons and beneficiaries of military commissaries and exchanges.

SEC. 625 . STUDY AND REPORT ON DEVELOPMENT OF A SINGLE DEFENSE RESALE SYSTEM.

(a) STUDY.—The Secretary of Defense shall conduct a study to determine the feasibility of consolidating the military resale entities into a single defense resale system. Such study shall include the following:

(1) A financial assessment of consolidation of the military resale entities.

(2) A business case analysis of consolidation of the military resale entities.

(3) Organizational, operational, and business model integration plans for consolidation of the military resale entities.

(4) Determinations of which back-office processes and systems associated with finance and payment processing technologies the Secretary could convert to common technologies.

(b) REPORT.—Not later than January 1, 2019, the Secretary shall submit a report to the congressional defense committees regarding the study under subsection (a). That report shall contain the following:

(1) Details of the internal and external organizational structures of a consolidated defense resale system.

(2) Recommendations of the Secretaries of each of the military departments regarding the plan to consolidate the military resale entities.

(3) The costs and associated plan for the merger of technologies or implementation of new technology from a third-party provider to standardize financial management and accounting processes of a consolidated defense resale system.

(4) Best practices to maximize reductions in costs associated with back-office retail payment processing for a consolidated defense resale system.

(5) A timeline for converting the Defense Commissary Agency into a non-appropriated fund instrumentality under section 2484(j) of title 10, United States Code.

(6) A determination whether the business case analysis supports consolidation of the military resale entities.

(7) Recommendations of the Secretary for legislation related to consolidation of the military resale entities.

(8) Other elements the Secretary determines are necessary for a successful evaluation of a consolidation of the military resale entities.

(c) PROHIBITION ON USE OF FUNDS.—None of the amounts authorized to be appropriated or otherwise made available in this Act may be obligated or expended for the purpose of implementing consolidation of the military resale entities until October 1, 2019.

(d) MILITARY RESALE ENTITIES DEFINED.—In this section the term ''military resale entities'' means—

(1) the Defense Commissary Agency;

(2) the Army and Air Force Exchange Service;

(3) the Navy Exchange; and

(4) the Marine Corps Exchange.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. TRICARE MEDICARE ADVANTAGE DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Health and Human Services, shall carry out a demonstration program under which, notwithstanding section 1851(c)(3) of the Social Security Act (42 U.S.C. 1395w–21(c)(3)), each covered individual is deemed, unless the individual (in accordance with a process specified by the Secretaries) elects otherwise, to have elected to receive benefits under title XVIII of such Act (42 U.S.C. 1395 et seq.) through a participating MA plan, with respect to the military health system region involved, (and shall be enrolled in such plan) for each plan year during which such demonstration program is carried out. In carrying out the demonstration program, the Secretary shall ensure that a covered individual who is enrolled in an MA plan in a military health system region selected under paragraph (3) that is not a participating MA plan may remain in such non-participating MA plan without making an election through such process specified in the previous sentence.

(2) DURATION.—Subject to subsection (d), the demonstration program established under paragraph (1) shall be carried out for a period of not less than two plan years.

(b) PARTICIPATING MA PLANS.—

(1) DEFINITION.—For purposes of this section, the term ''participating MA plan'' means, with respect to a military health system region selected under paragraph (3) and a plan year beginning during the period during which the demonstration project is carried out, an eligible Medicare Advantage plan that enters into a contract under paragraph (2) with the Secretary of Defense to participate in the demonstration program under this section for such plan year.

(2) SELECTION OF PLANS.—

(A) IN GENERAL.—The Secretary shall, after consultation with the TRICARE managed care support contractor in each military health system region selected under paragraph (3) and with respect to each plan year beginning the period during which such demonstration program is carried out, enter into a contract with one or more eligible Medicare Advantage plans described in subparagraph (B) to participate in the demonstration program for such plan year, with respect to such military health system region. Under such contract, the Medicare Advantage organization offering such plan, with respect to such military health system region, shall agree to provide coverage under such plan to all covered individuals residing in such region during such plan year.

(B) ELIGIBLE MEDICARE ADVANTAGE PLAN.—For purposes of this section, an eligible Medicare Advantage plan, with respect to a military health system region selected under paragraph (3), is an MA plan that satisfies the following conditions, with respect to a plan year beginning during the period during which the demonstration program is carried out:

(i) The Medicare Advantage organization offering the plan has in effect a contract with the Secretary of Health and Human Services under section 1857 of the Social Security Act (42 U.S.C. 1395w–27) for offering such plan to MA eligible individuals in such military health system region with respect to such plan year.

(ii) The plan is, or is treated as, a qualifying plan under section 1853(o)(3) of such Act (42 U.S.C. 1395w–23(o)(3)), with respect to such plan year.

(3) SELECTION OF MILITARY HEALTH SYSTEM REGIONS.—The Secretary shall select two military health system regions in which to carry out the demonstration program, one from each TRICARE managed care support contractor region. Each such region shall have a large concentration of beneficiaries eligible for TRICARE for Life.

(c) COSTS OF PROGRAM.—

(1) DEPARTMENT OF DEFENSE.—The Secretary shall bear the costs to the Department of Defense and realize any potential savings to the Department that result from the demonstration program.

(2) COST NEUTRALITY.—The costs paid under the demonstration program by the United States to the participating Medicare Advantage plans, and the costs paid by the United States pursuant to TRICARE for Life, for the period of the demonstration program, with respect to covered individuals enrolled in such plans during such period, may not exceed the estimated costs that would have been paid by the United States during such period for providing health care benefits to such individuals through the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act and TRICARE for Life, as adjusted to account for the age, location, and health status of the population.

(d) CERTIFICATIONS REQUIRED TO CARRY OUT PROGRAM.—

(1) CERTIFICATIONS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for each plan year occurring during the period during which the demonstration program is carried out, the Secretary shall submit to the appropriate congressional committees a report and certification on the demonstration program. If the Secretary does not submit the certification by such date each year, the Secretary may not carry out the demonstration program for the plan year or any subsequent plan year.

(2) ELEMENTS.—Each report and certification under paragraph (1), with respect to a plan year, shall include the following:

(A) Except for the first report and certification submitted under paragraph (1)—

(i) a certification that the demonstration program maintains cost neutrality pursuant to subsection (c)(2);

(ii) the number of covered individuals eligible to be enrolled in the demonstration program and the number of covered individuals

who opted out of such enrollment in each participating MA plan in each such region; and

(iii) an assessment of the number of covered individuals enrolled in participating Medicare Advantage plans under the demonstration program that have reached the limit on out-of-pocket expenditures applied under the respective plan.

(B) A certification that the access standards for the TRICARE program are met in the Medicare Advantage plans selected under subsection (b)(2).

(C) A description of the average premium rates, and copayments or cost sharing, if any, for each participating MA plan in each military health system region selected under subsection (b)(3).

(D) A description of the quality rating determined under the 5-star rating system under section 1853(o)(4) of the Social Security Act (42 U.S.C. 1395w–23(o)(4)) for such plan year for each participating MA plan.

(E) Any recommendations by the Secretary with respect to any legislative actions to improve the demonstration program.

(e) REPORT.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report providing a comprehensive assessment of the demonstration program.

(f) REGULATIONS.—

(1) IN GENERAL.—The Secretary may prescribe regulations to expeditiously implement the demonstration program under subsection (a).

(2) RULEMAKING.—The Secretary shall carry out paragraph (1)—

(A) by prescribing an interim final rule; and

(B) not later than 180 days after prescribing such interim final rule and considering public comments with respect to such interim final rule, by prescribing a final rule.

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services, Ways and Means, and Energy and Commerce of the House of Representatives; and

(B) the Committees on Armed Services, Finance, and Health, Education, Labor, and Pensions of the Senate.

(2) The term ''covered individual'' means an individual who—

(A) is a Medicare Advantage eligible individual (as defined in section 1851(a)(3) of the Social Security Act (42 U.S.C. 1395w–21(a)(3)));

(B) is enrolled in TRICARE for Life; and

(C) resides in a ZIP Code that is located—

(i) in a military health system region selected under subsection (b)(3); and

(ii) at least 40 miles from a military medical center or a military hospital described in subsections (b) and (c) of section 1073d of title 10, United States Code.

(3) The term ''Medicare Advantage organization'' has the meaning given that term in section 1859 of the Social Security Act (42 U.S.C. 1395w–28).

(4) The term ''Medicare Advantage plan'' means a health plan under part C of title XVIII of the Social Security Act (42 U.S.C. 1395w–21 et seq.).

(5) The term ''plan year'' has the meaning given such term for purposes of such part.

(6) The term ''Secretary'' means the Secretary of Defense.

(7) The terms ''TRICARE program'' and ''TRICARE for Life'' have the meanings given those terms in section 1072 of title 10, United States Code.

SEC. 702. PILOT PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER RELATED TO MILITARY SEXUAL TRAUMA.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

(b) DISCHARGE THROUGH PARTNERSHIPS.—The pilot program authorized by subsection (a) shall be carried out through partnerships with public, private, and non-profit health care organizations and institutions that—

(1) provide health care to members of the Armed Forces;

(2) provide evidence-based treatment for psychological and neurological conditions that are common among members of the Armed Forces, including post-traumatic stress disorder, traumatic brain injury, substance abuse, and depression;

(3) provide health care, support, and other benefits to family members of members of the Armed Forces; and

(4) provide health care under the TRICARE program (as that term is defined in section 1072 of title 10, United States Code).

(c) PROGRAM ACTIVITIES.—Each organization or institution that participates in a partnership under the pilot program authorized by subsection (a) shall—

(1) carry out intensive outpatient programs of short duration to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

(3) share clinical and outreach best practices with other organizations and institutions participating in the pilot program; and

(4) annually assess outcomes for members of the Armed Forces individually and among the organizations and institutions participating in the pilot program with respect to the treatment of conditions described in paragraph (1).

(d) EVALUATION METRICS.—Before commencement of the pilot program, the Secretary shall establish metrics to be used to evaluate the effectiveness of the pilot program and the activities under the pilot program.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program authorized by subsection (a). The report shall include a description of the pilot program and such other matters on the pilot program as the Secretary considers appropriate.

(2) FINAL REPORT.—Not later than 180 days after the cessation of the pilot program under subsection (f), the Secretary shall submit to the committees of Congress referred to in paragraph (1) a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including the partnership under the pilot program as described in subsection (b).

(B) An assessment of the effectiveness of the pilot program and the activities under the pilot program.

(C) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program, including recommendations for extension or making permanent the authority for the pilot program.

(f) TERMINATION.—The Secretary may not carry out the pilot program authorized by subsection (a) after the date that is three years after the date of the enactment of this Act.

SEC. 703. PILOT PROGRAM ON CRYOPRESERVATION AND STORAGE.

(a) IN GENERAL.—The Secretary of Defense shall establish a pilot program to provide not greater than 1,000 members of the Armed Forces on active duty in the Armed Forces with the opportunity to cryopreserve and store their gametes prior to deployment to a combat zone.

(b) PERIOD OF TIME.—

(1) IN GENERAL.—The Secretary shall provide for the cryopreservation and storage of gametes of a participating member of the Armed Forces under subsection (a), at no cost to the member, in a facility of the Department of Defense or of a private entity pursuant to a contract under subsection (d) until the date that is one year after the retirement, separation, or release of the member from the Armed Forces.

(2) CONTINUED CRYOPRESERVATION AND STORAGE.—At the end of the one-year period specified in paragraph (1), the Secretary shall permit an individual whose gametes were cryopreserved and stored in a facility of the Department as described in that paragraph to select, including pursuant to an advance medical directive or military testamentary instrument completed under subsection (c), one of the following options:

(A) To continue such cryopreservation and storage in such facility with the cost of such cryopreservation and storage borne by the individual.

(B) To transfer the gametes to a private cryopreservation and storage facility selected by the individual.

(3) DISPOSAL OF GAMETES.—If an individual described in paragraph (2) does not make a selection under subparagraph (A) or (B) of such paragraph, the Secretary may dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

(c) ADVANCE MEDICAL DIRECTIVE AND MILITARY TESTAMENTARY INSTRUMENT.—A member of the Armed Forces who elects to cryopreserve and store their gametes under this section must complete an advance medical directive, as defined in section 1044c(b) of title 10, United States Code, and a military testamentary instrument, as defined in section 1044d(b) of such title, that explicitly specifies the use of their cryopreserved and stored gametes if such member dies or otherwise loses the capacity to consent to the use of their cryopreserved and stored gametes.

(d) AGREEMENTS.—To carry out this section, the Secretary may enter into agreements with private entities that provide cryopreservation and storage services for gametes.

Subtitle B—Health Care Administration

SEC. 711. TRANSITION OF ADMINISTRATION BY DEFENSE HEALTH AGENCY OF MILITARY MEDICAL TREATMENT FACILITIES.

Section 1073c(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''Beginning October 1, 2018,'' and inserting ''In accordance with paragraph (3), by not later than September 30, 2020,'';

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

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) The Secretary of Defense shall establish a timeline to ensure that each Secretary of a military department transitions

the administration of military medical treatment facilities from the respective Secretary to the Director of the Defense Health Agency pursuant to paragraph (1) by the date specified in such paragraph.

''(B) In carrying out this subsection, and in addition to the requirements under section 1073d(e) of this title, the Secretary of Defense may not close any military medical treatment facility, limit the health services provided by a military medical treatment facility, or take any action to begin such a closure or limitation, until the date on which the Secretary submits to the congressional defense committees a report containing the following:

''(i) A certification that each Secretary of a military department has completed the transition of the administration of each military medical treatment facility from the respective Secretary to the Director of the Defense Health Agency pursuant to paragraph (1).

''(ii) A description of the metrics used by the Secretary of Defense to ensure that such transition is completed.

''(iii) A description of a cohesive headquarters structure that delineates the roles and responsibilities for each military department, the Joint Staff Surgeon, and the Defense Health Agency.

''(C) Not later than January 31, 2019, and every six months thereafter through September 30, 2020, the Director of the Defense Health Agency shall provide a briefing to the congressional defense committees on the progress of the transition under this paragraph.''; and

(4) in paragraph (3), as so redesignated, by striking ''subsection (a)'' and inserting ''paragraph (1)''.

SEC. 712. SHARING INFORMATION WITH STATE PRESCRIPTION DRUG MONITORING PROGRAMS.

(a) ESTABLISHMENT.—Section 1074g of title 10, United States Code, is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following new subsection:

''(g) SHARING INFORMATION WITH STATE PRESCRIPTION DRUG MONITORING PROGRAMS.—(1) The Secretary shall establish and operate a prescription drug monitoring program (to be known as the Military Health System Prescription Drug Monitoring Program) for prescription drugs provided through facilities of the uniformed services.

''(2) The Secretary shall ensure that the program established under paragraph (1)—

''(A) is comparable to prescription drug monitoring programs operated by States; and

''(B) covers prescription drugs provided under the pharmacy benefits program that are controlled substances.

''(3)(A) In carrying out the program established under paragraph (1), the Secretary shall establish appropriate procedures for sharing between the program and State prescription drug monitoring programs patient-specific information regarding prescription drugs that are controlled substances to prevent the misuse and diversion of opioid medications and other controlled substances.

''(B) For purposes of the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 42 U.S.C. 1320d–2 note), any disclosure of patient-specific information by the Secretary under subparagraph (A) shall be treated as a permitted disclosure.

''(C) The Secretary shall include in the procedures established under subparagraph (A) appropriate safeguards, as determined by the Secretary, concerning the cybersecurity of information systems of the Department of Defense systems and the operational security of personnel of the Department.

''(4) In this subsection, the term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).''.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the implementation of the program established under section 1074g(g) of title 10, United States Code, as added by subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) TITLE 10, UNITED STATES CODE.—Section 1079(q) of title 10, United States Code, is amended by striking ''section 1074g(g)'' and inserting ''section 1074g(h)''.

(2) FY16 NDAA.—Section 715(e)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 1074g note) is amended by striking ''section 1074g(g)'' and inserting ''section 1074g(h)''.

(3) FY17 NDAA.—Section 745(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1074 note) is amended by striking ''section 1074g(g)'' and inserting ''section 1074g(h)''.

SEC. 713. IMPROVEMENT TO NOTIFICATION TO CONGRESS OF HOSPITALIZATION OF COMBAT-WOUNDED MEMBERS OF THE ARMED FORCES.

Section 1074l(a) of title 10, United States Code, is amended by striking ''admitted to a military treatment facility within the United States'' and inserting ''admitted to any military medical treatment facility''.

SEC. 714. IMPROVEMENTS TO TRAUMA CENTER PARTNERSHIPS.

Section 708(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1071 note) is amended—

(1) in paragraph (1), by striking ''large metropolitan teaching hospitals that have level I civilian'';

(2) in paragraph (2)—

(A) by striking ''with civilian academic medical centers and large metropolitan teaching hospitals''; and

(B) by striking ''the trauma centers of the medical centers and hospitals'' and inserting ''trauma centers''; and

(3) in paragraph (3), by striking ''large metropolitan teaching hospitals'' and inserting ''trauma centers''.

SEC. 715. WOUNDED WARRIOR POLICY REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review and update policies and procedures relating to the care and management of recovering service members. In conducting such review, the Secretary shall consider best practices—

(1) in the care of recovering service members;

(2) in the administrative management relating to such care;

(3) to carry out applicable provisions of Federal law; and

(4) recommended by the Comptroller General of the United States in the report titled ''Army Needs to Improve Oversight of Warrior Transition Units''.

(b) SCOPE OF POLICY.—In carrying out subsection (a), the Secretary shall update policies of the Department of Defense with respect to each of the following:

(1) The case management coordination of members of the Armed Forces between the military departments and the military medical treatment facilities administered by the Director of the Defense Health Agency pursuant to section 1073c of title 10, United States Code, including with respect to the coordination of—

(A) appointments;

(B) rehabilitative services;

(C) recuperation in an outpatient status;

(D) contract care provided by a private health care provider outside of a military medical treatment facility;

(E) the disability evaluation system; and

(F) other administrative functions relating to the military department.

(2) The transition of a member of the Armed Forces who is retired under chapter 61 of title 10, United States Code, from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs.

(3) Facility standards related to lodging and accommodations for recovering service members and the family members and nonmedical attendants of such recovering service members.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and Secretaries of the military departments shall jointly submit to the Committees on Armed Services of the Senate and House of Representatives a report on the review conducted under subsection (a), including a description of the policies updated pursuant to subsection (b).

(d) DEFINITIONS.—In this section, the terms ''disability evaluation system'', ''outpatient status'', and ''recovering service members'' have the meaning given those terms in section 1602 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note).

SEC. 716. JOINT FORCE MEDICAL CAPABILITIES DEVELOPMENT AND STANDARDIZATION.

(a) DEVELOPMENT.—The Secretary of Defense, in coordination with the Secretaries of the military departments and the Chairman of the Joint Chiefs of Staff, shall develop a process to establish required joint medical capabilities for members of the Armed Forces that meet the operational planning requirements of the combatant commands.

(b) PROCESS.—The process developed under subsection (a) shall include—

(1) the development of a joint medical estimate to determine the medical requirements for treating members of the Armed Forces who are wounded, ill, or injured during military operations, including with respect to environmental health and force health protection.

(2) a process to review and revise military health related mission essential tasks that are aligned with health professional knowledge, skills, and abilities; and

(3) a process to standardize the interoperability of medical equipment and capabilities to the greatest extent practicable to support the joint force.

(c) REPORT.—Not later than March 1, 2019, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing the process developed under subsection (a).

Subtitle C—Reports and Other Matters

SEC. 721. ESTABLISHMENT OF TRISERVICE DENTAL RESEARCH PROGRAM.

(a) IN GENERAL.—Chapter 104 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2117. Military dental research

''(a) DEFINITIONS.—In this section:

''(1) The term 'military dental research' means research on the furnishing of care and services by dentists in the armed forces.

''(2) The term 'TriService Dental Research Program' means the program of military dental research authorized under this section.

''(b) PROGRAM AUTHORIZED.—The Secretary of Defense may establish at the University a program of military dental research.

''(c) TRISERVICE RESEARCH GROUP.—The TriService Dental Research Program shall be administered by a TriService Dental Research Group composed of Army, Navy, and Air Force dentists who are involved in military dental research and are designated by the Secretary concerned to serve as members of the group.

''(d) DUTIES OF GROUP.—The TriService Dental Research Group shall—

''(1) develop for the Department of Defense recommended guidelines for requesting, reviewing, and funding proposed military dental research projects; and

''(2) make available to Army, Navy, and Air Force dentists and Department of Defense officials concerned with military dental research—

''(A) information about dental research projects that are being developed or carried out in the Army, Navy, and Air Force; and

''(B) expertise and information beneficial to the encouragement of meaningful dental research.

''(e) RESEARCH TOPICS.—For purposes of this section, military dental research includes research on the following issues:

''(1) Issues regarding how to improve the results of dental care and services provided in the armed forces in time of peace.

''(2) Issues regarding how to improve the results of dental care and services provided in the armed forces in time of war.

''(3) Issues regarding how to improve methods of training dental personnel.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2116 the following new section:

''2117. Military dental research.''.

SEC. 722. INCREASING THE NUMBER OF APPOINTED DIRECTORS OF THE HENRY M. JACKSON FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE.

Section 178(c)(1)(C) of title 10, United States Code, is amended to read as follows:

''(C) six members appointed by the ex officio members of the Council designated in subparagraphs (A) and (B).''.

SEC. 723. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE- DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2573), as most recently amended by section 719 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1440), is further amended by striking ''September 30, 2019'' and inserting ''September 30, 2020''.

SEC. 724. INCLUSION OF GAMBLING DISORDER IN HEALTH ASSESSMENTS AND RELATED RESEARCH EFFORTS OF THE DEPARTMENT OF DEFENSE.

(a) ANNUAL PERIODIC HEALTH ASSESSMENT.—The Secretary of Defense shall incorporate medical screening questions specific to gambling disorder into annual periodic health assessments conducted by the Department of Defense for members of the Armed Forces.

(b) RESEARCH EFFORTS.—The Secretary shall incorporate into ongoing research efforts of the Department questions on gambling disorder, as appropriate, including by restoring such questions into the Health Related Behaviors Survey of Active Duty Military Personnel.

SEC. 725. MEDICAL SIMULATION TECHNOLOGY AND LIVE TISSUE TRAINING WITHIN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—

(1) USE OF SIMULATION TECHNOLOGY.—Except as provided by paragraph (2), the Secretary of Defense shall use medical simulation technology before the use of live tissue training to train medical professionals and combat medics of the Department of Defense.

(2) DETERMINATION.— The use of live tissue training within the Department of Defense may be used as determined necessary by the medical chain of command.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff and the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate on the use and benefit of medical simulation technology and live tissue training within the Department of Defense to train medical professionals, combat medics, and members of the Special Operations Forces.

(c) ELEMENTS.—The briefing under subsection (b) shall include the following:

(1) A discussion of the benefits and needs of both medical simulation technology and live tissue training.

(2) Ways and means to enhance and advance the use of simulation technologies in training.

(3) An assessment of current medical simulation technology requirements, gaps, and limitations.

(4) An overview of Department of Defense medical training programs, as of the date of the briefing, that use live tissue training and medical simulation technologies.

(5) Any other matters the Secretary determines appropriate.

SEC. 726. LIMITATION ON CHANGES TO FEDERAL EMERGENCY SERVICES CERTIFICATION LEVELS OF THE AIR FORCE.

The Secretary of the Air Force may not transition Federal Emergency Services certification levels from Emergency Management Technician level to Emergency Medical Responder level until the Secretary submits to the congressional defense committees a report that contains the following:

(1) Details on the process and factors the Air Force Emergency Medical Services Working Group used and considered to determine which military installations would be required to transition Federal Emergency Services certification levels from Emergency Medical Technician level to Emergency Medical Responder level.

(2) The required base and community emergency response standards the Air Force Emergency Medical Services Working Group based such transition on, including information on where these standards are defined and how these standards were developed.

(3) Information on how the Air Force will meet the needs of trench rescue, water rescue, high angle rescue, and confined space rescue pursuant to Department of Defense Instructions with less Emergency Management Technician certified personnel.

(4) Information on the required response time standard for advanced life support and how the Air Force Emergency Medical Services Working Group determined a military installation could meet this standard.

(5) Details on any contingency plans the Air Force has developed when basic and advance life support care and ambulance transport are unavailable as a result of these resources being used to transport patients to medical facilities located off the military installation.

SEC. 727. STRATEGIC MEDICAL RESEARCH PLAN.

(a) PLAN.—Not later than 30 days after the date on which the budget of the President for fiscal year 2020 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall submit to the congressional defense committees a comprehensive strategic medical research plan.

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

(1) A description of all medical research focus areas of the Department of Defense and a description of the coordination process to ensure the focus areas are linked to military readiness, joint force requirements, and relevance to individuals eligible for care at military medical treatment facilities or through the TRICARE program.

(2) A description of the medical research projects funded under the Defense Health Program account and the projects under the Congressional Directed Medical Research Programs.

(3) A description of the process to ensure synergy across the military medical research community to address gaps in military medical research, minimize duplication of research, and to promote collaboration within research focus areas.

(4) A description of the efforts of the Secretary to coordinate with other departments and agencies of the Federal Government to increase awareness of complementary medical research efforts that are being carried out through the Federal Government.

SEC. 728. INDEPENDENT EVALUATION OF MENTAL HEALTH CARE.

(a) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to evaluate the management of mental health care by the Defense Health Agency pursuant to section 1073c(a) of title 10, United States Code.

(b) SELECTION.—The Secretary shall select a federally funded research and development center under subsection (a) that has expertise and a record of independent, peer-reviewed publications with respect to—

(1) behavioral health research; and

(2) independent evaluations of mental health programs within the Department of Defense using multidisciplinary methods.

(c) MATTERS INCLUDED.—The evaluation under subsection (a) shall include the following:

(1) An assessment of the management of mental health care by the Defense Health Agency, including—

(A) how mental health care providers will be arranged within the command structure of the Agency; and

(B) how mental health care policy and processes will be managed within the Agency.

(2) An assessment of the ability of each Surgeon General of the military departments to maintain the readiness of the military health workforce to deliver mental health care services operationally in support of deployed forces.

(3) An assessment of the coordination of behavioral health research efforts across the research continuum.

(4) An assessment of the inclusion of evidence-based suicide prevention programs.

(5) A description of new processes to accelerate scientific research and delivery of breakthrough therapies for traumatic brain injury, chronic traumatic encephalopathy, and post-traumatic stress disorder.

(6) Plans to field medical devices approved by the Food and Drug Administration that provide clinicians with rapid, accurate assessments of traumatic brain injury.

(d) SUBMISSION.—Not later than April 1, 2019, the Secretary shall submit to the congressional defense committees a report on the evaluation under subsection (a).

SEC. 729. STUDY ON REIMBURSEMENT RATES FOR MENTAL HEALTH CARE PROVIDERS UNDER TRICARE PRIME AND TRICARE SELECT IN THE EAST AND WEST REGIONS OF THE TRICARE PROGRAM.

(a) STUDY.—The Secretary of Defense shall conduct a study assessing the impact of using established rates to reimburse covered mental health care providers on the availability of such providers.

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

(1) An evaluation of—

(A) whether there are enough covered mental health care providers to adequately serve the beneciaries under TRICARE Prime and the beneficiaries under TRICARE Select of each locality in the East and West regions of the TRICARE program, including in rural communities in such regions; and

(B) whether the requirements under sections 1079 (h)(1) and 1097b of title 10, United States Code, to use established rates to reimburse covered mental health care providers limits the number of covered health care providers serving each locality in the East and West regions of the TRICARE program, including in rural communities in such regions.

(2) An assessment of the impact of using established rates to reimburse covered mental health care providers on—

(A) the ability of beneficiaries under TRICARE Prime and beneficiaries under TRICARE Select beneficiaries to access appropriate and timely mental health care in accordance with section 199.17 of title 32, Code of Federal Regulations; and

(B) the availability of services provided by mental health care providers that are needed by members of the Armed Forces to be medically ready.

(3) Information about instances in which the Secretary provided or applied exceptions to established rates pursuant to sections 1079(h)(2) of title 10, United States Code, to increase the number of covered mental health care providers.

(4) A description of how the Secretary solicits and collects feedback from covered mental health care providers on established rates.

(5) A list of actions the Secretary has taken to address such feedback.

(6) Any legislative, regulatory, or policy recommendations that are necessary to improve the overall medical readiness of Armed Forces.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the House of Representatives and the Committee on the Armed Services of the Senate a report on the results of the study required under subsection (a).

(d) BRIEFING.—Not later than 60 days after the date on which the report required under subsection (c) is submitted to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, the Secretary shall provide a briefing to such committees on the results of the study required under subsection (a).

(e) COMPTROLLER GENERAL REVIEW AND REPORT.—Not later than 180 days after the date on which the report under subsection (c) is submitted to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, the Comptroller General of the United States shall—

(1) review the report required under subsection (c); and

(2) submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate an assessment of—

(A) whether the results of the study required under subsection (a) are supported by the data and information examined in the study required under subsection (a); and

(B) the feasibility of any recommendations identified by the Secretary under subsection (b)(6).

(f) DEFINITIONS.—In this section:

(1) The term ''established rate'' means the payment amount determined by the Secretary pursuant to sections 1079(h)(1) and 1097b of title 10, United States Code, and section 199.14 of title 32, Code of Federal Regulations.

(2) The term ''covered mental health care provider'' means a mental health care provider under TRICARE Prime and TRICARE Select in the East and West regions of the TRICARE program.

(3) The term ''mental health care provider'' means a psychiatrist, clinical psychologist, certified psychiatric nurse specialist, certified clinical social worker, certified marriage and family therapist, TRICARE certified mental health counselor, pastoral counselor under the supervision of a physician, and supervised mental health counselor under the supervision of a physician.

(4) The term locality means a geographic location—

(A) designated as a Prime Service Area under section 199.17(b)(1) of title 32, Code of Federal Regulations; and

(B) in which the Secretary entered into a contract under chapter 55 of title 10, United States Code, with a contractor under the TRICARE program to provide health care services to beneficiaries by TRICARE-authorized civilian health care providers.

(5) The terms ''TRICARE Prime'' and ''TRICARE Select'' have the meanings given those terms in section 1072 of title 10, United States Code.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Streamlining of Defense Acquisition Statutes and Regulations

SEC. 800. EFFECTIVE DATES; COORDINATION OF AMENDMENTS.

(a) EFFECTIVE DATES.—

(1) PARTS I AND II.—Parts I and II of this subtitle, and the redesignations and amendments made by such parts, shall take effect on February 1, 2020.

(2) PART III.—Part III of this subtitle shall take effect on the date of the enactment of this Act.

(b) COORDINATION OF AMENDMENTS.—The redesignations and amendments made by part II of this subtitle shall be executed—

(1) before the amendments made by part I of this subtitle; and

(2) after any amendments made by any other provisions of this Act.

PART I—CONSOLIDATION OF DEFENSE ACQUISITION STATUTES IN NEW PART V OF SUBTITLE A OF TITLE 10, UNITED STATES CODE

SEC. 801. FRAMEWORK FOR NEW PART V OF SUBTITLE A.

(a) IN GENERAL.—Subtitle A of title 10, United States Code, is amended by adding at the end the following new part:

''PART V—ACQUISITION

''Subpart A—General

''CHAPTER 201—DEFINITIONS

''SEC. 3001. [RESERVED].

[Reserved]

''CHAPTER 203—GENERAL MATTERS

''SEC. 3021. [RESERVED].

[Reserved]

''CHAPTER 205—DEFENSE ACQUISITION SYSTEM

''SEC. 3051. [RESERVED].

[Reserved]

"CHAPTER 207—BUDGETING AND APPROPRIATIONS MATTERS

"SEC. 3101. [RESERVED].

[Reserved]

"CHAPTER 209—OVERSEAS CONTINGENCY OPERATIONS

"SEC. 3151. [RESERVED].

[Reserved]

"Subpart B—Acquisition Planning

"CHAPTER 221—PLANNING AND SOLICITATION GENERALLY

"SEC. 3201. [RESERVED].

[Reserved]

"CHAPTER 223—PLANNING AND SOLICITATION RELATING TO PARTICULAR ITEMS OR SERVICES

"SEC. 3251. [RESERVED].

[Reserved]

"Subpart C—Contracting Methods and Contract Types

"CHAPTER 241—AWARDING OF CONTRACTS

"SEC. 3301. [RESERVED].

[Reserved]

"CHAPTER 243—SPECIFIC TYPES OF CONTRACTS

"SEC. 3351. [RESERVED].

[Reserved]

"CHAPTER 245—TASK AND DELIVERY ORDER CONTRACTS (MULTIPLE AWARD CONTRACTS)

"SEC. 3401. [RESERVED].

[Reserved]

"CHAPTER 247—ACQUISITION OF COMMERCIAL ITEMS

"SEC. 3451. [RESERVED].

[Reserved]

"CHAPTER 249—MULTIYEAR CONTRACTS

"SEC. 3501. [RESERVED].

[Reserved]

"CHAPTER 251—SIMPLIFIED ACQUISITION PROCEDURES

"SEC. 3551. [RESERVED].

[Reserved]

"CHAPTER 253—EMERGENCY AND RAPID ACQUISITIONS

"SEC. 3601. [RESERVED].

[Reserved]

"CHAPTER 255—CONTRACTING WITH OR THROUGH OTHER AGENCIES

"SEC. 3651. [RESERVED].

[Reserved]

"Subpart D—General Contracting Requirements

"CHAPTER 271—TRUTHFUL COST OR PRICING DATA

"SEC. 3701. [RESERVED].

[Reserved]

"CHAPTER 273—ALLOWABLE COSTS

"SEC. 3741. [RESERVED].

[Reserved]

"CHAPTER 275—PROPRIETARY CONTRACTOR DATA AND TECHNICAL DATA

"SEC. 3771. [RESERVED].

[Reserved]

"CHAPTER 277—CONTRACT FINANCING

"SEC. 3801. [RESERVED].

[Reserved]

"CHAPTER 279—CONTRACTOR AUDITS AND ACCOUNTING

"SEC. 3841. [RESERVED].

[Reserved]

"CHAPTER 281—CLAIMS AND DISPUTES

"SEC. 3861. [RESERVED].

[Reserved]

"CHAPTER 283—FOREIGN ACQUISITIONS

"SEC. 3881. [RESERVED].

[Reserved]

"CHAPTER 285—SMALL BUSINESS PROGRAMS

"SEC. 3901. [RESERVED].

[Reserved]

"CHAPTER 287—SOCIOECONOMIC PROGRAMS

"SEC. 3961. [RESERVED].

[Reserved]

"Subpart E—Special Categories of Contracting: Major Defense Acquisition Programs and Major Systems

"CHAPTER 301—MAJOR DEFENSE ACQUISITION PROGRAMS

"SEC. 4001. [RESERVED].

[Reserved]

"CHAPTER 303—WEAPON SYSTEMS DEVELOPMENT AND RELATED MATTERS

"SEC. 4071. [RESERVED].

[Reserved]

"CHAPTER 305—OTHER MATTERS RELATING TO MAJOR SYSTEMS

"SEC. 4121. [RESERVED].

[Reserved]

"Subpart F—Special Categories of Contracting: Research, Development, Test, and Evaluation

"CHAPTER 321—RESEARCH AND DEVELOPMENT GENERALLY

"SEC. 4201. [RESERVED].

[Reserved]

"CHAPTER 323—INNOVATION

"SEC. 4301. [RESERVED].

[Reserved]

"CHAPTER 325—DEPARTMENT OF DEFENSE LABORATORIES

"SEC. 4351. [RESERVED].

[Reserved]

"CHAPTER 327—RESEARCH AND DEVELOPMENT CENTERS AND FACILITIES

"SEC. 4401. [RESERVED].

[Reserved]

"CHAPTER 329—OPERATIONAL TEST AND EVALUATION; DEVELOPMENTAL TEST AND EVALUATION

"SEC. 4451. [RESERVED].

[Reserved]

"Subpart G—Other Special Categories Of Contracting

"CHAPTER 341—CONTRACTING FOR PERFORMANCE OF CIVILIAN COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS

"SEC. 4501. [RESERVED].

[Reserved]

"CHAPTER 343—ACQUISITION OF SERVICES

"SEC. 4541. [RESERVED].

[Reserved]

"CHAPTER 345—ACQUISITION OF INFORMATION TECHNOLOGY

"SEC. 4571. [RESERVED].

[Reserved]

"Subpart H—Contract Management

"CHAPTER 361—CONTRACT ADMINISTRATION

"SEC. 4601. [RESERVED].

[Reserved]

"CHAPTER 363—PROHIBITIONS AND PENALTIES

"SEC. 4651. [RESERVED].

[Reserved]

"CHAPTER 365—CONTRACTOR WORKFORCE

"SEC. 4701. [RESERVED].

[Reserved]

"CHAPTER 367—OTHER ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

"SEC. 4751. [RESERVED].

[Reserved]

"Subpart I—Defense Industrial Base

"CHAPTER 381—DEFENSE INDUSTRIAL BASE GENERALLY

"SEC. 4801. [RESERVED].

[Reserved]

"CHAPTER 383—LOAN GUARANTEE PROGRAMS

"SEC. 4861. [RESERVED].

[Reserved]

"CHAPTER 385—PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM

"SEC. 4881. [RESERVED].

[Reserved]

(b) TABLE OF CHAPTERS AMENDMENT.—The table of chapters at the beginning of subtitle A is amended by adding at the end the following new items:

"PART V—ACQUISITION

PART II—REDESIGNATION OF SECTIONS AND CHAPTERS OF SUBTITLES B, C, AND D TO PROVIDE ROOM FOR NEW PART V OF SUBTITLE A

SEC. 806. REDESIGNATION OF SECTIONS AND CHAPTERS OF SUBTITLE D OF TITLE 10, UNITED STATES CODE—AIR FORCE.

(a) SUBTITLE D, PART III, SECTION NUMBERS.—The sections in part III of subtitle D of title 10, United States Code, are redesignated as follows:

(1) CHAPTER 909.—Each section in chapter 909 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 50.

(2) CHAPTER 907.—Each section in chapter 907 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 70.

(3) CHAPTERS 901 AND 903.—Each section in chapter 901 and chapter 903 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 100.

(b) SUBTITLE D, PART II, SECTION NUMBERS.—The sections in part II of such subtitle are redesignated as follows:

(1) CHAPTER 831.—Section 8210 is redesignated as section 9110.

(2) CHAPTER 833.—Sections 8251, 8252, 8257, and 8258 are redesignated as sections 9131, 9132, 9137, and 9138, respectively.

(3) CHAPTER 835.—Sections 8281 and 8310 are redesignated as sections 9151 and 9160, respectively.

(4) CHAPTER 839.—Section 8446 is redesignated as section 9176.

(5) CHAPTER 841.—Sections 8491 and 8503 are redesignated as sections 9191 and 9203, respectively.

(6) CHAPTER 843.—Sections 8547 and 8548 are redesignated as sections 9217 and 9218, respectively.

(7) CHAPTER 845.—Sections 8572, 8575, 8579, 8581, and 8583 are redesignated as sections 9222, 9225, 9229, 9231, and 9233, respectively.

(8) CHAPTER 849.—Section 8639 is redesignated as section 9239.

(9) CHAPTER 853.—Sections 8681, 8684, and 8691 are redesignated as sections 9251, 9252, and 9253, respectively.

(10) CHAPTER 855.—Section 8723 is redesignated as section 9263.

(11) CHAPTER 857.—Each section in chapter 857 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 530.

(12) CHAPTER 861.—Section 8817 is redesignated as section 9307.

(13) CHAPTER 867.—Each section in chapter 867 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 400.

(14) CHAPTER 869.—Sections 8961, 8962, 8963, 8964, 8965, and 8966 are redesignated as sections 9341, 9342, 9343, 9344, 9345, and 9346, respectively.

(15) CHAPTER 871.—Sections 8991 and 8992 are redesignated as sections 9361 and 9362, respectively.

(16) CHAPTER 873.—Sections 9021, 9025, and 9027 are redesignated as sections 9371, 9375, and 9377, respectively.

(17) CHAPTER 875.—Section 9061 is redesignated as section 9381.

(c) SUBTITLE D, PART I, SECTION NUMBERS.—Each section in part I of such subtitle is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,000.

(d) SUBTITLE D CHAPTER NUMBERS.—

(1) PART IV CHAPTER NUMBERS.—Each chapter in part IV of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 30.

(2) PART III CHAPTER NUMBERS.—Each chapter in part III of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 50.

(3) PART II CHAPTER NUMBERS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each chapter in part II of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 80.

(B) OTHER CHAPTERS.—

(i) Chapter 861 is redesignated as chapter 939.

(ii) Chapters 867, 869, 871, 873, and 875 are each redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 74.

(4) PART I CHAPTER NUMBERS.—Each chapter in part I of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 100.

(e) SUBTITLE D TABLES OF SECTIONS AND TABLES OF CHAPTERS.—

(1) TABLES OF SECTIONS.—The tables of sections at the beginning of the chapters of such subtitle are revised so as to conform the section references in those tables to the redesignations made by subsections (a), (b), and (c).

(2) TABLES OF CHAPTERS.—The table of chapters at the beginning of such subtitle, and the tables of chapters at the beginning of each part of such subtitle, are revised so as to conform the chapter references and section references in those tables to the redesignations made by this section.

SEC. 807. REDESIGNATION OF SECTIONS AND CHAPTERS OF SUBTITLE C OF TITLE 10, UNITED STATES CODE—NAVY AND MARINE CORPS.

(a) SUBTITLE C, PART I, SECTION NUMBERS.—

(1) IN GENERAL.—Except as provided in paragraph (2), each section in part I of subtitle C of title 10, United States Code, is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 3,000.

(2) CHAPTER 513.—For sections in chapter 513, each section is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 2,940.

(b) SUBTITLE C, PART II, SECTION NUMBERS.—The sections in part II of such subtitle are redesignated as follows:

(1) CHAPTER 533.—Sections 5441, 5450, and 5451 are redesignated as sections 8101, 8102, and 8103, respectively.

(2) CHAPTER 535.—Sections 5501, 5502, 5503, and 5508 are redesignated as sections 8111, 8112, 8113, and 8118, respectively.

(3) CHAPTER 537.—Section 5540 is redesignated as section 8120.

(4) CHAPTER 539.—Sections 5582, 5585, 5587, 5587a, 5589, and 5596 are redesignated as sections 8132, 8135, 8137, 8138, 8139, and 8146, respectively.

(5) CHAPTER 544.—Section 5721 is redesignated as section 8151.

(6) CHAPTER 551.—Each section in chapter 551 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 2,220.

(7) CHAPTER 553.—Sections 5983, 5985, and 5986 are redesignated as sections 8183, 8185, and 8186, respectively.

(8) CHAPTER 555.—The sections in chapter 555 are redesignated as follows:

Section	Redesignated Section
6011	8211
6012	8212
6013	8213
6014	8214
6019	8215
6021	8216
6022	8217
6024	8218
6027	8219
6029	8220
6031	8221
6032	8222
6035	8225
6036	8226

(9) CHAPTER 557.—Each section in chapter 557 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 2,160.

(10) CHAPTER 559.—Section 6113 is redesignated as section 8253.

(11) CHAPTER 561.—The sections in chapter 561 are redesignated as follows:

Section	Redesignated Section
6141	8261
6151	8262
6152	8263
6153	8264
6154	8265
6155	8266
6156	8267
6160	8270
6161	8271

(12) CHAPTER 563.—Sections 6201, 6202, and 6203 are redesignated as sections 8281, 8282, and 8283, respectively.

(13) CHAPTER 565.—Sections 6221 and 6222 are redesignated as sections 8286 and 8287, respectively.

(14) CHAPTER 567.—Each section in chapter 567 is redesignated so that the number of the

section, as redesignated, is the number equal to the previous number plus 2,050.

(15) CHAPTER 569.—Section 6292 is redesignated as section 8317.

(16) CHAPTER 571.—Each section in chapter 571 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 2,000.

(17) CHAPTER 573.—Sections 6371, 6383, 6389, 6404, and 6408 are redesignated as sections 8371, 8372, 8373, 8374, and 8375, respectively.

(18) CHAPTER 575.—Sections 6483, 6484, 6485, and 6486 are redesignated as sections 8383, 8384, 8385, and 8386, respectively.

(19) CHAPTER 577.—Section 6522 is redesignated as section 8392.

(c) SUBTITLE C, PART III, SECTION NUMBERS.—

(1) IN GENERAL.—Except as provided in paragraph (2), each section in part III of such subtitle is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,500.

(2) CHAPTER 609.—Sections 7101, 7102, 7103, and 7104 are redesignated as sections 8591, 8592, 8593, and 8594, respectively.

(d) SUBTITLE C, PART IV, SECTION NUMBERS.—The sections in part IV of such subtitle are redesignated as follows:

(1) CHAPTER 631.—Each section in chapter 631 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,400.

(2) CHAPTER 633.—Each section in chapter 633 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,370.

(3) CHAPTER 637.—Sections 7361, 7362, 7363, and 7364 are redesignated as sections 8701, 8702, 8703, and 8704, respectively.

(4) CHAPTER 639.—Sections 7395 and 7396 are redesignated as sections 8715 and 8716, respectively.

(5) CHAPTER 641.—Each section in chapter 641 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,300.

(6) CHAPTER 643.—Sections 7472, 7473, 7476, 7477, 7478, 7479, and 7480 are redesignated as sections 8742, 8743, 8746, 8747, 8748, 8749, and 8750, respectively.

(7) CHAPTER 645.—Sections 7522, 7523, and 7524 are redesignated as sections 8752, 8753, and 8754, respectively.

(8) CHAPTER 647.—The sections in chapter 647 are redesignated as follows:

Section	Redesignated Section
7541	8761
7541a	8761a
7541b	8761b
7542	8762
7543	8763
7544	8764
7545	8745
7546	8746
7577	8747

(9) CHAPTERS 649, 651, 653, AND 655.—Each section in chapters 649, 651, 653, and 655 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,200.

(10) CHAPTER 657.—Each section in chapter 657 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 1,170.

(11) CHAPTER 659.—Sections 7851, 7852, 7853, and 7854 are redesignated as sections 8901, 8902, 8903, and 8904, respectively.

(12) CHAPTER 661.—Sections 7861, 7862, and 7863 are redesignated as sections 8911, 8912, and 8913, respectively.

(13) CHAPTER 663.—Section 7881 is redesignated as section 8921.

(14) CHAPTER 665.—Sections 7901, 7902, and 7903 are redesignated as sections 8931, 8932, and 8933, respectively.

(15) CHAPTER 667.—Sections 7912 and 7913 are redesignated as sections 8942 and 8943, respectively.

(16) CHAPTER 669.—Section 7921 is redesignated as section 8951.

(e) SUBTITLE C CHAPTER NUMBERS.—

(1) PART I CHAPTER NUMBERS.—Each chapter in part I of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 300, except that chapter 513 is redesignated as chapter 809.

(2) PART II CHAPTER NUMBERS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each chapter in part II of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 270.

(B) OTHER CHAPTERS.—Chapter 533 is redesignated as chapter 811, chapter 535 is redesignated as chapter 812, chapter 537 is redesignated as chapter 813, chapter 539 is redesignated as chapter 815, and chapter 544 is redesignated as chapter 817.

(3) PART III CHAPTER NUMBERS.—Each chapter in part III of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 250.

(4) PART IV CHAPTER NUMBERS.—Each chapter in part IV of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 228, except that chapter 631 is redesignated as chapter 861 and chapter 633 is redesignated as chapter 863.

(f) SUBTITLE C TABLES OF SECTIONS AND TABLES OF CHAPTERS.—

(1) TABLES OF SECTIONS.—The table of sections at the beginning of each chapter of such subtitle is revised so as to conform the section references in the table to the redesignations made by subsections (a), (b), (c), and (d).

(2) TABLES OF CHAPTERS.—The table of chapters at the beginning of such subtitle, and the tables of chapters at the beginning of each part of such subtitle, are revised so as to conform the chapter references and section references in those tables to the redesignations made by this section.

SEC. 808. REDESIGNATION OF SECTIONS AND CHAPTERS OF SUBTITLE B OF TITLE 10, UNITED STATES CODE—ARMY.

(a) SUBTITLE B, PART I, SECTION NUMBERS.—Each section in part I of subtitle B of title 10, United States Code, is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 4,000.

(b) SUBTITLE B, PART II, SECTION NUMBERS.—The sections in part II of such subtitle are redesignated as follows:

(1) CHAPTER 331.—Section 3210 is redesignated as section 7110.

(2) CHAPTER 333.—Sections 3251, 3258, and 3262 are redesignated as sections 7131, 7138, and 7142, respectively.

(3) CHAPTER 335.—Sections 3281, 3282, 3283, and 3310 are redesignated as sections 7151, 7152, 7153, and 7160, respectively.

(4) CHAPTER 339.—Section 3446 is redesignated as sections 7176.

(5) CHAPTER 341.—Sections 3491 and 3503 are redesignated as sections 7191 and 7203, respectively.

(6) CHAPTER 343.—Sections 3533, 3534, 3536, 3547 and 3548 are redesignated as sections 7213, 7214, 7316, 7217, and 7218, respectively.

(7) CHAPTER 345.—Sections 3572, 3575, 3579, 3581, and 3583 are redesignated as sections 7222, 7225, 7229, 7231, and 7233, respectively.

(8) CHAPTER 349.—Section 3639 is redesignated as section 7239.

(9) CHAPTER 353.—Sections 3681, 3684, and 3691 are redesignated as sections 7251, 7252, and 7253, respectively.

(10) CHAPTER 355.—Section 3723 is redesignated as section 7263.

(11) CHAPTER 357.—Each section in chapter 357 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 3,530.

(12) CHAPTER 367.—Each section in chapter 367 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 3,400.

(13) CHAPTER 369.—Sections 3961, 3962, 3963, 3964, 3965, and 3966 are redesignated as sections 7341, 7342, 7343, 7344, 7345, and 7346, respectively.

(14) CHAPTER 371.—Sections 3991 and 3992 are redesignated as sections 7361 and 7362, respectively.

(15) CHAPTER 373.—Sections 4021, 4024, 4025, and 4027 are redesignated as sections 7371, 7374, 7375, and 7377, respectively.

(16) CHAPTER 375.—Section 4061 is redesignated as section 7381.

(c) SUBTITLE B, PART III, SECTION NUMBERS.—

(1) IN GENERAL.—Except as provided in paragraph (2), each section in part III of such subtitle is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 3,100.

(2) CHAPTER 407.—Each section in chapter 407 is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 3,070.

(d) SUBTITLE B, PART IV, SECTION NUMBERS.—Each section in part IV of such subtitle is redesignated so that the number of the section, as redesignated, is the number equal to the previous number plus 3,000.

(e) SUBTITLE B CHAPTER NUMBERS.—

(1) PART I CHAPTER NUMBERS.—Each chapter in part I of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 400.

(2) PART II CHAPTER NUMBERS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each chapter in part II of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 380.

(B) OTHER CHAPTERS.—Chapters 367, 369, 371, 373, and 375 are each redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 374.

(3) PART III CHAPTER NUMBERS.—Each chapter in part III of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 350.

(4) PART IV CHAPTER NUMBERS.—Each chapter in part IV of such subtitle is redesignated so that the number of the chapter, as redesignated, is the number equal to the previous number plus 330.

(f) SUBTITLE B TABLES OF SECTIONS AND TABLES OF CHAPTERS.—

(1) TABLES OF SECTIONS.—The table of sections at the beginning of each chapter of such subtitle is revised so as to conform the section references in the table to the redesignations made by subsections (a), (b), (c), and (d).

(2) TABLES OF CHAPTERS.—The table of chapters at the beginning of such subtitle, and the tables of chapters at the beginning

of each part of such subtitle, are revised so as to conform the chapter references and section references in those tables to the redesignations made by this section.

SEC. 809. CROSS REFERENCES TO REDESIGNATED SECTIONS AND CHAPTERS.

(a) AMENDMENTS TO REFERENCES IN TITLE 10.—Each provision of title 10, United States Code (including the table of subtitles preceding subtitle A), that contains a reference to a section or chapter redesignated by this subtitle is amended so that the reference refers to the number of the section or chapter as redesignated.

(b) DEEMING RULE FOR OTHER REFERENCES.—Any reference in a provision of law other than title 10, United States Code, to a section or chapter redesignated by this subtitle shall be deemed to refer to the section or chapter as so redesignated.

PART III—REPEALS OF CERTAIN PROVISIONS OF DEFENSE ACQUISITION LAW

SEC. 811. AMENDMENT TO AND REPEAL OF STATUTORY REQUIREMENTS FOR CERTAIN POSITIONS OR OFFICES IN THE DEPARTMENT OF DEFENSE.

(a) AMENDMENT TO STATUTORY REQUIREMENT FOR DIRECTOR OF CORROSION POLICY AND OVERSIGHT.—

(1) IN GENERAL.—Section 2228 of title 10, United States Code, is amended—

(A) by amending subsection (a) to read as follows:

''(a) ESTABLISHMENT.—There is established an Office of Corrosion Policy and Oversight within the Department of Defense, which shall be headed by a Director of Corrosion Policy and Oversight.'';

(B) by striking subsections (b) and (c);

(C) by redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively; and

(D) in subsection (c) (as so resdesignated), by striking ''subsection (d)'' each place it appears and inserting ''subsection (b)''.

(2) CONFORMING AMENDMENT.—Section 1067 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2658, 2659; 10 U.S.C. 2228 note) is amended by striking subsections (b), (c), (d), and (e).

(b) REPEAL OF STATUTORY REQUIREMENT FOR DIRECTOR OF THE OFFICE OF PERFORMANCE ASSESSMENT AND ROOT CAUSE ANALYSIS.—

(1) REPEAL.—

(A) IN GENERAL.—Section 2438 of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 144 of such title is amended by striking the item relating to section 2438.

(2) CONFORMING AMENDMENTS.—

(A) Section 131(b)(9) of such title is amended by striking subparagraph (I).

(B) Section 2548(a) of such title is amended by striking '', the Director of Procurement and Acquisition Policy, and the Director of the Office of Performance Assessment and Root Cause Analysis,'' and inserting ''and the Director of Procurement and Acquisition Policy''.

(C) Section 882 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2222 note) is amended by striking subsection (a).

(c) REPEAL OF STATUTORY REQUIREMENT FOR OFFICE OF TECHNOLOGY TRANSITION.—

(1) REPEAL.—Section 2515 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 148 of such title is amended by striking the item relating to section 2515.

(d) REPEAL OF STATUTORY REQUIREMENT FOR OFFICE FOR FOREIGN DEFENSE CRITICAL TECHNOLOGY MONITORING AND ASSESSMENT.—

(1) REPEAL.—Section 2517 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 148 of such title is amended by striking the item relating to section 2517.

(e) REPEAL OF STATUTORY REQUIREMENT FOR SMALL BUSINESS OMBUDSMAN FOR DEFENSE CONTRACT AUDIT AGENCY AND DEFENSE CONTRACT MANAGEMENT AGENCY.—

(1) REPEAL.—Section 204 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 8 of such title is amended by striking the item relating to section 204.

(f) REPEAL OF STATUTORY REQUIREMENT FOR DEFENSE LOGISTICS AGENCY ADVOCATE FOR COMPETITION.—

(1) REPEAL.—Section 2318 of title 10, United States Code, is amended—

(A) by striking subsection (a); and

(B) by striking ''(b)'' before ''Each advocate''.

(2) TECHNICAL AMENDMENTS.—Such section is further amended—

(A) by striking ''advocate for competition of'' and inserting ''advocate for competition designated pursuant to section 1705(a) of title 41 for''; and

(B) by striking ''a grade GS–16 or above under the General Schedule (or in a comparable or higher position under another schedule)'' and inserting ''in a position classified above GS–15 pursuant to section 5108 of title 5''.

(g) SUNSET FOR STATUTORY DESIGNATION OF SENIOR DEPARTMENT OF DEFENSE OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR DIRECTED ENERGY WEAPONS.—Section 219 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2431 note) is amended by adding at the end the following new subsection:

''(d) SUNSET.—The provisions of subsection (a) and of paragraphs (2) and (3) of subsection (b) shall cease to be in effect as of September 30, 2022.''.

(h) REPEAL OF STATUTORY REQUIREMENT FOR DESIGNATION OF INDIVIDUAL TO SERVE AS PRIMARY LIAISON BETWEEN THE PROCUREMENT AND RESEARCH AND DEVELOPMENT ACTIVITIES OF THE UNITED STATES ARMED FORCES AND THOSE OF THE STATE OF ISRAEL.—Section 1006 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2040; 10 U.S.C. 133a note) is repealed.

(i) REPEAL OF STATUTORY REQUIREMENT FOR DESIGNATION OF SENIOR OFFICIAL TO COORDINATE AND MANAGE HUMAN SYSTEMS INTEGRATION ACTIVITIES RELATED TO ACQUISITION PROGRAMS.—Section 231 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 45; 10 U.S.C. 1701 note) is amended—

(1) by striking ''(a) IN GENERAL.—''; and

(2) by striking subsections (b), (c), and (d).

(j) REPEAL OF STATUTORY REQUIREMENT FOR DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.—Section 902 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1865; 10 U.S.C. 2302 note) is repealed.

(k) REPEAL OF STATUTORY REQUIREMENT FOR DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR DUAL-USE PROJECTS UNDER DUAL-USE SCIENCE AND TECHNOLOGY PROGRAM.—Section 203 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 2511 note) is amended by striking subsection (c).

(l) REPEAL OF STATUTORY REQUIREMENT FOR DESIGNATION OF SENIOR OFFICIAL AS EXECUTIVE AGENT FOR PRINTED CIRCUIT BOARD TECHNOLOGY.—Section 256 of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4404; 10 U.S.C. 2501 note) is repealed.

SEC. 812. REPEAL OF CERTAIN DEFENSE ACQUISITION LAWS.

(a) TITLE 10, UNITED STATES CODE.—

(1) SECTION 167A.—

(A) REPEAL.—Section 167a of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 6 of such title is amended by striking the item relating to section 167a.

(C) CONFORMING AMENDMENT.—Section 905(a)(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 133a note) is amended by striking ''166b, 167, or 167a'' and inserting ''166b or 167''.

(2) SECTION 2323.—

(A) REPEAL.—Section 2323 of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by striking the item relating to section 2323.

(C) CONFORMING AMENDMENTS.—

(i) Section 853(c) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2302 note) is amended by striking ''section 2323 of title 10, United States Code, and''.

(ii) Section 831(n) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(I) in paragraph (4), by inserting '', as in effect on March 1, 2018'' after ''section 2323 of title 10, United States Code''; and

(II) in paragraph (6), by striking ''section 2323 of title 10, United States Code, and''.

(iii) Subsection (d) of section 811 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2323 note) is repealed.

(iv) Section 8304(1) of the Federal Acquisition Streamlining Act of 1994 (10 U.S.C. 2375 note) is amended by striking ''section 2323 of title 10, United States Code, or''.

(v) Section 10004(a)(1) of the Federal Acquisition Streamlining Act of 1994 (41 U.S.C. 1122 note) is amended by striking ''section 2323 of title 10, United States Code, or''.

(vi) Section 2304(b)(2) of title 10, United States Code, is amended by striking ''and concerns other than'' and all that follows through ''this title''.

(vii) Section 2304e(b) of title 10, United States Code, is amended—

(I) by striking ''other than—'' and all that follows through ''small'' and inserting ''other than small'';

(II) by striking ''; or'' and inserting a period; and

(III) by striking paragraph (2).

(viii) Section 2323a(a) of title 10, United States Code, is amended by striking ''section 2323 of this title and''.

(ix) Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(I) in subsection (j)(3), by striking ''section 2323 of title 10, United States Code,'';

(II) in subsection (k)(10)—

(aa) by striking ''or section 2323 of title 10, United States Code,'' and all that follows through ''subsection (m),''; and

(bb) by striking ''subsection (a),'' and inserting ''subsection (a) or''; and

(III) by amending subsection (m) to read as follows:

''(m) ADDITIONAL DUTIES OF PROCUREMENT CENTER REPRESENTATIVES.—All procurement center representatives (including those referred to in subsection (k)(6)), in addition to such other duties as may be assigned by the Administrator, shall increase, insofar as possible, the number and dollar value of procurements that may be used for the programs established under this section and section 8(a).''.

(x) Section 1902(b)(1) of title 41, United States Code, is amended by striking '', section 2323 of title 10,''.

(3) SECTION 2332.—

(A) REPEAL.—Section 2332 of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by striking the item relating to section 2332.

(b) OTHER PROVISIONS OF LAW.—The following provisions of law are repealed:

(1) Section 801 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2223a note).

(2) Section 934 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2223a note).

(3) Section 804 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2223a note).

(4) Section 881 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2223a note).

(5) Section 854 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note).

(6) Section 804 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2302 note).

(7) Section 829 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2302 note).

(8) Section 818(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2302 note).

(9) Section 815(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2302 note).

(10) Section 812 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2302 note).

(11) Section 817 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2302 note).

(12) Section 141 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 2302 note).

(13) Section 801(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2302 note).

(14) Section 805(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2302 note).

(15) Section 352 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note).

(16) Section 326 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2302 note).

(17) Section 9004 of the Department of Defense Appropriations Act, 1990 (Public Law 101–165; 10 U.S.C. 2302 note).

(18) Section 895 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2304 note).

(19) Section 802 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2304 note).

(20) Section 821 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2304 note).

(21) Section 813 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2304 note).

(22) Section 391 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 2304 note).

(23) Section 927(b) of Public Laws 99–500, 99–591, and 99–661 (10 U.S.C. 2304 note).

(24) Section 1222(b) of the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99–661; 10 U.S.C. 2304 note).

(25) Section 814(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2304a note).

(26) Section 834 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2304b note).

(27) Section 803 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2306a note).

(28) Section 1075 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2315 note).

(29) Section 824(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2320 note).

(30) Section 818 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2324 note).

(31) Section 812 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2326 note).

(32) Sections 908(a), (b), (c), and (e) of Public Laws 99–500, 99–591, and 99–661 (10 U.S.C. 2326 note).

(33) Section 882 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2330 note).

(34) Section 807 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2330 note).

(35) Section 805 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2330 note).

(36) Section 808 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2330 note).

(37) Section 812(b)–(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2330 note).

(38) Section 801(d)–(f) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 2330 note).

(39) Section 802 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 2330 note).

(40) Section 831 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2330a note).

(41) Section 1032 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2358 note).

(42) Section 241 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2358 note).

(43) Section 606 of Public Law 92–436 (10 U.S.C. 2358 note).

(44) Section 913(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 2364 note).

(45) Sections 234(a) and (b) of the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99–661; 10 U.S.C. 2364 note).

(46) Section 943(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2366a note).

(47) Section 801 of the National Defense Authorization Act for Fiscal Year 1990 (Public Law 101–189; 10 U.S.C. 2399 note).

(48) Section 8133 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 10 U.S.C. 2401a note).

(49) Section 807(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2410p note).

(50) Section 825(c)(1)–(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note).

(51) Section 1058 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2430 note).

(52) Section 837 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2430 note).

(53) Section 838 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2430 note).

(54) Section 809 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2430 note).

(55) Section 833 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2430 note).

(56) Section 839 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2430 note).

(57) Section 819 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2430 note).

(58) Section 5064 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355; 10 U.S.C. 2430 note).

(59) Section 803 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 2430 note).

(60) Section 1215 of the Department of Defense Authorization Act, 1984 (Public Law 98–94; 10 U.S.C. 2452 note).

(61) Section 328 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2458 note).

(62) Section 347 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2458 note).

(63) Section 349 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2458 note).

(64) Section 395 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 2458 note).

(65) Section 352 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 2458 note).

(66) Section 325 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 2461 note).

(67) Section 336 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2461 note).

(68) Section 353(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 2461 note).

(69) Section 353(b) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 2461 note).

(70) Section 356 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 2461 note).

(71) Section 1010 of the USA Patriot Act of 2001 (Public Law 107–56; 10 U.S.C. 2465 note).

(72) Section 4101 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2500 note).

(73) Section 852 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2504 note).

(74) Section 823 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2521 note).

(75) Section 823 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2533b note).

(76) Section 804(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2533b note).

(77) Section 842(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2533b note).

(78) Section 343 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 10 U.S.C. 4551 note).

SEC. 813. REPEAL OF CERTAIN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS.

(a) AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) SECTION 118A.—Section 118a is amended by striking subsection (d).

(2) SECTION 1116.—Section 1116 is amended by striking subsection (d).

(3) SECTION 2275.—

(A) REPEAL.—Section 2275 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 is amended by striking the item relating to section 2275.

(4) SECTION 2276.—Section 2276 is amended by striking subsection (e).

(5) SECTION 10543.—

(A) REPEAL.—Section 10543 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1013 is amended by striking the item relating to section 10543.

(b) NDAA FOR FY 2007.—Section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as amended by section 121 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 691), is amended by striking subsection (d).

(c) NDAA FOR FY 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(1) in section 911(f) (10 U.S.C. 2271 note)—

(A) in the subsection heading, by striking ''; BIENNIAL UPDATE'';

(B) in paragraph (3), by striking '', and each update required by paragraph (2),''; and

(C) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(2) in section 1107 (10 U.S.C. 2358 note)—

(A) in subsection (c), by striking ''demonstration laboratory'' and inserting ''laboratory designated by the Secretary of Defense under the provisions of section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721)''; and

(B) by striking subsections (d) and (e).

(d) NDAA FOR FY 2009.—Section 1047(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2366b note) is amended—

(1) in the subsection heading, by striking ''BANDWIDTH'' and all that follows through ''The Secretary'' and inserting ''BANDWIDTH REQUIREMENTS.—The Secretary''; and

(2) by striking paragraph (2).

(e) NDAA FOR FY 2010.—Section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 22 U.S.C. 1928 note) is amended by striking subsection (d).

(f) NDAA FOR FY 2011.—Section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 22 U.S.C. 7513 note) is amended by striking subsection (i).

(g) NDAA FOR FY 2013.—The National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) is amended—

(1) in section 524 (126 Stat. 1723; 10 U.S.C. 1222 note) by striking subsection (c); and

(2) in section 904(h) (10 U.S.C. 133 note)—

(A) by striking ''REPORTS TO CONGRESS'' and all that follows through ''(3) ADDITIONAL CONGRESSIONAL NOTIFICATION.—'' and inserting ''CONGRESSIONAL NOTIFICATION.—''; and

(B) by striking ''Under Secretary of Defense for Acquisition, Technology, and Logistics'' and inserting ''Under Secretary of Defense for Research and Engineering''.

(h) NDAA FOR FY 2015.—Section 1026(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490) is repealed.

(i) MILITARY CONSTRUCTION AUTHORIZATION ACT, 1982.—Section 703 of the Military Construction Authorization Act, 1982 (Public Law 97–99; 95 Stat. 1376) is amended by striking subsection (g).

(j) CONFORMING AMENDMENTS.—

(1) NDAA FOR FY 2017.—Section 1061 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note) is amended—

(A) in subsection (c), by striking paragraphs (3), (28), (40), (41), and (63);

(B) in subsection (d), by striking paragraph (3);

(C) in subsection (f), by striking paragraphs (1) and (2);

(D) in subsection (g), by striking paragraph (3);

(E) in subsection (h), by striking paragraph (3); and

(F) in subsection (i), by striking paragraphs (17), (19), and (24).

(2) NDAA FOR FY 2000.—Section 1031 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 749; 31 U.S.C. 1113 note) is amended by striking paragraph (32).

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. CONTRACT GOAL FOR THE ABILITYONE PROGRAM.

(a) CONTRACT GOAL FOR THE ABILITYONE PROGRAM.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2323a the following new section:

''§ 2323b. Contract goal for the AbilityOne program

''(a) GOAL.—The Secretary of Defense shall establish a goal for each fiscal year for the procurement of products and services from the procurement list established pursuant to section 8503 of title 41 of an amount equal to 1.5 percent of the total amount of funds obligated for contracts entered into with the Department of Defense in such fiscal year for procurement.

''(b) ANNUAL REPORT.—At the conclusion of each fiscal year, the Secretary of Defense shall submit to the Committee for Purchase From People Who Are Blind or Severely Disabled (established under section 8502 of title 41) a report on the progress toward attaining the goal established under subsection (a) with respect to such fiscal year. The report shall include—

''(1) if the goal was not achieved, a plan to achieve the goal in the next fiscal year; and

''(2) if the goal was achieved, a strategy to exceed the goal in the next fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2323a the following new item:

''2323b. Contract goal for the AbilityOne program.''.

SEC. 822. INCREASED MICRO-PURCHASE THRESHOLD APPLICABLE TO DEPARTMENT OF DEFENSE PROCUREMENTS.

(a) IN GENERAL.—Section 2338 of title 10, United States Code, is amended—

(1) by striking ''Notwithstanding subsection (a) of section 1902 of title 41, the'' and inserting ''The''; and

(2) by striking ''$5,000'' and inserting ''$10,000''.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF MICRO-PURCHASE THRESHOLD FOR CERTAIN DEPARTMENT OF DEFENSE ACTIVITIES.—

(A) IN GENERAL.—Section 2339 of title 10, United States Code, is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by striking the item relating to section 2339.

(2) MICRO-PURCHASE THRESHOLD FOR NON-DEPARTMENT OF DEFENSE PURCHASES.—Section 1902(a)(1) of title 41, United States Code, is amended by striking ''sections 2338 and 2339 of title 10 and''.

SEC. 823. PREFERENCE FOR OFFERORS EMPLOYING VETERANS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2339a. Preference for offerors employing veterans

''(a) PREFERENCE.—In awarding a contract for the procurement of goods or services for the Department of Defense, the head of an agency may establish a preference for offerors that employ veterans on a full-time basis. The Secretary of Defense shall determine the criteria for use of such preference.

''(b) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

''(1) a plan for implementing such preference, including—

''(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employees of the offeror in a bid submitted under subsection (a); and

''(B) reporting on use of such preference; and

''(2) the process for assessing and verifying offeror compliance with regulations relating to equal opportunity for veterans requirements.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2339 the following new item:

''2339a. Preference for offerors employing veterans.''.

SEC. 824. REVISION OF REQUIREMENT TO SUBMIT INFORMATION ON SERVICES CONTRACTS TO CONGRESS.

Section 2329(b) of title 10, United States Code, is amended—

(1) by striking ''October 1, 2022'' and inserting ''October 1, 2020''; and

(2) in paragraph (1)—

(A) by striking ''at or about'' and inserting ''at or before''; and

(B) by inserting ''or on the date on which the future-years defense program is submitted to Congress under section 221 of this title'' after ''title 31'';

(3) in paragraph (3), by striking ''and'' at the end;

(4) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) be included in the future-years defense program submitted to Congress under section 221 of this title.''.

SEC. 825. DATA COLLECTION AND INVENTORY FOR SERVICES CONTRACTS.

Section 2330a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''$3,000,000'' and inserting ''the simplified acquisition threshold'';

(B) by striking ''in the following service acquisition portfolio groups:'' and inserting ''in any service acquisition portfolio group.''; and

(C) by striking paragraphs (1) through (4);

(2) in subsection (c)(1)—

(A) by striking ''staff augmentation contracts'' and inserting ''services contracts''; and

(B) by striking ''Under Secretary of Defense for Acquisition, Technology, and Logistics'' each place it appears and inserting ''Under Secretary of Defense for Acquisition and Sustainment''; and

(3) in subsection (h)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively.

SEC. 826. COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.

(a) COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.—Subsections (a) and (b) of section 2410n of title 10, United States Code, are amended to read as follows:

''(a) MARKET RESEARCH.—Before purchasing a product listed in the latest edition of the Federal Prison Industries catalog published under section 4124(d) of title 18, the Secretary of Defense shall conduct market research to determine whether such product—

''(1) is comparable to products available from the private sector; and

''(2) best meets the needs of the Department of Defense in terms of price, quality, and time of delivery.

''(b) COMPETITION REQUIREMENT.—If the Secretary determines that a Federal Prison Industries product is not comparable to products available from the private sector and does not best meet the needs of the Department of Defense in terms of price, quality, or time of delivery pursuant to subsection (a), the Secretary shall use competitive procedures or make an individual purchase under a multiple award contract for the procurement of the product. In conducting such a competition or making such a purchase, the Secretary shall consider a timely offer from Federal Prison Industries.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of the enactment of this Act.

SEC. 827. REQUIREMENT FOR A FAIR AND REASONABLE PRICE FOR TECHNICAL DATA BEFORE DEVELOPMENT OR PRODUCTION OF MAJOR WEAPON SYSTEMS.

Section 2439 of title 10, United States Code, is amended—

(1) by inserting '', to the maximum extent practicable,'' after ''shall ensure''; and

(2) by inserting ''fair and reasonable'' after ''negotiates a''.

SEC. 828. REVISIONS IN AUTHORITY RELATING TO PROGRAM COST TARGETS AND FIELDING TARGETS FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISIONS IN AUTHORITY RELATING TO PROGRAM COST AND FIELDING TARGETS.—Section 2448a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''the Secretary of Defense'' and inserting ''the appropriate Secretary'';

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b) and adding at the end of that subsection the following new paragraph:

''(3) The term 'appropriate Secretary', with respect to a major defense acquisition program, means—

''(A) the Secretary of the military department that is managing the program; or

''(B) in the case of a program for which an alternate milestone decision authority is designated under section 2430(d)(2) of this title, the Secretary of Defense.''.

(b) CONFORMING AMENDMENTS.—Such title is further amended—

(1) in section 2366a(c)(1)(A) by striking ''by the Secretary of Defense''; and

(2) in section 2366b—

(A) in subsection (a)(3)(D), by striking ''Secretary of Defense'' and inserting ''appropriate Secretary (as defined in such section 2448a)''; and

(B) in subsection (c)(1)(A), by striking ''by the Secretary of Defense''.

SEC. 829. REVISION OF TIMELINE FOR USE OF THE RAPID FIELDING PATHWAY FOR ACQUISITION PROGRAMS.

Section 804(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note) is amended by striking ''complete fielding within five years'' and inserting ''complete low-rate initial production (as described under section 2400 of title 10, United States Code) within five years''.

SEC. 830. CLARIFICATION OF SERVICES CONTRACTING DEFINITIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Defense Federal Acquisition Regulation Supplement to clarify the definitions of and relationships between terms related to services contracts, including the appropriate use of personal services contracts and nonpersonal services contracts, and the responsibilities of individuals in the acquisition workforce with respect to such contracts.

Subtitle C—Provisions Relating to Commercial Items

SEC. 831. REVISION OF DEFINITION OF COMMERCIAL ITEM FOR PURPOSES OF FEDERAL ACQUISITION STATUTES.

(a) DEFINITIONS IN CHAPTER 1 OF TITLE 41, UNITED STATES CODE.—

(1) SEPARATION OF ''COMMERCIAL ITEM'' DEFINITION INTO DEFINITIONS OF ''COMMERCIAL PRODUCT'' AND ''COMMERCIAL SERVICE''.—Chapter 1 of title 41, United States Code, is amended by striking section 103 and inserting the following new sections:

''§ 103. Commercial product

''In this subtitle, the term 'commercial product' means any of the following:

''(1) A product, other than real property, that—

''(A) is of a type customarily used by the general public or by nongovernmental entities for purposes other than governmental purposes; and

''(B) has been sold, leased, or licensed, or offered for sale, lease, or license, to the general public.

''(2) A product that—

''(A) evolved from a product described in paragraph (1) through advances in technology or performance; and

''(B) is not yet available in the commercial marketplace but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Federal Government solicitation.

''(3) A product that would satisfy the criteria in paragraph (1) or (2) were it not for—

''(A) modifications of a type customarily available in the commercial marketplace; or

''(B) minor modifications made to meet Federal Government requirements.

''(4) Any combination of products meeting the requirements of paragraph (1), (2), or (3) that are of a type customarily combined and sold in combination to the general public.

''(5) A product, or combination of products, referred to in paragraphs (1) through (4), even though the product, or combination of products, is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor.

''(6) A nondevelopmental item if the procuring agency determines, in accordance with conditions in the Federal Acquisition Regulation, that—

''(A) the product was developed exclusively at private expense; and

''(B) has been sold in substantial quantities, on a competitive basis, to multiple State and local governments or to multiple foreign governments.

''§ 103a. Commercial service

''In this subtitle, the term 'commercial service' means any of the following:

''(1) Installation services, maintenance services, repair services, training services, and other services if—

''(A) those services are procured for support of a commercial product, regardless of whether the services are provided by the same source or at the same time as the commercial product; and

''(B) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government;

''(2) Services of a type offered and sold competitively, in substantial quantities, in the commercial marketplace—

''(A) based on established catalog or market prices;

''(B) for specific tasks performed or specific outcomes to be achieved; and

''(C) under standard commercial terms and conditions.

''(3) A service described in paragraph (1) or (2), even though the service is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor.''.

(2) CONFORMING AMENDMENTS TO TITLE 41 DEFINITIONS.—

(A) DEFINITION OF COMMERCIAL COMPONENT.—Section 102 of such title is amended by striking ''commercial item'' and inserting ''commercial product''.

(B) DEFINITION OF COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEM.—Section 104(1)(A) is amended by striking ''commercial item'' and inserting ''commercial product''.

(C) DEFINITION OF NONDEVELOPMENTAL ITEM.—Section 110(1) of such title is amended by striking ''commercial item'' and inserting ''commercial product''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 41, United States Code, is amended by striking the item relating to section 103 and inserting the following new items:

''103. Commercial product.

''103a. Commercial service.''.

(b) CONFORMING AMENDMENTS TO OTHER PROVISIONS OF TITLE 41, UNITED STATES CODE.—Title 41, United States Code, is further amended as follows:

(1) Section 1502(b) is amended—

(A) in paragraph (1)(A), by striking ''commercial items'' and inserting ''commercial products or commercial services'';

(B) in paragraph (1)(C)(i), by striking ''commercial item'' and inserting ''commercial product or commercial service''; and

(C) in paragraph (3)(A)(i), by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(2) Section 1705(c) is amended by striking ''commercial items'' and inserting ''commercial products and commercial services''.

(3) Section 1708 is amended by striking ''commercial items'' in subsections (c)(6) and (e)(3) and inserting ''commercial products or commercial services''.

(4) Section 1901 is amended—

(A) in subsection (a)(2), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(B) in subsection (e)—

(i) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES''; and

(ii) by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(5) Section 1903(c) is amended—

(A) in the subsection heading, by striking ''COMMERCIAL ITEM'' and inserting ''COMMERCIAL PRODUCT OR COMMERCIAL SERVICE'';

(B) in paragraph (1), by striking ''as a commercial item'' and inserting ''as a commercial product or a commercial service''; and

(C) in paragraph (2), by striking ''for an item or service treated as a commercial item'' and inserting ''for a product or service treated as a commercial product or a commercial service''.

(6)(A) Section 1906 is amended by striking ''commercial items'' each place it appears in subsections (b), (c), and (d) and inserting ''commercial products or commercial services''.

(B)(i) The heading of such section is amended to read as follows:

''§ 1906. List of laws inapplicable to procurements of commercial products and commercial services''.

(ii) The table of sections at the beginning of chapter 19 is amended by striking the item relating to section 1906 and inserting the following new item:

''1906. List of laws inapplicable to procurements of commercial products and commercial services.''.

(7) Section 3304 is amended by striking ''commercial item'' in subsections (a)(5) and (e)(4)(B) and inserting ''commercial product''.

(8) Section 3305(a)(2) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(9) Section 3306(b) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(10)(A) Section 3307 is amended—

(i) in subsection (a)—

(I) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES'';

(II) in paragraph (1), by striking ''commercial items'' and inserting ''commercial products and commercial services''; and

(III) in paragraph (2), by striking ''a commercial item'' and inserting ''a commercial product or commercial service'';

(ii) in subsection (b)—

(I) in paragraph (2), by striking ''commercial items or, to the extent that commercial items suitable to meet the executive agency's needs are not available, nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or, to the extent that commercial products suitable to meet the executive agency's needs are not available, nondevelopmental items other than commercial products''; and

(II) in paragraph (3), by striking ''commercial items and nondevelopmental items other than commercial items'' and inserting ''commercial services, commercial products, and nondevelopmental items other than commercial products'';

(iii) in subsection (c)—

(I) in paragraphs (1) and (2), by striking ''commercial items or nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or nondevelopmental items other than commercial products'';

(II) in paragraphs (3) and (4), by striking ''commercial items or, to the extent that commercial items suitable to meet the executive agency's needs are not available, nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or, to the extent that commercial products suitable to meet the executive agency's needs are not available, nondevelopmental items other than commercial products''; and

(III) in paragraphs (5) and (6), by striking ''commercial items'' and inserting ''commercial products and commercial services'';

(iv) in subsection (d)(2), by striking ''commercial items or, to the extent that commercial items suitable to meet the executive agency's needs are not available, nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or, to the extent that commercial products suitable to meet the executive agency's needs are not available, nondevelopmental items other than commercial products''; and

(v) in subsection (e)—

(I) in paragraph (1), by inserting ''103a, 104,'' after ''sections 102, 103,'';

(II) in paragraph (2)(A), by striking ''commercial items'' and inserting ''commercial products or commercial services'';

(III) in the first sentence of paragraph (2)(B), by striking ''commercial end items'' and inserting ''end items that are commercial products'';

(IV) in paragraphs (2)(B)(i), (2)(C)(i) and (2)(D), by striking ''commercial items or commercial components'' and inserting ''commercial products, commercial components, or commercial services'';

(V) in paragraph (2)(C), in the matter preceding clause (i), by striking ''commercial items'' and inserting ''commercial products or commercial services'';

(VI) in paragraph (4)(A), by striking ''commercial items'' and inserting ''commercial products or commercial services'';

(VII) in paragraph (4)(C)(i), by striking ''commercial item, as described in section 103(5)'' and inserting ''commercial product, as described in section 103a(1)''; and

(VIII) in paragraph (5), by striking ''items'' each place it appears and inserting ''products''.

(B)(i) The heading of such section is amended to read as follows:

''§ 3307. Preference for commercial products and commercial services''.

(ii) The table of sections at the beginning of chapter 33 is amended by striking the item relating to section 3307 and inserting the following new item:

''3307. Preference for commercial products and commercial services.''.

(11) Section 3501 is amended—

(A) in subsection (a)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(iii) in paragraph (2) (as so redesignated), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(B) in subsection (b)—

(i) by striking ''ITEM'' in the heading for paragraph (1); and

(ii) by striking ''commercial items'' in paragraphs (1) and (2)(A) and inserting ''commercial services''.

(12) Section 3503 is amended—

(A) in subsection (a)(2), by striking ''a commercial item'' and inserting ''a commercial product or a commercial service''; and

(B) in subsection (b)—

(i) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS OR COMMERCIAL SERVICES''; and

(ii) by striking ''a commercial item'' each place it appears and inserting ''a commercial product or a commercial service''.

(13) Section 3505(b) is amended by striking ''commercial items'' each place it appears and inserting ''commercial products or commercial services''.

(14) Section 3509(b) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(15) Section 3704(c)(5) is amended by striking ''commercial item'' and inserting ''commercial product''.

(16) Section 3901(b)(3) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(17) Section 4301(2) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(18)(A) Section 4505 is amended by striking ''commercial items'' in subsections (a) and (c) and inserting ''commercial products or commercial services''.

(B)(i) The heading of such section is amended to read as follows:

''§ 4505. Payments for commercial products and commercial services''.

(ii) The table of sections at the beginning of chapter 45 is amended by striking the item relating to section 4505 and inserting the following new item:

''4505. Payments for commercial products and commercial services.''.

(19) Section 4704(d) is amended by striking ''commercial items'' both places it appears and inserting ''commercial products or commercial services''.

(20) Sections 8102(a)(1), 8703(d)(2), and 8704(b) are amended by striking ''commercial items (as defined in section 103 of this title)'' and inserting ''commercial products or commercial services (as defined in sections 103 and 103a, respectively, of this title)''.

(c) AMENDMENTS TO CHAPTER 137 OF TITLE 10, UNITED STATES CODE.—Chapter 137 of title 10, United States Code, is amended as follows:

(1) Section 2302(3) is amended—

(A) by redesignating subparagraphs (J), (K), and (L) as subparagraphs (K), (L), and (M); and

(B) by striking subparagraph (I) and inserting the following new subparagraphs (I) and (J):

''(I) The term 'commercial product'.

''(J) The term 'commercial service'.''.

(2) Section 2304 is amended—

(A) in subsections (c)(5) and (f)(2)(B), by striking ''brand-name commercial item'' and inserting ''brand-name commercial product'';

(B) in subsection (g)(1)(B), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(C) in subsection (i)(3), by striking ''commercial items'' and inserting ''commercial products''.

(3) Section 2305 is amended—

(A) in subsection (a)(2), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(B) in subsection (b)(5)(B)(v), by striking ''commercial item'' and inserting ''commercial product''.

(4) Section 2306(b) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(5) Section 2306a is amended—

(A) in subsection (b)—

(i) in paragraph (1)(B), by striking ''a commercial item'' and inserting ''a commercial product or a commercial service'';

(ii) in paragraph (2)—

(I) by striking ''COMMERCIAL ITEMS'' in the paragraph heading and inserting ''COMMERCIAL PRODUCTS OR COMMERCIAL SERVICES''; and

(II) by striking ''commercial item'' each place it appears and inserting ''commercial product or commercial services'';

(iii) in paragraph (3)—

(I) by striking ''COMMERCIAL ITEMS'' in the paragraph heading and inserting ''COMMERCIAL PRODUCTS''; and

(II) by striking ''item'' each place it appears and inserting ''product''; and

(iv) in paragraph (4)—

(I) by striking ''COMMERCIAL ITEM'' in the paragraph heading and inserting ''COMMERCIAL PRODUCT OR COMMERCIAL SERVICE'';

(II) by striking ''commercial item'' in subparagraph (A) after ''applying the'';

(III) by striking ''prior commercial item determination'' in subparagraph (A) and inserting ''prior commercial product or commercial service determination'';

(IV) by striking ''of such item'' in subparagraph (A) and inserting ''of such product or service'';

(V) by striking ''of an item previously determined to be a commercial item'' in subparagraph (B) and inserting ''of a product or service previously determined to be a commercial product or a commercial service'';

(VI) by striking ''of a commercial item,'' in subparagraph (B) and inserting ''of a commercial product or a commercial service, as the case may be,'';

(VII) by striking ''the commercial item determination'' in subparagraph (B) and inserting ''the commercial product or commercial service determination''; and

(VIII) by striking ''commercial item'' in subparagraph (C); and

(v) in paragraph (5), by striking ''commercial items'' and inserting ''commercial products or commercial services'';

(B) in subsection (d)(2), by striking ''commercial items'' each place it appears and inserting ''commercial products or commercial services''; and

(C) in subsection (h)—

(i) in paragraph (2), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(ii) by striking paragraph (3).

(6) Section 2307(f) is amended—

(A) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES''; and

(B) by striking ''commercial items'' in paragraphs (1) and (2) and inserting ''commercial products and commercial services''.

(7) Section 2320(b) is amended—

(A) in paragraph (1), by striking ''a commercial item, the item'' and inserting ''a commercial product, the product''; and

(B) in paragraph (9)(A), by striking ''any noncommercial item or process'' and inserting ''any noncommercial product or process''.

(8) Section 2321(f) is amended—

(A) in paragraph (1)—

(i) by striking ''commercial items'' and inserting ''commercial products''; and

(ii) by striking ''the item'' both places it appears and inserting ''commercial products''; and

(B) in paragraph (2)(A), in clauses (i) and (ii), by striking ''commercial item'' and inserting ''commercial product''.

(9) Section 2324(l)(1)(A) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(10) Section 2335(b) is amended by striking ''commercial items'' and inserting ''commercial products and commercial services''.

(d) AMENDMENTS TO CHAPTER 140 OF TITLE 10, UNITED STATES CODE.—Chapter 140 of title 10, United States Code, is amended as follows:

(1) Section 2375 is amended—

(A) in subsection (a), by striking ''commercial item'' in paragraphs (1) and (2) and inserting ''commercial product or commercial service'';

(B) in subsections (b) and (c)—

(i) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES''; and

(ii) by striking ''commercial items'' each place it appears and inserting ''commercial products and commercial services''; and

(C) in subsection (e)(3), by striking ''commercial items'' and inserting ''commercial products and commercial services''.

(2) Section 2376(1) is amended—

(A) by striking ''terms 'commercial item','' and inserting ''terms 'commercial product', 'commercial service','''; and

(B) by striking ''chapter 1 of title 41'' and inserting ''sections 103, 103a, 110, 105, and 102, respectively, of title 41''.

(3) Section 2377 is amended—

(A) in subsection (a)—

(i) in paragraph (2), by striking ''commercial items or, to the extent that commercial items suitable to meet the agency's needs are not available, nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or, to the extent that commercial products suitable to meet the agency's needs are not available, nondevelopmental items other than commercial products''; and

(ii) in paragraph (3), by striking ''commercial items and nondevelopmental items other than commercial items'' and inserting ''commercial services, commercial products, and nondevelopmental items other than commercial products'';

(B) in subsection (b)—

(i) in paragraphs (1) and (2), by striking ''commercial items or nondevelopmental items other than commercial items'' and inserting ''commercial services, commercial products, or nondevelopmental items other than commercial products'';

(ii) in paragraphs (3) and (4), by striking ''commercial items or, to the extent that commercial items suitable to meet the agency's needs are not available, nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or, to the extent that commercial products suitable to meet the agency's needs are not available, nondevelopmental items other than commercial products''; and

(iii) in paragraphs (5) and (6), by striking ''commercial items'' and inserting ''commercial products and commercial services'';

(C) in subsection (c)—

(i) in paragraph (2), by striking ''commercial items or, to the extent that commercial items suitable to meet the agency's needs are not available, nondevelopmental items other than commercial items'' and inserting ''commercial services or commercial products or, to the extent that commercial products suitable to meet the agency's needs are not available, nondevelopmental items other than commercial products''; and

(ii) in paragraph (4), by striking ''items other than commercial items'' and inserting ''products other than commercial products or services other than commercial services'';

(D) in subsection (d)—

(i) in the first sentence, by striking ''commercial items'' and inserting ''commercial products or commercial services'';

(ii) in paragraph (1), by striking ''items'' and inserting ''products or services''; and

(iii) in paragraph (2), by striking ''items'' and inserting ''products or services''; and

(E) in subsection (e)(1), by striking ''commercial items'' and inserting ''commercial products and commercial services''.

(4) Section 2379 is amended—

(A) by striking ''COMMERCIAL ITEMS'' in the headings of subsections (b) and (c) and inserting ''COMMERCIAL PRODUCTS'';

(B) in subsections (a)(1)(A), (b)(2), and (c)(1)(B), by striking '', as defined in section 103 of title 41''; and

(C) by striking ''commercial item'' and ''commercial items'' each place they appear and inserting ''commercial product'' and ''commercial products'', respectively.

(5) Section 2380 is amended—

(A) in subsection (a), by striking ''commercial item determinations'' in paragraphs (1) and (2) and inserting ''commercial product and commercial service determinations''; and

(B) in subsection (b) (as added by section 848 of the National Defense Authorization Act for Fiscal Year 2018)—

(i) by striking ''ITEM'' in the subsection heading;

(ii) by striking ''an item'' each place it appears and inserting ''a product or service'';

(iii) by striking ''item'' after ''using commercial'' each place it appears;

(iv) by striking ''prior commercial item determination'' and inserting ''prior commercial product or service determination'';

(v) by striking ''such item'' and inserting ''such product or service''; and

(vi) by striking ''the item'' both places it appears and inserting ''the product or service''.

(6) Section 2380a is amended—

(A) in subsection (a)—

(i) by striking ''items and'' and inserting ''products and''; and

(ii) by striking ''commercial items'' and inserting ''commercial products and commercial services, respectively,''; and

(B) in subsection (b), by striking ''commercial items'' and inserting ''commercial services''.

(7) Section 2380B is amended by striking ''commercial item'' and inserting ''commercial product''.

(8) AMENDMENTS TO HEADINGS, ETC.—

(A) The heading of such chapter is amended to read as follows:

''CHAPTER 140—PROCUREMENT OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES''.

(B) The heading of section 2375 is amended to read as follows:

''§ 2375. Relationship of other provisions of law to procurement of commercial products and commercial services''.

(C) The heading of section 2377 is amended to read as follows:

''§ 2377. Preference for commercial products and commercial services''.

(D) The heading of section 2379 is amended to read as follows:

''§ 2379. Procurement of a major weapon system as a commercial product: requirement for prior determination by Secretary of Defense and notification to Congress''.

(E) The heading of section 2380 is amended to read as follows:

''§ 2380. Commercial product and commercial service determinations by Department of Defense''.

(F) The heading of section 2380a is amended to read as follows:

''§ 2380a. Treatment of certain products and services as commercial products and commercial services''.

(G) Section 2380B is redesignated as section 2380b and the heading of that section is amended to read as follows:

''§ 2380b. Treatment of commingled items purchased by contractors as commercial products''.

(H) The table of sections at the beginning of such chapter is amended to read as follows:

''2380. Commercial product and commercial service determinations by Department of Defense.

''2380a. Treatment of certain products and services as commercial products and commercial services.

''2380b. Treatment of commingled items purchased by contractors as commercial products.''.

(e) OTHER AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is further amended as follows:

(1) Section 2226(b) is amended by striking ''for services'' and all that follows through ''deliverable items'' and inserting ''for services or deliverable items''.

(2) Section 2384(b)(2) is amended by striking ''commercial items'' and inserting ''commercial products''.

(3) Section 2393(d) is amended by striking ''commercial items (as defined in section 103 of title 41)'' and inserting ''commercial products or commercial services (as defined in sections 103 and 103a, respectively, of title 41)''.

(4) Section 2402(d) is amended—

(A) in paragraph (1), by striking ''commercial items'' both places it appears and inserting ''commercial products or commercial services''; and

(B) in paragraph (2), by striking ''the term'' and all that follows and inserting ''the terms 'commercial product' and 'commercial service' have the meanings given those terms in sections 103 and 103a, respectively, of title 41.''.

(5) Section 2408(a)(4)(B) is amended by striking ''commercial items (as defined in section 103 of title 41)'' and inserting ''commercial products or commercial services (as defined in sections 103 and 103a, respectively, of title 41)''.

(6) Section 2410b(c) is amended by striking ''commercial items'' and inserting ''commercial products''.

(7) Section 2410g(d)(1) is amended by striking ''Commercial items (as defined in section 103 of title 41)'' and inserting ''Commercial products or commercial services (as defined in sections 103 and 103a, respectively, of title 41)''.

(8) Section 2447a is amended—

(A) in subsection (a)(2), by striking ''commercial items and technologies'' and inserting ''commercial products and technologies''; and

(B) in subsection (c), by inserting before the period at the end the following: ''and the term 'commercial product' has the meaning given that term in section 103 of title 41''.

(9) Section 2451(d) is amended by striking ''commercial items'' and inserting ''commercial products (as defined in section 103 of title 41)''.

(10) Section 2464 is amended—

(A) in subsection (a)—

(i) in paragraph (3), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(ii) in paragraph (5), by striking ''The commercial items covered by paragraph (3) are commercial items'' and inserting ''The commercial products or commercial services covered by paragraph (3) are commercial products (as defined in section 103 of title 41) or commercial services (as defined in section 103a of such title)''; and

(B) in subsection (c)—

(i) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS OR COMMERCIAL SERVICES''; and

(ii) by striking ''commercial item'' and inserting ''commercial product or commercial service''.

(11) Section 2484(f) is amended—

(A) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS''; and

(B) by striking ''commercial item'' and inserting ''commercial product''.

(12) The items relating to chapter 140 in the tables of chapters at the beginning of subtitle A, and at the beginning of part IV of subtitle A, are amended to read as follows:

''140. Procurement of Commercial Products and Commercial Services ..... 2377''.

(f) AMENDMENTS TO PROVISIONS OF NATIONAL DEFENSE AUTHORIZATION ACTS.—

(1) Section 806(b) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 10 U.S.C. 2302 note) is amended by striking ''commercial items (as defined in section 103 of title 41, United States Code)'' and inserting ''commercial products or commercial services (as defined in sections 103 and 103a, respectively, of title 41, United States Code)''.

(2) Section 821(e) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 10 U.S.C. 2302 note) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).

(3) Section 821(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2304 note) is amended—

(A) in paragraph (1), by striking ''a commercial item'' and inserting ''a commercial product or a commercial service'';

(B) in paragraph (2), by striking ''commercial item'' and inserting ''commercial product''; and

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

''(3) The term 'commercial service' has the meaning provided by section 103a of title 41, United States Code.''.

(4) Section 817(d) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2306a note) is amended—

(A) in paragraph (1), by striking ''commercial item exceptions'' and inserting ''commercial product-commercial service exceptions''; and

(B) in paragraph (2), by striking ''commercial item exception'' and inserting ''commercial product-commercial service exception'';

(5) Section 852(b)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2324 note) is amended by striking ''a commercial item, as defined in section 103 of title 41'' and inserting ''a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41''.

(6) Section 805 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2330 note) is amended—

(A) in subsection (b), by striking ''commercial items'' in paragraphs (1) and (2)(A) and inserting ''commercial services''; and

(B) in subsection (c)—

(i) by striking ''ITEM'' in the headings for paragraphs (1) and (2) and inserting ''SERVICES'';

(ii) in the matter in paragraph (1) preceding subparagraph (A), by striking ''commercial item'' and inserting ''commercial service'';

(iii) in paragraph (1)(A), by striking ''a commercial item, as described in section 103(5) of title 41'' and inserting ''a service, as described in section 103a(1) of title 41'';

(iv) in paragraph (1)(C)(i), by striking ''section 103(6) of title 41'' and inserting ''section 103a(2) of title 41''; and

(v) in paragraph (2), by striking ''item'' and inserting ''service''.

(7) Section 849(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2377 note) is amended—

(A) by striking ''commercial items'' in paragraph (1) and inserting ''commercial products'';

(B) by striking ''commercial item'' in paragraph (3)(B)(i) and inserting ''commercial product''; and

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

''(5) DEFINITION.—In this subsection, the term 'commercial product' has the meaning given that term in section 103 of title 41.''.

(8) Section 856(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2377 note) is amended by striking ''commercial items or services'' and inserting ''a commercial product or a commercial service, as defined in sections 103 and 103a, respectively, of title 41,''.

(9) Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is amended—

(A) in the section heading, by striking ''**COMMERCIAL ITEMS**'' and inserting ''**COMMERCIAL PRODUCTS**'';

(B) in subsection (a), by striking ''commercial items'' and inserting ''commercial products'';

(C) in subsection (c)(3)—

(i) by striking ''COMMERCIAL ITEMS'' in the paragraph heading and inserting ''COMMERCIAL PRODUCTS OR COMMERCIAL SERVICES''; and

(ii) by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(D) in subsection (e)(2), by striking ''item'' in subparagraphs (A) and (B) and inserting ''products''.

(10) Section 880 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 41 U.S.C. 3301 note) is amended by striking ''commercial items'' in subsection (a)(1) and inserting ''commercial products''.

(g) CONFORMING AMENDMENTS TO OTHER STATUTES.—

(1) Section 604(g) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(g)) is amended—

(A) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS'';

(B) by striking ''procurement of commercial'' in the first sentence and all that follows through ''items listed'' and inserting ''procurement of commercial products notwithstanding section 1906 of title 41, United States Code, with the exception of commercial products listed''; and

(C) in the second sentence—

(i) by inserting ''product'' after ''commercial''; and

(ii) by striking ''in the'' and all that follows and inserting ''in section 103 of title 41, United States Code.''.

(2) Section 142 of the Higher Education Act of 1965 (20 U.S.C. 1018a) is amended—

(A) in subsection (e)—

(i) by striking ''COMMERCIAL ITEMS'' in the subsection heading and inserting ''COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES'';

(ii) by striking ''that commercial items'' and inserting ''that commercial products or commercial services'';

(iii) by striking ''special rules for commercial items'' and inserting ''special rules for commercial products and commercial services'';

(iv) by striking ''without regard to—'' and all that follows through ''dollar limitation'' and inserting ''without regard to any dollar limitation'';

(v) by striking ''; and'' and inserting a period; and

(vi) by striking paragraph (2);

(B) in subsection (f)—

(i) by striking ''ITEMS'' in the subsection heading and inserting ''PRODUCTS AND SERVICES'';

(ii) by striking ''ITEMS'' in the heading of paragraph (2) and inserting ''PRODUCTS AND SERVICES''; and

(iii) by striking ''a commercial item'' in paragraph (2) and inserting ''a commercial product or a commercial service'';

(C) in subsection (h)—

(i) by striking ''ITEMS'' in the subsection heading and inserting ''SERVICES''; and

(ii) by striking ''commercial items'' in paragraph (1) and inserting ''commercial services''; and

(D) in subsection (l)—

(i) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6), respectively;

(ii) by striking paragraph (1) and inserting the following new paragraphs:

''(1) COMMERCIAL PRODUCT.—The term 'commercial product' has the meaning given the term in section 103 of title 41, United States Code.

''(2) COMMERCIAL SERVICE.—The term 'commercial service' has the meaning given the term in section 103a of title 41, United States Code.'';

(iii) in paragraph (3), as so redesignated, by striking ''in section'' and all that follows and inserting ''in section 152 of title 41, United States Code.'';

(iv) in paragraph (5), as so redesignated—

(I) by striking ''COMMERCIAL ITEMS'' in the paragraph heading and inserting ''COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES'';

(II) by striking ''commercial items'' and inserting ''commercial products and commercial services''; and

(III) by striking ''pursuant to'' and all that follows and inserting ''pursuant to sections 1901 and 3305(a) of title 41, United States Code.''; and

(v) in paragraph (6), as so redesignated, by striking ''pursuant to'' and all that follows and inserting ''pursuant to sections 1901(a)(1) and 3305(a)(1) of title 41, United States Code.''.

(3) Section 3901(a)(4)(A)(ii)(II) of title 31, United States Code, is amended by striking ''commercial item'' and inserting ''commercial product''.

(4) Section 2455(c)(1) of the Federal Acquisition Streamlining Act of 1994 (31 U.S.C. 6101 note) is amended by striking ''commercial items'' and inserting ''commercial products''.

(5) Section 508(f) of the Federal Water Pollution Control Act (33 U.S.C. 1368(f)) is amended—

(A) in paragraph (1), by striking ''commercial items'' and inserting ''commercial products or commercial services''; and

(B) in paragraph (2), by striking ''the term'' and all that follows and inserting ''the terms 'commercial product' and 'commercial service' have the meanings given those terms in sections 103 and 103a, respectively, of title 41, United States Code.''.

(6) Section 3707 of title 40, United States Code, is amended by striking ''a commercial item (as defined in section 103 of title 41)'' and inserting ''a commercial product (as defined in section 103 of title 41) or a commercial service (as defined in section 103a of title 41)''.

(7) Subtitle III of title 40, United States Code, is amended—

(A) in section 11101(1), by striking ''COMMERCIAL ITEM.—The term 'commercial item' has'' and inserting ''COMMERCIAL PRODUCT.—The term 'commercial product' has''; and

(B) in section 11314(a)(3), by striking ''items'' each place it appears and inserting ''products''.

(8) Section 8301(g) of the Federal Acquisition Streamlining Act of 1994 (42 U.S.C. 7606 note) is amended by striking ''commercial items'' and inserting ''commercial products or commercial services''.

(9) Section 40118(f) of title 49, United States Code, is amended—

(A) in paragraph (1), by striking ''commercial items'' and inserting ''commercial products''; and

(B) in paragraph (2), by striking ''commercial item'' and inserting ''commercial product''.

(10) Chapter 501 of title 51, United States Code, is amended—

(A) in section 50113(c)—

(i) by striking ''COMMERCIAL ITEM'' in the subsection heading and inserting ''COMMERCIAL PRODUCT OR COMMERCIAL SERVICE''; and

(ii) by striking ''commercial item'' in the second sentence and inserting ''commercial product or commercial service''; and

(B) in section 50115(b)—

(i) by striking ''COMMERCIAL ITEM'' in the subsection heading and inserting ''COMMERCIAL PRODUCT OR COMMERCIAL SERVICE''; and

(ii) by striking ''commercial item'' in the second sentence and inserting ''commercial product or commercial service''; and

(C) in section 50132(a)—

(i) by striking ''COMMERCIAL ITEM'' in the subsection heading and inserting ''COMMERCIAL SERVICE''; and

(ii) by striking ''commercial item'' in the second sentence and inserting ''commercial service''.

(h) SAVINGS PROVISION.—Any provision of law that on the day before the effective date of this section is on a list of provisions of law included in the Federal Acquisition Regulation pursuant to section 1907 of title 41, United States Code, shall be deemed as of that effective date to be on a list of provisions of law included in the Federal Acquisition Regulation pursuant to section 1906 of such title.

SEC. 832. DEFINITION OF SUBCONTRACT.

(a) STANDARD DEFINITION IN TITLE 41, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 1 of title 41, United States Code, is amended—

(A) by redesignating sections 115 and 116 as sections 116 and 117, respectively; and

(B) by inserting after section 114 the following new section 115:

''§ 115. Subcontract

''(a) IN GENERAL.—In this subtitle, the term 'subcontract' means a contract entered into by a prime contractor or subcontractor for the purpose of obtaining supplies, materials, equipment, or services of any kind under a prime contract. The term includes a transfer of a commercial product or commercial service between divisions, subsidiaries, or affiliates of a contractor or subcontractor.

''(b) MATTERS NOT INCLUDED.—In this subtitle, the term 'subcontract' does not include—

''(1) a contract the costs of which are applied to general and administrative expenses or indirect costs; or

''(2) an agreement entered into by a contractor or subcontractor for the supply of a commodity, a commercial product, or a commercial service that is intended for use in the performance of multiple contracts.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 41, United States Code, is amended by striking the items relating to sections 115 and 116 and inserting the following new items:

''115. Subcontract.
''116. Supplies.
''117. Technical data.''.

(b) CONFORMING AMENDMENTS TO TITLE 41, UNITED STATES CODE.—Title 41, United States Code, is further amended as follows:

(1) Section 1502(b)(1) is amended—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(C) in subparagraph (B), as so redesignated, by striking ''Subparagraph (B)'' and inserting ''Subparagraph (A)''.

(2) Section 1906 is amended—

(A) in subsection (c)—

(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(iii) in paragraph (1), as so redesignated, by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(iv) in paragraph (2), as so redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (1)''; and

(B) in subsection (e), by striking ''(c)(3)'' both places it appears and inserting ''(c)(2)''.

(3) Section 3307(e)(2) is amended—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively;

(C) in subparagraph (C), as so redesignated—

(i) by striking ''subparagraph (B)'' and inserting ''subparagraph (A)''; and

(ii) by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(D) in subparagraph (D), as so redesignated, by striking ''subparagraph (B)'' and inserting ''subparagraph (A)''.

(4) Section 3501(a) is amended by striking paragraph (3).

(c) INCORPORATION OF TITLE 41 DEFINITION IN CHAPTERS 137 AND 140 OF TITLE 10, UNITED STATES CODE.—

(1) DEFINITIONS FOR PURPOSES OF CHAPTER 137.—Section 2302(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(N) The term 'subcontract'.''.

(2) DEFINITIONS FOR PURPOSES OF CHAPTER 140.—

(A) Section 2375(c) of title 10, United States Code, is amended—

(i) by striking paragraph (3); and

(ii) by redesignating paragraph (4) as paragraph (3).

(B) Section 2376(1) of such title is amended by striking ''and 'commercial component' have'' and inserting '''commercial component', and 'subcontract' have''.

SEC. 833. LIMITATION ON APPLICABILITY TO DEPARTMENT OF DEFENSE COMMERCIAL CONTRACTS OF CERTAIN PROVISIONS OF LAW AND CERTAIN EXECUTIVE ORDERS AND REGULATIONS.

(a) INAPPLICABILITY OF CERTAIN PROVISIONS OF LAW.—

(1) SECTION 2375.—Section 2375 of title 10, United States Code, is amended—

(A) in subsection (b)(2), by striking ''January 1, 2015'' and inserting ''October 13, 1994''; and

(B) in subsections (b)(2), (c)(2), and (d)(2), by striking ''unless the'' and all that follows and inserting a period.

(2) SECTION 2533A.—Section 2533a(i) of such title is amended—

(A) in the subsection heading, by striking ''ITEMS'' and inserting ''PRODUCTS''; and

(B) by striking ''commercial items'' and inserting ''commercial products''.

(3) SECTION 2533B.—Section 2533b(h) of such title is amended—

(A) the subsection heading, by striking ''ITEMS'' and inserting ''PRODUCTS''; and

(B) by striking ''commercial items'' each place it appears and inserting ''commercial products''.

(b) INAPPLICABILITY OF CERTAIN EXECUTIVE ORDERS AND REGULATIONS.—Chapter 140 of

title 10, United States Code, is amended by inserting after section 2375 the following new section:

''§ 2375a. Applicability of certain Executive orders and regulations

''(a) EXECUTIVE ORDERS.—

''(1) COMMERCIAL CONTRACTS.—No Department of Defense commercial contract shall be subject to an Executive order issued after the date of the enactment of this section unless the Executive order specifically provides that it is applicable to contracts for the procurement of commercial products and commercial services by the Department of Defense.

''(2) SUBCONTRACTS UNDER COMMERCIAL CONTRACTS.—No subcontract under a Department of Defense commercial contract shall be subject to an Executive order issued after the date of the enactment of this section unless the Executive order specifically provides that it is applicable to subcontracts under Department of Defense contracts for the procurement of commercial products and commercial services.

''(b) REGULATIONS AND POLICIES.—

''(1) COMMERCIAL CONTRACTS.—No Department of Defense commercial contract shall be subject to any Department of Defense regulation or policy prescribed after the date of the enactment of this section unless the regulation or policy specifically provides that it is applicable to contracts for the procurement of commercial products and commercial services by the Department of Defense.

''(2) SUBCONTRACTS UNDER COMMERCIAL CONTRACTS.—No subcontract under a Department of Defense commercial contract shall be subject to any Department of Defense regulation or order prescribed after the date of the enactment of this section unless the regulation or policy specifically provides that it is applicable to subcontracts under Department of Defense contracts for the procurement of commercial products and commercial services.

''(c) DEPARTMENT OF DEFENSE COMMERCIAL CONTRACTS.—In this section, the term 'Department of Defense commercial contract' means a contract for the procurement of a commercial product or commercial service entered into by the Secretary of Defense.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2375 the following new item:

''2375a. Applicability of certain Executive orders and regulations.''.

SEC. 834. MODIFICATIONS TO PROCUREMENT THROUGH COMMERCIAL E-COMMERCE PORTALS.

Section 846 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note) is amended—

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

''(5) A procurement of a product made through a commercial e-commerce portal under the program established pursuant to subsection (a) is deemed to satisfy requirements for full and open competition pursuant to section 2304 of title 10, United States Code, and section 3301 of title 41, United States Code, if—

''(A) there are offers from two or more suppliers of such a product or similar product with substantially the same physical, functional, or performance characteristics on the online marketplace; and

''(B) the Administrator establishes procedures to implement subparagraph (A) and notifies Congress at least 30 days before implementing such procedures.''.

(2) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(3) by inserting after subsection (i) the following new subsection:

''(j) MICRO-PURCHASE THRESHOLD.—Notwithstanding section 2338 of title 10, United States Code, and section 1902 of title 41, United States Code, the micro-purchase threshold for a procurement of a product through a commercial e-commerce portal used under the program established under subsection (a) is $25,000.''.

Subtitle D—Industrial Base Matters

SEC. 841. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

''(A) Auxiliary equipment, including pumps, for all shipboard services.

''(B) Propulsion system components, including engines, reduction gears, and propellers.

''(C) Shipboard cranes.

''(D) Spreaders for shipboard cranes.''.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

''(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2019 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy. For purposes of this subsection, the term 'auxiliary ship' does not include an icebreaker.''.

SEC. 842. REPORT ON DOMESTIC SOURCING OF SPECIFIC COMPONENTS FOR ALL NAVAL VESSELS.

Not later than March 1, 2019, the Secretary of the Navy shall submit to the congressional defense committees a report that provides a market survey and cost assessment associated with limiting competition to domestic sources for—

(1) naval vessel components listed in section 2534(a)(3) of title 10, United States Code;

(2) expanding such list to include all ships authorized using funds available for Shipbuilding and Conversion, Navy and Other Procurement, Navy; and

(3) expanding such list to include waterjet marine propulsion systems, azimuth thrusters, and bow thrusters for all ships authorized using funds available for Shipbuilding and Conversion, Navy and Other Procurement, Navy.

SEC. 843. REMOVAL OF NATIONAL INTEREST DETERMINATION REQUIREMENTS FOR CERTAIN ENTITIES.

(a) IN GENERAL.—Effective October 1, 2020, a covered NTIB entity operating under a special security agreement pursuant to the National Industrial Security Program shall not be required to obtain a national interest determination as a condition for access to proscribed information.

(b) ACCELERATION AUTHORIZED.—Notwithstanding the effective date of this section, the Secretary of Defense, in consultation with the Director of the Information Security Oversight Office, may waive the requirement to obtain a national interest determination for a covered NTIB entity operating under such a special security agreement that has—

(1) a demonstrated successful record of compliance with the National Industrial Security Program; and

(2) previously been approved for access to proscribed information.

(c) DEFINITIONS.—In this section:

(1) COVERED NTIB ENTITY.—The term ''covered NTIB entity'' means a person that is a subsidiary located in the United States—

(A) for which the ultimate parent company and any intermediate parent companies of such subsidiary are located in a country that is part of the national technology and industrial base (as defined in section 2500 of title 10, United States Code); and

(B) that is subject to the foreign ownership, control, or influence requirements of the National Industrial Security Program.

(2) PROSCRIBED INFORMATION.—The term ''proscribed information'' means information that is—

(A) classified at the level of top secret;

(B) communications security information (excluding controlled cryptographic items when un-keyed or utilized with unclassified keys);

(C) restricted data (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014));

(D) special access program information under section 4.3 of Executive Order No. 13526 (75 Fed. Reg. 707; 50 U.S.C. 3161 note) or successor order; or

(E) designated as sensitive compartmented information.

SEC. 844. PILOT PROGRAM TO TEST MACHINE-VISION TECHNOLOGIES TO DETERMINE THE AUTHENTICITY AND SECURITY OF MICROELECTRONIC PARTS IN WEAPON SYSTEMS.

(a) PILOT PROGRAM AUTHORIZED.—The Undersecretary of Defense for Research and Engineering, in coordination with the Defense Microelectronics Activity, shall establish a pilot program to test the feasibility and reliability of using machine-vision technologies to determine the authenticity and security of microelectronic parts in weapon systems.

(b) OBJECTIVES OF PILOT PROGRAM.—The Undersecretary of Defense for Research and Engineering, in coordination with the Defense Microelectronics Activity, shall design any pilot program conducted under this section to determine the following:

(1) The effectiveness and technology readiness level of machine-vision technologies to determine the authenticity of microelectronic parts at the time of the creation of such part through final insertion of such part into weapon systems.

(2) The best method of incorporating machine-vision technologies into the process of developing, transporting, and inserting microelectronics into weapon systems.

(3) The rules, regulations, or processes that hinder the development and incorporation of machine-vision technologies, and the application of such rules, regulations, or processes to mitigate counterfeit microelectronics proliferation throughout the Department of Defense.

(c) CONSULTATION.—To develop the pilot program under this section, the Undersecretary of Defense for Research and Engineering, in coordination with the Defense Microelectronics Activity, may consult with the following entities:

(1) Manufacturers of semiconductors or electronics.

(2) Industry associations relating to semiconductors or electronics.

(3) Original equipment manufacturers of products for the Department of Defense.

(4) Nontraditional defense contractors (as defined in section 2302(9) of title 10, United States Code) that are machine vision companies.

(5) Federal laboratories (as defined in section 2500(5) of title 10, United States Code).

(6) Other elements of the Department of Defense that fall under the authority of the Undersecretary of Defense for Research and Engineering.

(d) COMMENCEMENT AND DURATION.—The pilot program established under this section shall be established not later than April 1, 2019, and all activities under such pilot program shall terminate not later than December 31, 2020.

Subtitle E—Small Business Matters

SEC. 851. DEPARTMENT OF DEFENSE SMALL BUSINESS STRATEGY.

(a) IN GENERAL.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2283. Department of Defense small business strategy

''(a) IN GENERAL.—The Secretary of Defense shall implement a small business strategy for the Department of Defense that meets the requirements of this section.

''(b) UNIFIED MANAGEMENT STRUCTURE.—As part of the small business strategy described in subsection (a), the Secretary shall ensure that there is a unified management structure within the Department for the functions of the Department relating to—

''(1) programs and activities related to small business concerns (as defined in section 3 of the Small Business Act);

''(2) manufacturing and industrial base policy; and

''(3) any procurement technical assistance program established under chapter 142 of this title.

''(c) PURPOSE OF SMALL BUSINESS PROGRAMS.—The Secretary shall ensure that programs and activities of the Department of Defense related to small business concerns are carried out so as to further national defense programs and priorities and the statements of purpose for Department of Defense acquisition set forth in section 801 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1449).

''(d) POINTS OF ENTRY INTO DEFENSE MARKET.—The Secretary shall ensure—

''(1) that opportunities for small business concerns to contract with the Department of Defense are identified clearly; and

''(2) that small business concerns are able to have access to program managers, contracting officers, and other persons using the products or services of such concern to the extent necessary to inform such persons of emerging and existing capabilities of such concerns.

''(e) ENHANCED OUTREACH UNDER PROCUREMENT TECHNICAL ASSISTANCE PROGRAM MARKET.—The Secretary shall enable and promote activities to provide coordinated outreach to small business concerns through any procurement technical assistance program established under chapter 142 of this title to facilitate small business contracting with the Department of Defense.''.

(b) IMPLEMENTATION.—

(1) DEADLINE.—The Secretary of Defense shall develop the small business strategy required by section 2283 of title 10, United States Code, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

(2) NOTICE TO CONGRESS AND PUBLICATION.—Upon completion of the development of the small business strategy pursuant to paragraph (1), the Secretary shall—

(A) transmit the strategy to Congress; and

(B) publish the strategy on a public website of the Department of Defense.

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

''2283. Department of Defense small business strategy.''.

SEC. 852. PROMPT PAYMENTS OF SMALL BUSINESS CONTRACTORS.

Section 2307(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''The head of any agency may—'' and inserting ''(1) The head of any agency may''; and

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

''(2)(A) For a prime contractor (as defined in section 8701 of title 41) that is a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), the head of an agency shall, to the fullest extent permitted by law, establish an accelerated payment date with a goal of 15 days after receipt of a proper invoice for the amount due if a specific payment date is not established by contract.

''(B) For a prime contractor that subcontracts with a small business concern, the head of an agency shall, to the fullest extent permitted by law, establish an accelerated payment date with a goal of 15 days after receipt of a proper invoice for the amount due if—

''(i) a specific payment date is not established by contract; and

''(ii) the prime contractor agrees to make payments to the subcontractor in accordance with the accelerated payment date, to the maximum extent practicable, without any further consideration from or fees charged to the subcontractor.''.

SEC. 853. INCREASED PARTICIPATION IN THE SMALL BUSINESS ADMINISTRATION MICROLOAN PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''intermediary'' has the meaning given that term in section 7(m)(11) of the Small Business Act (15 U.S.C. 636(m)(11)); and

(2) the term ''microloan program'' means the program established under section 7(m) of the Small Business Act (15 U.S.C. 636(m)).

(b) MICROLOAN INTERMEDIARY LENDING LIMIT INCREASED.—Section 7(m)(3)(C) of the Small Business Act (15 U.S.C. 636(m)(3)(C)) is amended by striking ''$5,000,000'' and inserting ''$6,000,000''.

(c) MICROLOAN TECHNICAL ASSISTANCE.—Section 7(m)(4)(E) of the Small Business Act (15 U.S.C. 636(m)(4)(E)) is amended by striking ''25 percent'' each place such term appears and inserting ''50 percent''.

(d) SBA STUDY OF MICROENTERPRISE PARTICIPATION.—Not later than 1 year after the date of enactment of this section, the Administrator of the Small Business Administration shall conduct a study and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on—

(1) the operations (including services provided, structure, size, and area of operation) of a representative sample of—

(A) intermediaries that are eligible to participate in the microloan program and that do participate; and

(B) intermediaries that are eligible to participate in the microloan program and that do not participate;

(2) the reasons why eligible intermediaries described in paragraph (1)(B) choose not to participate in the microloan program;

(3) recommendations on how to encourage increased participation in the microloan program by eligible intermediaries described in paragraph (1)(B); and

(4) recommendations on how to decrease the costs associated with participation in the microloan program for eligible intermediaries.

(e) GAO STUDY ON MICROLOAN INTERMEDIARY PRACTICES.—Not later than 1 year after the date of enactment of this section, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating—

(1) oversight of the microloan program by the Small Business Administration, including oversight of intermediaries participating in the microloan program; and

(2) the specific processes used by the Small Business Administration to ensure—

(A) compliance by intermediaries participating in the microloan program; and

(B) the overall performance of the microloan program.

SEC. 854. AMENDMENTS TO SMALL BUSINESS INNOVATION RESEARCH PROGRAM AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.

(a) USE OF SBIR OR STTR FUNDING FOR ADMINISTRATIVE COSTS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (f)—

(A) in paragraph (2), by striking ''shall not'' and all that follows through ''make available'' and inserting ''shall not make available''; and

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

''(5) ADMINISTRATIVE COSTS.—A Federal agency may use up to 3 percent of its SBIR budget established pursuant to paragraph (1) for the purpose of funding administrative costs of the program.''; and

(2) in subsection (n)—

(A) in paragraph (2), by striking ''shall not'' and all that follows through ''make available'' and inserting ''shall not make available''; and

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

''(4) ADMINISTRATIVE COSTS.—A Federal agency may use up to 3 percent of its SBIR budget established pursuant to paragraph (1) for the purpose of funding administrative costs of the program.''.

(b) EXPANSION OF PHASE FLEXIBILITY.—Section 9(cc) of such Act (15 U.S.C. 638(cc)) is amended by striking ''During fiscal years'' and all that follows through ''may each provide'' and inserting ''During fiscal years 2018 through 2022, all agencies participating in the SBIR program may provide''.

SEC. 855. CONSTRUCTION CONTRACT ADMINISTRATION.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

''(w) SOLICITATION NOTICE REGARDING ADMINISTRATION OF CHANGE ORDERS FOR CONSTRUCTION.—

''(1) IN GENERAL.—With respect to any solicitation for the award of a contract for construction anticipated to be awarded to a small business concern, the agency administering such contract shall provide a notice along with the solicitation to prospective bidders and offerors that includes—

''(A) information about the agency's policies or practices in complying with the requirements of the Federal Acquisition Regulation relating to the timely definitization of requests for an equitable adjustment; and

''(B) information about the agency's past performance in definitizing requests for equitable adjustments in accordance with paragraph (2).

''(2) REQUIREMENTS FOR AGENCIES.—An agency shall provide the past performance information described under paragraph (1)(B) as follows:

''(A) For the 3-year period preceding the issuance of the notice, to the extent such information is available.

''(B) With respect to an agency that, on the date of the enactment of this subsection, has not compiled the information described under paragraph (1)(B)—

''(i) beginning 1 year after the date of the enactment of this subsection, for the 1-year period preceding the issuance of the notice;

''(ii) beginning 2 years after the date of the enactment of this subsection, for the 2-year period preceding the issuance of the notice; and

''(iii) beginning 3 years after the date of the enactment of this subsection and each year thereafter, for the 3-year period preceding the issuance of the notice.

''(3) FORMAT OF PAST PERFORMANCE INFORMATION.—In the notice required under paragraph (1), the agency shall ensure that the past performance information described under paragraph (1)(B) is set forth separately for each definitization action that was completed during the following periods:

''(A) Not more than 30 days after receipt of a request for an equitable adjustment.

''(B) Not more than 60 days after receipt of a request for an equitable adjustment.

''(C) Not more than 90 days after receipt of a request for an equitable adjustment.

''(D) Not more than 180 days after receipt of a request for an equitable adjustment.

''(E) More than 365 days after receipt of a request for an equitable adjustment.

''(F) After the completion of the performance of the contract through a contract modification addressing all undefinitized requests for an equitable adjustment received during the term of the contract.''.

SEC. 856. BROADBAND AND EMERGING INFORMATION TECHNOLOGY COORDINATOR.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following:

''SEC. 47. BROADBAND AND EMERGING INFORMATION TECHNOLOGY.

''(a) DEFINITIONS.—In this section—

''(1) the term 'OII Associate Administrator' means the Associate Administrator for the Office of Investment and Innovation; and

''(2) the term 'broadband and emerging information technology coordinator' means the employee designated to carry out the broadband and emerging information technology coordination responsibilities of the Administration under subsection (b)(1).

''(b) ASSIGNMENT OF COORDINATOR.—

''(1) ASSIGNMENT OF COORDINATOR.—The OII Associate Administrator shall designate a senior employee of the Office of Investment and Innovation to serve as the broadband and emerging information technology coordinator, who—

''(A) shall report to the OII Associate Administrator;

''(B) shall work in coordination with—

''(i) the chief information officer, the chief technology officer, and the head of the Office of Technology of the Administration; and

''(ii) any other Associate Administrator of the Administration determined appropriate by the OII Associate Administrator;

''(C) has experience developing and implementing telecommunications policy in the private sector or government; and

''(D) has demonstrated significant experience in the area of broadband or emerging information technology.

''(2) RESPONSIBILITIES OF COORDINATOR.—The broadband and emerging information technology coordinator shall—

''(A) coordinate programs of the Administration that assist small business concerns in adopting, making innovations in, and using broadband and other emerging information technologies;

''(B) serve as the primary liaison of the Administration to other Federal agencies involved in broadband and emerging information technology policy, including the Department of Commerce, the Department of Agriculture, and the Federal Communications Commission;

''(C) identify best practices relating to broadband and emerging information technology that may benefit small business concerns; and

''(D) identify and catalog tools and training available through the resource partners of the Administration that assist small business concerns in adopting, making innovations in, and using broadband and emerging technologies.

''(3) TRAVEL.—Not more than 20 percent of the hours of service by the broadband and emerging information technology coordinator during any fiscal year shall consist of travel outside the United States to perform official duties.

''(c) BROADBAND AND EMERGING TECHNOLOGY TRAINING.—

''(1) TRAINING.—The OII Associate Administrator shall provide to employees of the Administration training that—

''(A) familiarizes employees of the Administration with broadband and other emerging information technologies;

''(B) includes—

''(i) instruction on counseling small business concerns regarding adopting, making innovations in, and using broadband and other emerging information technologies; and

''(ii) information on programs of the Federal Government that provide assistance to small business concerns relating to broadband and emerging information technologies; and

''(C) to maximum extent practicable, uses the tools and training cataloged and identified under subsection (b)(2)(D).

''(2) FUNDING.—The Administrator shall use funds made available to the Office of Investment and Innovation to carry out this subsection.

''(d) REPORTS.—

''(1) BIENNIAL REPORT ON ACTIVITIES.—Not later than 2 years after the date on which the OII Associate Administrator makes the first designation of an employee under subsection (b), and every 2 years thereafter, the broadband and emerging information technology coordinator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the programs and activities of the Administration relating to broadband and other emerging information technologies.

''(2) IMPACT OF BROADBAND SPEED AND PRICE ON SMALL BUSINESSES.—

''(A) IN GENERAL.—Subject to appropriations, the Chief Counsel for Advocacy shall conduct a study evaluating the impact of broadband speed and price on small business concerns.

''(B) REPORT.—Not later than 3 years after the date of enactment of the Small Business Broadband and Emerging Information Technology Enhancement Act of 2017, the Chief Counsel for Advocacy shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Energy and Commerce and the Committee on Small Business of the House of Representatives a report on the results of the study under subparagraph (A), including—

''(i) a survey of broadband speeds available to small business concerns;

''(ii) a survey of the cost of broadband speeds available to small business concerns;

''(iii) a survey of the type of broadband technology used by small business concerns; and

''(iv) any policy recommendations that may improve the access of small business concerns to comparable broadband services at comparable rates in all regions of the United States.''.

(b) ENTREPRENEURIAL DEVELOPMENT.—Section 21(c)(3)(B) of the Small Business Act (15 U.S.C. 648(c)(3)(B)) is amended—

(1) in the matter preceding clause (i), by inserting ''accessing broadband and other emerging information technology,'' after ''technology transfer,'';

(2) in clause (ii), by striking ''and'' at the end;

(3) in clause (iii), by adding ''and'' at the end; and

(4) by adding at the end the following:

''(iv) increasing the competitiveness and productivity of small business concerns by assisting owners of such concerns in accessing broadband and other emerging information technology;''.

SEC. 857. AMENDMENTS TO THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) INVESTMENT IN SMALL BUSINESS INVESTMENT COMPANIES.—Section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) is amended—

(1) in paragraph (1), by inserting before the period the following: ''or, subject to the approval of the appropriate Federal banking agency, 15 percent of such capital and surplus'';

(2) in paragraph (2), by inserting before the period the following: ''or, subject to the approval of the appropriate Federal banking agency, 15 percent of such capital and surplus''; and

(3) by adding at the end the following:

''(3) APPROPRIATE FEDERAL BANKING AGENCY DEFINED.—For purposes of this subsection, the term 'appropriate Federal banking agency' has the meaning given that term under section 3 of the Federal Deposit Insurance Act.''.

(b) INCREASE TO MAXIMUM LEVERAGE LIMIT.—Section 303(b)(2)(A)(ii) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)(A)(ii)) is amended by striking ''$150,000,000'' and inserting ''$175,000,000''.

SEC. 858. CONSOLIDATED BUDGET JUSTIFICATION FOR THE DEPARTMENT OF DEFENSE SMALL BUSINESS INNOVATION RESEARCH PROGRAM AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.

(a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall include in the materials submitted to Congress by the Secretary of Defense in support of the budget of the President for each fiscal year (as submitted to Congress under section 1105 of title 31, United States Code) a budget justification for all activities conducted under a Small Business Innovation Research Program or Small Business Technology Transfer Program (as such terms are defined, respectively, in section 9(e) of the Small Business Act (15 U.S.C. 638(e))) of the Department of Defense during the previous fiscal year.

(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget justification under subsection (a) shall include—

(1) the amount obligated or expended, by appropriation and functional area, for each activity conducted under a Small Business Innovation Research Program or Small Business Technology Transfer Program, with supporting narrative descriptions and rationale for the funding levels; and

(2) a summary and estimate of funding required during the period covered by the current future-years defense program (as defined under section 221 of title 10, United States Code).

(c) TERMINATION.—The requirements of this section shall terminate on December 31, 2022.

SEC. 859. FUNDING FOR PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

(a) AMOUNT OF ASSISTANCE FROM SECRETARY.—Section 2413(b) of title 10, United States Code, is amended—

(1) by striking ''not more than 65 percent'' and inserting ''not more than 75 percent''; and

(2) in paragraph (1), by striking ''more than 65 percent, but not more than 75 percent'' and inserting ''more than 75 percent, but not more than 85 percent''.

(b) FUNDING FOR ELIGIBLE ENTITIES.—Section 2414(a) of such title is amended—

(1) in paragraph (1), by striking ''$750,000'' and inserting ''$1,000,000'';

(2) in paragraph (2), by striking ''$450,000'' and inserting ''$750,000'';

(3) in paragraph (3), by striking ''$300,000'' and inserting ''$450,000''; and

(4) in paragraph (4), by striking ''$750,000'' and inserting ''$1,000,000''.

SEC. 860. EXEMPTION OF CERTAIN CONTRACTS FROM THE PERIODIC INFLATION ADJUSTMENTS TO THE ACQUISITION-RELATED DOLLAR THRESHOLD.

Subparagraph (B) of section 1908(b)(2) of title 41, United States Code, is amended by inserting ''3131 to 3134,'' after ''sections''.

Subtitle F—Other Matters

SEC. 871. ADDITIONAL REQUIREMENTS FOR NEGOTIATIONS FOR NONCOMMERCIAL COMPUTER SOFTWARE.

Section 2322a of title 10, United States Code, is amended by adding at the end the following new subsections:

''(c) RIGHTS TO NONCOMMERCIAL COMPUTER SOFTWARE.—As part of any negotiation for the acquisition of noncommercial computer software, the Secretary of Defense may not require a contractor to sell or otherwise relinquish to the Federal Government any rights to noncommercial computer software developed exclusively at private expense, except for rights related to—

''(1) corrections or changes to such software or documentation related to such software furnished to the contractor by the Department of Defense;

''(2) such software or documentation related to such software that is otherwise publicly available or that has been released or disclosed by the contractor or subcontractor without restrictions on further use, release, or disclosure, other than a release or disclosure resulting from the sale, transfer, or other assignment of interest in such software or documentation to another party.

''(3) such software or documentation related to such software obtained with unlimited rights under another contract with the Federal Government or as a result of such a negotiation; or

''(4) such software or documentation related to such software furnished to the Department of Defense under a contract or subcontract that includes—

''(A) restricted rights in such software, limited rights in technical data, or government purpose rights, where such restricted rights, limited rights, or government purpose rights have expired; or

''(B) government purpose rights, where the contractor's exclusive right to use such software or documentation for commercial purposes has expired.

''(d) CONSIDERATION OF SPECIALLY NEGOTIATED LICENSES.—The Secretary of Defense shall, to the maximum extent practicable, negotiate and enter into a contract with a contractor for a specially negotiated license for noncommercial computer software or documentation related to such software necessary to support the product support strategy of a major weapon system or subsystem of a major weapon system.''.

SEC. 872. REMOVAL OF REQUIREMENT FOR RISK AND SENSITIVITY ANALYSIS OF BASELINE ESTIMATES IN SELECTED ACQUISITION REPORTS.

Section 2432(c)(1)(B) of title 10, United States Code, is amended by striking '', along with the associated risk and sensitivity analysis of that estimate'' each place it appears.

SEC. 873. PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS FROM NON-ALLIED FOREIGN NATIONS.

(a) IN GENERAL.—Subchapter V of chapter 148 of title 10, United States Code, is amended by inserting after section 2533b the following new section:

''§ 2533c. Prohibition on acquisition of sensitive materials from non-allied foreign nations

''(a) IN GENERAL.—Except as provided in subsection (c), the Secretary of Defense may not—

''(1) procure any end item containing a covered material from any covered nation, except as provided by subsection (c); or

''(2) sell any covered material from the National Defense Stockpile, if the National Defense Stockpile Manager determines that such a sale is not in the national interests of the United States, to—

''(A) any covered nation; or

''(B) any third party that the Secretary reasonably believes is acting as a broker or agent for a covered nation or an entity in a covered nation.

''(b) EXTENSION.—Subsection (a) shall apply to prime contracts and subcontracts at any tier.

''(c) EXCEPTIONS.—Subsection (a) does not apply under the following circumstances:

''(1) If the Secretary of Defense determines that covered materials of satisfactory quality and quantity, in the required form, cannot be procured as and when needed.

''(2) To the procurement of an end item described in subsection (a)(1) or the sale of any covered material described under subsection (a)(1) by the Secretary outside of the United States for use outside of the United States.

''(3) To the purchase by the Secretary of an end item containing a covered material that is—

''(A) a commercially available off-the-shelf item (as defined in section 104 of title 41); or

''(B) an electronic device, unless the Secretary of Defense, upon the recommendation of the Strategic Materials Protection Board pursuant to section 187 of this title, determines that the domestic availability of a particular electronic device is critical to national security.

''(d) DEFINITIONS.—In this section:

''(1) COVERED MATERIAL.—The term 'covered material' means—

''(A) samarium-cobalt magnets;

''(B) neodymium-iron-boron magnets;

''(C) tungsten penetrators; and

''(D) tungsten or tungsten alloy spheres and cubes.

''(2) COVERED NATION.—The term 'covered nation' means—

''(A) the Democratic People's Republic of North Korea;

''(B) the People's Republic of China;

''(C) the Russian Federation; and

''(D) the Islamic Republic of Iran.

''(3) END ITEM.—The term 'end item' has the meaning given in section 2533b(m) of this title.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such subchapter is amended by inserting after the item relating to section 2533b the following item:

''2533c. Prohibition on acquisition of sensitive materials from non-allied foreign nations.''.

SEC. 874. TRANSFER OR POSSESSION OF DEFENSE ITEMS FOR NATIONAL DEFENSE PURPOSES.

(a) TRANSFER AND POSSESSION EXCEPTIONS.—Section 922(o)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''or by'' and inserting '', by, or under the authority of'';

(2) by striking ''or'' at the end of subparagraph (A);

(3) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(4) by inserting after subparagraph (B) the following new subparagraphs:

''(C) a transfer to, or possession by, a licensed manufacturer or licensed importer (if, with respect to a transfer, such transfer has been approved by the Attorney General in accordance with law) for purposes of—

''(i) joint production of a weapon, or integration or incorporation into another article or device;

''(ii) calibration, testing, or research and development;

''(iii) permanent or temporary export, or temporary import, otherwise in accordance with law; or

''(iv) training of Federal, State, local, or foreign government personnel;

''(D) a transfer to, or possession by, a licensee for the purpose of repair and return of the same to a lawful possessor; or

''(E) notwithstanding subsection (g)(5)(B), possession by foreign government personnel for official training purposes under the direct and continuous supervision of an authorized Federal, State, or local government official, or a licensee as described in subparagraph (C), provided that, upon completion of the training, such foreign government personnel shall relinquish possession of the same to such official or licensee.''.

(b) IMPORTATION REQUIREMENTS.—Section 925(d) of such title is amended—

(1) in paragraph (3)—

(A) by inserting ''except as provided in paragraph (5),'' before ''is of''; and

(B) by striking ''or'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; or''; and

(3) by inserting after paragraph (4) the following new paragraph:

''(5) is being imported or brought in by a licensed manufacturer or licensed importer in conformity with, and solely for a purpose described in subparagraph (A), (C), (D), or (E) of section 922(o)(2).''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 30 days after the date of the enactment of this Act.

SEC. 875. EXPEDITED HIRING AUTHORITY FOR SHORTAGE CATEGORY POSITIONS IN THE ACQUISITION WORKFORCE.

Section 1703(j) of title 41, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''sections 3304, 5333, and 5753 of title 5'' and inserting ''section 3304 of title 5'';

(B) by striking ''authorities in those sections'' and inserting ''authority in such section''; and

(C) by striking ''certain Federal acquisition positions (as described in subsection (g)(1)(A))'' and inserting ''the Federal acquisition provisions described in paragraph (2)''; and

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

''(2) POSITIONS DESCRIBED.—The Federal acquisition positions described in this paragraph are the following:

''(A) Any position listed in (g)(1)(A).

''(B) All positions in the General Schedule Realty series (GS–1170).''; and

(4) in paragraph (3) (as so redesignated), by striking ''September 30, 2017'' and inserting ''September 30, 2021''.

SEC. 876. EXTENSION OF PROHIBITION ON PROVIDING FUNDS TO THE ENEMY.

Section 841(n) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3455; 10 U.S.C. 2302 note) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2021''.

SEC. 877. REPEAL OF CERTAIN DETERMINATIONS REQUIRED FOR GRANTS OF EXCEPTIONS TO COST OR PRICING DATA CERTIFICATION REQUIREMENTS AND WAIVERS OF COST ACCOUNTING STANDARDS.

Section 817(b) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2306a note) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

SEC. 878. REPORTING ON PROJECTS PERFORMED THROUGH TRANSACTIONS OTHER THAN CONTRACTS, COOPERATIVE AGREEMENTS, AND GRANTS.

(a) REPORT REQUIRED.—Not later than December 31, 2018, and each December 31 thereafter through December 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report covering the preceding fiscal year on projects described in subsection (b).

(b) CONTENTS.—Each report under subsection (a) shall include—

(1) for each project performed through a transaction (other than contracts, cooperative agreements, and grants) entered into pursuant to section 2371 or 2371b of title 10, United States Code, for which payments made by the Department of Defense exceeded $5,000,000 for such transaction—

(A) an identification of the element of the Department of Defense and the person or entity outside of the Department of Defense entering into such transaction;

(B) the date of entry into such transaction;

(C) the amount of the payments made by the Department of Defense for such transaction;

(D) the goals and status of each project carried out under such transaction; and

(E) the start date and anticipated end date of each project carried out under such transaction; and

(2) a description of the mechanisms, including any policies, guidance, and reporting requirements, established by the Secretary of Defense to regulate the use of authority relating to a transaction (other than contracts, cooperative agreements, and grants) entered into pursuant to section 2371 or 2371b of title 10, United States Code.

SEC. 879. STANDARDIZATION OF FORMATTING AND PUBLIC ACCESSIBILITY OF DEPARTMENT OF DEFENSE REPORTS TO CONGRESS.

(a) BRIEFING REQUIRED.—Not later than March 1, 2019, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on a plan to standardize the formatting and public accessibility of unclassified Department of Defense reports required by Congress. Such briefing shall include a description of the method—

(1) for ensuring that reports are created in a platform-independent, machine-readable format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications; and

(2) for providing a publically accessible online repository of unclassified reports of the Department of Defense issued since January 1, 2010, including protocols for inclusion of unclassified reports that, as determined by the Secretary, may not be appropriate for public release in their entirety.

(b) IMPLEMENTATION.—Such plan shall be implemented not later than March 1, 2020.

SEC. 880. DEFENDING UNITED STATES GOVERNMENT COMMUNICATIONS.

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

(1) In its 2011 ''Annual Report to Congress on Military and Security Developments Involving the People's Republic of China'', the Department of Defense stated that, ''China's defense industry has benefitted from integration with a rapidly expanding civilian economy and science and technology sector, particularly elements that have access to foreign technology. Progress within individual defense sectors appears linked to the relative integration of each, through China's civilian economy, into the global production and R&D chain . . . Information technology companies in particular, including Huawei, Datang, and Zhongxing, maintain close ties to the PLA.''.

(2) In a 2011 report titled ''The National Security Implications of Investments and Products from the People's Republic of China in the Telecommunications Sector'', the United States China Commission stated that ''[n]ational security concerns have accompanied the dramatic growth of China's telecom sector. . . . Additionally, large Chinese companies—particularly those 'national champions' prominent in China's 'going out' strategy of overseas expansion—are directly subject to direction by the Chinese Communist Party, to include support for PRC state policies and goals.''.

(3) The Commission further stated in its report that ''[f]rom this point of view, the clear economic benefits of foreign investment in the U.S. must be weighed against the potential security concerns related to infrastructure components coming under the control of foreign entities. This seems particularly applicable in the telecommunications industry, as Chinese companies continue systematically to acquire significant holdings in prominent global and U.S. telecommunications and information technology companies.''.

(4) In its 2011 Annual Report to Congress, the United States China Commission stated that ''[t]he extent of the state's control of the Chinese economy is difficult to quantify . . . There is also a category of companies that, though claiming to be private, are subject to state influence. Such companies are often in new markets with no established SOE leaders and enjoy favorable government policies that support their development while posing obstacles to foreign competition. Examples include Chinese telecoms giant Huawei and such automotive companies as battery maker BYD and vehicle manufacturers Geely and Chery.''.

(5) General Michael Hayden, who served as Director of the Central Intelligence Agency and Director of the National Security Agency, stated in July 2013 that Huawei had ''shared with the Chinese state intimate and extensive knowledge of foreign telecommunications systems it is involved with.''.

(6) The Federal Bureau of Investigation, in a February 2015 Counterintelligence Strategy Partnership Intelligence Note stated that, ''[w]ith the expanded use of Huawei Technologies Inc. equipment and services in U.S. telecommunications service provider networks, the Chinese Government's potential access to U.S. business communications is dramatically increasing. Chinese Government-supported telecommunications equipment on U.S. networks may be exploited through Chinese cyber activity, with China's intelligence services operating as an advanced persistent threat to U.S. networks.''.

(7) The Federal Bureau of Investigation further stated in its February 2015 counterintelligence note that, ''China makes no secret that its cyber warfare strategy is predicated on controlling global communications network infrastructure.''.

(8) At a hearing before the Committee on Armed Services of the House of Representatives on September 30, 2015, Deputy Secretary of Defense Robert Work, responding to a question about the use of Huawei telecommunications equipment, stated, ''In the Office of the Secretary of Defense, absolutely not. And I know of no other—I don't believe we operate in the Pentagon, any [Huawei] systems in the Pentagon.''.

(9) At such hearing, the Commander of the United States Cyber Command, Admiral Mike Rogers, responding to a question about why such Huawei telecommunications equipment is not used, stated, ''as we look at supply chain and we look at potential vulnerabilities within the system, that it is a risk we felt was unacceptable.''.

(10) In March 2017, ZTE Corporation pled guilty to conspiring to violate the International Emergency Economic Powers Act by illegally shipping United States-origin items to Iran, paying the United States Government a penalty of $892,360,064 dollars for activity between January 2010 and January 2016.

(11) The Treasury Department's Office of Foreign Assets Control issued a subpoena to Huawei as part of a Federal investigation of alleged violations of trade restrictions on Cuba, Iran, Sudan, and Syria.

(12) In the bipartisan Permanent Select Committee on Intelligence of the House of Representatives ''Investigative Report on the United States National Security Issues Posed by Chinese Telecommunication Companies Huawei and ZTE'' released in 2012, it was recommended that ''U.S. government systems, particularly sensitive systems, should not include Huawei or ZTE equipment, including in component parts. Similarly, government contractors—particularly those working on contracts for sensitive U.S. programs—should exclude ZTE or Huawei equipment in their systems.''.

(13) Christopher Wray, who serves as Director of the Federal Bureau of Investigation, stated in February 2018 during a hearing of the Select Committee on Intelligence of the Senate that he was ''deeply concerned about the risks of allowing any company or entity that is beholden to foreign governments that don't share our values to gain positions of power inside our telecommunications networks. That provides the capacity to exert pressure or control over our telecommunications infrastructure. It provides the capacity to maliciously modify or steal information. And it provides the capacity to conduct undetected espionage.'' Admiral Mike Rogers, who served as Director of the National Security Agency, agreed with Director Wray's characterization, and added that Government programs need ''to look long and hard at companies like this''.

(14) Director of National Intelligence Dan Coats, Federal Bureau of Investigation Director Christopher Wray, Director of the Defense Intelligence Agency General Robert Ashley, Director of the National Geospatial-Intelligence Agency Robert Cardillo, Director of the National Security Agency Admiral Michael Rogers, and Director of the Central Intelligence Agency Michael Pompeo all indicated by show of hands in February 2018 at a hearing of the Select Committee on Intelligence of the Senate that they would not ''use products or services from Huawei or ZTE''.

(15) General Paul Nakasone, who served as the Commanding General of United States Army Cyber Command, stated during his

confirmation hearing to be National Security Agency director in March 2018 before the Select Committee on Intelligence of the Senate that he ''would not'' use any Huawei, China Unicom, or China Telecom products nor would he recommend his family do so.

(b) PROHIBITION ON CERTAIN TELECOMMUNICATIONS SERVICES OR EQUIPMENT.—

(1) PROHIBITION ON AGENCY USE OR PROCUREMENT.—Except as provided in paragraph (3), beginning not later than January 1, 2021, the head of an agency may not procure or obtain, may not extend or renew a contract to procure or obtain, and may not enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(2) IMPLEMENTATION PLAN.—By not later than 180 days after the date of the enactment of this Act, each agency shall develop a plan to implement paragraph (1) throughout the agency's supply chain and shall submit such plan to the appropriate congressional committees. Each such plan shall be submitted in unclassified form, but may contain a classified annex. The plan for an agency shall include, but not be limited to, how the agency plans to deal with the impact of white label technology on its supply chain whereby the original manufacturer of technology is not readily apparent to a purchaser or user.

(3) WAIVER.—The head of an agency may, on a one time basis, waive the requirement under paragraph (1) with respect to an entity that requests such a waiver. Such a waiver may be provided for a period of not more than two years if the entity seeking the waiver—

(A) can demonstrate a compelling justification for additional time to implement such paragraph;

(B) submits to the head of the agency, who then submits to the appropriate congressional committees within 30 days, a full and complete laydown of the presence of covered telecommunications equipment or services in the entity's supply chain and a phase-out plan to eliminate such covered telecommunications equipment or services from its systems;

(C) does not permit real-time access to its networks to an entity located or substantially located in a covered foreign country; and

(D) provides a written guarantee to the head of the agency that it will not procure such covered telecommunications equipment or services again.

(4) COVERED COMPONENTS.—With respect to a covered component of an entity for which such entity reasonably believes will not need to be replaced during the 5-year period beginning on the date of the enactment of this Act, such entity shall provide a written assurance to the head of the agency for which such covered component is in use that such entity shall replace such covered component, at the end of such covered component's reasonable lifecycle, with a comparable component that is manufactured by a person other than Huawei Technologies Company or ZTE Corporation (or any subsidiary, successor entity, or affiliate of such entities).

(5) DEFINITIONS.—In this section:

(A) The term ''appropriate congressional committees'' means the Committees on Armed Services of the Senate and House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

(B) The term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(C) The term ''covered foreign country'' means the People's Republic of China.

(D) The term ''covered telecommunications equipment or services'' means any of the following:

(i) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary, successor entity, or affiliate of such entities).

(ii) Telecommunications services provided by such entities or using such equipment.

(iii) Telecommunications equipment or services produced or provided by an entity that the head of the relevant agency reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(E) The term ''covered component'' means any component that—

(i) is part of any equipment, system, or service that uses covered telecommunications equipment or services;

(ii) is produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary, successor entity, or affiliate of such entities); and

(iii) cannot route or redirect data traffic or visibility into any data or packets such equipment, system, or service transmits or manipulates.

(c) REPORT.—

(1) IN GENERAL.—The Director of National Intelligence, in coordination with the Director of the Federal Bureau of Investigation and the Secretaries of State, Homeland Security, and Defense, shall develop a report outlining the national security risks of use of Huawei and ZTE technology, especially as it relates to evidence of malicious software or hardware that enables unauthorized network access or control and the type and level of risk, and a plan to share such report, based on appropriate access to classified information, with U.S. allies, partners, and U.S. cleared defense contractors and telecommunications services providers.

(2) UNCLASSIFIED VERSION.—In addition to the classified report required by paragraph (1), an unclassified version of the report shall be made available for U.S. allies and partners as well as impacted telecommunication companies that do not have access to classified information.

(3) DEADLINE.—The reports required by paragraph (1) and paragraph (2) of this subsection shall be submitted to the appropriate congressional committees (as defined in subsection (b)(4) of this section) not later than 180 days after the date of the enactment of this Act.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Organization and Management of the Department of Defense Generally

SEC. 901. AUTHORITY OF SECRETARY OF DEFENSE TO DETERMINE COMMAND AND CONTROL RELATIONSHIPS.

Section 113 of title 10, United States Code, is amended by inserting after subsection (k) the following:

''(l) COMMAND AND CONTROL AUTHORITY.—The Secretary of Defense shall have the authority to determine command and control relationships within the military departments, Defense Agencies, and other organizations and elements of the Department of Defense, including the United States Fleet Forces Command and the United States Transportation Command, as necessary to fulfill the responsibilities of the Secretary under this title.''.

SEC. 902. CIVILIAN PERSONNEL MANAGEMENT.

Section 129 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''Any constraint or limitation in terms of man years, end strength, full-time equivalent positions, or maximum number of employees shall be developed on the basis of those factors and shall be subject to adjustment solely for reasons of changed circumstances.'' and inserting ''The cost of the civilian workforce as prescribed by Department of Defense Instruction 7041.04, issued in 2013 or any successor guidance, shall be compared to the costs of the military and contract workforces, consistent with the requirements of section 129a, 2461, and 2463 of this title.''; and

(2) in subsection (c)(2)—

(A) in each of subparagraphs (A) and (B), by inserting ''and associated costs'' after ''projected size''; and

(B) in subparagraph (B), by striking ''that have been taken to identify offsetting reductions and avoid unnecessary overall growth in the size of the civilian workforce'' and inserting ''to reduce the overall costs of the total force of military, civilian, and contract workforces consistent with sections 129a, 2461, and 2463 of this title''.

SEC. 903. PERFORMANCE OF CIVILIAN FUNCTIONS BY MILITARY PERSONNEL.

Section 129a(g)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking ''or required by a mission'' and inserting ''pursuant to Department of Defense Instruction 7041.04, issued on July 3, 2013, or any successor guidance, and when required by a mission within the military occupational specialty for which the military personnel have been trained''; and

(2) in subparagraph (B), by inserting '', and only if the functions to be performed by military personnel are consistent with the training requirements for the military occupational specialty for which such personnel have been trained'' before the period at the end.

SEC. 904. ROLES OF UNDER SECRETARY OF DEFENSE FOR POLICY AND UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

(a) UNDER SECRETARY OF DEFENSE FOR POLICY.—Section 134(b) of title 10, United States Code, is amended—

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

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary shall be responsible and have the overall direction and supervision for—

''(A) the development, implementation, and integration across the Department of Defense of the National Defense Strategy and strategic policy guidance for the activities of the Department of Defense across all geographic regions and military functions and domains; and

''(B) the integration of the activities of the Department of Defense into the National Security Strategy of the United States.''; and

(3) in paragraph (4), as redesignated by paragraph (1) of this subsection, by inserting ''policy making'' before ''activities''.

(b) UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.—Section 137(b) of title 10, United States Code, as amended by section 1621, is further amended—

(1) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

''(4) have responsibility for supervising and directing, and overseeing Department of Defense activities, other than policy making activities, with respect to technology protection relating to export controls; and''.

SEC. 905. DESIGNATION OF NAVY COMMANDERS.

Section 5013 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(h) The Secretary of the Navy shall designate a single commander within the Department of the Navy who shall serve as the official with principal responsibility in such Department for ensuring that forces of the Navy are available for tasking and deployment, including forces that may be operating from a forward deployed location.

''(i) The Secretary of the Navy shall designate a single commander within the Department of the Navy who shall serve as the official with principal responsibility in such Department for the oversight and management of the shipyards of the Navy, including shipyards outside the United States.''.

Subtitle B—Comprehensive Pentagon Bureaucracy Reform and Reduction

SEC. 911. AUTHORITIES AND RESPONSIBILITIES OF THE CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) AUTHORITIES AND RESPONSIBILITIES.—

(1) IN GENERAL.—Section 132a(b) of title 10, United States Code, is amended—

(A) by amending paragraph (3) to read as follows:

''(3) Exercising authority, direction, and control over the Defense Agencies and Department of Defense Field Activities with respect to the covered activities.''; and

(B) by adding at the end the following:

''(7) Serving as the official with principal responsibility in the Department for minimizing the duplication of efforts and maximizing efficiency and effectiveness among all organizations and elements of the Department (other than the military departments) with respect to the covered activities.''.

(2) BUDGET AUTHORITY.—Section 132a of title 10, United States Code (as amended by paragraph (1)) is further amended—

(A) by redesignating subsections (c) and (d) as subsections (d) and (e) respectively; and

(B) by inserting after subsection (b) the following:

''(c) BUDGET AUTHORITY.—

''(1)(A) The Secretary of Defense, acting through the Under Secretary of Defense (Comptroller), shall require the head of each Defense Agency and Department of Defense Field Activity to transmit the proposed budget for the covered activities of such Agency or Activity for a fiscal year and for the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year to the Chief Management Officer for review under subparagraph (B) before submitting the proposed budget to the Under Secretary of Defense (Comptroller).

''(B) The Chief Management Officer shall review each proposed budget transmitted under subparagraph (A) and, not later than January 31 of the year preceding the fiscal year for which the budget is proposed, shall submit to the Secretary of Defense a report containing the comments of the Chief Management Officer with respect to all such proposed budgets, together with the certification of the Chief Management Officer regarding whether each proposed budget achieves an adequate level of efficiency and effectiveness with respect to the covered activities.

''(C) Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report that includes the following:

''(i) Each proposed budget for the covered activities of a Defense Agency or a Department of Defense Field Activity that was transmitted to the Chief Management Officer under subparagraph (A).

''(ii) Identification of each proposed budget contained in the most-recent report submitted under subparagraph (B) that the Chief Management Officer did not certify as achieving an adequate level of efficiency and effectiveness with respect to the covered activities.

''(iii) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address the inadequate levels of efficiency and effectiveness achieved by the proposed budgets identified in the report.

''(iv) Any additional comments that the Secretary considers appropriate regarding the inadequate levels of efficiency and effectiveness achieved by the proposed budgets.

''(2) None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the covered activities of a Defense Agency or a Department of Defense Field Activity may be obligated or expended unless—

''(A) the head of the Agency or Activity submits to the Chief Management Officer a plan for the obligation and expenditure of such funds; and

''(B) the Chief Management Officer approves the plan.

''(3) Nothing in this subsection shall be construed to modify or interfere with the budget-related responsibilities of the Director of National Intelligence.''.

(3) COVERED ACTIVITIES DEFINED.—Section 132a of title 10, United States Code (as amended by paragraphs (1) and (2)) is further amended by adding at the end the following:

''(f) COVERED ACTIVITIES DEFINED.—In this section, the term 'covered activities' means any activity relating to civilian resources management, logistics management, services contracting, or real estate management.''.

(b) STREAMLINING OF CERTAIN FUNCTIONS ACROSS THE DEPARTMENT OF DEFENSE.—

(1) STREAMLINING OF FUNCTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than January 1, 2021, and not less frequently than once every five years thereafter, the Secretary of Defense, acting through the Chief Management Officer of the Department Defense, shall reduce or eliminate duplicative functions across all organizations and elements of the Department of Defense with respect to the covered activities.

(B) EXCEPTION.—The military services shall not be included in any reductions or eliminations carried out under subparagraph (A) on or before January 1, 2021.

(2) CERTIFICATION AND REVIEW OF COST SAVINGS.—

(A) CERTIFICATION.—Not later January 1, 2021, the Chief Management Officer shall certify to the congressional defense committees that the reductions and eliminations carried out under paragraph (1) accomplished savings with respect to the total amount obligated and expended for the covered activities in fiscal year 2020 that were not less than 25 percent of the baseline amount.

(B) GAO REVIEW.—Not later than 30 days after the submission of the certification under subparagraph (A), the Comptroller General of the United States shall submit to the congressional defense committees a report that verifies whether the savings reported by the Chief Management Officer under such subparagraph are accurate.

(C) BASELINE AMOUNT.—For the purposes of this paragraph, the baseline amount is the total amount obligated and expended by organizations and elements of the Department of Defense other than the military services for fiscal year 2018 for the covered activities—

(i) increased by a credit for the amount of any reductions in the costs of such activities that are documented, as of the date that is 90 days after the date of the enactment of this Act, as having been accomplished in accordance with section 346 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92;.10 U.S.C. 111 note); and

(ii) decreased by the amount of any reductions in costs for such activities that are documented, as of the date that is 90 days after the date of the enactment of this Act, as having been accomplished in accordance with other sections of this subtitle.

(D) TREATMENT OF CERTAIN COST SAVINGS.—For the purposes of calculating the percentage cost savings accomplished by the Chief Management Officer under subparagraph (A), any reduction in costs documented, as of the date that is 90 days after the date of the enactment of this Act, as having been accomplished in accordance with section 346 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92;.10 U.S.C. 111 note) shall be treated as a reduction accomplished by the Chief Management Officer under paragraph (1).

(3) PLAN AND REVIEW.—

(A) PLAN REQUIRED.—Not later than March 1, 2020, the Chief Management Officer shall submit to the congressional defense committees a plan for complying with paragraphs (1) and (2).

(B) GAO REVIEW.—Not later than 30 days after the submission of the plan under subparagraph (A), the Comptroller General of the United States shall submit to the congressional defense committees a report that verifies—

(i) whether the plan submitted under subparagraph (A) is feasible; and

(ii) whether any cost savings expected to result from the plan are accurate.

(4) SUBSEQUENT REPORTS AND REVIEWS.—

(A) CMO REPORTS.—Not later than January 1 of every fifth calendar year beginning with January 1, 2026, the Chief Management Officer shall submit to the congressional defense committees a report that describes the activities carried out by the Chief Management Officer under paragraph (1) during the preceding five years, including an estimate of any cost savings achieved as a result of such activities.

(B) GAO REVIEW.—Not later than 30 days after the submission of each report under subparagraph (A), the Comptroller General of the United States shall submit to the congressional defense committees a report that verifies—

(i) whether the activities described in the report under subparagraph (A) were carried out; and

(ii) whether any cost savings estimated in the report are accurate.

(5) COVERED ACTIVITIES DEFINED.—In this subsection, the term ''covered activities'' has the meaning given that term in section 132a(f) of title 10, United States Code, as added by subsection (a) of this section.

SEC. 912. AUTHORITIES AND RESPONSIBILITIES OF THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) ADDITIONAL RESPONSIBILITIES AND AUTHORITIES.—Section 141 of title 10, United States Code, is amended by adding at the end the following:

''(c) In addition to the duties, responsibilities, and powers referred to in subsection (b), the Inspector General of the Department shall serve as the official with principal responsibility in the Department for minimizing the duplication of efforts and maximizing efficiency among the Inspectors General across all organizations and elements of

the Department with respect to the covered activities.

''(d)(1)(A) The Secretary of Defense, acting through the Under Secretary of Defense (Comptroller), shall require each Inspector General of an organization or element of the Department of Defense to transmit the proposed budget for the covered activities of the Office of such Inspector General for a fiscal year and for the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year to the Inspector General of the Department of Defense for review under subparagraph (B) before submitting the proposed budget to the Under Secretary of Defense (Comptroller).

''(B) The Inspector General of the Department of Defense shall review each proposed budget transmitted under subparagraph (A) and, not later than January 31 of the year preceding the fiscal year for which the budget is proposed, shall submit to the Secretary of Defense a report containing the comments of the Inspector General with respect to all such proposed budgets, together with the certification of the Inspector General regarding whether each proposed budget achieves an adequate level of efficiency and effectiveness with respect to the covered activities.

''(C) Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report that includes the following:

''(i) Each proposed budget for the covered activities of an Inspector General of an organization or element of the Department of Defense that was transmitted to the Inspector General of the Department under subparagraph (A).

''(ii) Identification of each proposed budget contained in the most-recent report submitted under subparagraph (B) that the Inspector General of the Department did not certify as achieving an adequate level of efficiency and effectiveness with respect to the covered activities.

''(iii) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address the inadequate levels of efficiency and effectiveness achieved by the proposed budgets identified in the report.

''(iv) Any additional comments that the Secretary considers appropriate regarding the inadequate levels of efficiency and effectiveness achieved by the proposed budgets.

''(2) None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the covered activities of an Inspector General of an organization or element of the Department of Defense may be obligated or expended unless—

''(A) the Inspector General of the organization or element submits to the Inspector General of the Department of Defense a plan for the obligation and expenditure of such funds; and

''(B) the Inspector General of the Department of Defense approves the plan.

''(e) In this section, the term 'covered activities' means any activity relating to public affairs, human resources, contracting, services contracting, or any other cross-enterprise activities of the Inspectors General of the organizations and elements of the Department of Defense, as determined by the Inspector General of the Department.''.

(b) STREAMLINING OF FUNCTIONS.—Not later than January 1, 2021, the Secretary of Defense, acting through the Inspector General of the Department Defense, shall reduce or eliminate duplicative functions among the Inspectors General across all organizations and elements of the Department with respect to the covered activities.

(c) PLAN REQUIRED.—Not later than March 1, 2020, the Inspector General of the Department of Defense shall submit to the congressional defense committees a plan for complying with subsection (b).

(d) COVERED ACTIVITIES DEFINED.—In this section, the term ''covered activities'' has the meaning given that term in section 141(e) of title 10, United States Code, as added by subsection (a) of this section.

SEC. 913. TRANSITION OF CERTAIN DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES.

(a) DEFENSE INFORMATION SYSTEMS AGENCY.—

(1) TRANSFER OF FUNCTIONS.—Not later than January 1, 2021, the Secretary of Defense, acting through the Chief Management Officer of the Department of Defense, shall—

(A) transfer all information technology contracting and acquisition services of the Defense Information Systems Agency to other elements of the Department of Defense, which may include the transfer of such services to the military departments; and

(B) transfer all senior leader communications functions of the Agency to other elements of the Department of Defense.

(2) TRANSITION PLAN.—Not later than March 1, 2020, the Chief Management Officer shall submit to the congressional defense committees a plan for the transfers required under paragraph (1).

(b) ELIMINATION OF WASHINGTON HEADQUARTERS SERVICES.—

(1) ELIMINATION REQUIRED.—Not later than January 1, 2021, the Secretary of Defense, acting through the Chief Management Officer of the Department of Defense, shall eliminate the Washington Headquarters Services.

(2) TRANSFER OR ELIMINATION.—

(A) TRANSFER.—The Chief Management Officer shall transfer to other elements of the Office of the Secretary of Defense only such functions of the Washington Headquarters Services as are necessary to carry out an essential function not otherwise carried out by such Office, as determined by the Chief Management Officer.

(B) ELIMINATION.—Any functions of the Washington Headquarters Services that are not transferred to another element of the Office of the Secretary of Defense under subparagraph (A) shall be eliminated.

(3) TRANSFER OR DISPOSITION OF ASSETS.—The Chief Management Officer shall dispose of, or transfer to other elements of the Office of the Secretary of Defense, any assets of the Washington Headquarters Services.

(4) TRANSITION PLAN.—Not later than March 1, 2020, the Chief Management Officer shall submit to the congressional defense committees a plan for the eliminations and transfers required under this subsection.

(c) REVIEW OF DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES.—

(1) REVIEW REQUIRED.—The Chief Management Officer of the Department of Defense shall review the efficiency and effectiveness of each Defense Agency and Department of Defense Field Activity. As part of the review, the Chief Management Officer shall identify each function of an Agency or Activity that is substantially similar to, or duplicative of, a function carried out by another organization or element of the Department of Defense.

(2) REPORT.—Not later than March 1, 2020, the Chief Management Officer shall submit to the congressional defense committees a report that includes the results of the review conducted under paragraph (1).

(3) CMO VERIFICATION AND TRANSITION PLAN.—Together with the submission of the report under paragraph (2) and based on the results of the review conducted under paragraph (1), the Chief Management Officer shall submit to the congressional defense committees—

(A) a list identifying each Defense Agency and Department of Defense Field Activity that the Chief Management Officer has determined—

(i) operates efficiently and effectively; and

(ii) does not carry out any function that is substantially similar to, or duplicative of, a function carried out by another organization or element of the Department of Defense; and

(B) with respect to each Agency or Activity not included on the list under subparagraph (A), a plan for—

(i) eliminating the Agency or Activity; or

(ii) transferring some or all of the functions of the Agency or Activity to another organization or element of the Department of Defense.

(d) CLARIFICATION OF AUTHORITIES OF THE SECRETARY OF DEFENSE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense shall have the authority to establish or terminate any Defense Agency or Department of Defense Field Activity.

(2) EXCEPTIONS.—The authority of the Secretary of Defense to establish or terminate a Defense Agency or Department of Defense Field Activity under paragraph (1) does not apply to an Agency or Activity that is specifically established or terminated by an Act of Congress.

(3) REFERENCES.—Any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to a Defense Agency or Department of Defense Field Activity terminated by the Secretary of Defense under paragraph (1), or to the head of such an Agency or Activity, shall be deemed to be a reference to the Secretary of Defense.

(4) NOTICE REQUIREMENT.—The Secretary of Defense may not terminate a Defense Agency or Department of Defense Field Activity until a period of 90 days has elapsed following the date on which the Secretary submits to the congressional defense committees—

(A) notice of the intent of the Secretary to terminate the Agency or Activity; and

(B) recommendations for legislative actions that may be required as a result of such termination.

SEC. 914. ACTIONS TO INCREASE THE EFFICIENCY AND TRANSPARENCY OF THE DEFENSE LOGISTICS AGENCY.

(a) SYSTEM AND CAPABILITY.—Not later than January 1, 2021, the Director of the Defense Logistics Agency and the Chief Management Officer of the Department of Defense shall jointly, in consultation with the customers served by the Agency, develop and implement—

(1) a comprehensive system that enables customers of the Agency to view—

(A) the inventory of items and materials available to customers from the Agency; and

(B) the delivery status of items and materials that are in transit to customers; and

(2) a predictive analytics capability designed to increase the efficiency of the system described in paragraph (1) by identifying emerging customer needs with respect to items and materials supplied by the Agency, including any emerging needs arising from the use of new weapon systems by customers.

(b) ACTIONS TO INCREASE EFFICIENCY.—Not later than January 1, 2021, the Director of the Defense Logistics Agency and the Chief Management Officer shall jointly—

(1) reduce the rates charged to customers, in aggregate, by not less than 10 percent;

(2) eliminate the duplication of services within the Agency; and

(3) establish specific goals and metrics to ensure that the Agency is fulfilling its mission of providing items and materials to customers with sufficient speed and in sufficient quantities to ensure the lethality and readiness of warfighters.

(c) PLAN REQUIRED.—Not later than March 1, 2020, the Director of the Defense Logistics Agency and the Chief Management Officer shall jointly submit to the congressional defense committees a plan that describes how the Director and the Chief Management Officer will achieve compliance with the requirements of subsections (a) and (b).

SEC. 915. REVIEW OF FUNCTIONS OF DEFENSE CONTRACT AUDIT AGENCY AND DEFENSE CONTRACT MANAGEMENT AGENCY.

(a) REVIEW REQUIRED.—The Secretary of Defense, acting through the Chief Management Officer of the Department of Defense, shall direct the Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Defense (Comptroller) to conduct a joint review of the functions of the Defense Contract Audit Agency and the Defense Contract Management Agency. The review shall include—

(1) a validation of the missions and functions of each Agency;

(2) a determination of whether there are functions performed by either Agency that could more appropriately be performed by—

(A) the other Agency;

(B) any other organization or element of the Department of Defense, including the military departments; or

(C) commercial providers; and

(3) a validation of the continued need for two separate Agencies with oversight for defense contracting.

(b) REPORT REQUIRED.—Not later than March 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report that includes the results of the review conducted under subsection (a).

SEC. 916. STREAMLINING OF DEFENSE FINANCE AND ACCOUNTING SERVICES.

(a) IN GENERAL.—Not later than January 1, 2021, the Chief Management Officer and the Under Secretary of Defense (Comptroller) shall jointly carry out activities to streamline, reduce duplication, and make more effective the operations of the Defense Finance and Accounting Services.

(b) PLAN REQUIRED.— Not later than March 1, 2020, the Chief Management Officer and the Under Secretary of Defense (Comptroller) shall jointly submit to the congressional defense committees a plan for carrying out the activities required under subsection (a).

SEC. 917. REDUCTION IN NUMBER OF CHIEF INFORMATION OFFICERS IN THE SENIOR EXECUTIVE SERVICE.

With respect to the total number of Chief Information Officer positions within the Department of Defense, during calendar year 2021 and each year thereafter not more than five of such positions may be Senior Executive Service positions (as that term is described in section 3132(a)(2) of title 5, United States Code).

SEC. 918. GENERAL PROVISIONS.

(a) CONSOLIDATED REPORT.—The plans and reports required to be submitted to the congressional defense committees under this subtitle on or before March 1, 2020, may be combined and submitted in the form of a single, consolidated document.

(b) DEFINITIONS.—In this subtitle:

(1) The term ''Chief Management Officer'' means the Chief Management Officer of the Department of Defense.

(2) The terms ''Defense Agency'', ''Department of Defense Field Activity'', and ''military departments'' have the meanings given the terms in section 101(a) of title 10, United States Code.

(c) CONFORMING AMENDMENT.—Section 143(b) of title 10, United States Code, is amended by striking ''and the Washington Headquarters Services of the Department of Defense''.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect on the earlier of—

(1) the date on which the Washington Headquarters Services is eliminated under section 913; or

(2) January 1, 2021.

Subtitle C—Other Matters

SEC. 921. ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING POLICY AND OVERSIGHT COUNCIL.

(a) ESTABLISHMENT.—In order to fulfill the responsibilities specified in Section 133a of title 10, United States Code, the Under Secretary of Defense for Research and Engineering shall establish and lead a team to be known as the ''Artificial Intelligence and Machine Learning Policy and Oversight Council'' (in this section referred to as the ''Council'').

(b) PURPOSE.—The purpose of the Council shall be to—

(1) integrate the functional activities of the organizations and elements of the Department of Defense with respect to artificial intelligence and machine learning;

(2) ensure there are efficient and effective artificial intelligence and machine learning capabilities throughout Department; and

(3) develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the development, acquisition, integration, advancement, and sustainment of artificial intelligence and machine learning throughout the Department.

(c) MEMBERSHIP.—The membership of the Council shall include the following:

(1) The Under Secretary of Defense for Research and Engineering, or the designee of the Under Secretary, who shall serve as the leader of the Council.

(2) The following officials of the Department of Defense, or their designees:

(A) The Under Secretary of Defense for Acquisition and Sustainment.

(B) The Chief Management Officer of the Department of Defense.

(C) The Under Secretary of Defense (Comptroller).

(D) The Under Secretary of Defense for Personnel and Readiness.

(E) The Under Secretary of Defense for Intelligence.

(F) The General Counsel of the Department of Defense.

(G) The head of each military service.

(H) The Commander of the United States Special Operations Command.

(I) The Director of the Defense Advanced Research Projects Agency.

(3) Any other official of the Department of Defense determined to be appropriate by the Under Secretary of Defense for Research and Engineering.

(d) OPERATION.—The Council shall operate continuously.

SEC. 922. LIMITATION ON TRANSFER OF THE CHEMICAL, BIOLOGICAL, AND RADIOLOGICAL DEFENSE DIVISION OF THE NAVY.

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

(1) The Chemical, Biological, and Radiological Defense Division of the Navy, currently based at the Naval Surface Warfare Center in Dahlgren, Virginia, consists of a highly effective team of scientists performing critical work for the United States.

(2) The Secretary of the Navy has notified Congress of the intent of the Secretary to transfer the Division to another location.

(3) The Secretary has not provided Congress with a detailed cost benefit analysis or any other information that adequately justifies the proposed transfer of the Division.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(1) a detailed timeline for the proposed transfer of the Chemical, Biological, and Radiological Defense Division of the Navy from Virginia to another location;

(2) a full accounting of the costs associated with the proposed transfer, including—

(A) all personnel costs;

(B) all equipment costs; and

(C) all facility renovation costs for the existing facilities of the Division and the facilities to which the Division is proposed to be transferred;

(3) a risk assessment of the operational impact of the transfer during the transition period; and

(4) an explanation of the operational benefit expected to be achieved by collocating all Chemical, Biological, and Radiological elements of the Department of the Navy.

(c) LIMITATION.—The Secretary of the Navy may not transfer, or prepare to transfer, the Chemical, Biological, and Radiological Defense Division of the Navy from Dahlgren, Virginia to another location until a period of 45 days has elapsed following the date on which the report is submitted to the congressional defense committees under subsection (b).

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2019 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. EXPERTISE IN AUDIT REMEDIATION.

(a) FINDINGS.—Congress finds the following:

(1) The ongoing efforts to produce auditable financial statements for the Department of Defense, its agencies, and the military services enhance readiness and accountability by ensuring effective stewardship of taxpayer resources.

(2) The transition from audit readiness to audit performance and remediation are critical phases, demanding expertise from accounting firms and financial management professionals to ensure that the Department successfully addresses issues identified in an audit.

(3) Support from the private sector enhances the ability of the Department to conduct audit and remediation activities, and will enable the Department to achieve its strategic objective of improving business practices with efficiency and accountability.

(b) ADDITIONAL REQUIREMENTS FOR SEMI-ANNUAL BRIEFING ON THE FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN.—Section 252(b)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: ''Such briefing shall include the amount of auditing and audit remediation services being performed by professionals meeting the qualifications described in section 254(b) of this title, both as an absolute number and as a percentage of auditing and audit remediation services then under contract.''.

(c) ADDITIONAL REPORTING REQUIREMENTS.—Section 252(b)(1) of such title is amended—

(1) in subparagraph (B), by adding at the end the following new clauses:

''(vii) If less than 50 percent of the auditing and audit remediation services under contract, as described in the briefing required under paragraph (2), are being performed by professionals meeting the qualifications described in section 254(b) of this title, a detailed description of the risks associated with the risks of the acquisition strategy of the Department with respect to conducting audits and audit remediation activities and an explanation of how the strategy complies with the policies expressed by Congress.

''(viii) If less than 25 percent of the auditing and audit remediation services under contract, as described in the briefing required under paragraph (2), are being performed by professionals meeting the qualifications described in section 254(b) of this title, a written certification that the staffing ratio complies with commercial best practices and presents no increased risk of delay in the Department's ability to achieve a clean audit opinion''; and

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

''(C) ADDITIONAL REQUIREMENTS.—

''(i) UNCLASSIFIED FORM.—A description submitted pursuant to clause (vii) of subparagraph (B) or a certification submitted pursuant to clause (viii) of such subparagraph shall be submitted in unclassified form, but may contain a classified annex.

''(ii) DELEGATION.—The Secretary may not delegate the submission of a certification pursuant to clause (viii) of subparagraph (B) to any official other than the Deputy Secretary of Defense, the Chief Management Officer, or the Under Secretary of Defense (Comptroller).''.

SEC. 1003. AUTHORITY TO TRANSFER FUNDS TO DIRECTOR OF NATIONAL INTELLIGENCE FOR CAPNET.

During fiscal year 2019, the Secretary of Defense may transfer to the Director of National Intelligence, under the authority in section 1001 of this Act, an amount that does not exceed $2,000,000 to provide support for the operation of the classified network known as CAPNET.

SEC. 1004. INDEPENDENT PUBLIC ACCOUNTANT AUDIT OF FINANCIAL SYSTEMS OF THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall ensure that each major implementation of, or modification to, a financial system of the Department of Defense is reviewed by an independent public accountant to validate that such financial system will meet any applicable Federal requirements.

Subtitle B—Counterdrug Activities

SEC. 1011. DEPARTMENT OF DEFENSE SUPPORT FOR COMBATING OPIOID TRAFFICKING AND ABUSE.

(a) FINDINGS; SENSE OF CONGRESS.—

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

(A) Over the past 15 years, opioid use in the United States has grown exponentially.

(B) According to the Office of National Drug Control Policy, the number of deaths related to opioids in the United States in 2016 was 42,269.

(C) Addiction and misuse of prescription opioids continues to rise. According to the Office of National Drug Control Policy, in 2016, 11,500,000 people misused prescription opioids.

(D) The predominant amount of precursors for fentanyl production are illicitly trafficked from China.

(E) The Office of National Drug Control Policy is the lead agency for coordinating the Federal response to address the opioid epidemic in the United States.

(F) The Department of Homeland Security is the lead Federal agency in securing United States borders from illicit trafficking.

(G) The Department of Defense plays a vital supporting role in addressing the opioid epidemic through intelligence analysis, education, and assistance to other departments and agencies in dealing with this challenge.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Department of Defense should provide support for interagency efforts to combat the national opioid epidemic; and

(B) the role of the Department of Defense is critical to identifying transnational criminal organizations that allow illicit opioids to enter the United States.

(b) DEPARTMENT OF DEFENSE SUPPORT FOR COMBATING OPIOID TRAFFICKING AND ABUSE.—Of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for National Guard counterdrug programs for fiscal year 2019, $20,000,000 shall be made available to provide support for United States interagency efforts to combat opioid trafficking and abuse in the United States, as specified in the funding table in Division D.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. INCLUSION OF OPERATION AND SUSTAINMENT COSTS IN ANNUAL NAVAL VESSEL CONSTRUCTION PLANS.

Section 231(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) The estimated operations and sustainment costs required to support the vessels delivered under the naval vessel construction plan.''.

SEC. 1022. PURCHASE OF VESSELS USING FUNDS IN NATIONAL DEFENSE SEALIFT FUND.

(a) IN GENERAL.—Section 2218(f)(3) of title 10, United States Code, is amended—

(1) in subparagraph (C)—

(A) by striking ''two'' and inserting ''ten''; and

(B) by striking ''ships'' and inserting ''vessels'';

(2) by redesignating subparagraph (E) as subparagraph (F); and

(3) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) The Secretary may not use the authority under this paragraph to procure more than two foreign constructed vessels unless the Secretary submits to Congress, by not later than the second week of February of the fiscal year during which the Secretary plans to use such authority, a certification that—

''(i) the Secretary has initiated an acquisition strategy for the construction in United States shipyards of not less than ten new sealift vessels purchased with funds in the National Defense Sealift Fund; and

''(ii) of such new sealift vessels, the lead ship is anticipated to be delivered by not later than 2026.''.

(b) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available by this Act for fiscal year 2019 for the Military Sealift Command, the Secretary of the Navy may not obligate or expend more than 75 percent until the Secretary submits to the congressional defense committees certification that the Navy has—

(1) entered into a contract for the procurement of two used National Defense Reserve Fleet vessels in accordance with section 2218(f)(3)(C) of title 10, United States Code; and

(2) completed the capability development document for the common hull multi-mission platform.

SEC. 1023. PURCHASE OF VESSELS BUILT IN FOREIGN SHIPYARDS WITH FUNDS IN NATIONAL DEFENSE SEALIFT FUND.

Section 2218(f)(3) of title 10, United States Code, as amended by section 1022, is further amended—

(1) in subparagraph (F), as redesignated by such section 1022—

(A) by striking ''30 days after'' and inserting ''30 days before'';

(B) in clause (i), by inserting ''proposed'' before ''date'';

(C) in clause (ii), by striking ''was'' and inserting ''would be''; and

(D) by adding at the end the following new clause:

''(viii) A detailed account of the criteria used to make the determination under subparagraph (B).''; and

(2) by inserting after subparagraph (F), as so redesignated, the following new subparagraph:

''(G) The Secretary may not finalize or execute the final purchase of any vessel using the authority under this paragraph until 30 days after the date on which a report under subparagraph (E) is submitted with respect to such purchase.''.

SEC. 1024. TECHNICAL CORRECTIONS AND CLARIFICATIONS TO CHAPTER 633 OF TITLE 10, UNITED STATES CODE, AND OTHER PROVISIONS OF LAW REGARDING NAVAL VESSELS.

(a) MODEL BASIN; INVESTIGATION OF HULL DESIGNS.—Section 7303 of title 10, United States Code, is amended by striking ''(a) An office'' and all that follows through ''(b) The Secretary'' and inserting ''The Secretary''.

(b) REPEAL OF CERTAIN PROVISIONS OF CHAPTER 633 OF TITLE 10, UNITED STATES CODE.—

(1) IN GENERAL.—The following sections of chapter 633 of title 10, United States Code, are repealed:

(A) Section 7294.

(B) Section 7295.

(C) Section 7300.

(D) Section 7306.

(E) Section 7306b.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 7294. 7295. 7300, 7306, and 7306b.

(c) OTHER PROVISIONS OF LAW.—

(1) REPEAL OF METERING OF NAVY PIERS TO ACCURATELY MEASURE ENERGY CONSUMPTION.—Section 2828 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1694; 10 U.S.C. 7291 note) is repealed.

(2) MODIFICATION OF ADVANCE PROCUREMENT FUNDING.—Section 124 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2214; 10 U.S.C. 7291 note) is amended—

(A) by striking subsection (a); and

(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(3) REPEAL OF POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.—Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 303; 10 U.S.C. 7291 note) is repealed.

(4) REPEAL OF ALTERNATIVE TECHNOLOGIES FOR FUTURE SURFACE COMBATANTS.—Section 128 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2109; 10 U.S.C. 7291 note) is repealed.

(5) REPEAL OF OBSOLETE PROVISION ON VESSEL SCRAPPING PILOT PROGRAM.—Section 8124 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2333; 10 U.S.C. 7291 note) is repealed.

(6) REPEAL OF PROVISION ON CONSIDERATION OF VESSEL LOCATION FOR AWARD OF LAYBERTH CONTRACTS FOR SEALIFT VESSELS.—Section 375 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2385; 10 U.S.C. 7291 note) is repealed.

(7) REPEAL OF PROVISION ON REVITALIZATION OF UNITED STATES SHIPBUILDING INDUSTRY.—Section 1031 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2489; 10 U.S.C. 7291 note) is repealed.

(8) REPEAL OF FAST SEALIFT PROGRAM.—

(A) PROCUREMENT OF SHIPS.—Section 1021 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2485; 10 U.S.C. 7291 note) is repealed.

(B) ESTABLISHMENT OF PROGRAM.—Section 1424 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1683; 10 U.S.C. 7291 note) is repealed.

(9) REPEAL OF REQUIREMENTS RELATING TO DEPOT-LEVEL MAINTENANCE OF SHIPS.—Section 1614 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1601; 10 U.S.C. 7291 note) is amended by striking subsections (a) and (b).

(10) REPEAL OF OBSOLETE REQUIREMENT FOR REPORTS ON EFFECTS OF NAVAL SHIPBUILDING PLANS ON MARITIME INDUSTRIES.—Section 1227 of the National Defense Authorization Act for Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2055; 10 U.S.C. 7291 note) is repealed.

(11) REPEAL OF SIX-HUNDRED-SHIP GOAL FOR NAVY; SENSE OF CONGRESS.—Section 791 of the Department of Defense Appropriations Act, 1982 (Public Law 97–114; 95 Stat. 1593; 10 U.S.C. 7291 note) is repealed.

(12) REPEAL OF PROHIBITION ON USE OF PUBLIC AND PRIVATE SHIPYARDS FOR CONVERSION, OVERHAUL, OR REPAIR WORK UNDER CERTAIN PROGRAMS.—Section 811 of the Department of Defense Appropriations Act, 1979 (Public Law 95–485; 92 Stat. 1624; 10 U.S.C. 7291 note) is repealed.

(13) REPEAL OF OBSOLETE REQUIREMENT TO SUBMIT A FIVE-YEAR NAVAL SHIP NEW CONSTRUCTION AND CONVERSION PROGRAM.—Section 808 of the Department of Defense Authorization Act, 1976 (Public Law 94–106; 89 Stat. 539; 10 U.S.C. 7291 note) is repealed.

SEC. 1025. RETENTION OF NAVY HOSPITAL SHIP CAPABILITY.

(a) RETENTION OF SHIPS.—The Secretary of the Navy shall retain two T-AH 19 Mercy-class hospital ships at a readiness level that provides for the activation and deployment of each such ship within a period that does not exceed 5 days.

(b) WAIVER AUTHORITY.—The Secretary of the Navy may waive the requirement under subsection (a) if the Secretary submits to the congressional defense committees certification in writing that the Secretary has—

(1) for any T-AH 19 Mercy-class hospital ship to be retired or transferred, identified a replacement capability to meet the combatant commander afloat medical capability for medical and surgical care that is being met by the ship to be retired or transferred; and

(2) achieved the initial operational capability of the replacement capability described in paragraph (1).

Subtitle D—Counterterrorism

SEC. 1031. DEFINITION OF SENSITIVE MILITARY OPERATION.

Subsection (d) of section 130f of title 10, United States Code, is amended to read as follows:

''(d) SENSITIVE MILITARY OPERATION DEFINED.—(1) Except as provided in paragraph (2), in this section, the term 'sensitive military operation' means a lethal operation or capture operation conducted by the armed forces or conducted by a foreign partner in coordination with the armed forces that targets a specific individual or individuals.

''(2) For purposes of this section, the term 'sensitive military operation' does not include any operation conducted within Afghanistan.''.

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2019, to transfer, release, or assist in the transfer of or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2019, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

SEC. 1034. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2019, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. NOTIFICATION ON THE PROVISION OF DEFENSE SENSITIVE SUPPORT.

Section 1055 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 113 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2)(B), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(3) is requested by the non-Department of Defense Federal department or agency only after the department or agency has first reasonably attempted to use the resources of that department or agency to accomplish the mission for which the department or agency is making such request; and

''(4) is most appropriately provided by the Department of Defense rather than another department or agency of the Federal Government.''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(4) REVERSE DEFENSE SENSITIVE SUPPORT REQUEST.—The Secretary shall notify the congressional defense committees (and the congressional intelligence committees with respect to matters relating to members of the intelligence community) of requests made by the Secretary to a non-Department of Defense Federal department or agency for support that requires special protection from disclosure in the same manner and containing the same information as the Secretary notifies such committees of defense sensitive support requests under paragraphs (1) and (3).''.

SEC. 1042. COORDINATING UNITED STATES RESPONSE TO MALIGN FOREIGN INFLUENCE OPERATIONS AND CAMPAIGNS.

(a) IN GENERAL.—Section 101 of the National Security Act of 1947 (50 U.S.C. 3021) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period and inserting ''; and''; and

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

''(4) coordinate, without assuming operational authority, the United States Government response to malign foreign influence operations and campaigns.''; and

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

''(g) COORDINATOR FOR COMBATING MALIGN FOREIGN INFLUENCE OPERATIONS AND CAMPAIGNS.—

''(1) IN GENERAL.—The President shall designate an employee of the National Security

Council to be responsible for the coordination of the interagency process for combating malign foreign influence operations and campaigns.

''(2) CONGRESSIONAL BRIEFING.—

''(A) IN GENERAL.—Not less frequently than twice each year, the employee designated under this subsection shall provide to the congressional committees specified in subparagraph (B) a briefing on the responsibilities and activities of the individual under this subsection.

''(B) COMMITTEES SPECIFIED.—The congressional committees specified in this subparagraph are the following:

''(i) The Committees on Armed Services, Foreign Affairs, and Oversight and Government Reform, and the Permanent Select Committee on Intelligence of the House of Representatives.

''(ii) The Committees on Armed Services, Foreign Relations, and Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate.

''(h) DEFINITION OF MALIGN FOREIGN INFLUENCE OPERATIONS AND CAMPAIGNS.—In this section, the term 'malign foreign influence operations and campaigns' means the coordinated, integrated, and synchronized application of national diplomatic, informational, military, economic, business, corruption, educational, and other capabilities by hostile foreign powers to foster attitudes, behaviors, decisions, or outcomes within the United States.''.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 9 months after the date of the enactment of this Act, the President, acting through the National Security Council, shall submit to the congressional committees specified in paragraph (2) a strategy to counter malign foreign influence operations and campaigns (as such term is defined in section 101(h) of the National Security Act of 1947 (50 U.S.C. 3021), as added by subsection (a)).

(2) COMMITTEES SPECIFIED.—The congressional committees specified in this paragraph are the following:

(A) The Committees on Armed Services, Foreign Affairs, and Oversight and Government Reform, and the Permanent Select Committee on Intelligence of the House of Representatives.

(B) The Committees on Armed Services, Foreign Relations, and Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate.

SEC. 1043. WORKFORCE ISSUES FOR MILITARY REALIGNMENTS IN THE PACIFIC.

Section 6(b)(1) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(b)(1)) is amended—

(1) in subparagraph (A), by striking ''during the transition program'' and inserting ''during the period beginning on the transition program effective date and ending on the later of September 30, 2020, or the last day of the transition period'';

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

''(B) H-2B WORKERS.—In the case of an alien described in subparagraph (A) who seeks admission under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)), the alien, if otherwise qualified, may, before the later of December 31, 2023, or the last day of the transition period, be admitted under such section, notwithstanding the requirement of such section that the service or labor be temporary, for a period of up to 3 years—

''(i) to perform service or labor on Guam or in the Commonwealth pursuant to any agreement entered into by a prime contractor or subcontractor calling for services or labor required for performance of a contact or subcontract for construction, repairs, renovations, or facility services that is directly connected to, or associated with, the military realignment occurring on Guam and in the Commonwealth; or

''(ii) to perform service or labor as a health care worker (such as a nurse, physician assistant, or allied health professional) on Guam or in the Commonwealth, subject to the education, training, licensing, and other requirements of section 212(a)(5)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(C)), as applicable, except that this clause shall not be construed to include graduates of medical schools coming to Guam or the Commonwealth to perform service or labor as members of the medical profession.''; and

(3) by adding at the end the following:

''(C) RETURNING WORKERS.—After the end of the period described in subparagraph (A), any alien who was admitted to Guam or the Commonwealth pursuant to subparagraph (A) or (B) may again seek admission to Guam or the Commonwealth under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) without being counted toward the numerical limitation of section 214(g)(1)(B) of such Act (8 U.S.C. 1184(g))(1)(B)). Such an alien shall be considered to be a returning worker subject to subparagraphs (B) and (C) of section 214(g)(9) of such Act (8 U.S.C. 1184(g)(9)). An alien may be considered to be a returning worker under this subparagraph only once.''.

SEC. 1044. MITIGATION OF OPERATIONAL RISKS POSED TO CERTAIN MILITARY AIRCRAFT BY AUTOMATIC DEPENDENT SURVEILLANCE-BROADCAST EQUIPMENT.

(a) IN GENERAL.—The Secretary of Transportation may not—

(1) directly or indirectly require the installation of automatic dependent surveillance-broadcast (hereinafter in this section referred to as ''ADS-B'') equipment on fighter aircraft, bomber aircraft, or other special mission aircraft owned or operated by the Department of Defense;

(2) deny or reduce air traffic control services in United States airspace or international airspace delegated to the United States to any aircraft described in paragraph (1) on the basis that such aircraft is not equipped with ADS-B equipment; or

(3) restrict or limit airspace access for aircraft described in paragraph (1) on the basis such aircraft are not equipped with ADS-B equipment.

(b) TERMINATION.—Subsection (a) shall cease to be effective on the date that the Secretary of Transportation and the Secretary of Defense jointly submit to the appropriate congressional committees notice that the Secretaries have entered into a memorandum of agreement or other similar agreement providing that fighter aircraft, bomber aircraft, and other special mission aircraft owned or operated by the Department of Defense that are not equipped or not yet equipped with ADS-B equipment will be reasonably accommodated for safe operations in the National Airspace System and provided with necessary air traffic control services.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

(1) vest in the Secretary of Defense any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration under title 49, United States Code, or any other provision of law;

(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary of Defense under title 10, United States Code, or any other provision of law; or

(3) limit the authority or discretion of the Secretary of Transportation or the Administrator of the Federal Aviation Administration to operate air traffic control services to ensure the safe minimum separation of aircraft in flight and the efficient use of airspace.

(d) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall provide to the Secretary of Transportation notification of any aircraft the Secretary of Defense designates as a special mission aircraft pursuant to subsection (e)(3).

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(2) The term ''air traffic control services'' means services used for the monitoring, directing, control, and guidance of aircraft or flows of aircraft and for the safe conduct of flight, including communications, navigation, and surveillance services and provision of aeronautical information.

(3) The term ''special mission aircraft'' means an aircraft the Secretary of Defense designates for a unique mission to which ADS-B equipment creates a unique risk.

SEC. 1045. LIMITATION ON AVAILABILITY OF FUNDS FOR UNMANNED SURFACE VEHICLES.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense for the strategic capabilities office ghost fleet overlord unmanned surface vehicle program may be obligated or expended until the Undersecretary of Defense for Research and Engineering, in coordination with the Secretary of the Navy, certifies to the congressional defense committees that—

(1) such project accelerates development of the future unmanned surface vehicle program of the Navy;

(2) the Commander of the Naval Sea Systems Command has been designated as the contracting officer for such project; and

(3) the desired procurement strategy for the ghost fleet overlord project is properly coordinated and not duplicative of the unmanned surface vehicle sea hunter program of the Navy.

(b) RULE OF CONSTRUCTION.—The limitation in subsection (a) shall not be construed to apply to any other unmanned surface vehicle program of the Department of Defense other than the program element specified in such subsection.

SEC. 1046. PROGRAM FOR DEPARTMENT OF DEFENSE CONTROLLED UNCLASSIFIED INFORMATION IN THE HANDS OF INDUSTRY.

(a) IN GENERAL.—The Secretary of Defense shall establish and implement a foreign ownership, control, or influence program for Department of Defense controlled unclassified information in the hands of industry. The Secretary may designate an entity or individual within the Department to take responsibility for such controlled unclassified information and the oversight of the program.

(b) PROGRAM REQUIREMENTS.—Under the program required by subsection (a), the Secretary shall require that prior to any company receiving controlled unclassified information or classified information, or becoming a cleared defense contractor—

(1) the company shall report to the Secretary any foreign—

(A) direction or controlling interest of the company; or

(B) access to intellectual property relating to classified information or controlled unclassified information; and

(2) the Secretary shall determine if, on the basis of information reported under paragraph (1), the company should receive such information, including if risk to the national security can be mitigated and how such mitigation would be enforced.

SEC. 1047. PROTECTION OF EMERGING AND FOUNDATIONAL TECHNOLOGIES.

(a) LIST.—The Secretary of Defense shall establish and maintain a list of emerging and foundational technologies that are necessary for maintaining the national security technological advantage of the United States over foreign countries of special concern, as determined by the Secretary.

(b) TECHNOLOGY PROTECTION.—The Secretary shall use the list under subsection (a) to inform activities carried out by the Secretary relating to technology protection, including under interagency processes conducted pursuant to Federal law.

Subtitle F—Studies and Reports

SEC. 1051. ADDITIONAL MATTER FOR INCLUSION IN ANNUAL REPORT ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

Section 1057(b)(2) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended by adding at the end the following new subparagraph:

''(F) A description of any ex gratia payments made in connection with such casualties.''.

SEC. 1052. DEPARTMENT OF DEFENSE REVIEW AND ASSESSMENT ON ADVANCES IN ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.

(a) REVIEW REQUIRED.—The Secretary of Defense, acting through the Defense Innovation Board and the Under Secretary of Defense for Research and Engineering, shall carry out a review and assessment of the advances in artificial intelligence, related machine learning developments, and associated technologies for military applications. In carrying out such review, the Secretary shall consider the methods and means necessary to advance the development of artificial intelligence, machine learning, and associated technologies within the Department of Defense to comprehensively address the national security needs and requirements of the Department of Defense.

(b) SCOPE OF REVIEW.—In conducting the review under paragraph (a) the Secretary of Defense shall consider—

(1) the competitiveness of the Department of Defense in artificial intelligence, machine learning, and other associated technologies, including matters pertaining to public-private partnerships and investments;

(2) means and methods for the Department of Defense to maintain a technological advantage in artificial intelligence, machine learning, and other associated technologies, including quantum sciences and high performance computing;

(3) means by which the Department of Defense can help foster greater emphasis and investments in basic and advanced research to stimulate private, public, academic, and combined initiatives in artificial intelligence, machine learning, and other associated technologies, including quantum sciences, and high performance computing;

(4) Department of Defense workforce and education initiatives to attract and recruit leading talent in artificial intelligence and machine learning, including science, technology, engineering, and math programs;

(5) means by which the Department of Defense may establish data standards and provide incentives for the sharing of open training data; and

(6) any other matters the Secretary of Defense determines relevant with respect to the approach of the Department of Defense to artificial intelligence and machine learning.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an initial report on the findings of the review required under subsection (a) and such recommendations as the Secretary may have for legislative action related to artificial intelligence, machine learning, and associated technologies, including recommendations to more effectively fund and organize the Department of Defense.

(2) COMPREHENSIVE REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive report on the review required under subsection (a).

(d) DEFINITION OF ARTIFICIAL INTELLIGENCE.—In this section, the term ''artificial intelligence'' includes each of the following:

(1) Any artificial system that performs tasks under varying and unpredictable circumstances without significant human oversight, or that can learn from experience and improve performance when exposed to data sets.

(2) An artificial system developed in computer software, physical hardware, or other context that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action.

(3) An artificial system designed to think or act like a human, including cognitive architectures and neural networks.

(4) A set of techniques, including machine learning, that is designed to approximate a cognitive task.

(5) An artificial system designed to act rationally, including an intelligent software agent or embodied robot that achieves goals using perception, planning, reasoning, learning, communicating, decisionmaking, and acting.

SEC. 1053. REPORT ON JOINT ENTERPRISE DEFENSE INFRASTRUCTURE.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees a report on the Joint Enterprise Defense Infrastructure. Such report shall include each of the following:

(1) Information relating to the current composition of the Cloud Executive Steering Group and its mission, objectives, goals, and strategy.

(2) A description of the characteristics and considerations for accelerating the cloud architecture and services required for a global, resilient, and secure information environment to enable warfighting and mission command, as validated by the Joint Requirements Oversight Council for the Joint Enterprise Defense Infrastructure.

(3) Information relating to the approved acquisition strategy and timeline for the Joint Enterprise Defense Infrastructure, including estimated migration costs and timelines.

(4) A description of how the approved acquisition strategy referred to in paragraph (3) provides for a full and open competition, enables the Department of Defense to continuously leverage and acquire new cloud computing capabilities, maintains the ability of the Department to leverage other cloud computing vendor products and services, incorporates elements to maintain security, and provides for the best performance, cost, and schedule to meet the cloud architecture and services requirements of the Department for the duration of such contract.

(5) A description of the associated Joint Enterprise Defense Infrastructure program office, including number of personnel, overhead cost, and organizational structure.

(6) A description of the effect of the Joint Enterprise Defense Infrastructure on and the relationship of such Infrastructure to existing cloud computing infrastructure, platform, and service contracts across the Department of Defense, specifically the effect and relationship to the private cloud infrastructure of the Department, MilCloud 2.0 run by the Defense Information Systems Agency.

(7) Information relating to the most recent Department of Defense Cloud Computing Strategy and description of any initiatives to update such Strategy.

(8) Information relating to Department of Defense guidance pertaining to cloud computing capability or platform acquisition and standards, and a description of any initiatives to update such guidance.

(9) Any other matters the Secretary of Defense determines relevant.

(b) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available by this Act for fiscal year 2019 for acquisition of services or associated program office support for the Joint Enterprise Defense Infrastructure of the enterprise-wide Cloud Executive Steering Group, not more than 50 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the report required by subsection (a).

SEC. 1054. REPORT ON PROPOSED CONSOLIDATION OF DEPARTMENT OF DEFENSE GLOBAL MESSAGING AND COUNTER MESSAGING CAPABILITIES.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees a report on the proposed consolidation of the global messaging and counter messaging (GMCM) capabilities of the Department of Defense. Such report shall include each of the following:

(1) The justification of the Secretary for the proposed consolidation of such capabilities.

(2) The justification of the Secretary for the proposed designation of the United States Special Operations Command as the entity responsible for establishing the centralized GMCM capability.

(3) A description of the proposed roles and responsibilities of the United States Special Operations Command as such entity.

(4) A description of the roles and responsibilities of the combatant commanders regarding the operational use of the GMCM capability.

(5) The effect of the proposed consolidation of such capabilities on existing GMCM contracts and capabilities.

(6) An implementation plan that includes a detailed description of the resources and other requirements required for the United States Special Operations Command to establish the centralized GMCM capability for the period covered by the current future year's defense program.

(7) A comprehensive plan for the continual assessment of the effectiveness of the GMCM activities and programs.

(8) An identification of the anticipated efficiencies, cost savings, and operational benefits associated with the consolidation of the GMCM capabilities.

(9) A description of any actions, activities, and efforts taken to implement section 1637 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(b) LIMITATION ON USE OF FUNDS.—Not more than 50 percent of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Commander of the United States Special Operations Command for global messaging and counter messaging may be obligated or expended before the date that is 30 days after the date on which the Secretary submits the report required by subsection (a).

SEC. 1055. COMPREHENSIVE REVIEW OF PROFESSIONALISM AND ETHICS PROGRAMS FOR SPECIAL OPERATIONS FORCES.

(a) REVIEW REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of each of the military departments, shall conduct a comprehensive review of the ethics and professionalism programs of the United States Special Operations Command and of the military departments for officers and other military personnel serving in special operations forces.

(b) ELEMENTS OF THE REVIEW.—The review conducted under subsection (a) shall specifically include a description and assessment of each of the following:

(1) The culture of professionalism and ethics of the United States Special Operations Command and affiliated component commands.

(2) The ethics and professionalism programs of the military departments available for special operations forces.

(3) The ethics and professionalism programs of the United States Special Operations Command and affiliated component commands.

(4) The roles and responsibilities of the military departments and the United States Special Operations Command and affiliated component commands in administering, overseeing, managing, and ensuring compliance and participation of special operations forces in ethics and professionalism programs, including an identification of—

(A) gaps in the administration, oversight, and management of such programs and in ensuring the compliance and participation in such programs; and

(B) additional guidance that may be required for a systematic, integrated approach in administering, overseeing, and managing such programs and in ensuring compliance with and participation in such programs in order to address issues and improve ethical culture and professionalism.

(5) The management and oversight framework in place that is designed to ensure that all ethics and professionalism programs available to special operations forces meet Department standards.

(6) Tools and metrics for identifying and assessing individual and organizational ethics and professionalism issues with respect to special operations forces.

(7) Tools and metrics for assessing the effectiveness of existing ethics and professionalism programs in improving or addressing individual and organizational ethics-related and professionalism issues with respect to special operations forces.

(8) Additional programs or actions that may be required to address or improve individual and organizational ethics and professionalism issues with respect to special operations forces.

(9) Actions to improve the oversight and accountability by senior leaders of ethics and professionalism-related issues with respect to special operations forces.

(c) DEFINITIONS.—In this section:

(1) The term ''ethics program'' means a program that includes—

(A) compliance-based ethics training, education, initiative, or other activity that focuses on adherence to rules and regulations; and

(B) values-based ethics training, education, initiative, or other activity that focuses on upholding a set of ethical principles in order to achieve high standards of conduct and incorporate guiding principles to help foster an ethical culture and inform decision-making where rules are not clear.

(2) The term ''professionalism program'' means a program that includes training, education, initiative, or other activity that focuses on values, ethics, standards, code of conduct, and skills as related to the military profession.

(d) SUBMITTAL OF REVIEW.—The Secretary of Defense shall submit the review required by subsection (a) to the Committees on Armed Services of the Senate and the House of Representatives by not later than March 1, 2019.

SEC. 1056. MUNITIONS ASSESSMENTS AND FUTURE-YEARS DEFENSE PROGRAM REQUIREMENTS.

(a) REQUIRED REPORTS.—Not later than March 1, 2019, and annually thereafter, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees each of the following:

(1) The most current munitions assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense munitions requirements process.

(2) The most current sufficiency assessments, as defined by such Department of Defense Instruction.

(3) The most current approved memorandum of the Joint Requirements Oversight Council resulting from the munitions requirements process.

(4) The planned funding and munitions requirements required for the first fiscal year beginning after the date of the submittal of the report and across the future-years defense program for munitions across all military departments and the Missile Defense Agency.

(5) The planned foreign military sales and foreign military financing orders for United States munitions across the future-years defense program.

(b) SUNSET.—The requirement to submit reports and assessments under this section shall terminate on December 31, 2021.

(c) SUPPLY CHAIN ASSESSMENTS.—Beginning in fiscal year 2020, the Under Secretary shall evaluate supply chain risks, including qualified supplier shortages and single source supplier vulnerabilities for munitions production. The Under Secretary shall include in the reports required under subsection (a) for fiscal year 2020 and any subsequent fiscal year for which such reports are required to be submitted, a list of munitions that are at risk of production impacts from the loss of qualified suppliers.

SEC. 1057. REPORT ON ESTABLISHMENT OF ARMY FUTURES COMMAND.

(a) REPORT REQUIRED.—Not later than February 1, 2019, the Secretary of the Army shall submit to the congressional defense committees a report on the Army's plan for the establishment of Army Futures Command.

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

(1) A description of the mission of Army Futures Command.

(2) A description of the authorities and responsibilities of the Commander of Army Futures Command.

(3) A description of the relationship between such authorities and the authorities of the Army Acquisition Authority and a description of any changes to be made to the authorities and missions of other Army major commands.

(4) A detailed description of the structure for Army Futures Command, including grade requirements.

(5) A detailed description of any resources or elements to be realigned from the Army Training and Doctrine Command, Army Materiel Command, Army Force Command, or Army Test and Evaluation Command to Army Futures Command.

(6) An assessment of the number and location of members of the Armed Forces and Department of Defense civilian personnel expected to be assigned to Army Futures Command.

(7) A cost estimate for the establishment of Army Futures Command in fiscal year 2019 and projected costs for each of fiscal years 2020 through 2023.

(8) A description of the headquarters stationing selection criteria and methodology

(9) Any other information relating to the command, as determined by the Secretary.

SEC. 1058. ASSESSMENT OF DEPARTMENT OF DEFENSE ELECTROMAGNETIC SPECTRUM WARFARE ENTERPRISE.

(a) PLAN REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall develop a plan, and the estimated cost and schedule of implementing the plan, to conduct joint campaign modeling and wargaming for joint electromagnetic spectrum operations. Such plan shall include each of the following:

(1) The capabilities and capacity, and the associated governance and command and control architecture design, required to effectively employ military forces designated to conduct multi-domain electromagnetic spectrum operations of the Department of Defense.

(2) The fiscal and manpower resources required to carry out paragraph (1) and to inform the budget requests of the Department of Defense.

(3) The sufficiency of experimentation, testing, and training infrastructure, ranges, instrumentation, and threat simulators required to support the development of electromagnetic spectrum capabilities.

(4) The sufficiency and overall effectiveness of electromagnetic spectrum operations to inform joint adaptive planning activities.

(5) All level 3 and level 4 contingency plans (as such plans are described in Joint Publication 5-0 of the Joint Chiefs of Staff, entitled ''Joint Planning'' and dated June 16, 2017).

(b) REPORT.—

(1) IN GENERAL.—Not later than February 18, 2019, the Secretary of Defense shall submit to the congressional defense committees a report on the plan developed under subsection (a).

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) ANNUAL BRIEFINGS.—

(1) IN GENERAL.—Not later than February 5, 2019, and annually thereafter for each of the next five subsequent years, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall provide to the Committee on Armed Services of the House of Representatives a briefing on the joint electromagnetic spectrum operations of the Department of Defense. Such briefing shall include each of the following:

(A) An update on the governance, organizational structure, and activities of the Electronic Warfare Executive Committee of the Department of Defense, as established by memorandum of the Deputy Secretary of Defense on March 17, 2015.

(B) An assessment of the progress in achieving the goals and objectives described in—

(i) the current strategy for the electromagnetic spectrum warfare enterprise issued by the Executive Committee; and

(ii) Department of Defense Directive 3222.04, dated May 10, 2017.

(C) An assessment of the current readiness, sufficiency, unity of effort, and modernization of the joint military services with respect to joint electromagnetic spectrum capabilities and the ability of the joint military services to train and employ effectively in an electromagnetic spectrum warfare operational environment for all level 3 and level 4 contingency plans (as such plans are described in Joint Publication 5-0 of the Joint Chiefs of Staff, entitled ''Joint Planning'' and dated June 16, 2017).

(D) The same information as is required to be submitted under section 1053(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2459).

(2) FORM OF BRIEFING.—Each briefing required by paragraph (1) shall be unclassified, but may include a classified presentation.

(d) ONE-TIME BRIEFING.—

(1) IN GENERAL.—Not later than February 25, 2019, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall provide to the Committee on Armed Services of the House of Representatives a briefing on the joint electromagnetic spectrum operations of the Department of Defense. Such briefing shall include each of the following:

(A) An update on the progress of the Department in implementing the pilot program authorized by section 234 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 113 note).

(B) The progress of the Department in establishing and operationalizing joint electromagnetic spectrum operations cells at battle-management and command and control locations of the combatant commanders and designated joint task force commanders.

(C) The progress of the Department in establishing a network to connect an electromagnetic battle management system to multiple sensor and intelligence data feeds to implement electronic warfare battle management for networked electronic warfare and dynamic reprogramming with automated near real-time capabilities.

(D) The number of personnel assigned to joint electromagnetic spectrum operations mission activities, to include officers, enlisted members, and civilian personnel, set forth separately by career field designator and rank for each military service, combatant command, and defense agency.

(E) A comparison of commissioned officer promotion rates among the personnel described in paragraph (d), by grade, compared to the average promotion rates for commissioned officers, by grade, in each military service, over the five most recent promotion cycles that have been completed since the end of fiscal year 2018.

(F) An assessment of Department of Defense governance, organizational alignment, human capital, and other applicable resources responsible for the development, management, and implementation of joint electromagnetic spectrum policy, doctrine, concepts, requirements, capabilities, and operational activities.

(2) FORM OF BRIEFING.—The briefing required by paragraph (1) shall be unclassified, but may include a classified presentation.

(e) DEFINITIONS.—In this section:

(1) The term ''electromagnetic battle management'' means the dynamic monitoring, assessing, planning, and directing of joint electromagnetic spectrum operations in support of a military commander's scheme of maneuver.

(2) The term ''joint electromagnetic spectrum operations'' means those activities consisting of electronic warfare and joint electromagnetic spectrum management operations used to exploit, attack, protect, and manage the electromagnetic operational environment to achieve a military commander's objectives.

SEC. 1059. REPORT ON SUPPORT FOR NON-CONTIGUOUS STATES AND TERRITORIES IN THE EVENT OF THREATS AND INCIDENTS.

(a) REPORT REQUIRED.—Not later than February 1, 2019, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the preparedness of the Department of Defense in providing support to non-contiguous States and territories in he aftermath of a natural or manmade incident that warrants the Department to assist the State and civil entities with the protection of life and to provide emergency work.

(b) CONTENTS OF REPORT.—For purposes of the report under subsection (a)—

(1) the support covered by the report may include support provided under section 403(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(c)); and

(2) the incidents covered by the report shall include natural disasters, acts of terrorism, and industrial accidents.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1060. REPORT ON LOW-BOOM FLIGHT DEMONSTRATION.

Not later than 90 days after the date of the enactment of this Act, the Administrator of the National Aeronautics and Space Administration shall submit to the Committee on Science, Space, and Technology of the House of Representatives a report describing the progress in development of the Low-Boom Flight Demonstration, including—

(1) the plans of the Administrator to coordinate with other executive agencies to ensure the availability of developmental and operational testing infrastructure for low-boom flight demonstrations by 2021; and

(2) the strategy of the Administration to acquire chase aircrafts to ensure the availability of such aircrafts for such demonstrations.

SEC. 1061. REPORT ON CYBER-ENABLED INFORMATION OPERATIONS.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committees on Armed Services and Foreign Affairs of the House of Representative and the Committees on Armed Services and Foreign Relations of the Senate a report on the effects of cyber-enabled information operations on the national security of the United States. Such report shall include each of the following:

(1) A summary of actions taken by the Federal Government to protect the national security of the United States against cyber-enabled information operations.

(2) A description of the resources necessary to protect the national security of the United States against cyber-enabled information operations by foreign adversaries.

Subtitle G—Other Matters

SEC. 1071. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Sections 130j and 130k, as added by section 1631 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1736), are amended by striking ''section 3093 of title 50, United States Code'' both places it appears and inserting ''section 503 of the National Security Act of 1947 (50 U.S.C. 3093)''.

(2) The table of sections at the beginning of chapter 3 is amended by striking the items relating to sections 130j and 130k and inserting the following new items:

''130j. Notification requirements for sensitive military cyber operations.

''130k. Notification requirements for cyber weapons.''.

(3) Section 131(b)(9), as amended by section 811, is further amended—

(A) by striking subparagraphs (B), (C), and (D); and

(B) by redesignating subparagraphs (E), (F), (G), and (H), as subparagraphs (B), (C), (D), and (E), respectively.

(4) The table of sections at the beginning of chapter 4 is amended by striking the item relating to section 261 and inserting the following:

''241. Reference to chapters 1003, 1005, and 1007.''.

(5) Section 494(b)(2) is amended in the matter preceding subparagraph (A) by striking ''March 1, 2012, and annually thereafter'' and inserting ''March 1 of each year''.

(6) Section 495(a) is amended by striking ''Beginning in fiscal year 2013, the'' and inserting ''The''.

(7) Section 499a(d), as added by section 1652(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1757), is amended by striking ''on or after the date of the enactment of this section'' and inserting ''after December 11, 2017,''.

(8) Section 637a(d) is amended by striking ''specialities'' and inserting ''specialties''.

(9) Section 664(d)(1) is amended by striking ''the the'' and inserting ''the''.

(10) The table of subchapters at the beginning of chapter 47A is amended by striking the item relating to subchapter VII and inserting the following:

''VII. POST-TRIAL PROCEDURE AND REVIEW OF MILITARY COMMISSIONS''.

(11) The table of sections at the beginning of subchapter VII of chapter 47A is amended by striking the item relating to section 950g and inserting the following:

''950g. Review by United States Court of Appeals for the District of Columbia Circuit; writ of certiorari to Supreme Court.''.

(12) Section 950t is amended—

(A) in paragraph (9), by striking ''attack. or'' and inserting ''attack, or'';

(B) in paragraph (16), by striking ''shall punished'' and inserting ''shall be punished''; and

(C) in paragraph (22), by adding a period at the end.

(13) The table of sections at the beginning of chapter 55 is amended by striking the item relating to section 1077a and inserting the following:

''1077a. Access to military medical treatment facilities and other facilities.''.

(14) Section 1415(e) is amended by striking ''concerned''.

(15) Section 2006a(b)(3) is amended by striking ''the such programs'' and inserting ''such programs''.

(16) Section 2279(c) is amended by striking ''subsection (a) and (b)'' and inserting ''subsections (a) and (b)''.

(17) Section 2279c, as added by section 1601(a)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1718), is amended—

(A) in subsection (a)(3), by striking '' the date of the enactment of this Act'' and inserting ''December 12, 2017''; and

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking '' the date of the enactment of this section'' and inserting ''December 12, 2017''; and

(ii) in paragraph (3), by striking ''on or after the date that is one year after the date of the enactment of this section'' and inserting ''after December 11, 2018''.

(18)(A) The second section 2279c, as added by section 1602 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1721), is redesignated as section 2279d.

(B) The table of sections at the beginning of chapter 135 is amended by inserting after the item relating to section 2279c the following new item:

''2279d. Limitation on construction on United States territory of satellite positioning ground monitoring stations of certain foreign governments.''.

(19) Section 2313b(b)(1)(E), as added by section 803(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1452), is amended by redesignating clauses (A) and (B) as clauses (i) and (ii), respectively.

(20) Section 2324(e)(1) is amended by redesignating the second subparagraph (P) and subparagraph (Q) as subparagraphs (Q) and (R), respectively.

(21) Section 2337a(d), as added by section 836(a)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1473), is amended by striking ''title 10, United States Code'' and inserting ''this title''.

(22) Section 2374a(e) is amended by striking '',,'' and inserting '','.

(23) The table of sections at the beginning of chapter 141 is amended by striking the item relating to section 2410s and inserting the following new item:

''2410s. Security clearances for facilities of certain companies.''.

(24) The heading of section 2410s is amended by striking the period at the end.

(25)(A) The heading of section 2414, as amended by section 817(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1462), is amended to read as follows:

''§ 2414. Funding''.

(B) The item relating to such section in the table of sections at the beginning of chapter 142 is amended to read as follows:

''2414. Funding.''.

(26) Section 2613(g) is amended by striking ''(1)''.

(27) Section 2679(a)(1) is amended by striking ''Federal government'' and inserting ''Federal Government''.

(28) The heading of section 2691, as amended by section 2814(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is amended to read as follows:

''§ 2691. Restoration of land used by permit or damaged by mishap; reimbursement of state costs of fighting wildland fires''.

(29) Section 2879(a)(2)(A), as added by section 2817(a)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is amended by striking ''on or after the date of the enactment of this section'' and inserting ''after December 11, 2017,''.

(30) The heading of section 2914 is amended to read as follows:

''§ 2914. Energy resilience and conservation construction projects''.

(31) Section 10504 is amended—

(A) in subsection (a), by striking ''The Chief'' and inserting ''(1) The Chief''; and

(B) by redesignating the second subsection (b) as subsection (c).

(b) TITLE 32, UNITED STATES CODE.—Title 32, United States Code, is amended in section 902, by striking ''the Secretary, determines'' and inserting ''the Secretary determines''.

(c) NDAA FOR FISCAL YEAR 2018.—Effective as of December 12, 2017, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. ____ et seq.) is amended as follows:

(1) Section 834(a)(2) (131 Stat. 1470) is amended by striking ''subchapter I of''.

(2) Section 913(b) is amended by striking the dash after the colon in the matter preceding paragraph (1).

(3) Section 1051(d)) is amended by inserting ''National'' before ''Defense Authorization Act''.

(4) Section 1691(i) is amended—

(A) by inserting ''the'' after ''Title XIV of''; and

(B) by inserting ''as enacted into law by'' before ''Public Law 106–398''.

(5) Section 2817(a)(2) is amended by striking ''table of sections for'' and inserting ''table of sections at the beginning of subchapter IV of''.

(6) Section 2831(b) is amended by inserting ''of title 10, United States Code,'' after ''chapter 173''.

(7) Section 2876(d) is amended—

(A) by inserting ''In this section:'' after ''DEFINITIONS.—''; and

(B) in paragraph (1)(A), in the matter preceding clause (i), by inserting open quotation marks before ''beneficial'' and close quotation marks after ''owner''.

(e) OTHER NDAAS.—

(1) FY2016.—Section 828(c) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note), as added by section 825(a)(4) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1466), is amended by inserting ''subsection'' before ''(b)''.

(2) FY2001.—Section 821(e) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 10 U.S.C. 2302 note) is amended by striking paragraph (2).

(f) OTHER LAWS.—

(1) TITLE 31.—Paragraph (1) of section 5112(p) of title 31, United States Code, as amended by section 885 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1505), is amended by striking '', United States Code'' each place it appears.

(2) TITLE 49.—Subsection (h) of section 44718 of title 49, United States Code, as amended and redesignated by sections 311(b)(3) and 311(e)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is amended—

(A) in paragraph (1), by striking ''section 183a(g) of title 10'' and inserting ''section 183a(h)(1) of title 10'' ; and

(B) in paragraph (2), by striking ''section 183a(g) of title 10'' and inserting ''section 183a(h)(7) of title 10''.

(3) ATOMIC ENERGY DEFENSE ACT.—Section 4309(c) of the Atomic Energy Defense Act (50 U.S.C. 2575(c)) is amended by redesignating paragraphs (17) and (18) as paragraphs (16) and (17), respectively.

(g) CONFORMING AMENDMENTS RELATING TO THE CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.—

(1) CONFORMING AMENDMENTS.—

(A) Each of the following provisions law is amended by striking ''Deputy Chief Management Officer'' each place it appears and inserting ''Chief Management Officer'':

(i) Section 192(e)(2) of title 10, United States Code.

(ii) Section 2222 of title 10, United States Code.

(iii) Section 11319(d)(4) of title 40, United States Code.

(iv) Section 881(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note).

(v) Section 217 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2445a note).

(B) Section 131(b) of title 10, United States Code, as amended by subsection (a)(3) of this section, is further amended—

(i) by striking paragraph (4); and

(ii) by redesignating paragraphs (5) through (10) as paragraphs (4) through (9), respectively.

(C) Section 137a(d) of title 10, United States Code, is amended—

(i) by striking ''the Secretaries of the military departments,'' and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and''; and

(ii) by striking '', and the Deputy Chief Management Officer of the Department of Defense''.

(D) Section 138(d) of title 10, United States Code, is amended—

(i) by inserting ''the Chief Management Officer of the Department of Defense,'' after ''the Deputy Secretary of Defense,''; and

(ii) by striking '' the Deputy Chief Management Officer of the Department of Defense,''.

(E) Section 904(b)(4) the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 132 note.) is amended—

(i) by striking ''and Deputy Chief Management Officer''and

(ii) by striking ''as is necessary to assist those officials in the performance of their duties'' and inserting ''as is necessary to assist the Chief Management Officer in the performance of the duties assigned to such official''.

(F) Section 5314 of title 5, United States Code, is amended by striking ''Deputy Chief Management Officer of the Department of Defense.''.

(2) REFERENCES.—

(A) IN LAW OR REGULATION.—Any reference in a law (other than this Act) or regulation in effect on the day before the date of the enactment of this Act to the Deputy Chief Management Officer of the Department of Defense is deemed to be a reference to the Chief Management Officer of the Department of Defense.

(B) IN OTHER DOCUMENTS, PAPERS, OR RECORDS.—Any reference in a document, paper, or other record of the United States prepared before the date of the enactment of this Act to the Deputy Chief Management Officer of the Department of Defense is deemed to be a reference to the Chief Management Officer of the Department of Defense.

(h) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1072. PRINCIPAL ADVISOR ON COUNTERING WEAPONS OF MASS DESTRUCTION.

(a) IN GENERAL.—

(1) DESIGNATION OF PRINCIPAL ADVISOR.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 145. Principal Advisor on Countering Weapons of Mass Destruction

''(a) DESIGNATION.—The Secretary of Defense shall designate, from among the personnel of the Office of the Secretary of Defense, a Principal Advisor on Countering Weapons of Mass Destruction. Such Principal Advisor shall act as the principal advisor to the Secretary on the activities of the

Department of Defense relating to countering weapons of mass destruction. The individual designated to serve as such Principal Advisor shall be an individual who was appointed to the position held by the individual by and with the advice and consent of the Senate.

''(b) RESPONSIBILITIES.—The Principal Advisor designated under subsection (a) shall carry out the following responsibilities:

''(1) Supervising the activities of the Department of Defense relating to countering weapons of mass destruction, including the oversight of policy and operational considerations, resources, personnel, acquisition, and technology.

''(2) Carrying out such other responsibilities relating to countering weapons of mass destruction as the Secretary shall specify.''.

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

''145. Principal Advisor on Countering Weapons of Mass Destruction.''.

(b) OVERSIGHT PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to streamline the oversight framework of the Office of the Secretary of Defense, including any efficiencies and the potential to reduce, realign, or otherwise restructure current Assistant Secretary and Deputy Assistant Secretary positions with responsibilities for overseeing countering weapons of mass destruction policy, programs, and activities.

SEC. 1073. RECEIPT OF FIREARM OR AMMUNITION.

(a) RECEIPT OF FIREARM OR AMMUNITION BY SPOUSE OF MEMBER OF THE ARMED FORCES AT A DUTY STATION OF THE MEMBER OUTSIDE THE UNITED STATES.—Section 925(a)(3) of title 18, United States Code, is amended—

(1) by inserting '', or to the spouse of such a member,'' before ''or to'';

(2) by striking ''members,'' and inserting ''members and spouses,'';

(3) by striking ''members or'' and inserting ''members, spouses, or''; and

(4) by striking ''member or'' and inserting ''member, spouse, or''.

(b) RESIDENCY OF SPOUSES OF MEMBERS OF THE ARMED FORCES TO BE DETERMINED ON THE SAME BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF FEDERAL FIREARMS LAWS.—Section 921(b) of title 18, United States Code, is amended to read as follows:

''(b) For purposes of this chapter, a member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

''(1) the State in which the member or spouse maintains legal residence;

''(2) the State in which the permanent duty station of the member is located; and

''(3) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to conduct engaged in after the 6-month period that begins on the date of the enactment of this Act.

SEC. 1074. FEDERAL CHARTER FOR SPIRIT OF AMERICA.

(a) FEDERAL CHARTER.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 2003 the following new chapter:

''CHAPTER 2005—SPIRIT OF AMERICA

''§ 200501. Organization

''(a) FEDERAL CHARTER.—Spirit of America (in this chapter 'the corporation'), a nonprofit corporation, is a federally chartered corporation.

''(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by this chapter expires.

''(c) SCOPE OF CHARTER.—Nothing in the charter granted by this chapter shall be construed as conferring special rights or privileges upon the corporation, or as placing upon the Department of Defense any obligation with respect to the corporation.

''§ 200502. Purposes

''The purposes of the corporation are as provided in its constitution and bylaws and include the following:

''(1) To respond to the needs of local populations abroad, as identified by members of the Armed Forces and diplomats of the United States abroad.

''(2) To connect the people of the United States more closely to the members of the Armed Forces and diplomats of the United States abroad, and to the missions carried out by such personnel abroad.

''(3) To demonstrate the goodwill of the people of the United States to peoples around the world.

''§ 200503. Governing body

''(a) BOARD OF DIRECTORS.—

''(1) The board of directors is the governing body of the corporation. The powers, duties, and responsibilities of the board are as provided in the constitution and bylaws of the corporation.

''(2) The number of directors is as provided in the constitution of the corporation. Their manner of selection (including the filling of vacancies) and their term of office are as provided in the constitution and bylaws.

''(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and one or more assistant secretaries and assistant treasurers as provided in the constitution and bylaws.

''(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

''§ 200504. Powers

''The corporation may—

''(1) adopt and amend a constitution, bylaws, and regulations to carry out the purposes of the corporation;

''(2) adopt and alter a corporate seal;

''(3) establish and maintain offices to conduct its activities;

''(4) enter into contracts;

''(5) acquire, own, lease, encumber, and transfer property as necessary and appropriate to carry out the purposes of the corporation;

''(6) establish, regulate, and discontinue subordinate State and territorial subdivisions and local chapters or posts;

''(7) publish a magazine and other publications (including through the Internet);

''(8) sue and be sued;

''(9) do any other act necessary and proper to carry out the purposes of the corporation as provided in its constitution, by-laws, and regulations; and

''(10) to do any other act necessary and proper to carry out the purposes stated in section 200502 of this title.

''§ 200505. Restrictions

''(a) PROFIT.—The corporation may not engage in business activity for profit unless the activity is substantially related to—

''(1) the purposes stated in 200502 of this title; or

''(2) raising funds to accomplish those purposes.

''(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(c) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and may not provide financial aid or assistance to, or otherwise promote the candidacy of, an individual seeking elective public office. A substantial part of the activities of the corporation may not involve carrying on propaganda or otherwise attempting to influence legislation.

''(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of a governor, officer, member, or employee or be distributed to any person during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer, employee, or other person or reimbursement for actual necessary expenses in amounts approved by the board of directors.

''(e) LOANS.—The corporation may not make a loan to a governor, officer, member or employee.

''(f) NO CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim approval of Congress, of the authority of the United States, for any activity of the corporation.

''§ 200506. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete records of account;

''(2) minutes of the proceedings of its members, board of governors, and committees having any of the authority of the corporation; and

''(3) at its principal office, a record of the names and addresses of its members entitled to vote.

''(b) INSPECTION.—A member, or an agent or attorney of a member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

''§ 200507. Duty to maintain tax-exempt status

''If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

''§ 200508. Quarterly report

''The corporation shall submit a quarterly report to Congress on the activities of the corporation during the prior fiscal year quarter. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title.''.

(b) TABLES OF CHAPTERS.—The table of chapters at the beginning of title 36, United States Code, and at the beginning of subtitle II of such title, are each amended by inserting after the item relating to chapter 2003 the following new item:

''2005. Spirit of America .....200501''.

SEC. 1075. TRANSFER OF AIRCRAFT TO OTHER DEPARTMENTS.

Section 1098 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 881) is amended—

(1) by striking subsections (a) and (f);

(2) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively;

(3) by redesignating subsections (g) and (h) as subsections (e) and (f);

(4) in subsection (a)(1), as so redesignated, by striking ''and subject to the certification requirement under subsection (f),''; and

(5) in subsection (d), as so redesignated—

(A) by striking ''Promptly following the completion of the certification requirement under subsection (f) and notwithstanding'' and inserting ''Notwithstanding''; and

(B) by striking ''shall begin transfer, without reimbursement, of—'' and inserting ''shall transfer, without reimbursement—''.

SEC. 1076. REAUTHORIZATION OF NATIONAL AVIATION HERITAGE AREA.

(a) FINDINGS.—Congress finds as follows:

(1) The National Aviation Heritage Area, as it is currently defined, contains the National Museum of the United States Air Force and the Huffman Prairie Flying Field located within the grounds of Wright-Patterson Air Force Base.

(2) The National Aviation Heritage Area continues to preserve the historical legacy of the Wright brothers and the birth of aviation, therefore, the National Park Service should designate the National Aviation Heritage Area as a longstanding heritage area.

(b) REAUTHORIZATION.—The National Aviation Heritage Area Act (title V of division J of the Consolidated Appropriations Act, 2005; Public Law 108–447) is amended—

(1) by striking ''The Aviation Heritage Foundation, Incorporated,'', ''the Aviation Heritage Foundation, Incorporated (a nonprofit corporation established under the laws of the State of Ohio)'', ''the Aviation Heritage Foundation'', ''the Aviation Heritage Foundation, Incorporated'' and ''the Foundation'' each place they appear and inserting ''Dayton History'';

(2) in section 503, by amending paragraph (1) to read as follows:

''(1) DAYTON HISTORY.—The term 'Dayton History' means Dayton History, an organization incorporated in Ohio and described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.'';

(3) in section 505, by adding at the end the following new subsection:

''(d) ACCEPTANCE OF FUNDS AND SERVICES.—The management entity may accept funds and services from any Federal or non-Federal source for the purposes of implementing the Management Plan.''; and

(4) in section 512, by striking ''the date that is 15 years after the date that funds are first made available for this title'' and inserting ''September 30, 2025''.

(c) MANAGEMENT PLAN.—Dayton History (as such term is defined in section 503(1) of the National Aviation Heritage Area Act (title V of division J of the Consolidated Appropriations Act, 2005; Public Law 108–447)) may manage the National Aviation Heritage Area under the management plan in effect for that heritage area as of the date of the enactment of this Act.

SEC. 1077. RECOGNITION OF AMERICA'S VETERANS.

(a) AUTHORIZATION OF SUPPORT.—In order to honor American veterans, including American veterans of past wars that the Secretary of Defense determines have not received appropriate recognition, the Secretary may provide such support as the Secretary determines is appropriate for a parade to be carried out in the District of Columbia. In providing support under this subsection, the Secretary may expend funds for the display of small arms and munitions appropriate for customary ceremonial honors and for the participation of military units that perform customary ceremonial duties.

(b) PROHIBITION.—In providing support for a parade as described in subsection (a), the Secretary may not expend funds to provide motorized vehicles, aviation platforms, munitions other than the munitions specifically described in subsection (a), operational military units, or operational military platforms if the Secretary determines that providing such units, platforms, or equipment would undermine the readiness of such units, platforms, or equipment.

SEC. 1078. NATIONAL COMMISSION ON MILITARY AVIATION SAFETY.

(a) ESTABLISHMENT.—There is established the National Commission on Military Aviation Safety (in this section referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(4) EXPERTISE.—In making appointments under this subsection, consideration should be given to individuals with expertise in military aviation training, aviation technology, military aviation operations, aircraft sustainment and repair, aviation personnel policy, aerospace physiology, and reserve component policy.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) CHAIR AND VICE CHAIR.—The Commission shall select a Chair and Vice Chair from among its members.

(e) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at the call of the Chair.

(2) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its initial meeting.

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(f) DUTIES.—

(1) STUDY ON MILITARY AVIATION SAFETY.—The Commission shall undertake a comprehensive study of United States military aviation mishaps that occurred between fiscal years 2013 and 2018 in order—

(A) to assess the rates of military aviation mishaps between fiscal years 2013 and 2018 compared to historic aviation mishap rates;

(B) to make an assessment of the underlying causes contributing to the unexplained physiological effects;

(C) to make an assessment of causes contributing to delays in aviation maintenance and limiting operational availability of aircraft;

(D) to make an assessment of the causes contributing to military aviation mishaps; and

(E) to make recommendations on the modifications, if any, of safety, training, maintenance, personnel, or other policies related to military aviation safety.

(2) REPORT.—Not later than June 1, 2019, the Commission shall submit to the President and the congressional defense committees a report setting forth a detailed statement of the findings and conclusions of the Commission as a result of the study required by paragraph (1), together with the recommendations of the Commission for such legislative and administrative actions as the Commission considers appropriate in light of the results of the study.

(g) POWERS.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this subtitle.

(2) INFORMATION FROM DEPARTMENT.—The Commission may secure directly from any element of the Department of Defense such information as the Commission considers necessary to carry out its duties under this subtitle. Upon request of the Chair of the Commission, the head of such element shall furnish such information to the Commission.

(h) TERMINATION.—The Commission shall terminate 90 days after the date on which the Commission submits the report required under subsection (f)(2).

(i) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should take every immediate action to make necessary repairs to aviation systems and increase pilot training and proficiency without assuming additional risk to flight safety; and

(2) this Act and the Defense Appropriations Act for fiscal year 2019 should be enacted into law by not later than October 1, 2018, at the maximum amount permitted by the Bipartisan Budget Act of 2018 (Public Law 115-23) without being conditioned on any other issue and without regard to any issue or difference of opinion.

SEC. 1079. TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT.

(a) FINDINGS; PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(B) in recent years preceding the date of enactment of this section, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(C) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(D) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(i) to promote enjoyment of shooting, recreational, and hunting activities; and

(ii) to ensure safe and convenient locations for those activities;

(E) Federal law in effect on the date of enactment of this section, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support

for construction and expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

(F) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(2) PURPOSE.—The purpose of this section is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

(b) AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—

(1) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(A) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate archery or rifle, pistol, or shotgun shooting;''.

(2) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(A) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(B) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(C) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(D) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(E) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(3) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(A) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(B) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.''; and

(C) in subsection (c)(1)—

(i) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(ii) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

(c) LIMITS ON LIABILITY.—

(1) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the ''Federal Tort Claims Act''), any action by an agent or employee of the United States to manage or allow the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(2) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for any injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(A) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(B) located on Federal land.

(d) SENSE OF CONGRESS REGARDING COOPERATION.—It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

(e) DEFINITION OF PUBLIC TARGET RANGE.—In this section, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 1080. SENSE OF CONGRESS ON ADVERSARY AIR CAPABILITIES.

It is the sense of Congress that each facility of the Department of Defense housing an F–22 aircraft squadron should have adversary air capabilities to improve the training of F–22 aircrews.

SEC. 1081. SENSE OF CONGRESS REGARDING ORGANIC ATTACK AVIATOR TRAINING CAPABILITY.

It is the sense of Congress that—

(1) retaining attack rotary wing aviation assets in the Army National Guard continues to be important;

(2) the National Guard should retain organic attack aviation training capacity; and

(3) the Western and Eastern Army Aviation Training Sites have proven invaluable in maintaining Army National Guard aviation readiness.

SEC. 1082. SENSE OF CONGRESS ON THE LEGACY, CONTRIBUTIONS, AND SACRIFICES OF AMERICAN INDIAN AND ALASKA NATIVES IN THE ARMED FORCES.

(a) FINDINGS.—Congress finds the following:

(1) The United States celebrates Native American History Month each November to recognize and honor the history and achievements of Native Americans.

(2) American Indian and Alaska Natives serve in all branches of the Armed Forces, attend all service academies, and defend our country with valiance, pride, and honor.

(3) More than 30,000 active duty, reserve, and National Guard members of the Armed Forces identify as Native American.

(4) American Indian and Alaska Natives have served and continue to serve in the highest proportions to population than any other ethnic group.

(5) American Indian and Alaska Natives have served in every war, from the Revolutionary War to current overseas conflicts.

(6) Native American veterans are Congressional Medal of Honor, Congressional Gold and Silver Medals, Purple Heart, and Bronze Star Medal recipients.

(7) American Indian and Alaska Native women serve in Armed Forces in higher proportions than any other ethnic group.

(8) Native American Code Talkers and their languages proved an invaluable asset during World Wars I and II.

(9) Ira Hayes, Akimel O'odham (Pima) helped to raise the American flag on Iwo Jima;

(10) Dr. Joseph Medicine Crow, Apsáalooke (Crow), served in WWII and became a war chief.

(11) Numerous present and past military aircraft, helicopters, and munitions programs bear the names of Native American tribes and tribal leaders to honor their legacy of martial prowess, including the Apache, Kiowa, Black Hawk, Lakota, Chinook, Huron, Iroquois, Comanche, Cayuse, Chickasaw, Ute, Gray Eagle, Mescalero, Tomahawk, and more.

(12) Native American tribes commonly take part in ceremonies alongside military units to bless new aircraft and mark successful inception of new fleets.

(13) More than 140,000 veterans across the United States identify as Native American.

(14) Each November, the Department of Defense honors the unique and special relationship with tribal communities during Native American Heritage Month.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) recognizes and honors the legacy and contributions of American Indian and Alaska Natives and tribal communities to the military of the United States; and

(2) commits to ensuring progress for American Indian and Alaska Native members of the Armed Forces and veterans with regard to representation in senior military leadership positions, improving access to culturally competent resources and services, and supporting families and tribal communities.

SEC. 1083. AMATEUR RADIO PARITY.

(a) FINDINGS.—Congress finds the following:

(1) More than 730,000 radio amateurs in the United States are licensed by the Federal Communications Commission in the amateur radio services.

(2) Amateur radio, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronics technology, and emergency communications techniques and protocols.

(3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

(4) Federal Communications Commission regulations have for three decades prohibited the application to stations in the amateur

service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

(5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission's limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.

(6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

(7) In recognition of these considerations, a separate Federal policy than exists at section 97.15(b) of title 47, Code of Federal Regulations, is warranted concerning amateur service communications in deed-restricted communities.

(8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.

(b) APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.—

(1) AMENDMENT OF FCC RULES.—Not later than 120 days after the date of the enactment of this Act, the Federal Communications Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

(A) on its face or as applied, precludes communications in an amateur radio service;

(B) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

(C) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(2) ADDITIONAL REQUIREMENTS.—In amending its rules as required by subsection (a), the Commission shall—

(A) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;

(B) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

(C) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

(c) AFFIRMATION OF LIMITED PREEMPTION OF STATE AND LOCAL LAND USE REGULATION.—The Federal Communications Commission may not change section 97.15(b) of title 47, Code of Federal Regulations, which shall remain applicable to State and local land use regulation of amateur service communications.

(d) DEFINITIONS.—In this section:

(1) The term ''community association'' means any non-profit mandatory membership organization composed of owners of real estate described in a declaration of covenants or created pursuant to a covenant or other applicable law with respect to which a person, by virtue of the person's ownership of or interest in a unit or parcel, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvement, services, or other expenses related to common elements, other units, or any other real estate other than the unit or parcel described in the declaration.

(2) The terms ''amateur radio services'', ''amateur service'', and ''amateur station'' have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

SEC. 1084. SENSE OF CONGRESS REGARDING THE INTERNATIONAL BORDERS OF THE UNITED STATES.

It is the sense of Congress that—

(1) gaining and maintaining situational awareness and operational control of the international borders of the United States is critical to national security;

(2) the United States Government must devote adequate resources to securing the border, both at, and between, ports of entry, and the agency tasked with that mission, the Department of Homeland Security, should be adequately resourced to conduct such mission; and

(3) the Department of Defense must ensure that when it acts in support of that mission, such as when mobilized by the President to conduct homeland defense activities, or when military facilities are adjacent to an international border of the United States, it has adequate resources, capabilities, and authorities to carry out the mission while maintaining combat readiness.

SEC. 1085. PROGRAM TO COMMEMORATE 75TH ANNIVERSARY OF WORLD WAR II.

(a) COMMEMORATIVE PROGRAM AUTHORIZED.—The Secretary of Defense shall conduct a program to commemorate the 75th anniversary of World War II. In conducting the commemorative program, the Secretary shall support and facilitate other programs and activities of the Federal Government, State and local governments, and not-for-profit organizations in commemoration of the 75th anniversary of World War II.

(b) COMMEMORATIVE ACTIVITIES AND OBJECTIVES.—The commemorative program may include activities and ceremonies to achieve the following objectives:

(1) To thank and honor veterans of World War II, including personnel who were held as prisoners of war or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans.

(2) To educate the public about the history of World War II and highlight the service of the Armed Forces during World War II and the contributions of Federal agencies and governmental and nongovernmental organizations that served with, or in support of, the Armed Forces.

(3) To pay tribute to the contributions made on the home front by the people of the United States during World War II.

(4) To recognize the contributions and sacrifices made by the allies of the United States during World War II.

(c) NAMES AND SYMBOLS.—The Secretary of Defense shall have the sole and exclusive right to use the name ''The United States of America 75th Anniversary of World War II Commemoration'', and such seal, emblems, and badges incorporating such name as the Secretary may lawfully adopt. Nothing in this section may be construed to supersede rights that are established or vested before the date of the enactment of this Act.

(d) COMMEMORATIVE FUND.—

(1) ESTABLISHMENT AND ADMINISTRATION.—Upon the Secretary establishing the commemorative program under subsection (a), the Secretary of the Treasury shall establish in the Treasury of the United States an account to be known as the ''Department of Defense World War II Commemoration Fund'' (in this section referred to as the ''Fund''). The Fund shall be administered by the Secretary of Defense.

(2) USE OF FUND.—The Secretary of Defense shall use the assets of the Fund only for the purpose of conducting the commemorative program and providing grants to State and local governments and not-for-profit organizations for commemorative activities, and shall prescribe such regulations regarding the use of the Fund as the Secretary considers to be necessary.

(3) DEPOSITS.—The following shall be deposited into the Fund:

(A) Amounts appropriated to the Fund.

(B) Proceeds derived from the Secretary's use of the exclusive rights described in subsection (c).

(C) Donations made in support of the commemorative program by private and corporate donors.

(D) Funds transferred to the Fund by the Secretary from funds appropriated for fiscal year 2019 and subsequent years for the Department of Defense.

(4) AVAILABILITY.—Subject to subsection (f)(2), amounts deposited under paragraph (3) shall constitute the assets of the Fund and remain available until expended.

(5) BUDGET REQUEST.—The Secretary of Defense may establish a separate budget line for the commemorative program. In the budget justification materials submitted by the Secretary in support of the budget of the President for any fiscal year for which the Secretary establishes the separate budget line, the Secretary shall—

(A) identify and explain any amounts expended for the commemorative program in the fiscal year preceding the budget request;

(B) identify and explain the amounts being requested to support the commemorative program for the fiscal year of the budget request; and

(C) present a summary of the fiscal status of the Fund.

(e) ACCEPTANCE OF VOLUNTARY SERVICES.—

(1) AUTHORITY TO ACCEPT SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretary of Defense may accept from any person voluntary services to be provided in furtherance of the commemorative program. The Secretary of Defense shall prohibit the solicitation of any voluntary services if the nature or circumstances of such solicitation would compromise the integrity or the appearance of integrity of any program of the Department of Defense or of any individual involved in the program.

(2) REIMBURSEMENT OF INCIDENTAL EXPENSES.—The Secretary may provide for reimbursement of incidental expenses incurred by a person providing voluntary services under this subsection. The Secretary shall determine which expenses are eligible for reimbursement under this paragraph.

(f) FINAL REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the end of the commemorative

program established by the Secretary of Defense under subsection (a), the Secretary shall submit to Congress a report containing an accounting of—

(A) all of the funds deposited into and expended from the Fund;

(B) any other funds expended under this section; and

(C) any unobligated funds remaining in the Fund.

(2) TREATMENT OF UNOBLIGATED FUNDS.—Unobligated amounts remaining in the Fund as of the end of the commemorative period shall be held in the Fund until transferred by law.

(g) LIMITATION ON EXPENDITURES.—Total expenditures from the Fund, using amounts appropriated to the Department of Defense, may not exceed $5,000,000 for fiscal year 2019 or for any subsequent fiscal year to carry out the commemorative program.

(h) FUNDING.—Of the amount authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for operation and maintenance, Defense-wide activities, $2,000,000 shall be available for deposit in the Fund.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. DIRECT HIRE AUTHORITY FOR THE DEPARTMENT OF DEFENSE FOR CERTAIN COMPETITIVE SERVICE POSITIONS.

(a) IN GENERAL.—Chapter 99 of title 5, United States Code, is amended by adding at the end the following:

''§ 9905. Direct hire authority for certain personnel of the Department of Defense

''(a) IN GENERAL.—The Secretary of Defense may appoint, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303 and 3328 of such chapter), qualified candidates to any of the following positions in the competitive service in the Department of Defense:

''(1) Any position involved with Department maintenance activities, including depot-level maintenance and repair.

''(2) Any position involved with cybersecurity.

''(3) Any individual in the acquisition workforce that manages any services contracts necessary to the operation and maintenance of programs of the Department.

''(4) Any science, technology, or engineering position, including any such position at the Major Range and Test Facilities Base, in order to allow development of new systems and provide for the maintenance of legacy systems.

''(b) SUNSET.—Effective on September 30, 2025, the authority provided under subsection (a) shall expire.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 99 of such title is amended by inserting after the item relating to section 9904 the following new item:

''9905. Direct hire authority for certain personnel of the Department of Defense.''.

SEC. 1102. MODIFICATION OF DIRECT HIRE AUTHORITY FOR THE DEPARTMENT OF DEFENSE FOR POST-SECONDARY STUDENTS AND RECENT GRADUATES.

(a) IN GENERAL.—Chapter 99 of title 5, United States Code, as amended by section 1101(a), is further amended by adding at the end the following:

''§ 9906. Direct hire authority for the Department of Defense for post-secondary students and recent graduates

''(a) IN GENERAL.—Without regard to sections 3309 through 3318, 3327, and 3330, the Secretary of Defense may recruit and appoint qualified recent graduates and current post-secondary students to competitive service positions in professional and administrative occupations within the Department of Defense.

''(b) REGULATIONS.—

''(1) IN GENERAL.—The Secretary shall administer this section in accordance with regulations prescribed by the Secretary for purposes of this section.

''(2) PUBLIC NOTICE AND ADVERTISING.—To the extent practical, as determined by the Secretary, the Secretary shall publicly advertise positions available under this section. In carrying out the preceding sentence, the Secretary shall—

''(A) take into account merit system principles, mission requirements, costs, and organizational benefits of any advertising of positions; and

''(B) advertise such positions in the manner the Secretary determines is most likely to provide diverse and qualified candidates and ensure potential applicants have appropriate information relevant to the positions available.

''(c) DEFINITIONS.—In this section—

''(1) the term 'current post-secondary student' means a person who—

''(A) is currently enrolled in, and in good academic standing at, a full-time program at an institution of higher education;

''(B) is making satisfactory progress toward receipt of a baccalaureate or graduate degree; and

''(C) has completed at least one year of the program;

''(2) the term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and

''(3) the term 'recent graduate', with respect to appointment of a person under this section, means a person who was awarded a degree by an institution of higher education not more than two years before the date of the appointment of such person, except that in the case of a person who has completed a period of obligated service in a uniformed service of more than four years, such term means a person who was awarded a degree by an institution of higher education not more than four years before the date of the appointment of such person.

''(d) SUNSET.—Effective on September 30, 2025, the authority provided under this section shall expire.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 99 of such title, as amended by section 1101(b), is further amended by inserting after the item relating to section 9905 the following new item:

''9906. Direct hire authority for the Department of Defense for post-secondary students and recent graduates.''.

(c) REPEAL.—Section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is repealed.

SEC. 1103. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking ''September 30, 2019'' and inserting ''September 30, 2021''.

SEC. 1104. ONE-YEAR EXTENSION AND EXPANSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

(a) IN GENERAL.—Section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1105 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is amended by striking ''through 2018'' and inserting ''through 2019''.

(b) APPLICABILITY OF AGGREGATE LIMITATION ON PAY.—Section 1101(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615) is amended to read as follows:

''(b) APPLICABILITY OF AGGREGATE LIMITATION ON PAY.—In applying section 5307 of title 5, United States Code, any payment in addition to basic pay for a period of time during which a waiver under subsection (a) is in effect shall not be counted as part of an employee's aggregate compensation for the given calendar year.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on January 1, 2019.

SEC. 1105. APPOINTMENT OF RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN OR UNDER THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—During fiscal years 2018 through 2021, in addition to the authority provided under paragraphs (1) and (2) of subsection (b) of section 3326 of title 5, United States Code, and consistent with the requirements of such section, a retired member of the armed forces may be appointed under such subsection if—

(1) the Department of Defense (including a nonappropriated fund instrumentality under the jurisdiction of the armed forces) has been granted direct hire authority to fill the position;

(2) the appointment is to fill an emergency appointment for which the Secretary concerned or his designee for the purpose determines competitive appointment is not appropriate or reasonable due to the need to fill the emergency need as quickly as possible; or

(3) the appointment is for a highly qualified expert under section 9903 of such title.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) with respect to the waiver process under section 3326(b)(1) of title 5, United States Code—

(A) the number of individuals appointed during the most recently ended fiscal year under such process; and

(B) the Department of Defense's plan on the use of such process during the fiscal year in which the briefing is provided;

(2) the number of individuals—

(A) appointed under the authority provided by subsection (a) during the most recently ended fiscal year; and

(B) expected to be appointed under such subsection during the fiscal year in which the briefing is provided; and

(3) the impact of subsection (a) on the management of the Department civilian workforce during the most recently ended fiscal year.

SEC. 1106. EXTENSION OF AUTHORITY TO CONDUCT TELEWORK TRAVEL EXPENSES TEST PROGRAMS.

(a) IN GENERAL.—Section 5711(g) of title 5, United States Code, is amended by striking ''7 years after the date of the enactment of the Telework Enhancement Act of 2010'' and inserting ''on December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as though enacted on December 1, 2017.

SEC. 1107. PERSONNEL DEMONSTRATION PROJECTS.

Section 4703 of title 5, United States Code, is amended—

(1) in subsection (d), by striking paragraph (2) and inserting the following:

''(2)(A) Except as provided in subparagraph (B), not more than 10 active demonstration projects may be in effect at any time.

''(B) Any demonstration project authorized under this section that is active for a period greater than 10 years shall not count for purposes of applying the limitation in subparagraph (A).''; and

(2) by adding at the end the following:

''(j) Each agency at which a demonstration project is ongoing shall submit an annual report to the Office of Personnel Management, the Office and Management and Budget, the Committee on Homeland Security and Governmental Affairs of the United States Senate, and the Committee on Oversight and Government Reform of the United States House of Representatives that includes—

''(1) the aggregate performance appraisal ratings and compensation costs for employees under a demonstration project;

''(2) an assessment of the results of the demonstration project, including its impact on mission goals, employee recruitment, retention, and satisfaction, and which may include the results of the survey authorized under section 1128 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 5 U.S.C. 7101 note), commonly referred to as the Federal Employee Viewpoint Survey, and performance management for employees; and

''(3) a comparison of the items listed in (1) and (2) with employees not covered by the demonstration project.''.

SEC. 1108. EXPANDED FLEXIBILITY IN SELECTING CANDIDATES FROM REFERRAL LISTS.

(a) EXPANDED FLEXIBILITY.—Subchapter I of chapter 33 of title 5, United States Code, is amended by striking sections 3317 and 3318 and inserting the following:

''§ 3317. Competitive service; certification using numerical ratings

''(a) CERTIFICATION.—

''(1) IN GENERAL.—The Director of the Office of Personnel Management, or the head of an agency to which the Director has delegated examining authority under section 1104(a)(2), shall certify a sufficient number of names from the top of the appropriate register or list of eligibles, as determined pursuant to regulations prescribed under subsection (c), and provide a certificate with such names to an appointing authority that has requested a certificate of eligibles to consider when filling a job in the competitive service.

''(2) MINIMUM NUMBER OF NAMES CERTIFIED.—Unless otherwise provided for in regulations prescribed under subsection (c), the number of names certified under paragraph (1) shall be not less than three.

''(b) DISCONTINUANCE OF CERTIFICATION.—When an appointing authority, for reasons considered sufficient by the Director or head of an agency, has three times considered and passed over a preference eligible who was certified from a register, the Director or head of any agency may discontinue certifying the preference eligible for appointment. The Director or the head of an agency shall provide to such preference eligible notice of the intent to discontinue certifying such preference eligible prior to the discontinuance of certification.

''(c) REGULATIONS.—The Director shall prescribe regulations for the administration of this section. Such regulations shall include the establishment of mechanisms for identifying the eligibles who will be considered for each vacancy. Such mechanisms may include cut-off scores.

''(d) DEFINITION.—In this section, the term 'Director' means the Director of the Office of Personnel Management.

''§ 3318. Competitive service; selections using numerical ratings

''(a) IN GENERAL.—An appointing authority shall select for appointment from the eligibles certified for appointment on a certificate furnished under section 3317(a), unless objection to one or more of the individuals certified is made to, and sustained by, the Director of the Office of Personnel Management or the head of an agency to which the Director has delegated examining authority under section 1104(a)(2), for proper and adequate reason under regulations prescribed by the Director.

''(b) OTHER APPOINTING AUTHORITIES.—

''(1) IN GENERAL.—During the 240-day period beginning on the date of issuance of a certificate of eligibles under section 3317(a), an appointing authority other than the appointing authority requesting the certificate (in this subsection referred to as the 'other appointing authority') may select an individual from that certificate in accordance with this subsection for an appointment to a position that is—

''(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the 'original position'); and

''(B) at a similar grade level as the original position.

''(2) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

''(3) REQUIREMENTS.—The selection of an individual under paragraph (1)—

''(A) shall be made in accordance with subsection (a); and

''(B) subject to paragraph (4), may be made without any additional posting under section 3327.

''(4) INTERNAL NOTICE.—Before selecting an individual under paragraph (1), the other appointing authority shall—

''(A) provide notice of the available position to employees of the other appointing authority;

''(B) provide up to 10 business days for employees of the other appointing authority to apply for the position; and

''(C) review the qualifications of employees submitting an application.

''(c) PASS OVER.—

''(1) IN GENERAL.—Subject to subparagraph (2), if an appointing authority proposes to pass over a preference eligible certified for appointment under subsection (a) and select an individual who is not a preference eligible, the appointing authority shall file written reasons with the Director or the head of the agency for passing over the preference eligible. The Director or the head of the agency shall make the reasons presented by the appointing authority part of the record of the preference eligible and may require the submission of more detailed information from the appointing authority in support of the passing over of the preference eligible. The Director or the head of the agency shall determine the sufficiency or insufficiency of the reasons submitted by the appointing authority, taking into account any response received from the preference eligible under paragraph (2). When the Director or the head of the agency has completed review of the proposed pass-over of the preference eligible, the Director or the head of the agency shall send its findings to the appointing authority and to the preference eligible. The appointing authority shall comply with the findings.

''(2) PREFERENCE ELIGIBLE INDIVIDUALS WHO HAVE A COMPENSABLE SERVICE-CONNECTED DISABILITY.—In the case of a preference eligible described in section 2108(3)(C) who has a compensable service-connected disability of 30 percent or more, the appointing authority shall notify the Director under paragraph (1) and, at the same time, notify the preference eligible of the proposed pass-over, of the reasons for the proposed pass-over, and of the individual's right to respond to those reasons to the Director within 15 days of the date of the notification. The Director shall, before completing the review under paragraph (1), require a demonstration by the appointing authority that the notification was timely sent to the preference eligible's last known address.

''(3) FURTHER CONSIDERATION NOT REQUIRED.—When a preference eligible, for reasons considered sufficient by the Director, or in the case of a preference eligible described in paragraph (1), by the head of an agency, has been passed over in accordance with this subsection for the same position, the appointing authority is not required to give further consideration to that preference eligible while selecting from the same list for a subsequent appointment to such position.

''(4) DELEGATION PROHIBITION.—In the case of a preference eligible described in paragraph (2), the functions of the Director under this subsection may not be delegated to an individual who is not an officer or employee of the Office of Personnel Management.

''(d) SPECIAL RULE REGARDING REEMPLOYMENT LISTS.—When the names of preference eligibles are on a reemployment list appropriate for the position to be filled, an appointing authority may appoint from a register of eligibles established after examination only an individual who qualifies as a preference eligible under subparagraph (C), (D), (E), (F), or (G) of section 2108(3).

''(e) CONSIDERATION NOT REQUIRED.—In accordance with regulations prescribed by the Director, an appointing officer is not required to consider an eligible who has been considered by the appointing officer for three separate appointments from the same or different certificates for the same position.

''(f) REGULATIONS.—The Director shall prescribe regulations for the administration of this section.

''(d) DEFINITION.—In this section, the term 'Director' means the Director of the Office of Personnel Management.''.

(b) CONFORMING AMENDMENTS.—Such subchapter is further amended—

(1) in section 3319—

(A) by amending the section heading to read as follows:

''§ 3319. Competitive service; selection using category rating''; and

(B) in subsection (c), by striking paragraph (6), redesignating paragraph (7) as paragraph (6), and amending paragraph (6) (as so redesignated) to read as follows:

''(6) PREFERENCE ELIGIBLES.—

''(A) SATISFACTION OF CERTAIN REQUIREMENTS.—Notwithstanding paragraphs (1) and (2), an appointing official may not pass over a preference eligible in the same category from which selection is made, unless the requirements of sections 3317(b) and 3318(c), as applicable, are satisfied.

''(B) FURTHER CONSIDERATION NOT REQUIRED.—When a preference eligible, for reasons considered sufficient by the Director, or in the case of a preference eligible described in section 3318(c)(1), by the head of an agency, has been passed over in accordance with section 3318(c) for the same position, the appointing authority is not required to give

further consideration to that preference eligible while selecting from the same list for a subsequent appointment to such position.

''(C) LIST OF ELIGIBLES ISSUED FROM A STANDING REGISTER; DISCONTINUATION OF CERTIFICATION.—In the case of lists of eligibles issued from a standing register, when an appointing authority, for reasons considered sufficient by the Director or the head of an agency, has three times considered and passed over a preference eligible who was certified from a register, certification of the preference eligible for appointment may be discontinued. However, the preference eligible is entitled to advance notice of discontinuance of certification in accordance with regulations prescribed by the Director.''; and

(2) in the first sentence of section 3320, by striking ''sections 3308–3318'' and inserting ''sections 3308 through 3319''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 3317, 3318, and 3319 and inserting the following:

''3317. Competitive service; certification using numerical ratings
''3318. Competitive service; selection using numerical ratings
''3319. Competitive service; selection using category rating''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date on which the Director of the Office of Personnel Management issues final regulations to implement sections 3317, 3318, and 3319 of title 5, United States Code, as amended or added by this section.

(2) REGULATIONS REQUIRED.—The Director shall issue regulations under paragraph (1) not later than one year after the date of enactment of this section.

SEC. 1109. TEMPORARY AND TERM APPOINTMENTS IN THE COMPETITIVE SERVICE.

(a) TEMPORARY AND TERM APPOINTMENTS.—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

''§ 3115. Temporary and term appointments

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

''(2) TEMPORARY APPOINTMENT.—The term 'temporary appointment' means an appointment in the competitive service for a period of not more than 1 year.

''(3) TERM APPOINTMENT.—The term 'term appointment' means an appointment in the competitive service for a period of more than 1 year and not more than 5 years.

''(b) APPOINTMENT.—

''(1) IN GENERAL.—The head of an Executive agency may make a temporary appointment or term appointment to a position in the competitive service when the need for the services of the employee services is not permanent.

''(2) EXTENSION.—Under conditions prescribed by the Director, the head of an Executive agency may—

''(A) extend a temporary appointment made under paragraph (1) in increments of not more than 1 year, up to a maximum of 3 total years of service; and

''(B) extend a term appointment made under paragraph (1) in increments determined appropriate by the head of the Executive agency, up to a maximum of 6 total years of service.

''(c) APPOINTMENTS FOR CRITICAL HIRING NEEDS.—Under conditions prescribed by the Director, the head of an Executive agency may make a noncompetitive temporary appointment, or a noncompetitive term appointment for a period of not more than 18 months, to a position in the competitive service for which a critical hiring need exists, without regard to the requirements of sections 3327 and 3330. An appointment made under this subsection may not be extended.

''(d) REGULATIONS.—The Director may prescribe regulations to carry out this section, but is not required to promulgate regulations prior to implementation of this section.

''(e) SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.—Nothing in this section shall preclude the Secretary of Defense from making temporary and term appointments in the competitive service pursuant to section 1105 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580; Public Law 114–328; 130 Stat. 2447), and any regulations prescribed by the Director for the administration of this section shall not apply to the Secretary of Defense in the exercise of the authorities granted under such section 1105.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 31 of title 5, United States Code, is amended by inserting after the item relating to section 3114 the following: .

''3115. Temporary and term appointments''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. REPORT ON THE USE OF SECURITY COOPERATION AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should utilize appropriate security cooperation authorities to counter malign influence campaigns that are directed at allied and partner countries and that pose a significant threat to the national security of the United States.

(b) REPORT ON FUNDING.—The Secretary of Defense shall include with the consolidated budget materials submitted to Congress as required by section 381 of title 10, United States Code, for fiscal year 2020, and for each subsequent fiscal year through fiscal year 2025, a report on the use of security cooperation funding to counter the malign influence directed at allied and partner countries and that pose a significant threat to the national security of the United States.

SEC. 1202. CLARIFICATION OF AUTHORITY TO WAIVE CERTAIN EXPENSES FOR ACTIVITIES OF THE REGIONAL CENTERS FOR SECURITY STUDIES.

Section 342 of title 10, United States Code, is amended—

(1) in subsection (f)(3)—

(A) in subparagraph (A) in the first sentence, by inserting '', including travel, transportation, and subsistence expenses,'' after ''activities of the Regional Centers''; and

(B) in subparagraph (B)(i), by inserting '', including travel, transportation, and subsistence expenses,'' after ''activities of the Regional Centers'';

(2) in subsection (h)(3)(A), by inserting '', including travel, transportation, and subsistence expenses,'' after ''Marshall Center''; and

(3) in subsection (i)(1), by inserting '', including travel, transportation, and subsistence expenses,'' after ''Daniel K. Inouye Center for Security Studies''.

SEC. 1203. NATO STRATEGIC COMMUNICATIONS CENTER OF EXCELLENCE.

(a) AUTHORIZATION.—The Secretary of Defense shall provide funds for the NATO Strategic Communications Center of Excellence (in this section referred to as the ''Center'') to—

(1) enhance the ability of military forces and civilian personnel of the countries participating in the Center to engage in joint strategic communications exercises or coalition or international military operations; and

(2) improve interoperability between the armed forces and the military forces of friendly foreign nations in the areas of strategic communications.

(b) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of the Center in fostering strategic communications and information operations within NATO.

(c) BRIEFING REQUIREMENT.—The Secretary of Defense shall periodically brief the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on the efforts of the Department of Defense to strengthen the role of the Center in fostering strategic communications and information operations within NATO.

SEC. 1204. NATO COOPERATIVE CYBER DEFENSE CENTER OF EXCELLENCE.

(a) AUTHORIZATION.—The Secretary of Defense shall provide funds for the NATO Cooperative Cyber Defense Center of Excellence (in this section referred to as the ''Center'') to—

(1) enhance the ability of military forces and civilian personnel of the countries participating in the Center to engage in joint cyber exercises or coalition or international military operations; and

(2) improve interoperability between the armed forces and the military forces of friendly foreign countries in the areas of cyber and cybersecurity.

(b) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibilities for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of the Center in fostering cyber defense and cyber warfare capabilities within NATO.

(c) BRIEFING REQUIREMENT.—The Secretary of Defense shall periodically brief the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on the efforts of the Department of Defense to strengthen the role of the Center in fostering cyber defense and cyber warfare capabilities within NATO.

SEC. 1205. PARTICIPATION IN AND SUPPORT OF THE INTER-AMERICAN DEFENSE COLLEGE.

(a) IN GENERAL.—Subchapter V of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 351. Inter-American Defense College

''(a) AUTHORITY TO SUPPORT.—The Secretary of Defense may authorize members of the armed forces and civilian personnel of the Department of Defense to participate in the operation of and the provision of support to the Inter-American Defense College and provide logistic support, supplies, and services to the Inter-American Defense College, including the use of Department of Defense facilities and equipment, as the Secretary considers necessary to—

''(1) assist the Inter-American Defense College in its mission to develop and offer to military officers and civilian officials from member states of the Organization of American States advanced academic courses on matters related to military and defense issues, the inter-American system, and related disciplines; and

''(2) ensure that the Inter-American Defense College provides an academic program of a level of quality, rigor, and credibility that is commensurate with the standards of Department of Defense senior service colleges and that includes the promotion of security cooperation, human rights, humanitarian assistance and disaster response, peacekeeping, and democracy in the Western Hemisphere.

''(b) MEMORANDUM OF UNDERSTANDING.—(1) The Secretary of Defense, with the concurrence of the Secretary of State, shall enter into a memorandum of understanding with the Inter-American Defense Board for the participation of members of the armed forces and civilian personnel of the Department of Defense in the operation of and provision of host nation support to the Inter-American Defense College under subsection (a).

''(2) If Department of Defense facilities, equipment, or funds will be used to support the Inter-American Defense College under subsection (a), a memorandum of understanding entered into under paragraph (1) shall include a description of any cost-sharing arrangement or other funding arrangement relating to the use of such facilities, equipment, or funds.

''(3) A memorandum of understanding entered into under paragraph (1) shall also include a curriculum and a plan for academic program development.

''(c) USE OF FUNDS.—(1) Funds appropriated to the Department of Defense for operation and maintenance may be used to pay costs that the Secretary determines are necessary for the participation of members of the armed forces and civilian personnel of the Department of Defense in the operation of and provision of host nation support to the Inter-American Defense College, including—

''(A) the costs of expenses of such participants;

''(B) the cost of hiring and retaining qualified professors, instructors, and lecturers;

''(C) curriculum support costs, including administrative costs, academic outreach, and curriculum support personnel;

''(D) the cost of translation and interpretation services;

''(E) the cost of information and educational technology;

''(F) the cost of utilities; and

''(G) the cost of maintenance and repair of facilities.

''(2) No funds may be used under this section to provide for the pay of members of the armed forces or civilian personnel of the Department of Defense who participate in the operation of and the provision of host nation support to the Inter-American Defense College under this section.

''(3) Funds available to carry out this section for a fiscal year may be used for activities that begin in such fiscal year and end in the next fiscal year.

''(d) WAIVER OF REIMBURSEMENT.—The Secretary of Defense may waive reimbursement for developing countries (as such term is defined in section 301 of this title) of the costs of funding and other host nation support provided to the Inter-American Defense College under this section if the Secretary determines that the provision of such funding or support without reimbursement is in the national security interest of the United States.

''(e) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES DEFINED.—In this section, the term 'logistic support, supplies, and services' has the meaning given that term in section 2350 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of such title is amended by adding at the end the following new item:

''Sec. 351. Inter-American Defense College.''.

SEC. 1206. INCREASE IN COST LIMITATION FOR SMALL SCALE CONSTRUCTION RELATED TO SECURITY COOPERATION.

Section 301(8) of title 10, United States Code, is amended by striking ''$750,000'' and inserting ''$2,000,000''.

SEC. 1207. REPORT ON SECURITY COOPERATION WITH HAITI.

Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter for 3 years, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate committees of Congress (as such term is defined in section 301 of title 10, United States Code) a report on cooperation between the Department of Defense and the Government of Haiti.

SEC. 1208. REVIEW AND REPORT ON PROCESSES AND PROCEDURES USED TO CARRY OUT SECTION 362 OF TITLE 10, UNITED STATES CODE.

(a) REVIEW.—The Secretary of Defense, with the concurrence of the Secretary of State, shall conduct a review of the processes and procedures used to carry out section 362 of title 10, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate congressional committees a report that contains a summary and evaluation of the review required by subsection (a).

(2) MATTERS TO BE INCLUDED.—The report required by this subsection shall include the following:

(A) A description of the procedures used to obtain and verify information regarding the vetting of partner units for gross violation of human rights required under section 362 of title 10, United States Code.

(B) A description of the procedures required under subsection (d) of such section 362.

(C) A description of the procedures used to conduct remediation of units for determined or alleged of gross violation of human rights.

(D) A list of units completing the process of remediation for gross violation of human rights as described in subparagraph (C).

(E) A summary of reports submitted to Congress as required under subsection (e) of such section 362.

(F) An analysis of the impact of such section 362 to achieving the objectives of the National Defense Strategy.

(G) A description of the processes and procedures used to implement section 1206 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3538), to include the process of obtaining the concurrence of the Secretary of State, as required under subsection (c)(1) of such section.

(H) Recommendations to revise authorities to improve the processes and procedures related to the vetting of foreign partner units for gross violations of human rights.

(I) Any other matters the Secretary considers appropriate.

(3) FORM.—The report required by this subsection shall be submitted in unclassified form but may include a classified annex.

(4) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(c) AMENDMENTS TO EXISTING LAW.—(1) Paragraph (1) of section 362(a) of title 10, United States Code, is amended in paragraph (1), by striking ''none may be used for any training, equipment, or other assistance'' and inserting ''none may be used for any training, defense articles, or defense services''.

(2) Subsection (b)(3) of section 1206 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2282 note) is amended by striking ''subsection (b) of section 2249e of title 10, United States Code (as added by section 1204(a) of this Act)'' and inserting ''subsection (b) of section 362 of title 10, United States Code''.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION OF EXPIRATION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1648), is further amended by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

(b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section 1222, as so amended, is further amended by striking ''December 31, 2018,'' each place it appears and inserting ''December 31, 2020''.

SEC. 1212. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1648), is further amended by striking ''the period beginning on October 1, 2017, and ending on December 31, 2018'' and inserting ''the period beginning on October 1, 2018, and ending on December 31, 2019''.

(b) EXTENSION OF LIMITATIONS.—Subsection (d)(1) of such section 1233, as so amended, is further amended—

(1) in the first sentence, by striking ''the period beginning on October 1, 2017, and ending on December 31, 2018'' and inserting ''the period beginning on October 1, 2018, and ending on December 31, 2019''; and

(2) in the second sentence, by striking ''to Pakistan during'' and all that follows through ''December 31, 2018'' and inserting ''to Pakistan during the period beginning on October 1, 2018, and ending on December 31, 2019''.

(c) EXTENSION OF ADDITIONAL LIMITATIONS WITH RESPECT TO PAKISTAN.—

(1) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1212(d) of the National Defense Authorization Act for Fiscal Year 2018, is further amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

(2) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON

PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as most recently amended by section 1212(e) of the National Defense Authorization Act for Fiscal Year 2018, is further amended by striking ''for any period prior to December 31, 2018'' and inserting ''for any period prior to December 31, 2019''.

(3) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2019 pursuant to the second sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (b)(2)), $350,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(A) Pakistan continues to conduct military operations that are contributing to significantly disrupting the safe havens, fundraising and recruiting efforts, and freedom of movement of the Haqqani Network in Pakistan;

(B) Pakistan has taken steps to demonstrate its commitment to prevent the Haqqani Network from using any Pakistan territory as a safe haven and for fundraising and recruiting efforts;

(C) the Government of Pakistan is making an attempt to actively coordinate with the Government of Afghanistan to restrict the movement of militants, such as the Haqqani Network, along the Afghanistan-Pakistan border; and

(D) Pakistan has shown progress in arresting and prosecuting senior leaders and mid-level operatives of the Haqqani Network.

SEC. 1213. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2477), is further amended—

(1) in subsection (a), by striking ''December 31, 2018'' and inserting ''December 31, 2020'';

(2) in subsection (b), by striking ''fiscal year 2017 and fiscal year 2018'' and inserting ''fiscal years 2017 through 2020''; and

(3) in subsection (f), by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

(b) MODIFICATION.—Subsection (b) of section 1211 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2477) is amended—

(1) in the heading, by striking ''AND SYRIA'' and inserting ''SYRIA, SOMALIA, LIBYA, AND YEMEN''; and

(2) in paragraph (1), by striking ''or Syria'' and inserting ''Syria, Somalia, Libya, or Yemen''.

SEC. 1214. REPORT ON ASSISTANCE TO PAKISTAN.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an unclassified report, which may include a classified annex, describing the manner in which the Department of Defense provides assistance to the Government of Pakistan.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) AUTHORITY.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1690), is further amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(b) FUNDING.—Subsection (g) of such section, as so amended, is further amended—

(1) by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''; and

(2) by striking ''$1,269,000,000'' and inserting ''$850,000,000''.

SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), as most recently amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1653), is further amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

(b) REPROGRAMMING REQUIREMENT.—

(1) IN GENERAL.—Subsection (f) of such section 1209, as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2485), is further amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

(2) LIMITATION ON THE USE OF FUNDS.—Beginning on the date of the enactment of this section, no funds may be requested to be reprogrammed pursuant to such subsection (f), as amended by paragraph (1), until the date that is 30 days after the date on which the President submits to the congressional defense committees a plan that includes the following:

(A) A description of the efforts the United States will undertake to train and build appropriately vetted Syrian opposition forces.

(B) An assessment of the nature of the forces receiving such assistance, including the origins and affiliations of such forces and any previous history of collaboration with the Syrian Democratic Forces.

(C) An assessment of the current operational effectiveness of such forces.

(D) The conditions to be met for a determination that ISIS has been adequately neutralized.

(E) A description of the roles and contributions of partner countries to such assistance, if any.

(F) The concept of operations, timelines, and types of training, equipment, stipends, sustainment, and supplies to be provided by the United States, including measures for end-use accountability with respect to resources, equipment, and supplies after the resources, equipment, and supplies are provided to such forces.

(G) A description of the force posture and roles of the United States Armed Forces involved in providing such assistance.

(3) FORM.—The plan described in paragraph (2) shall be submitted in unclassified form but may include a classified annex.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1224 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1654), is further amended by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''.

(b) LIMITATION ON AMOUNT.—Subsection (c) of such section is amended—

(1) by striking ''fiscal year 2018'' and inserting ''fiscal year 2019'' ; and

(2) by striking ''$42,000,000'' and inserting ''$45,000,000''.

(c) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''.

SEC. 1224. SENSE OF CONGRESS ON BALLISTIC MISSILE COOPERATION TO COUNTER IRAN.

(a) FINDINGS.—Congress finds the following:

(1) At the 2014 Strategic Cooperation Forum in New York of the Gulf Cooperation Council, the Foreign Ministers of member countries agreed in a Joint Communique to ''[e]nhance GCC-US security coordination, particularly on Ballistic Missile Defense, by continuing to move forward on development of a Gulf-Wide, interoperable missile defense architecture.''.

(2) At the 2015 Strategic Cooperation Forum in New York, the Foreign Ministers issued a Joint Communique that ''reaffirmed commitment to. . .establishing a GCC interoperable ballistic missile defense architecture''.

(3) The White House Office of the Press Secretary released a statement on May 14, 2015, that at the 2015 United States—GCC Summit at Camp David, ''leaders discussed a new U.S.-GCC strategic partnership to enhance their work to improve security cooperation on. . . ballistic missile defense''.

(4) The White House Office of the Press Secretary subsequently released a statement on April 21, 2016, that at the 2016 United States—GCC Summit at Riyadh, ''leaders affirmed need to remain vigilant about addressing Iran's destabilizing actions in the region, including its ballistic missile program''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) member countries of the Gulf Cooperation Council should take meaningful steps to develop and implement an interoperable ballistic missile defense architecture to defend against Iran's ballistic missile threat that emphasizes information sharing and includes early warning and tracking data, to enhance the security of citizens, protect critical infrastructure, and deter Iran; and

(2) the United States should continue bilateral and multilateral missile defense exercises in the region and, when practicable, increase the capacity of United States partners through foreign military sales.

SEC. 1225. STRATEGY TO COUNTER DESTABILIZING ACTIVITIES OF IRAN.

(a) STRATEGY AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to develop and implement a strategy with foreign partners to counter the destabilizing activities of Iran.

(2) ELEMENTS.—The strategy described in paragraph (1)—

(A) should establish a cooperative framework that includes—

(i) investing in intelligence, surveillance, and reconnaissance platforms;

(ii) investing in mine countermeasures resources and platforms;

(iii) investing in integrated air and missile defense platforms and technologies;

(iv) sharing intelligence and data with United States and such foreign countries;

(v) investing in cyber security and cyber defense capabilities;

(vi) engaging in combined planning; and

(vii) engaging in defense education, institution building, doctrinal development, and reform; and

(B) should provide for designation of a civilian or military officer or employee of the Department of Defense and designation of a senior employee of the Department of State to implement the cooperative framework described in subparagraph (A).

(b) MULTILATERAL COORDINATION.—To enhance cooperation and encourage military-to-military engagement between the United States and foreign partners described in subsection (a), the Secretary of Defense and the Secretary of State should take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the governments of such foreign partners—

(1) are at a level appropriate to enhance engagement between the militaries of such partners for threat analysis, military doctrine, force planning, mutual security interests, logistical support, and intelligence cooperation;

(2) enhance security cooperation, including maritime security, special operations collaboration, cyber cooperation, and integrated air and missile defense and domain awareness, in the Middle East and Southwest Asia regions; and

(3) accelerate the development of combined military planning for missions to counter Iran that may arise within the contours of shared national security interests.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, should submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on—

(1) the strategy described in subsection (a), including a description of contributions of foreign partners to the strategy; and

(2) the actions taken under subsection (b).

SEC. 1226. REPORT ON COMPLIANCE OF IRAN UNDER THE CHEMICAL WEAPONS CONVENTION.

(a) FINDING.—In the annual report submitted to Congress in March 2018, consistent with condition (10)(C) of the Resolution of Advice and Consent to Ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (''Chemical Weapons Convention''), entered into force on April 29, 1997, the Secretary of State concluded that ''(b)ased on available information, the United States cannot certify Iran has met its obligations under the Convention for declaration of: (1) its chemical weapons production facility (CWPF); (2) transfer of chemical weapons (CW); and (3) retention of an undeclared CW stockpile''.

(b) REPORT REQUIRED.—Not later than February 1, 2019, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees a report assessing the extent to which Iran is complying with its obligations under the Chemical Weapons Convention that includes the following:

(1) A description, assessment, and verification, to the extent practicable, of any credible information that Iran has assisted the Government of Syria in committing actions that violate such treaty.

(2) A description of any dual-use technologies that could advance Iran's capability to produce chemical weapons for offensive use.

(3) The implications of any activities or technologies described pursuant to paragraphs (1) and (2) for Iran's compliance with other international obligations relating to nonproliferation.

(4) Any other matters the Secretaries determines to be relevant.

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1227. REPORT ON POTENTIAL RELEASE OF CHEMICAL WEAPONS OR CHEMICAL WEAPONS PRECURSORS FROM BARZEH RESEARCH AND DEVELOPMENT CENTER AND HIM SHINSHAR CHEMICAL WEAPONS STORAGE AND BUNKER FACILITIES IN HOMS PROVINCE OF SYRIA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains a review and analysis of the potential for release of chemical weapons or chemical weapons precursors from the Barzeh Research and Development Center and the Him Shinshar chemical weapons storage and bunker facilities in Homs province of Syria that were targets of strikes by the United States and partner forces on April 13, 2018.

(b) REQUIREMENTS RELATING TO REVIEW AND ANALYSIS.—The review and analysis described in subsection (a) shall include the following:

(1) The methodology the Secretary of Defense used prior to such strikes to determine the likelihood of a release of chemical weapons or chemical weapons precursors affecting local residents.

(2) The methodology the Secretary of Defense used prior to such strikes to determine the potential for chemical agents to enter into the aquifer, air, soil, or other aspects of the environment.

(c) FORM.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1228. REPORT ON COOPERATION BETWEEN IRAN AND THE RUSSIAN FEDERATION.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall transmit to the appropriate congressional committees a report on cooperation between Iran and the Russian Federation and the extent to which such cooperation affects United States national security and strategic interests, particularly with respect to Syria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following: —

(1) A detailed description of Iranian-Russian cooperation on matters relating to Syria, including the following:

(A) Mutual defense assistance to the Assad regime.

(B) Establishment of forward operating bases in Syria.

(C) Deployment of air defense systems.

(D) Assistance to Assad's chemical weapons program, including research, development, and deployment of such weapons.

(2) A detailed description of Iranian-Russian cooperation on matters relating to Iran's space program, including how and to what extent such cooperation strengthens Iran's ballistic missile program.

(3) A description and analysis of the intelligence-sharing center established by Iran, Russia, and Syria in Baghdad, Iraq, and whether such center is being used for purposes other than the purposes of the joint mission of such countries in Syria.

(4) A description and analysis of—

(A) naval cooperation between Iran and Russia, including joint naval exercises between the two countries; and

(B) the long-term consequences of—

(i) a robust Russian naval presence in the Eastern Mediterranean;

(ii) an Iranian naval presence in the Persian Gulf; and

(iii) Iranian and Russian naval strength in the Caspian Sea.

(5) A description of nuclear cooperation between Iran and Russia, both with respect to the Joint Comprehensive Plan of Action and outside of the parameters of such nuclear agreement with Iran.

(6) The likelihood that Iran might adopt the Russian model of hybrid warfare.

(7) The extent of Russian cooperation with Hezbollah in Syria, Lebanon, and Iraq, including cooperation with respect to training, equipping, and joint operations.

(c) FORM.—Each report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits a notification of the waiver, at the time the waiver is invoked, to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1232. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO IMPLEMENTATION OF THE OPEN SKIES TREATY.

(a) PROHIBITION ON ACTIVITIES TO MODIFY UNITED STATES AIRCRAFT.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for research, development, test, and evaluation, Air Force, for arms control implementation (PE 0305145F), Aircraft Procurement, Air Force (line item C135B0/C-135B), or procurement, Air Force, for digital visual imaging system (BA-05, Line Item #1900) may be obligated or expended to carry out any activities to modify any United States aircraft for purposes of implementing the Open Skies Treaty until the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—

(A) IN GENERAL.—The certification described in this paragraph is a certification of the President that—

(i) the President has imposed treaty violations responses and legal countermeasures on the Russian Federation for its violations of the Open Skies Treaty; and

(ii) the President has fully informed the appropriate congressional committees of such responses and countermeasures.

(B) DELEGATION.—The President may delegate the responsibility for making a certification under subparagraph (A) to the Secretary of the State.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) LIMITATION ON USE OF FUNDS TO VOTE OR APPROVE CERTAIN IMPLEMENTING DECISIONS OF THE OPEN SKIES CONSULTATIVE COMMISSION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2019 may be used to vote to approve or otherwise adopt any implementing decision of the Open Skies Consultative Commission pursuant to Article X of the Open Skies Treaty to authorize approval of requests by state parties to the Treaty to certify infra-red or synthetic aperture radar sensors pursuant to Article IV of the Treaty unless and until the following requirements are met:

(A) The Secretary of Defense, jointly with the relevant United States Government officials, submits to the appropriate congressional committees the following:

(i) A certification that the implementing decision would not be detrimental or otherwise harmful to the national security of the United States.

(ii) A report on the Open Skies Treaty that includes the following:

(I) The annual costs to the United States associated with countermeasures to mitigate potential abuses of observation flights by the Russian Federation carried out under the Treaty over European and United States territories involving infra-red or synthetic aperture radar sensors.

(II) A plan, and its estimated comparative cost, to replace the Treaty architecture with an increased sharing of overhead commercial imagery, consistent with United States national security, with covered state parties, excluding the Russian Federation.

(III) An evaluation by the Director of National Intelligence of matters concerning how an observation flight described in clause (i) could implicate intelligence activities of the Russian Federation in the United States and United States counterintelligence activities and vulnerabilities.

(IV) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(B) Not later than 90 days before the date on which the United States votes to approve or otherwise adopt any such implementing decision, the President shall submit to the appropriate congressional committees a certification that—

(i) the Russian Federation—

(I) is in complete compliance with is obligations under the Open Skies Treaty;

(II) is not exceeding the imagery limits set forth in the Treaty; and

(III) is allowing observation flights by covered state parties over all of Moscow, Chechnya, Kaliningrad, and within 10 kilometers of its border with Georgia's occupied territories of Abkhazia and South Ossetia without restriction and without inconsistency to requirements under the Treaty;

(ii) covered state parties have been notified and briefed on concerns of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) regarding infra-red or synthetic aperture radar sensors used under the Open Skies Treaty; and

(iii) the Russian Federation has agreed to—

(I) extradite the 13 Russian citizens indicted on February 16, 2018, by the Department of Justice for undertaking unlawful activities against the United States;

(II) remove illegally stationed Russian troops and materiel from Ukraine's autonomous Republic of Crimea and the city of Sevastopol;

(III) cease all material financial support for Russian proxies in Eastern Ukraine; and

(IV) cease all military or financial support to any state that uses or has used against its own civilian population any agent or substance banned by the Chemical Weapons Convention.

(2) WAIVER.—

(A) IN GENERAL.—The President may waive the application of paragraph (1) if the President determines that—

(i) the waiver is in the national security of the United States; and

(ii) the Russian Federation has taken clear and verifiable action to return to full and complete compliance with the Open Skies Treaty.

(B) LIMITATION ON DELEGATION.—The authority of the President under subparagraph (A) to waive the application of paragraph (1) may not be delegated.

(3) OPERATION OF OC-135 AIRCRAFT.—

(A) IN GENERAL.—It is the sense of Congress that—

(i) the United States continues to conduct observation flights under the Open Skies Treaty using OC-135 aircraft, a fleet now in its 57th year of service; and

(ii) advances in commercial surveillance technology have surpassed the value of aerial observation under the terms of the Open Skies Treaty and brings into questions the continued use of the OC-135 fleet for this purpose.

(B) REPORT.—

(i) IN GENERAL.—Not later than January 31, 2019, the Secretary of Defense shall submit to the appropriate congressional committees a report on the state of United States OC-135 aircraft with respect to airworthiness, safety of flight, and maintenance reliability. The report shall also include a recommendation as to the prospective date of retirement of the OC-135 fleet.

(ii) DEFINITION.—In this subparagraph, the term ''appropriate congressional committees'' means—

(I) the congressional defense committees; and

(II) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(C) SUSPENSION OF OPERATION OF OC-135 AIRCRAFT.—The Secretary of Defense is authorized to cease operation of United States OC-135 aircraft under the Open Skies Treaty if continued operation of these aircraft would impose undue risk to personnel or excessive cost.

(c) FORM.—Each certification and report required under this section shall be submitted in unclassified form, but may contain a classified annex if necessary.

(d) DEFINITIONS.—Except as otherwise provided, in this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CHEMICAL WEAPONS CONVENTION.—The term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, entered into force on April 29, 1997.

(3) COVERED STATE PARTY.—The term ''covered state party'' means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(4) INFRA-RED OR SYNTHETIC APERTURE RADAR SENSOR.—The term ''infra-red or synthetic aperture radar sensor'' means a sensor that is classified as—

(A) an infra-red line-scanning device under category C of paragraph 1 of Article IV of the Open Skies Treaty; or

(B) a sideways-looking synthetic aperture radar under category D of paragraph 1 of Article IV of the Open Skies Treaty.

(5) OBSERVATION FLIGHT.—The term ''observation flight'' has the meaning given such term in Article II of the Open Skies Treaty.

(6) OPEN SKIES TREATY; TREATY.—The term ''Open Skies Treaty'' or ''Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(7) RELEVANT UNITED STATES GOVERNMENT OFFICIALS.—The term ''relevant United States Government officials'' means the following:

(A) The Secretary of Energy.

(B) The Secretary of Homeland Security.

(C) The Director of the Federal Bureau of Investigation.

(D) The Director of National Intelligence.

(E) The Commander of U.S. Strategic Command and the Commander of U.S. Northern Command in the case of an observation flight over the territory of the United States.

(F) The Commander of U.S. European Command in the case of an observation flight other than an observation flight described in subparagraph (E).

(8) SENSOR.—The term ''sensor'' has the meaning given such term in Article II of the Open Skies Treaty.

SEC. 1233. COMPREHENSIVE RESPONSE TO THE RUSSIAN FEDERATION'S MATERIAL BREACH OF THE INF TREATY.

(a) FINDINGS.—Congress finds the following:

(1) James Mattis, Secretary of Defense, testified before the House Armed Services Committee on March 22, 2018, that ''we have very modest expectations that they [Russia] would return to [INF] compliance. As a result, in the Nuclear Posture Review, we are looking for a way, at the lowest possible cost, to checkmate them and make it in their best interest to return to compliance.''.

(2) The Honorable Daniel Coats, Director of National Intelligence, testified before the Senate Armed Services Committee on March 6, 2018, that the Russian Federation is violating the INF Treaty because ''Moscow probably believes that the new GLCM provides sufficient advantages that make it worth the risk of violating the INF Treaty.''.

(3) General Hyten, Commander of the United States Strategic Command, also testified before the Senate Armed Services

Committee on March 20, 2018, about potential strategic advantages for China stemming from their lack of participation in the INF Treaty by saying that ''they do not have any limitations in the INF [Treaty], and they have built significant numbers of intermediate-range ballistic missiles that if they were in the INF [Treaty], they would be contrary to the treaty''.

(4) General Joseph Dunford, Chairman of the Joint Chiefs of Staff, testified before the House Armed Services Committee on April 12, 2018, that ''we're not only looking for operational concepts and ways to deal with the Russian violation, but we're also at least posturing ourselves to develop weapons should they be required''. Secretary of Defense Mattis also stated in that same hearing ''our effort will be matched at State Department by movement on arms control and nonproliferation. There are two thrusts to our nuclear strategy. . .and that's why those funds have been requested.''.

(b) STATEMENT OF POLICY.—It is the policy of the United States as follows:

(1) The actions undertaken by the Russian Federation in violation of the INF Treaty, including the flight-test, production, and possession of prohibited systems, have defeated the object and purpose of the INF Treaty, and thus constitute a material breach of the INF Treaty.

(2) In light of the Russian Federation's material breach of the INF Treaty, the United States is legally entitled to suspend the operation of the INF Treaty in whole or in part for so long as the Russian Federation continues to be in material breach of the INF Treaty.

(3) For so long as the Russian Federation remains in noncompliance with the INF Treaty, the United States should take actions to encourage the Russian Federation to return to compliance with the INF Treaty, including by—

(A) providing additional funds for the capabilities identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062) and the Intermediate-Range Nuclear Forces Treaty Preservation Act of 2017 (Public Law 115–91; 131 Stat. 1671); and

(B) seeking additional missile defense assets in the European theater needed to fill military capability gaps to protect United States and NATO forces from ground-launched missile systems of the Russian Federation that are in noncompliance with the INF Treaty.

(c) IMPOSITION OF ARMS CONTROL SANCTIONS.—

(1) IN GENERAL.—An amount equal to not less than 25 percent of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2019 to provide support services to the Executive Office of the President, other than support services that are required for senior leader communications services, shall be withheld from obligation or expenditure until the date on which the President has submitted to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification of the President that—

(A) each requirement of section 1290 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2555; 22 U.S.C. 2593e) has been fully implemented and is continuing to be fully implemented;

(B) the President has notified the appropriate congressional committees under such section 1290 of the imposition of measures described in subsection (c) of such section with respect to each person identified in a report under subsection (a) of such section, including a detailed description of the imposition of all such measures; and

(C) the President has submitted the report required by section 1244(c) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1674) (relating to report on plan to impose additional sanctions with respect to the Russian Federation).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Select Committee on Intelligence, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) INF TREATY.—The term ''INF Treaty'' means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(3) NEW START TREATY.—The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

(4) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), as most recently amended by section 1234 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1659), is further amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''50 percent of the funds available for fiscal year 2018 pursuant to subsection (f)(3)'' and inserting ''50 percent of the funds available for fiscal year 2019 pursuant to subsection (f)(4)''; and

(B) in paragraph (3), by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''; and

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

''(5) LETHAL ASSISTANCE.—Of the funds available for fiscal year 2019 pursuant to subsection (f)(4), $50,000,000 shall be available only for lethal assistance described in paragraphs (2) and (3) of subsection (b).'';

(2) in subsection (f), by adding at the end the following:

''(4) For fiscal year 2019, $250,000,000.''; and

(3) in subsection (h), by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SEC. 1235. STATEMENT OF POLICY ON UNITED STATES MILITARY INVESTMENT IN EUROPE.

(a) FINDINGS.—Congress finds the following:

(1) Both the 2017 National Security Strategy and the 2018 National Defense Strategy highlight the Russian Federation as a long-term strategic competitor to the United States.

(2) The Russian Federation uses a whole-of-society approach to influence and attempt to shape the information space, weaken American resolve and confidence in its democracy, and undermine the power and international standing of the United States.

(3) Through the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), and the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), Congress has authorized, in total, approximately $9,800,000,000 for the European Reassurance Initiative, now the European Deterrence Initiative, to reassure partners and allies and build a credible deterrent and defense against the Russian Federation.

(b) STATEMENT OF POLICY.—It is the policy of the United States to develop, implement, and sustain a credible deterrent against aggression and long-term strategic competition by the Government of the Russian Federation in order to enhance regional and global security and stability, including by the following:

(1) Increased United States presence in Europe through additional permanently stationed forces, including logistics enablers and a combat aviation brigade.

(2) Continued United States presence in Europe through rotational forces.

(3) Increased United States pre-positioned military equipment, including munitions, logistics enablers, and a division headquarters.

(4) Sufficient and necessary infrastructure additions and improvements throughout Europe.

(5) Increased investment and prioritization to counter indirect action (such as information operations intended to influence), including sufficient cyber, counter-propaganda, and intelligence resources.

(6) Sufficient security cooperation resources and opportunities with partners and allies, including with member countries of the North Atlantic Treaty Organization.

SEC. 1236. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN PERSONS PROVIDING SOPHISTICATED GOODS, SERVICES, OR TECHNOLOGIES FOR USE IN THE PRODUCTION OF MAJOR DEFENSE EQUIPMENT OR ADVANCED CONVENTIONAL WEAPONS.

(a) REPORT ON SANCTIONED PERSONS RELATING TO RUSSIAN FEDERATION'S NOTED VIOLATION OF THE INF TREATY.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a list of persons described in section 1290(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 related to the Russian Federation's noted violation of the INF Treaty, as noted in the 2016 Report on Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

(B) FORM.—The report required by subparagraph (A) shall be provided in unclassified form, but may contain a classified annex.

(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' has the meaning given such term in section 1290(h) of the National Defense Authorization Act for Fiscal Year 2017.

(2) INF TREATY DEFINED.—In this subsection, the term ''INF Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the ''Intermediate-Range Nuclear Forces (INF) Treaty'', signed at Washington December 8, 1987, and entered into force June 1, 1988.

(b) REPORT ON SUPPLY CHAINS FOR RUSSIAN ARMS SALES PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains the following:

(A) An analysis of the foreign and domestic supply chains in the Russian Federation that directly or indirectly significantly facilitates, supports, or otherwise aids the Government of the Russian Federation's development, export, sale, or transfer of major defense equipment or advanced conventional weapons.

(B) A description of the geographic distribution of the foreign and domestic supply chains described in subparagraph (A), including sources of sophisticated goods, services, or technologies used for or by Russia for the development, export, sale, or transfer of such equipment or weapons.

(C) An assessment of the ability of the Russian Government to domestically manufacture or otherwise produce the goods, services, or technology necessary to support the development, export, sale, or transfer of such equipment or weapons.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(c) IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN PERSONS PROVIDING SOPHISTICATED GOODS, SERVICES, OR TECHNOLOGIES FOR USE IN THE PRODUCTION OF MAJOR DEFENSE EQUIPMENT OR ADVANCED CONVENTIONAL WEAPONS.—

(1) IDENTIFICATION.—

(A) IN GENERAL.—Not later than 60 days after the date of the submission of the report under subsection (b), and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees a report that identifies each foreign person and each agency or instrumentality of a foreign state that the President determines is a foreign person or an agency or instrumentality of a foreign state described in subparagraph (B).

(B) FOREIGN PERSON OR AGENCY OR INSTRUMENTALITY OF A FOREIGN STATE DESCRIBED.—A foreign person or an agency or instrumentality of a foreign state described in this subparagraph is a foreign person or an agency or instrumentality of a foreign state that—

(i) knowingly sells, leases, or otherwise provides significant sophisticated goods, services, or technology, to any entities owned or controlled by the Government of the Russian Federation, or

(ii) engages in a significant transaction or transactions to sell, lease, or otherwise provide such sophisticated goods, services, or technologies, to entities beneficially owned by the Russian Federation,

if such activity under clause (i) or transaction under clause (ii) materially contributes to the ability of Russia to develop or produce major defense equipment or advanced conventional weapons.

(C) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(D) EXCEPTION.—

(i) IN GENERAL.—The President shall not be required to identify a foreign person or an agency or instrumentality of a foreign state in a report pursuant to subparagraph (A) if—

(I) the foreign person or the agency or instrumentality of a foreign state notifies the United States Government in advance that it proposes to engage in an activity under subparagraph (B)(i) or a transaction under subparagraph (B)(ii); and

(II) the President determines and notifies the appropriate congressional committees in classified form prior to the foreign person or agency or instrumentality of a foreign state engaging in the activity under subparagraph (B)(i) or transaction under subparagraph (B)(ii) that such activity or transaction is in the national interests of the United States.

(ii) NON-APPLICABILITY.—The exception under clause (i) shall not apply with respect to—

(I) an agency or instrumentality of a foreign state the government of which the Secretary of State determines has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or any other relevant provision of law; or

(II) any activity under subparagraph (B)(i) or transaction under subparagraph (B)(ii) that involves, directly or indirectly, a foreign state described in subclause (I).

(2) SANCTIONS IMPOSED.—

(A) IN GENERAL.—Except as provided in subparagraph (C), not later than 180 days after the date of the submission of the report under subsection (b), and annually thereafter for 8 years, the President shall impose one or more of the sanctions described in subparagraph (B) with respect to any foreign person or agency or instrumentality of a foreign state identified pursuant to paragraph (1).

(B) SANCTIONS DESCRIBED.—The sanctions described in this subparagraph are the following:

(i) No sales of any defense articles, defense services, or design and construction services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) may be made to the foreign person or agency or instrumentality of the foreign state.

(ii) No licenses for export of any item on the United States Munitions List that include the foreign person or agency or instrumentality of the foreign state as a party to the license may be granted.

(iii) No exports may be permitted to the foreign person or agency or instrumentality of the foreign state of any goods or technologies controlled for national security reasons under the Export Administration Regulations, except that such prohibition shall not apply to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.; relating to congressional oversight of intelligence activities).

(iv)(I) The President may exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person or agency or instrumentality of the foreign state if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(II)(aa) The authority to impose sanctions under subclause (I) shall not include the authority to impose sanctions relating to the importation of goods.

(bb) In item (aa), the term ''good'' has the meaning given such term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(cc) The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations promulgated under this section to carry out subclause (I) to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(dd) Except as provided in subparagraph (I), the President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out subclause (I).

(C) EXCEPTIONS.—The President shall not be required to apply sanctions with respect to a foreign person or an agency or instrumentality of a foreign state identified pursuant to paragraph (1)—

(i)(I) if the President certifies to the appropriate congressional committees that the foreign person or agency or instrumentality of the foreign state—

(aa) is no longer carrying out activities or transactions for which the sanctions were imposed pursuant to this paragraph; or

(bb) has taken and is continuing to take significant verifiable steps toward terminating the activities or transactions for which the sanctions were imposed pursuant to this paragraph; and

(II) the President has received reliable assurances from the foreign person or the agency or instrumentality of the foreign state that it will not carry out any activities or transactions for which sanctions may be imposed pursuant to this paragraph in the future;

(ii) in the case of procurement of defense articles or defense services by the United States Government under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy requirements essential to the national security of the United States, if the President determines in writing to the appropriate congressional committees that—

(I) the foreign person or agency or instrumentality of a foreign state to which the sanctions would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; and

(II) it is in the national interest and the President certifies such determination in writing to the appropriate congressional committees; or

(iii) if the President certifies in writing to the appropriate congressional committees that the identification of the foreign person or agency or instrumentality of a foreign state would impede the supply by any entity of the Russian Federation of a product or service, or the procurement of such product or service, by the Government of the United States—

(I) for purposes of civil aviation safety; or

(II) in connection with any space launch conducted for the Government of the United States.

(3) WAIVER.—The President may waive the application of paragraph (2) for renewable periods not to exceed 180 days with respect to a foreign person or foreign persons, or agency or instrumentality of a foreign state, if the President—

(A) determines that the waiver is important to the national security of the United States; and

(B) before the waiver takes effect, briefs the appropriate congressional committees on the waiver and the reason for the waiver.

(4) DEFINITIONS.—In this subsection:

(A) ADVANCED CONVENTIONAL WEAPONS.—The term ''advanced conventional weapons'' includes—

(i) such long-range precision-guided munitions, fuel air explosives, cruise missiles, low observability aircraft, other radar evading aircraft, advanced military aircraft, military satellites, electromagnetic weapons, and laser weapons that the President determines enhance offensive capabilities in destabilizing ways;

(ii) such advanced command, control, and communications systems, electronic warfare systems, or intelligence collection systems that the President determines enhance offensive capabilities in destabilizing ways;

(iii) the S–300 and S–400 missile defense systems and air superiority fighters; and

(iv) such other items or systems as the President may, by regulation, determine necessary for purposes of this subsection.

(B) AGENCY OR INSTRUMENTALITY OF A FOREIGN STATE.—The term ''agency or instrumentality of a foreign state'' has the meaning given such term in section 1603(b) of title 28, United States Code.

(C) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(ii) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(D) FOREIGN PERSON.—The term ''foreign person'' means—

(i) an individual who is not a United States person; or

(ii) a corporation, partnership, or other nongovernmental entity which is not a United States person.

(E) MAJOR DEFENSE EQUIPMENT.—The term ''major defense equipment'' has the meaning given such term under section 120.8 of title 22, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(F) PERSON.—The term ''person'' means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and

(iii) any successor to any entity described in clause (ii).

(G) UNITED STATES PERSON.—The term ''United States person'' means—

(i) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(ii) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(iii) any person in the United States.

(5) DETERMINATION OF SOPHISTICATED.—The Secretary of State, with the concurrence of the Secretary of Defense and in coordination with the heads of other relevant Federal agencies, shall promulgate regulations to determine if a good, service, or technology is sophisticated for purposes of this section.

(6) DETERMINATION OF BENEFICIAL OWNERSHIP.—Not later than 90 days after the date of the enactment of this Act, the President shall promulgate regulations for determining beneficial ownership of an entity described in paragraph (1)(B)(ii) to be less than fifty percent ownership.

(7) COOPERATION.—The Secretary of State shall seek to consult and cooperate with United States allies and partners to impose sanctions as required under this subsection and to maximize the effect of these sanctions.

(8) EFFECTIVE DATE.—This subsection takes effect on the date of the enactment of this Act and applies with respect to activities and transactions described in paragraph (1) that are carried out on or after such date of enactment.

(d) ADDITIONAL MEASURES FOR THE PURCHASE OF CERTAIN DEFENSE ARTICLES OR DEFENSE SERVICES FROM RUSSIA.—

(1) IN GENERAL.—In the case of an agency or instrumentality of the Islamic Republic of Iran or of any other state sponsor of terrorism that engages in the activities described in paragraph (2), the President shall, pursuant to section 6 of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), require a license under the Export Administration Regulations to export, re-export, or transfer to that foreign state, or specific sectors of that foreign state, any item subject to the Export Administration Regulations other than food, medicine, or medical devices.

(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are the purchase, lease, or acquisition, on or after March 6, 2014, of major defense equipment or advanced conventional weapons from the Russian Federation.

(3) SUSPENSION OF APPLICATION.—The President may suspend the application of the measures described in paragraph (1) for renewable periods not to exceed 180 days if the President determines and reports to the appropriate congressional committees that it is in the national security interest of the United States to do so.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to apply to reexports of foreign manufactured items by non-United States persons that contain less than 10 percent United States-origin content, or previously licensed exports, reexports, or transfers.

(5) DEFINITIONS.—In this subsection:

(A) ADVANCED CONVENTIONAL WEAPONS.—The term ''advanced conventional weapons'' has the meaning given such term in subsection (c).

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(C) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means subchapter C of chapter VII of title 15, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(D) MAJOR DEFENSE EQUIPMENT.—The term ''major defense equipment'' has the meaning given such term in subsection (c).

(E) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means a country the government of which the Secretary of State determines has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or any other relevant provision of law.

(6) EFFECTIVE DATE.—The licensing requirement under paragraph (1) shall take effect not later than 90 days after the date of the enactment of this Act.

(e) SPECIAL RULE TO ALLOW FOR TERMINATION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGING IN TRANSACTIONS WITH THE INTELLIGENCE OR DEFENSE SECTORS OF THE GOVERNMENT OF THE RUSSIAN FEDERATION.—Section 231 of the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 22 U.S.C. 9525) is amended—

(1) by redesignating subsections (d) and (e) as subsection (e) and (f), respectively; and

(2) by inserting after subsection (c), as amended, the following new subsection:

''(d) SPECIAL RULE TO ALLOW FOR TERMINATION OF SANCTIONABLE ACTIVITY.—

''(1) CERTIFICATION.—The President shall not be required to apply sanctions to a person described in subsection (a) for renewable periods not to exceed 180 days with respect to the person if the President certifies in writing to the appropriate congressional committees that—

''(A) the person—

''(i) is no longer engaging in the activity described in subsection (a);

''(ii) has taken and is continuing to take significant verifiable steps toward terminating the activity described in that subsection; or

''(iii) has agreed to reduce reliance upon Russian defense or intelligence sectors of the Government of the Russian Federation trade over a specified period;

''(B) the person is taking specified actions to further the enforcement of this section; and

''(C) the President has received reliable assurances from the government with primary jurisdiction over the person that the person will not engage in any activity described in subsection (a) in the future outside of the parameters of any actions specified in subparagraph (A)(ii) or (iii) of such certification.

''(2) FORM.—The certification described in paragraph (1) shall be transmitted in an unclassified form, and may contain a classified annex.''.

(f) EXCEPTION RELATING TO IMPORTATION OF GOODS.—No provision affecting sanctions under this section or an amendment made by this section shall apply to any portion of a sanction that affects the importation of goods.

(g) TERMINATION.—This section, including the authority to impose sanctions under this section and any sanctions so imposed, and any amendment made by this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 1237. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is further amended by striking ''or 2018'' and inserting '', 2018, or 2019''.

SEC. 1238. SENSE OF CONGRESS REGARDING RUSSIA'S VIOLATIONS OF THE CHEMICAL WEAPONS CONVENTION.

(a) FINDINGS.—Congress finds the following:

(1) The United States ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, known as the ''Chemical Weapons Convention'', on April 24, 1997.

(2) The Russian Federation ratified the Chemical Weapons Convention on November 5, 1997.

(3) Article 1 of the Chemical Weapons Convention requires all signatories to ''never under any circumstances...use chemical weapons''.

(4) Russia's stock of chemical weapons has been implicated in the assassination or injuries of the following individuals:

(A) Sergei Skripal, Yulia Skripal, and Wiltshire Police Detective Sergeant Nicholas Bailey, poisoned using the nerve agent ''novichok'' in Salisbury, England, in March 2018.

(B) Alexander Litvinenko, poisoned using polonium, in London, England, in November 2006, about whose death a January 2016 inquest ordered by the British Parliament concluded ''the FSB operation to kill Mr Litvinenko was probably approved by Mr Patrushev [then-director of the FSB] and also by President Putin''.

(5) Russia has also demonstrated its disregard for the obligations imposed by the Chemical Weapons Convention by—

(A) continuing to provide military and diplomatic support for Syrian President Bashar al-Assad, who has used chemical weapons including chlorine gas and sarin against Syrian citizens;

(B) actively working to hinder the efforts of inspectors of the Organization for the Prohibition of Chemical Weapons in Syria; and

(C) consistently using its veto power at the United Nations Security Council to prevent effective international action against Assad for such activities.

(6) The Condition 10(C) Report on Compliance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction published by the Department of State in March 2018 asserts that ''Based on available information, the United States cannot certify that Russia has met its obligations under the Chemical Weapons Convention for declaration of its: (1) [chemical weapons production facilities]; (2) [chemical weapons] development facilities; and (3) [chemical weapons] stockpiles. In fact, due to Russia's March 4, 2018, use of a military-grade nerve agent to attack two individuals in the United Kingdom, the United States certifies that the Russian Federation is in non-compliance with its obligations under the [Chemical Weapons Convention].''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Russia's actions constitute violations of Russia's obligations under the Chemical Weapons Convention.

SEC. 1239. UNITED STATES ACTIONS REGARDING MATERIAL BREACH OF INF TREATY BY THE RUSSIAN FEDERATION.

(a) UNITED STATES ACTIONS.—If the President does not certify to the appropriate congressional committees that the Russian Federation has returned to full and verifiable compliance with the INF Treaty within one year of the date of the enactment of this Act, the prohibitions set forth in Article VI of the INF Treaty shall no longer be binding on the United States as a matter of United States law.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) INF TREATY.—The term ''INF Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the ''Intermediate-Range Nuclear Forces (INF) Treaty'', signed at Washington December 8, 1987, and entered into force June 1, 1988.

SEC. 1240. LIMITATION ON AVAILABILITY OF FUNDS TO EXTEND THE IMPLEMENTATION OF THE NEW START TREATY.

(a) FINDINGS.—Congress finds the following:

(1) The New START Treaty provides that, ''[w]hen a Party believes that a new kind of strategic offensive arm is emerging, that Party shall have the right to raise the question of such a strategic offensive arm for consideration in the Bilateral Consultative Commission''.

(2) Russian Federation President Vladimir Putin stated in a March 1, 2018, public speech that—

(A) ''I will speak about the newest systems of Russian strategic weapons that we are creating. . .we have embarked on the development of the next generation of missiles.'';

(B) ''We started to develop new types of strategic arms that do not use ballistic trajectories at all when moving toward a target.'';

(C) ''One of them is a small-scale heavy-duty nuclear energy unit that can be installed in a missile like our latest X-101 air-launched missile. . .In late 2017, Russia successfully launched its latest nuclear-powered missile at the central training ground. During its flight, the nuclear-powered engine reached its design capacity and provided the necessary propulsion.'';

(D) ''[i]n December 2017, an innovative nuclear power unit for this unmanned underwater vehicle completed a test cycle that lasted many years. . ..[t]he tests that were conducted enabled us to begin developing a new type of strategic weapon that would carry massive nuclear ordnance'';

(E) ''[b]y the way, we have yet to choose names for these two new strategic weapons, the global range cruise missile and the unmanned underwater vehicle. We are waiting for suggestions from the Defence Ministry'';

(F) ''A real technological breakthrough is the development of a strategic missile system with fundamentally new combat equipment- a gliding wing unit, which has also been successfully tested. . .[w]e called it the Avangard''; and

(G) ''I want to specifically emphasise that the newly developed strategic arms - in fact, new types of strategic weapons- are not the result of something left over from the Soviet Union. Of course, we relied on some ideas from our ingenious predecessors. But everything I have described today is the result of the last several years, the product of dozens of research organisations, design bureaus and institute.''.

(3) During the House Armed Services Committee hearing on April 12, 2018, Secretary of Defense James Mattis was asked whether Russia should honor the terms of the treaty and limit its new strategic offensive arms under the New START Treaty as it requires and he stated ''Sir, I believe they should.''.

(b) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2019 for the Department of Defense may be obligated or expended to extend the implementation of the New START Treaty unless and until the President—

(1) certifies to the appropriate congressional committees that—

(A) the President has raised the issue of covered Russian systems in the appropriate fora with the Russian Federation under Article V of the New START Treaty or otherwise; and

(B) the Russian Federation has responded in writing to the United States as to whether they will agree to declare the covered Russian systems as strategic offensive arms or otherwise pursuant to the New START Treaty;

(2) submits a copy of the written response of the Russian Federation described in paragraph (1)(B) to the appropriate congressional committees; and

(3) notifies the appropriate congressional committees as to whether the position of the Russian Federation threatens the viability of the New START Treaty or requires appropriate United States political, economic, or military responses.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED RUSSIAN SYSTEMS.—The term ''covered Russian systems'' means the following:

(A) The heavy intercontinental missile system known as ''Sarmat'' or otherwise identified.

(B) An air-launched nuclear-powered cruise missile known as ''X-101'' or otherwise identified.

(C) An unmanned underwater vehicle known as ''Status 6'' or otherwise identified.

(D) The long-distance guided flight hypersonic weapons system known by ''Avanguard'' or otherwise identified.

(3) NEW START TREATY.—The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1251. SUPPORT FOR INDO-PACIFIC STABILITY INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Initiative established pursuant to subsection (b) of section 1251 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1676) bolsters the efforts of the United States and its allies and partners in the Indo-Pacific region to deter aggression by providing resources to—

(A) increase the presence and capabilities and enhance the posture of the United States Armed Forces in the region;

(B) improve military and defense infrastructure, basing, logistics, and access in the Indo-Pacific region in order to enhance the responsiveness and capabilities of the United States Armed Forces; and

(C) increase bilateral and multilateral training and exercises with regional allies and partners; and

(2) the United States should develop a multi-year strategic plan that specifies resource priorities to meet the objectives and the activities of the Initiative described in subsection (c) of such section 1251.

(b) REQUIREMENT AND RESOURCE PLAN.—Not later than March 1, 2019, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a requirement and resource plan that includes the following:

(1) An analysis of the challenges faced by the United States to meet the objectives and activities outlined in subsection (c) of such section 1251.

(2) The plan, resource requirements, and any additional authorities needed through fiscal year 2024 to address such challenges.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may include a classified annex.

(d) INCLUSION IN BUDGET MATERIALS.—The Secretary of Defense shall also include the requirement and resource plan required by subsection (b) in the budget materials submitted by the Secretary in support of the budget of the President for fiscal year 2020 (submitted to Congress pursuant to section 1105 of title 31, United States Code).

(e) CONFORMING AMENDMENT.—Section 1251 of the National Defense Authorization Act for Fiscal Year 2018 is amended by striking ''Indo-Asia-Pacific'' and inserting ''Indo-Pacific'' each place it appears.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1252. UNITED STATES STRATEGY ON CHINA.

(a) FINDINGS.—Congress finds the following:

(1) The United States has a national strategic interest in ensuring that the United States maintains political, diplomatic, economic, military, and technological advantages over competitive adversaries.

(2) The 2018 National Defense Strategy states that ''the central challenge to the U.S. prosperity and security is the reemergence of long-term, strategic competition by what the National Security Strategy classifies as revisionist powers. It is increasingly clear that China and Russia want to shape a world consistent with their authoritarian model—gaining veto authority over other nations' economic, diplomatic, and security decisions''.

(3) The 2018 National Defense Strategy further states that ''China is leveraging military modernization, influence operations, and predatory economics to coerce neighboring countries to reorder the Indo-Pacific region to their advantage. As China continues its economic and military ascendance, asserting power through an all-of-nation long term strategy, it will continue to pursue a military modernization program that seeks Indo-Pacific regional hegemony in the near-term and displacement of the United States to achieve global preeminence in the future''.

(4) Statements by officials of the United States and leading experts have emphasized that the United States requires a whole-of-government response, across the full spectrum of capabilities, to address the challenges posed by China.

(b) STATEMENT OF POLICY.—Congress declares that long-term strategic competition with China is a principal priority for the United States that requires the integration of multiple elements of national power, including diplomatic, economic, intelligence, law enforcement, and military elements, to protect and strengthen national security.

(c) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2019, the President shall submit to the appropriate congressional committees a report containing a whole-of-government strategy with respect to the People's Republic of China.

(2) ELEMENTS OF STRATEGY.—The strategy required by paragraph (1) shall include the following:

(A) Strategic assessments of and planned responses to address the following activities by the Chinese Communist Party:

(i) The use of political influence, information operations, censorship, and propaganda to undermine democratic institutions and processes, and the freedoms of speech, expression, press, and academic thought.

(ii) The use of intelligence networks to exploit open research and development.

(iii) The use of economic tools, including market access and investment to gain access to sensitive United States industries.

(iv) Malicious cyber activities.

(v) The use of investment, infrastructure, and development projects, such as China's Belt and Road Initiative, in Africa, Europe, Central Asia, South America, and the Indo-Pacific region, and the Polar Silk Road in the Arctic, as a means to gain access and influence.

(vi) The use of military activities, capabilities, and defense installations, and hybrid warfare methods, short of traditional armed conflict, against the United States or its allies and partners.

(B) Available or planned methods to enhance strategic communication to counter Chinese influence and promote United States interests.

(C) An identification of the key diplomatic, development, intelligence, military, and economic resources necessary to implement the strategy.

(D) A plan to maximize the coordination and effectiveness of such resources to counter the threats posed by the activities described in subparagraph (A).

(E) Available or planned interagency mechanisms for the coordination and implementation of the strategy.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) ANNUAL BUDGET SUBMISSION.—The President shall ensure that the annual budget submitted to Congress pursuant to section 1105 of title 31, United States Code clearly highlights the programs and projects proposed to be funded that relate to the strategy required by paragraph (1).

(5) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriage congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Committee on Commerce, Science, and Transportation, and the Committee on the Budget of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Financial Services, the Committee on Homeland Security, the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on the Budget of the House of Representatives.

SEC. 1253. STRENGTHENING TAIWAN'S FORCE READINESS.

(a) DEFENSE ASSESSMENT.—The Secretary of Defense shall, in consultation with appropriate counterparts of Taiwan, conduct a comprehensive assessment of Taiwan's military forces, particularly Taiwan's reserves. The assessment shall provide recommendations to improve the efficiency, effectiveness, readiness, and resilience of Taiwan's self-defense capability in the following areas:

(1) Personnel management and force development, particularly reserve forces.

(2) Recruitment, training, and military programs.

(3) Command, control, communications and intelligence.

(4) Technology research and development.

(5) Defense article procurement and logistics.

(6) Strategic planning and resource management.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report containing each of the following:

(A) A summary of the assessment conducted pursuant to subsection (a).

(B) A list of any recommendations resulting from such assessment.

(C) A plan for the United States, including by using appropriate security cooperation authorities, to—

(i) facilitate any relevant recommendations from such list;

(ii) expand senior military-to-military engagement and joint training by the United States Armed Forces with the military of Taiwan; and

(iii) support United States foreign military sales and other equipment transfers to Taiwan, particularly for developing asymmetric warfare capabilities.

(2) APPROPRIATE SECURITY COOPERATION AUTHORITIES.—For purposes of the plan described in paragraph (1)(C), the term ''appropriate security cooperation authorities'' means—

(A) section 311 of title 10, United States Code (relating to exchange of defense personnel);

(B) section 332 such title (relating to defense institution building); and

(C) other security cooperation authorities under chapter 16 of such title.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1254. MODIFICATION, REDESIGNATION, AND EXTENSION OF SOUTHEAST ASIA MARITIME SECURITY INITIATIVE.

(a) MODIFICATION AND REDESIGNATION.—

(1) IN GENERAL.—Subsection (a) of section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1073; 10 U.S.C. 2282 note), as amended by section 1289 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2555), is further amended—

(A) in paragraph (1), by striking ''South China Sea'' and inserting ''South China Sea and Indian Ocean''; and

(B) in paragraph (2), by striking ''the 'Southeast Asia Maritime Security Initiative''' and inserting ''the 'Indo-Pacific Maritime Security Initiative' ''.

(2) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''Sec. 1263. Indo-Pacific Maritime Security Initiative.''.

(b) COVERED COUNTRIES.—Subsection (e)(2) of such section is amended by adding at the end the following:

''(D) India.''.

(c) DESIGNATION OF ADDITIONAL COUNTRIES.—Such section is further amended—

(1) in subsection (e)(1), by striking ''subsection (f)'' and inserting ''subsection (g)'';

(2) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(3) by inserting after subsection (e) the following:

''(f) INCLUSION OF ADDITIONAL COUNTRIES.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to include additional foreign countries under subsection (b) for purposes of providing assistance and training under subsection (a) and additional foreign countries under subsection (e)(2) for purposes of providing payment of incremental expenses in connection

with training described in subsection (a)(1)(B) if, with respect to each such additional foreign country, the Secretary determines and certifies to the appropriate committees of Congress that it is important for increasing maritime security and maritime domain awareness in the Indo-Pacific region.''.

(d) EXTENSION.—Subsection (i) of such section, as redesignated, is amended by striking ''September 30, 2020'' and inserting ''September 30, 2023''.

SEC. 1255. MISSILE DEFENSE EXERCISES IN THE INDO-PACIFIC REGION WITH UNITED STATES REGIONAL ALLIES AND PARTNERS.

(a) FINDINGS.—Congress finds the following:

(1) The Democratic People's Republic of Korea (North Korea) continues to develop, test, and threaten the use of intercontinental ballistic missiles and nuclear weapons that threaten the United States and United States allies and partners.

(2) The People's Republic of China and the Russian Federation continue to develop and deploy advanced counter-intervention technologies, including fielding and testing highly maneuverable reentry vehicles and warheads (such as hypersonic weapons), and cruise missiles and small-unmanned aircraft systems (UAS) that challenge United States strategic, operational, and tactical freedom of movement and maneuver.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to develop and deploy a robust missile defense in the Indo-Pacific region;

(2) increase the capacity of interceptors, sensors, and operational concepts in the region;

(3) continue bilateral and multilateral operationally realistic missile defense exercises in the region;

(4) increase coordination with United States regional allies and partners, including Japan, South Korea, Australia, India, and other countries, as appropriate;

(5) begin planning for military exercises in 2020 with United States regional allies and partners that is specifically focused on interoperability;

(6) integrate radar information from United States and allied Patriot, Terminal High Altitude Area Defense, Aegis, and other systems for region-wide command and control capabilities;

(7) increase the capacity of United States allies and partners through foreign military sales;

(8) seek increased areas of co-production for components of missile defense systems; and

(9) develop new capabilities to address threats to the region.

(c) MISSILE DEFENSE EXERCISES IN THE INDO-PACIFIC REGION.—The Secretary of Defense may conduct missile defense exercises in the Indo-Pacific region with United States regional allies and partners to improve interoperability.

(d) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on plans for missile defense exercises as described in subsection (c).

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1256. QUADRILATERAL COOPERATION AND EXERCISE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States, Japan, India, and Australia should—

(1) promote security and stability in the Indo-Pacific region;

(2) increase quadrilateral meetings to discuss and strengthen interoperability of their respective military and naval forces;

(3) plan joint quadrilateral military patrols and exercises;

(4) promote the values of a free and open Indo-Pacific region and address themes such as respect for international law, maritime security, nonproliferation, and terrorism in the region;

(5) explore joint regional infrastructure initiatives in the region;

(6) engage in maritime capacity building among smaller Indo-Pacific countries;

(7) develop new capabilities to deter and defend against threats to the region; and

(8) support regional institutions and bodies, including the Association of Southeast Asian Nations Regional Forum, to increase regional cooperation with respect to maritime security and domain awareness and to promote internationally accepted rules and norms.

(b) EXERCISE.—The Secretary of Defense may conduct a quadrilateral naval military exercise.

(c) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the matters contained in this section.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1257. NAME OF UNITED STATES INDO-PACIFIC COMMAND.

(a) IN GENERAL.—The combatant command known as the United States Pacific Command shall, beginning on January 1, 2020, be known as the ''United States Indo-Pacific Command''. Any reference to such combatant command in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the United States Indo-Pacific Command.

(b) CONFORMING AMENDMENTS.—

(1) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—Section 10504 of title 10, United States Code, as amended by section 1071(a)(31), is further amended in subsection (c), as redesignated by such section, in paragraph (3)(H) by striking ''United States Pacific Command'' and inserting ''United States Indo-Pacific Command''.

(2) CONTRACTING WITH THE ENEMY.—Section 843(4) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2302 note) is amended by striking ''United States Pacific Command'' and inserting ''United States Indo-Pacific Command''.

SEC. 1258. REQUIREMENT FOR CRITICAL LANGUAGES AND EXPERTISE IN CHINESE, KOREAN, AND RUSSIAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) evaluate the operational requirements for members of the Armed Forces possessing foreign language expertise in critical East Asian languages, including Chinese, Korean, and Russian; and

(2) submit to the congressional defense committees a plan to address any shortfalls in these critical areas.

SEC. 1259. MODIFICATION OF REPORT REQUIRED UNDER ENHANCING DEFENSE AND SECURITY COOPERATION WITH INDIA.

Subsection (a)(2) of section 1292 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2559; 22 U.S.C. 2751 note) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than'';

(2) by striking ''The report shall also include a forward-looking strategy'' and inserting the following:

''(2) CONTENTS.—The report shall also include—

''(A) a forward-looking strategy'';

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(B) a description of any limitations that hinder or slows progress in implementing the actions described in subparagraphs (A) through (L) of paragraph (1);

''(C) a description of actions India is taking, or the actions the Secretary of Defense or the Secretary of State believe India should take, to advance the relationship between the United States and in regards to subparagraphs (A) through (L) of paragraph (1); and

''(D) a description of—

''(i) measures that can be taken by the United States and India to improve interoperability; and

''(ii) progress in enabling agreements between the United States and India.''.

SEC. 1260. STATEMENT OF POLICY ON NAVAL VESSEL TRANSFERS TO JAPAN.

It shall be the policy of the United States to support maritime defense cooperation with Japan, including through the transfer of excess United States naval vessels to the Japanese Maritime Self-Defense Force. Such transfers should include capabilities such as those represented by the Tarawa class amphibious assault ship, the Austin class amphibious transport dock, and the Charleston class amphibious cargo ship.

SEC. 1261. REPORT AND PUBLIC NOTIFICATION ON CHINA'S MILITARY, MARITIME, AND AIR ACTIVITIES IN THE INDO-PACIFIC REGION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that greater transparency of China's provocative military, maritime, and air activities in the Indo-Pacific region would—

(1) aid in raising awareness of these activities in regional and international forums;

(2) enable regional security partners to more effectively protect their sovereignty and defend their rights under international law; and

(3) maintain stability within the region to enable constructive relations with China.

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees on a quarterly basis a report describing China's provocative military, maritime, and air activities in the Indo-Pacific region.

(2) ELEMENTS.—The report shall, at minimum, address China's provocative military, maritime, and air activities, military deployments, and operations and infrastructure construction in the East China Sea, South China Sea, Taiwan Strait, and Indian Ocean.

(3) DISSEMINATION TO REGIONAL ALLIES.—The report shall be disseminated to regional allies and partners, as appropriate, in the Indo-Pacific region.

(4) IMAGERY AND SUPPORTING ANALYSIS.—The report may include imagery from military aircraft and other sources with supporting analysis to describe China's provocative maritime and air activities.

(5) FORM.—The report shall be available to the public and shall be submitted or carried out in unclassified form.

(c) PUBLIC NOTIFICATION.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of State, shall provide notice to the public of any activities described in paragraph (2) immediately after the initiation of any such activities.

(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are any significant destabilizing or deceptive activities of China, including reclamation or militarization activity in the Indo-Pacific region, use of military, government, or commercial aircraft or maritime vessels to intimidate regional neighbors.

(3) WRITTEN SUMMARY.—As soon as practicable after the notification to the public under paragraph (1) of any activities described in paragraph (2), the Secretary of Defense shall distribute to the appropriate congressional committees and United States allies and security partners in the Indo-Pacific region a written summary to include imagery and supporting analysis describing such activities.

(d) REQUIREMENTS RELATING TO NATIONAL SECURITY AND PROTECTION OF CLASSIFIED NATIONAL SECURITY INFORMATION.—The dissemination and availability of the report under subsection (b) and the notification to the public under subsection (c) shall be made in a manner consistent with national security and the protection of classified national security information.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1262. SENIOR DEFENSE ENGAGEMENT WITH TAIWAN.

(a) FINDING.—The Taiwan Travel Act (Public Law 115–135; 132 Stat. 341) states that it should be the policy of the United States to allow officials at all levels of the United States government, including Cabinet-level national security officials, general officers, and other executive branch officials, to travel to Taiwan to meet their Taiwan counterparts.

(b) SENSE OF CONGRESS.—Pursuant to the policy described in the Taiwan Travel Act, the Secretary of Defense should send a Secretary of a military department or a member of the Joint Chiefs of Staff to Taiwan for the purpose of senior-level defense engagement.

(c) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall brief the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives on any plans of the Department to carry out senior-level defense engagement.

SEC. 1263. LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO THE REPUBLIC OF KOREA.

None of the funds authorized to be appropriated by this Act may be used to reduce the total number of members of the Armed Forces serving on active duty who are deployed to the Republic of Korea below 22,000 unless the Secretary of Defense first certifies to the congressional defense committees that such a reduction is in the national security interest of the United States and will not significantly undermine the security of United States allies in the region.

SEC. 1264. ENHANCING MISSILE DEFENSE COOPERATION WITH PARTNERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should seek opportunities to increase defense coordination and cooperation with United States partners with respect to missile defense.

(b) MODIFICATION OF DEFENSE COOPERATION AUTHORITY WITH INDIA.—Section 1292(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2559; 22 U.S.C. 2751 note), as amended by section 1258(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1683), is further amended—

(1) in subparagraph (K), by striking ''and'' at the end;

(2) in subparagraph (L), by striking the period at the end and inserting ''; and''; and

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

''(M) develop closer defense cooperation with India on matters relating to missile defense.''.

Subtitle F—Other Matters

SEC. 1271. REPORT ON STATUS OF THE UNITED STATES RELATIONSHIP WITH THE REPUBLIC OF TURKEY.

(a) FINDINGS.—Congress finds the following:

(1) The United States–Republic of Turkey relationship, over the past year, has become increasingly strained due to several provocative actions taken by the Government of Turkey.

(2) The potential purchase by the Government of Turkey of the S-400 air and missile defense system from the Russian Federation has led to tension with the relationship.

(3) These actions could negatively impact common weapon system development between the United States and Turkey.

(4) These actions could exacerbate current North Atlantic Treaty Organization (NATO) interoperability challenges with respect to common military architecture and information sharing.

(5) These actions could impact current bilateral agreements between the United States and Turkey.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the status of the United States relationship with the Republic of Turkey.

(2) MATTERS TO BE INCLUDED.—The report required under this subsection shall include the following:

(A) An assessment of United States military and diplomatic presence in Turkey, including all military activities conducted from Incirlik Air Base or elsewhere.

(B) An assessment of the potential purchase by the Government of Turkey of the S-400 air and missile defense system from the Russian Federation and the potential effects of such purchase on the United States-Turkey bilateral relationship, including an assessment of impacts on other United States weapon systems and platforms operated jointly with Turkey to include—

(i) the F-35 Lightning II Joint Strike aircraft, to include co-production;

(ii) the Patriot surface-to-air missile system;

(iii) the CH-47 Chinook heavy lift helicopter;

(iv) the AH-1 Attack helicopter;

(v) the H-60 Black Hawk utility helicopter; and

(vi) the F-16 Fighting Falcon aircraft.

(C) An identification of potential alternative air and missile defense systems that could be purchased by the Government of Turkey, including United States and other NATO member state military air defense artillery systems.

(3) FORM.—The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) LIMITATION.—The Secretary of Defense may not take any action to execute delivery of a foreign military sale for major defense equipment subject to congressional notification under section 36 of the Arms Export Control Act (22 U.S.C. 2778) (made under a letter of offer issued under the authority of the Arms Export Control Act before the date of the enactment of this Act) to the Republic of Turkey until the Secretary submits to the appropriate congressional committees the report required under subsection (b).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives.

SEC. 1272. SENSE OF CONGRESS ON UNITY OF GULF COOPERATION COUNCIL MEMBER COUNTRIES.

It is the sense of Congress that—

(1) the member countries of the Gulf Cooperation Council (GCC) are important security cooperation partners of the United States;

(2) the unity of GCC member countries is critical to facing growing threats from Iran; and

(3) timely normalization of diplomatic, security, and economic relationships among GCC member countries is in the best interest of the United States.

SEC. 1273. REPORT ON UNITED STATES GOVERNMENT POLICE TRAINING AND EQUIPPING PROGRAMS FOR MEXICO.

(a) REPORT REQUIRED.—Not later than July 1, 2019, the President shall submit to the appropriate congressional committees a report on United States Government police training and equipping programs for Mexico.

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

(1) A list of all United States Government departments and agencies involved in implementing the programs.

(2) A description of the scope, size, and components of the programs for fiscal years 2017 and 2018, to include for each such program—

(A) the types of units receiving such assistance, including national police, gendarmerie, counternarcotics police, counterterrorism police, Formed Police Units, border security, and customs;

(B) the purpose and objectives of the program;

(C) the funding and personnel levels for the program in each such fiscal year;

(D) the authority under which the program is conducted;

(E) the name of the United States Government department or agency with lead responsibility for the program and the mechanisms for oversight of the program;

(F) the extent to which the program is implemented by contractors or United States Government personnel; and

(G) the metrics for measuring the results of the program and an assessment of the impact achieved from the program.

(3) An assessment of the requirements for the programs, and what changes, if any, are required to improve the capacity of the United States Government to meet such requirements.

(4) An evaluation of the appropriate role of United States Government departments and agencies in carrying out and coordinating the programs.

(5) An evaluation of the appropriate role of contractors in carrying out the programs, and what modifications, if any, are needed to improve oversight of such contractors.

(6) Recommendations for legislative modifications, if any, to existing authorities relating to the programs.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate and the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

SEC. 1274. AUTHORITY TO INCREASE ENGAGEMENT AND MILITARY-TO-MILITARY COOPERATION WITH WESTERN BALKANS COUNTRIES.

(a) IN GENERAL.—The Secretary of Defense is authorized to increase engagement and military-to-military cooperation with Western Balkans countries under the authorities of chapter 16 of title 10, United States Code.

(b) DEFINITION.—In this section, the term ''Western Balkans countries'' means—

(1) Serbia;

(2) Bosnia and Herzegovina;

(3) Kosovo; and

(4) Macedonia.

SEC. 1275. TECHNICAL CORRECTIONS RELATING TO DEFENSE SECURITY COOPERATION STATUTORY REORGANIZATION.

(a) CHAPTER REFERENCES.—The following provisions of law are amended by striking ''chapter 15'' and inserting ''chapter 13'':

(1) Section 886(a)(5) of the Homeland Security Act of 2002 (6 U.S.C. 466(a)(5)).

(2) Section 332(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982(a)(1)).

(3) Section 101(a)(13)(B) of title 10, United States Code.

(4) Section 115(i)(6) of title 10, United States Code.

(5) Section 12304(c)(1) of title 10, United States Code.

(6) Section 484C(c)(3)(C)(v)) of the Higher Education Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(v)).

(b) SECTION REFERENCES.—(1) Title 10, United States Code, is amended—

(A) in section 386(c)(1), by striking ''Sections 311, 321, 331, 332, 333,'' and inserting ''Sections 246, 251, 252, 253, 321,''; and

(B) in section 10541(b)(9) in the matter preceding subparagraph (A), by striking ''sections 331, 332, 333,'' and inserting ''sections 251, 252, 253,''.

(2) Section 484C(c)(3)(C)(i)) of the Higher Education Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(i)) is amended by striking ''section 331, 332,'' and inserting ''section 251, 252,''.

(c) OTHER TECHNICAL CORRECTIONS.—(1) Chapter 16 of title 10, United States Code, is amended—

(A) in section 311(a)(3), by striking ''Secretary to State'' and inserting ''Secretary of State'';

(B) in section 321(e), by striking ''calender'' each place it appears and inserting ''calendar'';

(C) in the table of sections at the beginning of subchapter V of such chapter, by striking the item relating to section 342 and inserting the following:

''342. Regional Centers for Security Studies.'';

(D) in section 347—

(i) in the heading of subsection (a)(7), by striking ''ETC.'' and inserting ''ETC''; and

(ii) in the heading of subsection (b)(3)(B), by striking ''ETC.'' and inserting ''ETC''; and

(E) in section 385(d)(1)(B), by striking ''include'' and inserting ''including''.

(2) Section 1204(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 362 note) is amended—

(A) in paragraph (1), by striking ''section 2249e'' each place it appears and inserting ''section 362''; and

(B) in paragraph (3), by striking ''section 2249e'' and inserting ''section 301(1)''.

SEC. 1276. UNITED STATES-ISRAEL COUNTERING UNMANNED AERIAL SYSTEMS COOPERATION.

Section 1279(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 22 U.S.C. 8606 note), as most recently amended by section 1278 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1700), is further amended—

(1) by inserting ''and capabilities for countering unmanned aerial systems'' after ''anti-tunnel capabilities''; and

(2) by inserting ''and unmanned aerial systems'' after ''underground tunnels''.

SEC. 1277. THREE-YEAR EXTENSION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(g) of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1051(n) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1564), is further amended by striking ''2021'' and inserting ''2024''.

SEC. 1278. REVISION OF STATUTORY REFERENCES TO FORMER NATO SUPPORT ORGANIZATIONS AND RELATED NATO AGREEMENTS.

Section 2350d of title 10, United States Code, is amended—

(1) by striking ''NATO Support Organization'' each place it appears and inserting ''NATO Support and Procurement Organization'';

(2) by striking ''Support Partnership Agreement'' each place it appears and inserting ''Support or Procurement Partnership Agreement'';

(3) in subsection (a)(1), by striking ''Support Partnership Agreements'' and inserting ''Support or Procurement Partnership Agreements''; and

(4) in subsection (b)(1), by striking ''in Europe''.

SEC. 1279. SENSE OF THE CONGRESS CONCERNING MILITARY-TO-MILITARY DIALOGUES.

It is the sense of Congress that—

(1) military-to-military dialogues, including in the case of allies, partners, and adversaries and potential adversaries, can be a useful and important tool for advancing United States national security objectives in a complex, interactive, and dynamic security environment;

(2) frameworks for military-to-military dialogues should be flexible and adaptable to such a security environment and should be informed by national security guidance, such as the 2017 National Security Strategy and the 2018 National Defense Strategy; and

(3) military-to-military dialogues can and should be reliable, enduring, and tailorable based on circumstance, so that such dialogues can be trusted and available when needed, particularly amid escalating tensions.

SEC. 1280. MODIFICATIONS TO GLOBAL ENGAGEMENT CENTER.

Section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended—

(1) by amending paragraph (2) of subsection (a) to read as follows:

''(2) PURPOSE.—The purpose of the Center shall be to direct, lead, synchronize, integrate, and coordinate efforts of the Federal Government to recognize, understand, expose, and counter foreign state and non-state propaganda and disinformation efforts aimed at undermining or influencing the policies, security, or stability of the United States and United States allies and partner nations.'';

(2) in subsection (b)—

(A) by amending paragraph (1) to read as follows:

''(1) Direct, lead, synchronize, integrate, and coordinate interagency and international efforts to track and evaluate counterfactual narratives abroad that threaten the policies, security, or stability of the United States and United States allies and partner nations.'';

(B) by amending paragraph (4) to read as follows:

''(4) Identify current and emerging trends in foreign propaganda and disinformation in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign propaganda and disinformation, and pro-actively support the promotion of credible, fact-based narratives and policies to audiences outside the United States.'';

(C) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(D) by inserting after paragraph (5) the following new paragraph:

''(6) Measure and evaluate the activities of the Center, including the outcomes of such activities, and implement mechanisms to ensure that the activities of the Center are updated to reflect the results of such measurement and evaluation.''; and

(E) by amending paragraph (8), as so redesignated, to read as follows:

''(8) Use information from appropriate interagency entities to identify the countries, geographic areas, and populations most susceptible to propaganda and disinformation, as well as the countries, geographic areas, and populations in which such propaganda and disinformation is likely to cause the most harm.'';

(3) in subsection (d), by amending paragraphs (1) and (2) to read as follows:

''(1) DETAILEES AND ASSIGNEES.—Any Federal Government employee may be detailed or assigned to the Center with or without reimbursement, consistent with applicable laws and regulations regarding such employee, and such detail or assignment shall be without interruption or loss of status or privilege.

''(2) OTHER PERSONNEL.—The Secretary of State should, when hiring additional United States citizen personnel, preference use of Foreign Service limited appointments in accordance with section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949). The Secretary may hire United States citizens or aliens, as appropriate, including as personal services contractors, for purposes of personnel resources of the Center, if—

''(A) the Secretary determines that existing personnel resources or expertise are insufficient;

''(B) the period in which services are provided by a personal services contractor, including options, does not exceed 3 years, unless the Secretary determines that exceptional circumstances justify an extension of up to one additional year;

''(C) not more than 50 United States citizens or aliens are employed as personal services contractors under the authority of this paragraph at any time; and

''(D) the authority of this paragraph is only used to obtain specialized skills or experience or to respond to urgent needs.'';

(4) in subsection (e), by amending paragraphs (1) and (2) to read as follows:

''(1) IN GENERAL.—For each of fiscal years 2019 and 2020, the Secretary of Defense is authorized to transfer, from amounts appropriated to the Secretary pursuant to the authorization under this Act, to the Secretary of State not more than $60,000,000, to carry out the functions of the Center.

''(2) NOTICE REQUIREMENT.—The Secretary of Defense shall notify the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate and the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Oversight and Government Reform of the House of Representatives of a proposed transfer under paragraph (1) not less than 15 days prior to making such transfer.'';

(5) in subsection (f), by amending paragraphs (1) and (2) to read as follows:

''(1) AUTHORITY FOR GRANTS.—The Center is authorized to provide grants or contracts of financial support to civil society groups, media content providers, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

''(A) To support local entities and linkages among such entities, including independent media entities, that are best positioned to refute foreign propaganda and disinformation in affected communities.

''(B) To collect and store examples of print, online, and social media disinformation and propaganda directed at the United States or United States allies and partner nations.

''(C) To analyze and report on tactics, techniques, and procedures of foreign information warfare and other efforts with respect to disinformation and propaganda.

''(D) To support efforts by the Center to counter efforts by foreign entities to use disinformation and propaganda to undermine or influence the policies, security, and social and political stability of the United States and United States allies and partner nations.

''(2) FUNDING AVAILABILITY AND LIMITATIONS.—The Secretary of State shall provide that each entity that receives funds under this subsection is selected in accordance with the relevant existing regulations through a process that ensures such entity has the credibility and capability to carry out effectively and in accordance with United States interests and objectives the purposes specified in paragraph (1) for which such entity received such funding.'';

(6) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(7) by inserting after subsection (g) the following new subsection:

''(h) CONGRESSIONAL BRIEFINGS.—The Secretary of State, together with the heads of other relevant Federal departments and agencies, shall provide a briefing to the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate and the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Oversight and Government Reform of the House of Representatives not less often than annually regarding the activities of the Global Engagement Center. The briefings required under this subsection shall terminate on the date specified in subsection (j).''.

SEC. 1281. REPORT ON ACQUISITION AND CROSS-SERVICING AGREEMENTS.

(a) IN GENERAL.—Not later than 30 days after entering into a cross-servicing agreement under section 2342 of title 10, United States Code, with a country or organization referred to in subsection (a)(1) of such section, and every 180 days thereafter for such period of time as the agreement remains in effect, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report with respect to the agreement.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) The type of country or organization referred to in subsection (a)(1) of section 2342 of title 10, United States Code, with respect to which the Secretary of Defense entered into the agreement.

(2) The date on which the agreement was entered into under such section 2342.

(3) A description of the logistic support, supplies, and services to be provided to the military forces of the country or organization and any other transactions associated with the agreement.

(4) The estimated dollar value of support provided by the United States under the agreement.

(5) A copy of the agreement, including all appendices.

(6) An assessment as to whether or not the agreement is in United States national security interests.

(7) The end date of the agreement.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1282. PROHIBITION ON PROVISION OF WEAPONS AND OTHER FORMS OF SUPPORT TO CERTAIN ORGANIZATIONS.

None of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2019 may be used to provide weapons or any other form of support to—

(1) Al Qaeda, the Islamic State of Iraq and Syria (ISIS), Jabhat Fateh al Sham, or any individual or group affiliated with any such organization; and

(2) any other entity that the Secretary of Defense determines may trade or sell arms to terrorist organizations.

SEC. 1283. CERTIFICATION AND AUTHORITY TO TERMINATE FUNDING FOR ACADEMIC RESEARCH RELATING TO FOREIGN TALENT PROGRAMS.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and with respect to funds authorized to be appropriated or otherwise made available by this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to implement the certification requirement described in subsection (b) to ensure that applicants seeking such funds for educational or academic training or research verify that such funds shall not be made available to any individual who has participated in or is currently participating in a foreign talent or expert recruitment program of a country listed in subsection (d).

(b) CERTIFICATION REQUIREMENT FOR FUNDING.—Beginning not later than 1 year after the date of the enactment of this Act and with respect to funds authorized to be appropriated or otherwise made available by this Act, the Secretary of Defense shall require each applicant seeking such funds for educational or academic training and research, including at institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), policy institutes, federal laboratories, or research institutes, to include with the application a certification that none of the funds received by such applicant shall be made available to any individual who has participated in or is currently participating in a foreign talent or expert recruitment program of a country listed in subsection (d).

(c) AUTHORITY TO TERMINATE FUNDING.—Beginning 1 year after the date of the enactment of this Act, the Secretary of Defense may terminate existing funding of, or prohibit the award of future funding to, a current recipient if such recipient is unable to provide the certification described in subsection (b) with respect to such existing funding.

(d) COUNTRIES LISTED.—The countries listed in this subsection are the following:

(1) The People's Republic of China.

(2) The Democratic People's Republic of Korea.

(3) The Russian Federation.

(4) The Islamic Republic of Iran.

SEC. 1284. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the International Security Assistance Force (ISAF) led by the North Atlantic Treaty Organization (NATO) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Deterrence Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Deterrence Initiative, Georgia's participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner of ISAF, Georgia is committed to the Resolute Support Mission in Afghanistan with the fourth-largest contingent on the ground.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia's sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its people and sovereign territory.

SEC. 1285. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic countries of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic countries of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in the region. Operation Atlantic Resolve strengthens communication and

understanding, and is an important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Deterrence Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic countries, into a common defense framework.

(4) All three Baltic countries contributed to the NATO-led International Security Assistance Force in Afghanistan, sending troops and operating with few caveats. The Baltic countries continue to commit resources and troops to the Resolute Support Mission in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic countries; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

SEC. 1286. REPORT ON UNITED STATES STRATEGY IN YEMEN.

Not later than February 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report describing the strategy of the United States Armed Forces with respect to Yemen that includes a description of—

(1) the activities that the United States Armed Forces are currently undertaking in Yemen;

(2) the costs associated with the involvement of the United States Armed Forces in Yemen, including costs relating to counterterrorism activities, refueling missions, or other military activities;

(3) the key United States military interests, objectives, long-term goals, and endstates for Yemen;

(4) indicators for the effectiveness of United States military efforts to achieve such interests, objectives, goals, or endstates;

(5) how current United States military efforts in Yemen align with such objectives;

(6) the estimated annual resources required through fiscal year 2022 for the United States Armed Forces to achieve such objectives;

(7) the current legal authorities supporting United States military efforts in Yemen; and

(8) any other matters the Secretary determines to be relevant.

SEC. 1287. REPORT ON HIZBALLAH.

(a) IN GENERAL.—Not later than 90 days after enactment of this Act, the President shall provide to the appropriate congressional committees a report on Hizballah. Such report shall include each of the following:

(1) An accounting of Hizballah's known rocket arsenal.

(2) An evaluation of the impact of the United Nations Interim Force in Lebanon mandate.

(3) An evaluation of the tactical and strategic capabilities of Hizballah, including such capabilities related to defense.

(4) A detailed description of the known supply routes used in the illegal procurement of weapons for Hizballah.

(5) An estimate of companies and other entities that support Hizballah's network.

(6) An assessment of the effects of the interference of Hizballah in conflicts throughout the Middle East region.

(7) An assessment of how Hizballah raises, holds, and spends funds in territories where United Nations Interim Force in Lebanon operates.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committees on Armed Services of the Senate and House of Representatives;

(2) the Committee on Foreign Affairs of the House of Representatives;

(3) the Committee on Foreign Relations of the Senate;

(4) the Permanent Select Committee on Intelligence of the House of Representatives; and

(5) the Select Committee on Intelligence of the Senate.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS.

Of the $335,240,000 authorized to be appropriated to the Department of Defense for fiscal year 2019 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $2,823,000.

(2) For chemical weapons destruction, $5,446,000.

(3) For global nuclear security, $29,001,000.

(4) For cooperative biological engagement, $197,585,000.

(5) For proliferation prevention, $74,937,000.

(6) For activities designated as Other Assessments/Administrative Costs, $25,448,000.

SEC. 1302. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2019, 2020, and 2021.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the National Defense Sealift Fund, as specified in the funding tables in section 4501.

Subtitle B—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $113,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2019 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

SEC. 1413. QUARTERLY BRIEFING ON PROGRESS OF CHEMICAL DEMILITARIZATION PROGRAM.

Section 1412(j) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(j)) is amended—

(1) in the heading, by striking ''Semiannual Reports'' and inserting ''QUARTERLY BRIEFING'';

(2) in paragraph (1)—

(A) by striking ''March 1'' and all that follows through ''the year in which'' and inserting ''90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2019, and every 90 days thereafter until'';

(B) by striking ''submit to'' and inserting ''brief'';

(C) by striking ''a report on the implementation'' and inserting ''on the progress made''; and

(D) by striking ''of its chemical weapons destruction obligations'' and inserting ''toward fulfilling its chemical weapons destruction obligations''; and

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

''(2) Each briefing under paragraph (1) shall include a description of contractor costs and performance relative to schedule, the progress to date toward the complete destruction of the stockpile, and any other information the Secretary determines to be relevant.''.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2019 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2019 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2019 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2019 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1512. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2019 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $4,500,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2019 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees a report describing the equipment accepted during the period covered by such report under the following:

(i) This subsection.

(ii) Section 1521(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1711)

(iii) Section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2575).

(iv) Section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1088).

(v) Section 1532(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3613).

(vi) Section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note).

(B) ELEMENTS.—Each report under subparagraph (A) shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department of Defense and copies of the determinations made under paragraph (2), as required by paragraph (3).

(c) SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2019, it is the goal that $18,000,000, but in no event less than $10,000,000, shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit women into the Afghan National Defense and Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(d) ASSESSMENT OF AFGHANISTAN PROGRESS ON SECURITY COOPERATION OBJECTIVES.—

(1) ASSESSMENT REQUIRED.—Not later than June 1, 2019, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the Committee on Armed Services and the Committee on Foreign Affairs of the

House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate an assessment describing the efforts of the Government of the Islamic Republic of Afghanistan to manage, employ, and sustain the equipment and inventory provided through the authority under subsection (a). In conducting such assessment, the Secretary of Defense shall consider each of the following:

(A) The ability of the Afghanistan Ministry of Defense and the Ministry of Interior to manage and account for previously-divested equipment, including a description of any vulnerabilities or weaknesses of each such Ministry's internal controls and any plan in place to address shortfalls.

(B) A description of the monitoring and evaluation systems in place to ensure assistance provided through such authority is used only for the intended purposes.

(C) Any irregularities in the divestment of equipment to the Afghan National Defense and Security Forces during the period beginning on the date of the creation of the Afghanistan Security Forces Fund, including any major losses of such equipment or any inability on the part of the Afghan National Defense and Security Forces to account for equipment so procured.

(D) A description of the sustainment and maintenance costs required for major weapons platforms previously divested, over the 5-year period beginning on the date of the enactment of this Act and a plan for how the Afghan National Defense and Security Forces intends to maintain such platforms in the future.

(E) An assessment of the distribution practices of the Afghan National Defense and Security Forces, including the manner in which equipment received through the Afghanistan Security Forces Fund is employed.

(F) The degree to which the Government of Afghanistan is effectively implementing an anti-corruption strategy.

(G) The extent to which the Government of Afghanistan is adhering to conditions for receiving assistance established in annual financial commitment letters or any other bilateral agreements with the United States.

(2) WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.—

(A) IN GENERAL.—If the Secretary of Defense determines, in consultation with the Secretary of State and taking into consideration the assessment under paragraph (1), that the Government of Afghanistan has made insufficient progress toward maintaining and employing equipment provided by the United States, the Secretary of Defense may withhold assistance for the Afghan National Defense and Security Forces under this section until such time as the Secretary determines sufficient progress has been made.

(B) NOTICE TO CONGRESS.—The Secretary of Defense shall, in coordination with the Secretary of State, provide notice to Congress—

(i) not later than 30 days after making a decision to withhold assistance pursuant to subparagraph (A); and

(ii) not later than 30 days before resuming any such assistance pursuant to such subparagraph.

SEC. 1522. JOINT IMPROVISED-THREAT DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available for fiscal year 2019 to the Department of Defense for the Joint Improvised-Threat Defeat Fund.

(b) INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS.—

(1) AVAILABILITY OF FUNDS.—Of the funds made available to the Department of Defense for the Joint Improvised-Threat Defeat Fund for fiscal year 2019, $15,000,000 may be available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide training, equipment, supplies, and services to ministries and other entities of foreign governments that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals.

(2) PROVISION THROUGH OTHER US AGENCIES.—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision by such department or agency of training, equipment, supplies, and services to ministries and other entities of foreign governments as described in that paragraph.

(3) NOTICE TO CONGRESS.—None of the funds made available pursuant to paragraph (1) may be obligated or expended to supply training, equipment, supplies, or services to a foreign country before the date that is 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notice that contains—

(A) the foreign country for which training, equipment, supplies, or services are proposed to be supplied;

(B) a description of the training, equipment, supplies, and services to be provided using such funds;

(C) a detailed description of the amount of funds proposed to be obligated or expended to supply such training, equipment, supplies or services, including any funds proposed to be obligated or expended to support the participation of another department or agency of the United States and a description of the training, equipment, supplies, or services proposed to be supplied;

(D) an evaluation of the effectiveness of the efforts of the foreign country identified under subparagraph (A) to counter the flow of improvised explosive device precursor chemicals; and

(E) an overall plan for countering the flow of precursor chemicals in the foreign country identified under subparagraph (A).

(4) EXPIRATION.—The authority provided by this subsection expires on December 31, 2019.

(c) TRANSITION PLAN REQUIRED.—Not later than March 1, 2019, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to transition funding for the Joint Improvised-Threat Defeat Fund from amounts made available for overseas contingency operations to amounts otherwise made available for the purposes of such Fund.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. IMPROVEMENTS TO ACQUISITION SYSTEM, PERSONNEL, AND ORGANIZATION OF SPACE FORCES.

(a) PLAN FOR ACQUISITION SYSTEM.—

(1) DEVELOPMENT.—The Deputy Secretary of Defense shall develop a plan to establish a separate, alternative acquisition system for defense space acquisitions, including with respect to procuring space vehicles, ground segments relating to such vehicles, and satellite terminals.

(2) REQUIREMENTS PROCESS.—The plan developed under paragraph (1) shall include recommendations of the Deputy Secretary with respect to whether the separate, alternative acquisition system described in the plan should use the Joint Capabilities Integration and Development System process or instead use a new requirements process developed by the Deputy Secretary in a manner that ensures that requirements for a program are synchronized across the space vehicles, ground segments relating to such vehicles, and satellite terminals, of the program.

(3) EXCEPTION.—The plan developed under paragraph (1) shall cover defense space acquisitions except with respect to the National Reconnaissance Office and other elements of the Department of Defense that are elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(4) SUBMISSION.—Not later than December 31, 2019, the Deputy Secretary shall submit to the congressional defense committees a report containing the plan developed under paragraph (1).

(b) CADRE DEVELOPMENT.—

(1) PLAN.—

(A) DEVELOPMENT.—The Secretary of the Air Force shall develop and implement a plan to increase the number and improve the quality of the space cadre of the Air Force.

(B) MATTERS INCLUDED.—The plan developed under subparagraph (A) shall address the following:

(i) Managing the career progression of members of the Armed Forces and civilian employees of the Department who form the space cadre of the Air Force throughout the military or civilian career of the member or the employee, as the case may be, including with respect to—

(I) defining career professional milestones;

(II) pay and incentive structures;

(III) the management and oversight of the space cadre;

(IV) training relating to planning and executing warfighting missions and operations in space;

(V) conducting periodic cadre-wide professional assessments to determine how the cadre is developing as a group; and

(VI) establishing a centralized method to control personnel assignments and distribution.

(ii) The identification of future space-related career fields that the Secretary determines appropriate, including a space acquisition career field.

(iii) The identification of any overlap that exists among operations and acquisitions career fields to determine opportunities for cross-functional career opportunities.

(C) SUBMISSION.—Not later than March 1, 2019, the Secretary shall submit to the congressional defense committees a report containing the plan developed under subparagraph (A).

(2) NUMBERED AIR FORCE.—

(A) ESTABLISHMENT.—Not later than December 31, 2019, the Secretary of the Air Force shall establish as part of the Air Force a new numbered Air Force that is—

(i) responsible for carrying out space warfighting operations; and

(ii) assigned to the United States Space Command established by section 169 of title 10, United States Code, as added by subsection (c).

(B) EFFECT ON 14TH AIR FORCE.—The establishment of a new numbered Air Force under subparagraph (A) shall not effect the space support mission of the 14th Air Force, including with respect to—

(i) space launches, training, and exercises; and

(ii) being assigned to the Air Force Space Command.

(C) PLAN.—Not later than December 31, 2019, the Secretary shall submit to the congressional defense committees a plan to establish the new numbered Air Force under subparagraph (A).

(c) ESTABLISHMENT OF SUBORDINATE UNIFIED COMMAND.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 169. Subordinate unified command of the United States Strategic Command

''(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under the United States Strategic Command a subordinate unified command to be known as the United States Space Command (in this section referred to as 'space command') for carrying out joint space warfighting operations.

''(b) ASSIGNMENT OF FORCES.—Unless otherwise directed by the Secretary of Defense, all active and reserve space warfighting operational forces of the armed forces shall be assigned to the space command, including the numbered Air Force responsible for carrying out space warfighting operations.

''(c) COMMANDER.—(1) The commander of the space command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating the permanent grade of the officer. The commander shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The position shall be designated, pursuant to subsection (b) of section 526 of this title, as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.

''(2) During the three-year period following the date on which the space command is established, the commander of the Air Force Space Command may also serve as the commander of the space command so established. After such period, one individual may not concurrently serve as both such commanders.

''(d) AUTHORITY OF COMMANDER.—(1) Subject to the authority, direction, and control of the commander of the United States Strategic Command, the commander of the space command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to joint space warfighting operations.

''(2)(A) Subject to the authority, direction, and control of the Deputy Secretary of Defense, the commander of the space command shall be responsible for, and shall have the authority to conduct, the following functions relating to joint space warfighting operations (whether or not relating to the space command):

''(i) Developing strategy, doctrine, and tactics.

''(ii) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for space operations forces and for other forces assigned to the space command.

''(iii) Exercising authority, direction, and control over the expenditure of funds for forces assigned directly to the space command.

''(iv) Training and certification of assigned joint forces.

''(v) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

''(vi) Validating requirements.

''(vii) Establishing priorities for requirements.

''(viii) Ensuring the interoperability of equipment and forces.

''(ix) Formulating and submitting requirements for intelligence support.

''(x) Monitoring the promotion of space operation forces and coordinating with the military departments regarding the assignment, retention, training, professional military education, and special and incentive pays of space operation forces.

''(B) The authority, direction, and control exercised by the Deputy Secretary of Defense for purposes of this paragraph is authority, direction, and control with respect to the administration and support of the space command, including readiness and organization of space operations forces, space operations-peculiar equipment and resources, and civilian personnel.

''(C) Nothing in this paragraph shall be construed as providing the Deputy Secretary of Defense authority, direction, and control of operational matters that are subject to the operational chain of command of the combatant commands or the exercise of authority, direction, and control of personnel, resources, equipment, and other matters that are not space-operations peculiar and that are in the purview of the armed forces.

''(3) The commander of the space command shall be responsible for—

''(A) ensuring the combat readiness of forces assigned to the space command; and

''(B) monitoring the preparedness to carry out assigned missions of space forces assigned to unified combatant commands other than the United States Strategic Command.

''(4) The staff of the commander shall include an inspector general who shall conduct internal audits and inspections of purchasing and contracting actions through the space command and such other inspector general functions as may be assigned.

''(e) INTELLIGENCE AND SPECIAL ACTIVITIES.—This section does not constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167b the following new item:

''169. Subordinate unified command of the United States Strategic Command''.

SEC. 1602. RAPID, RESPONSIVE, AND RELIABLE SPACE LAUNCH.

(a) ASSURED ACCESS TO SPACE.—Section 2273 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''; and'';

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) the availability of rapid, responsive, and reliable space launches for national security space programs to—

''(A) improve the responsiveness and flexibility of a national security space system;

''(B) lower the costs of launching a national security space system; and

''(C) maintain risks of mission success at acceptably low levels.''; and

(2) in subsection (c), by inserting before the period at the end the following: ''and the Director of National Intelligence''.

(b) REUSABILITY OF LAUNCH VEHICLES.—

(1) DESIGNATION.—Effective March 1, 2019, the Evolved Expendable Launch Vehicle program of the Department of Defense shall be known as the ''National Security Space Launch program''. Any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Evolved Expendable Launch Vehicle program shall be deemed to be a reference to the National Security Space Launch program.

(2) REQUIREMENT.—In carrying out the National Security Space Launch program, the Secretary of Defense shall provide for consideration of both reusable and expendable launch vehicles with respect to any solicitation occurring on or after March 1, 2019, for which the use of a reusable launch vehicle is technically capable and maintains risk at acceptable levels.

(3) NOTIFICATION OF SOLICITATIONS FOR NON-REUSABLE LAUNCH VEHICLES.—Beginning March 1, 2019, if the Secretary proposes to issue a solicitation for a contract for space launch services for which the use of reusable launch vehicles is not eligible for the award of the contract, the Secretary shall notify in writing the appropriate congressional committees of such proposed solicitation, including justifications for such ineligibility, by not later than 60 days before issuing such solicitation.

(c) RISK AND COST IMPACT ANALYSIS.—

(1) IN GENERAL.—The Secretary shall conduct a risk and cost impact analysis with respect to launch services that use reusable launch vehicles. Such analysis shall include—

(A) an assessment of how the inspection and certification regime of the Air Force for previously flown launch vehicles will ensure increased responsiveness and operational flexibility while maintaining acceptably low risk; and

(B) an assessment of the anticipated cost savings to the Department of Defense realized by using a previously flown launch vehicle or components.

(2) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the analysis conducted under paragraph (1).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1603. PROVISION OF SPACE SITUATIONAL AWARENESS SERVICES AND INFORMATION.

(a) ROLE OF DEPARTMENT OF DEFENSE.—Section 2274(a) of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense may'' and inserting ''(1) Except as provided by paragraph (2), the Secretary of Defense may''; and

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

''(2) Beginning January 1, 2024, the Secretary may provide space situational awareness services and information to, and may obtain space situational awareness data and information from, non-United States Government entities under paragraph (1) only to the extent that the Secretary determines such actions are necessary to meet the national security interests of the United States.''.

(b) INDEPENDENT ASSESSMENT.—

(1) FFRDC.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center for which the Department of Defense is a sponsor to assess

which single or combination of departments or agencies of the Federal Government, if any, should assume the authorities of the Secretary of Defense under paragraph (1) of section 2274(a) of title 10, United States Code, that the Secretary will no longer carry out beginning on January 1, 2024, pursuant to paragraph (2) of such section, as added by subsection (a) of this section.

(2) CONSIDERATIONS.—The assessment under paragraph (1) shall consider the following:

(A) The existing staff, budgetary resources, and institutional expertise of the departments and agencies of the Federal Government evaluated by the assessment.

(B) The demonstrated ability of such departments and agencies to work collaboratively with industry in developing best practices or consensus standards.

(C) The capacity of such departments and agencies to facilitate communication between space object operators to avoid a collision.

(D) The ability of such departments and agencies to use other transaction agreements or similar transaction mechanisms.

(E) Existing non-profit organizations through which such departments and agencies may oversee the private provision of space situational awareness services and information.

(3) SUBMISSION.—

(A) DOD.—Not later than 180 days after the date on which the Secretary and a federally funded research and development center enter into the contract under paragraph (1), the center shall submit to the Secretary a report on the assessment conducted under such paragraph.

(B) CONGRESS.—Not later than 10 days after the date on which the Secretary receives the report under subparagraph (A), the Secretary shall submit to the appropriate congressional committees such report, without change.

(c) PLAN.—

(1) DEVELOPMENT.—The Secretary of Defense, in coordination with the heads of other departments or agencies of the Federal Government determined appropriate by the Secretary, shall develop a plan to ensure that one or more departments or agencies of the Federal Government other than the Department of Defense may provide space situational awareness services and information to non-United States Government entities.

(2) CONSIDERATION.—In developing the plan under paragraph (1), the Secretary shall take into consideration the assessment conducted under subsection (b)(1).

(3) SUBMISSION.—Not later than 180 days after the date on which the Secretary submits the report under subsection (b)(3), the Secretary shall submit to the appropriate congressional committees the plan developed under paragraph (1).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

SEC. 1604. BUDGET ASSESSMENTS FOR NATIONAL SECURITY SPACE PROGRAMS.

Section 239(b)(1) of title 10, United States Code, is amended to read as follows:

''(1) Not later than 30 days after the date on which the President submits to Congress the budget for each of fiscal years 2017 through 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the budget for national security space programs of the Department of Defense. The Secretary may include the report in the defense budget materials if the Secretary submits such materials to Congress by such date.''.

SEC. 1605. ENHANCEMENT OF POSITIONING, NAVIGATION, AND TIMING CAPACITY.

(a) CAPABILITY FOR TRUSTED SIGNALS.—The Secretary of the Air Force shall ensure that military Global Positioning System user equipment terminals have the capability, including with appropriate mitigation efforts, to receive trusted signals from the Galileo satellites of the European Union and the QZSS satellites of Japan, beginning with increment 2 of the acquisition of such terminals.

(b) CAPABILITY FOR OTHER SIGNALS.—The Secretary of the Air Force shall ensure that military Global Positioning System user equipment terminals having the capability to receive non-allied positioning, navigation, and timing signals, beginning with increment 2 of the acquisition of such terminals, if the Secretary of Defense, in consultation with the Commander of the United States Strategic Command, determines that—

(1) the benefits of receiving such signals outweigh the risks; or

(2) such risks can be appropriately mitigated.

(c) ENGAGEMENT.—The Secretary of Defense, jointly with the Secretary of State, shall engage with relevant allies of the United States to—

(1) enable military Global Positioning System user equipment terminals to receive the positioning, navigation, and timing signals of such allies; and

(2) negotiate as appropriate other potential agreements relating to the enhancement of positioning, navigation, and timing.

SEC. 1606. USE OF SMALL- AND MEDIUM-SIZE BUSES FOR STRATEGIC AND TACTICAL SATELLITE PAYLOADS.

(a) BRIEFING ON RISKS, BENEFITS, AND COST SAVINGS.—

(1) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on the risks, benefits, and cost savings with respect to using small- and medium-size buses for strategic and tactical satellite payloads for protected satellite communications programs and next-generation overhead persistent infrared systems.

(2) MATTERS INCLUDED.—The briefing provided under paragraph (1) shall address the following:

(A) Increasing component and subcomponent commonality for power regulation, solar arrays, battery technology, thermal control, and avionics.

(B) The security of the supply chain, including a strategy to mitigate risk in such supply chain.

(b) ANALYSES OF ALTERNATIVES.—

(1) CERTIFICATIONS.—With respect to each analysis of alternatives of new space vehicles relating to a program described in paragraph (2), the Director for Cost Assessment and Program Evaluation shall certify to the appropriate congressional committees that the analysis—

(A) includes materiel solutions for using small- and medium-size buses; and

(B) considers the relevant operational benefits and potential cost savings of using small-, medium-, and large-size buses.

(2) PROGRAMS DESCRIBED.—The programs described in this paragraph are the programs of the Department of Defense relating to any of the following:

(A) Protected satellite communications.

(B) Next-generation overhead persistent infrared systems.

(C) Space-based environmental monitoring.

(c) BRIEFING ON ALTERNATIVE SPACE-BASED ARCHITECTURES.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of the Air Force, and the Chairman of the Joint Chiefs of Staff shall jointly provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on alternative space-based architectures for the programs described in subsection (b)(2) using small-, medium-, and large-size buses.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1607. DESIGNATION OF COMPONENT OF DEPARTMENT OF DEFENSE RESPONSIBLE FOR COORDINATION OF MODERNIZATION EFFORTS RELATING TO MILITARY-CODE CAPABLE GPS RECEIVER CARDS.

(a) DESIGNATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments and the heads of Defense Agencies the Secretary determines appropriate, shall designate a component of the Office of the Secretary of Defense to be responsible for coordinating common solutions for the M-code modernization efforts among the military departments, Defense Agencies, and other appropriate elements of the Department of Defense.

(b) ROLES AND RESPONSIBILITIES.—The roles and responsibilities of the component selected under subsection (a) shall include the following:

(1) Identify the elements of the Department of Defense and the programs of the Department that require M-code capable receiver cards and determine—

(A) the number of total receiver cards required by the Department, including the number required for each such element and program and the military departments;

(B) the timeline, by fiscal year, for each program of the Department conducting M-code modernization efforts; and

(C) the projected cost for each such program.

(2) Systematically collect integration test data, lessons learned, and design solutions, and share such information with other elements of the Department.

(3) Identify ways the Department can prevent duplication in conducting M-code modernization efforts, and identify, to the extent practicable, potential cost savings that could be realized by addressing such duplication.

(4) Coordinate the integration, testing, and procurement of M-code capable receiver cards to ensure that the Department maximizes the buying power of the Department, reduces duplication, and saves resources, where possible.

(c) SUPPORT.—The Secretary of Defense shall ensure the military departments, the Defense Agencies, and other elements of the Department of Defense provide the component selected under subsection (a) with the appropriate support and resources needed to perform the roles and responsibilities under subsection (b).

(d) REPORTS.—Not later than March 15, 2019, and annually thereafter through 2021, the Secretary of Defense shall provide to the congressional defense committees a report on M-code modernization efforts. Each report shall include, with respect to the period covered by the report, the following:

(1) The projected cost and schedule, by fiscal year, for the Department to acquire M-code capable receiver cards.

(2) The programs of the Department conducting M-code modernization efforts.

(3) The number of M-code capable receiver cards procured by the Department, the number of such receiver cards yet to be procured, and the percentage of the M-code modernization efforts completed by each program identified under paragraph (2).

(e) DEFINITIONS.—In this section:

(1) The term ''M-code capable receiver card'' means a Global Positioning System receiver card that is capable of receiving military code that provides enhanced positioning, navigation, and timing capabilities and improved resistance to existing and emerging threats, such as jamming.

(2) The term ''M-code modernization efforts'' means the development, integration, testing, and procurement programs of the Department of Defense relating to developing M-code capable receiver cards.

SEC. 1608. DESIGNATION OF COMPONENT OF DEPARTMENT OF DEFENSE RESPONSIBLE FOR COORDINATION OF HOSTED PAYLOAD INFORMATION.

(a) FINDINGS.—Congress finds the following:

(1) Using commercially hosted payloads is an option for the Department of Defense that should be considered in analyses of alternatives, as it could increase cost savings, speed up capability to orbit, and contribute to resilience through the use of disaggregated space systems by the Department.

(2) The use by the Department of commercially hosted payloads has been limited so far, using commercial satellites to host three experimental payloads to date, though the use of hosted payloads could expand in the future.

(3) The Department does not have the knowledge the Department needs to determine if commercially hosted payloads are an acquisition approach worth pursuing.

(4) The Department faces challenges in matching payloads to commercial hosts, due to numerous logistical challenges to matching payloads to hosts, including coordinating the size, weight and power of the payload with the commercial host, and aligning acquisition and funding timelines between government and commercial programs.

(5) The Comptroller General of the United States in preliminary findings concluded that the space acquisition culture of the Department lacks sufficient knowledge, such as costs, technical parameters, and lessons learned, to determine the benefits and address the challenges of using commercially hosted payloads and that the existing knowledge is fragmented across the Department without any plans to consolidate it.

(6) Programs are not required to report data on commercially hosted payloads to any centralized office or database, and leveraging cost and technical data from hosted payload efforts could inform future interested programs and avoid duplication of efforts, but currently no such comprehensive data source exists.

(b) DESIGNATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of the Air Force, and other Secretaries of the military departments and the heads of Defense Agencies the Secretary determines appropriate, shall designate a component of the Department of Defense or a military department to be responsible for coordinating information, processes, and lessons learned relating to using commercially hosted payloads across the military departments, Defense Agencies, and other appropriate elements of the Department of Defense. The functions of such designated component shall include, at a minimum, the following:

(1) Systematically collecting information from past and planned hosted payload arrangements to inform future acquisition planning and space system architecture design, including integration test data, lessons learned, and design solutions.

(2) Creating a centralized database for cost, technical data, and lessons learned on commercially hosted payloads and sharing such information with other elements of the Department.

SEC. 1609. LIMITATION ON AVAILABILITY OF FUNDS FOR JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.

(a) JMS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Joint Space Operations Center mission system may be obligated or expended until the date on which the Deputy Secretary of Defense makes the certification under subsection (c).

(b) ESBMC2.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for service and management applications of the enterprise space battle management command and control, not more than 75 percent may be obligated or expended until the date on which the Deputy Secretary of Defense makes the certification under subsection (c).

(c) CERTIFICATION.—The Deputy Secretary of Defense, without delegation, shall certify to the congressional defense committees that the Secretary of the Air Force has entered into a contract to operationalize existing, proven, best-in-breed commercial space situational awareness processing software to address warfighter requirements and fill gaps in current space situational capabilities.

SEC. 1610. EVALUATION AND ENHANCED SECURITY OF SUPPLY CHAIN FOR PROTECTED SATELLITE COMMUNICATIONS PROGRAMS AND OVERHEAD PERSISTENT INFRARED SYSTEMS.

(a) EVALUATIONS OF SUPPLY CHAIN VULNERABILITIES.—

(1) IN GENERAL.—Not later than December 31, 2020, and in accordance with the plan under paragraph (2)(A), the Secretary of Defense, in coordination with the Director of National Intelligence, shall conduct evaluations of the supply chain vulnerabilities of each covered program.

(2) PLAN.—

(A) DEVELOPMENT.—The Secretary shall develop a plan to carry out the evaluations under paragraph (1), including with respect to the personnel and resources required to carry out such evaluations.

(B) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on the plan under subparagraph (A).

(3) WAIVER.—The Secretary may waive, on a case-by-case basis with respect to a covered program, either the requirement to conduct an evaluation under paragraph (1) or the deadline specified in such paragraph if the Secretary certifies to the congressional defense committees before such date that all known supply chain vulnerabilities of such covered program have minimal consequences for the capability of such covered program to meet operational requirements or otherwise satisfy mission requirements.

(4) RISK MITIGATION STRATEGIES.—In carrying out an evaluation under paragraph (1), the Secretary shall develop—

(A) strategies for mitigating the risks of supply chain vulnerabilities identified in the course of such evaluation; and

(B) cost estimates for such strategies.

(b) PRIORITIZATION OF CERTAIN SUPPLY CHAIN RISK MANAGEMENT EFFORTS.—

(1) INSTRUCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a Department of Defense Instruction, or update such an Instruction, establishing the prioritization of supply chain risk management programs, including supply chain risk management threat assessment reporting, to ensure that acquisition and sustainment programs relating to covered programs receive the highest priority of such supply chain risk management programs and reporting.

(2) REQUIREMENTS.—

(A) ESTABLISHMENT.—The Secretary shall establish requirements to carry out supply chain risk management threat assessment collections and analyses under acquisition and sustainment programs relating to covered programs.

(B) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on the requirements established under subparagraph (A).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''covered programs'' means programs of the Department of Defense relating to any of the following:

(A) Protected satellite communications.

(B) Next-generation overhead persistent infrared systems.

SEC. 1611. REPORT ON PROTECTED SATELLITE COMMUNICATIONS.

Not later than December 31, 2018, the Secretary of Defense shall submit to the congressional defense committees a report on how each of the following programs will meet the requirements for resilience, mission assurance, and the nuclear command, control, and communication missions of the Department of Defense:

(1) The evolved strategic satellite program.

(2) The protected tactical service program.

(3) The protected tactical enterprise service program.

SEC. 1612. PLAN ON SPACE WARFIGHTING READINESS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall develop, and commence the implementation of, a plan that—

(1) identifies joint mission-essential tasks for space as a warfighting domain;

(2) identifies any additional authorities, or delegated authorities, that would need to accompany the employment of forces to meet such mission-essential tasks;

(3) meets the readiness requirements for space warfighting, including with respect to equipment, training, and personnel, to meet such mission-essential tasks; and

(4) considers the contributions by allies and partners of the United States with respect to defense space capabilities to increase burden sharing across space systems, as appropriate.

(b) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other congressional defense committee upon request, a briefing describing the authorities identified under subsection (a)(2) that the Secretary determines require legislative action.

SEC. 1613. STUDY ON SPACE-BASED RADIO FREQUENCY MAPPING.

(a) STUDY.—The Secretary of Defense and the Director of National Intelligence shall jointly conduct a study on the capabilities of the private sector with respect to space-based radio frequency mapping and associated operations and services for space-based electromagnetic collections. Such study shall address the following:

(1) The near-term commercial market offerings of such operations and services in the United States and outside the United States.

(2) The potential benefits to the United States provided by such operations and services.

(3) The potential risks to the United States posed by such operations and services.

(4) The sufficiency of existing legal authorities available to the Secretary and the Director to address such potential risks.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Director shall jointly submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing the study under subsection (a).

SEC. 1614. PLAN TO PROVIDE PERSISTENT WEATHER IMAGERY FOR UNITED STATES CENTRAL COMMAND.

(a) PLAN.—The Secretary of the Air Force shall develop a plan to provide the United States Central Command with persistent weather imagery for the area of operations of the Command beginning not later than January 1, 2026.

(b) MATTERS INCLUDED.—The plan developed under subsection (a) shall include the following:

(1) A long-term method for providing the United States Central Command with persistent weather imagery for the area of operations of the Command that—

(A) does not rely on data provided by a foreign government; and

(B) does not include relocating legacy geostationary operational environmental satellites.

(2) A description of the costs required to carry out the plan.

(c) SUBMISSION.—Not later than March 1, 2019, the Secretary shall submit to the congressional defense committees the plan developed under subsection (a).

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1621. ROLE OF UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

Subsection (b) of section 137 of title 10, United States Code, is amended to read as follows:

''(b) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Intelligence shall—

''(1) have responsibility for the overall direction and supervision for policy, program planning and execution, and use of resources, for the activities of the Department of Defense that are part of the Military Intelligence Program;

''(2) execute the functions for the National Intelligence Program of the Department of Defense under section 105 of the National Security Act of 1947 (50 U.S.C. 3038), as delegated by the Secretary of Defense;

''(3) have responsibility for the overall direction and supervision for policy, program planning and execution, and use of resources, for the information security, personnel security, physical security, and industrial security related activities of the Department of Defense; and

''(4) perform such duties and exercise such powers as the Secretary of Defense may prescribe in the area of intelligence.''.

SEC. 1622. SECURITY CLEARANCE FOR DUAL NATIONALS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1564a the following new section:

''§ 1564b. Security clearance for dual nationals

''(a) ADDITIONAL REVIEW.—(1) In the case of an individual described in paragraph (3), the Secretary of Defense shall develop a process to review foreign preference in accordance with the adjudicative guidelines under part 147 of title 32, Code of Federal Regulations, or such successor regulation, before approving a security clearance for such individual.

''(2) The Secretary shall designate an official of the Department of Defense to be responsible for adjudicating any derogatory information of an individual described in paragraph (3) concerning foreign preference that is discovered after the security clearance of the individual is approved.

''(3) An individual described in this paragraph is an individual who is—

''(A) a national of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) and also a national of a foreign state; and

''(B) either—

''(i) a civilian employee or contractor who requires access to classified information; or

''(ii) a member of the armed forces who requires access to classified information.

''(b) WAIVER.—(1) In the case of an individual who is a national of the United States and also a national of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

''(2) The Director of National Intelligence shall identify foreign states that authorize citizens or nationals of the United States to serve in positions of trust equivalent to positions in the United States Government that require access to classified information.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1564a the following new item:

''1564b. Security clearance for dual nationals.''.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on—

(A) the process developed under paragraph (1) of section 1564b(a) of title 10, United States Code, as added by subsection (a); and

(B) the official designated under paragraph (2) of such section 1564b(a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The Committees on Armed Services of the House of Representatives and the Senate.

(B) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1623. DEPARTMENT OF DEFENSE COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) ADDITION OF DUAL-NATIONALS.—Subsection (b) of section 1564a of title 10, United States Code, is amended to read as follows:

''(b) PERSONS COVERED.—Except as provided in subsection (d), the following persons are subject to this section:

''(1) With respect to persons whose duties are described in subsection (c)—

''(A) military and civilian personnel of the Department of Defense;

''(B) personnel of defense contractors;

''(C) persons assigned or detailed to the Department of Defense; and

''(D) applicants for a position in the Department of Defense.

''(2) A person who is—

''(A) a national of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) and also a national of a foreign state; and

''(B) either—

''(i) a civilian employee or contractor who requires access to classified information; or

''(ii) a member of the armed forces who requires access to classified information.''.

(b) STANDARDS FOR DUAL-NATIONALS.—Subsection (e)(2) of such section is amended by adding at the end the following new subparagraph:

''(D) With respect to persons described in subsection (b)(2), to assist in assessing foreign preference or foreign influence risks, as described in part 147 of title 32, Code of Federal Regulation, or such successor regulations.''.

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (c), by striking ''in subsection (b)'' and inserting ''in subsection (b)(1)''; and

(2) in subsection (e)(2)(A), by striking ''in subsections (b)'' and inserting ''in subsections (b)(1)''.

SEC. 1624. DEFENSE INTELLIGENCE BUSINESS MANAGEMENT SYSTEMS.

(a) STANDARDIZED BUSINESS PROCESS RULES.—

(1) DEVELOPMENT.—Not later than October 1, 2020, the Chief Management Officer of the Department of Defense, in coordination with the Under Secretary of Defense (Comptroller) and the Under Secretary of Defense for Intelligence, shall develop and implement standardized business process rules for the planning, programming, budgeting, and execution process for the Military Intelligence Program.

(2) TREATMENT OF DATA.—The Chief Management Officer shall develop the standardized business process rules under paragraph (1) in accordance with section 911 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1519; 10 U.S.C. 2222 note) and section 2222(e)(6) of title 10, United States Code.

(3) USE OF EXISTING SYSTEMS.—In developing the standardized business process rules under paragraph (1), to the extent practicable, the Chief Management Officer shall use enterprise business systems of the Department of Defense in existence as of the date of the enactment of this Act.

(4) REPORT.—Not later than March 1, 2019, the Chief Management Officer of the Department of Defense, the Under Secretary of Defense (Comptroller), and the Under Secretary of Defense for Intelligence shall jointly submit to the appropriate congressional committees a report containing a plan to develop the standardized business process rules under paragraph (1).

(5) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(b) PROGRAM ELEMENTS.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 239b. Certain intelligence-related programs: budget justification materials

''(a) PROHIBITION ON USE OF PROGRAM ELEMENTS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2021 and each fiscal year thereafter (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary of Defense may not include in any single program element both funds made available under the Military Intelligence Program and funds made available outside of the Military Intelligence Program.

''(b) DEFINITIONS.—In this section:

''(1) The term 'budget' has the meaning given that term in section 231(f) of this title.

''(2) The term 'defense budget materials' has the meaning given that term in section 231(f) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 239a the following new item:

''239b. Certain intelligence-related programs: budget justification materials''.

SEC. 1625. MODIFICATION TO ANNUAL BRIEFING ON THE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE REQUIREMENTS OF THE COMBATANT COMMANDS.

(a) IN GENERAL.—Section 1626 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3635), as amended by section 1624 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1732), is further amended—

(1) in the matter preceding paragraph (1), by striking ''2020'' and inserting ''2025''; and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon; and

(B) by adding at the end the following new subparagraph:

''(D) for the year preceding the year in which the briefing is provided—

''(i) the number of hours or amount of capacity of intelligence, surveillance, and reconnaissance requested by each commander of a combatant command, by specific intelligence capability type;

''(ii) the number of such requests identified under clause (i) that the Joint Chiefs of Staff determined to be a validated requirement, including the number of hours or amount of capacity of such requests that were provided to each such commander; and

''(iii) with respect to such validated requirements, the number of hours or amount of capacity of intelligence, surveillance, and reconnaissance, by specific intelligence capability type, that the Joint Chiefs of Staff requested each military department to provide, and the number of such hours or the amount of such capacity so provided by each such military department; and''.

(b) CODIFICATION.—Such section 1626, as amended by subsection (a), is—

(1) transferred to chapter 21 of title 10, United States Code; and

(2) redesignated as subsection (c) of section 426 of such title.

SEC. 1626. PROHIBITION ON THE AVAILABILITY OF FUNDS FOR DEPARTMENT OF DEFENSE ASSUMING BACKGROUND INVESTIGATION MISSION FOR THE FEDERAL GOVERNMENT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense may be obligated or expended during the period beginning on the date of the enactment of this Act and ending on December 31, 2019, to transfer to the Department the background investigation mission for all agencies or departments of the Federal Government using the National Background Investigation Bureau for investigative services as of April 1, 2018.

Subtitle C—Cyberspace-Related Matters

SEC. 1631. AMENDMENTS TO PILOT PROGRAM REGARDING CYBER VULNERABILITIES OF DEPARTMENT OF DEFENSE CRITICAL INFRASTRUCTURE.

Subsection (b) of section 1650 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 2224 note) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''and the Defense Digital Service'' after ''covered research laboratory'';

(2) in paragraph (4), in the matter preceding subparagraph (A), by striking ''2019'' and inserting ''2020''; and

(3) in paragraph (5), by striking ''2019'' and inserting ''2020''.

SEC. 1632. BUDGET DISPLAY FOR CYBER VULNERABILITY EVALUATIONS AND MITIGATION ACTIVITIES FOR MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) BUDGET REQUIRED.—Beginning in fiscal year 2021 and in each fiscal year thereafter, the Secretary of Defense shall submit to Congress, as a part of the documentation that supports the President's annual budget for the Department of Defense, a consolidated Cyber Vulnerability Evaluation and Mitigation budget justification display for each major weapons system of the Department of Defense that includes the following:

(1) CYBER VULNERABILITY EVALUATIONS.—

(A) STATUS.—Whether, in accordance with paragraph (1) of section 1647(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118), the cyber vulnerability evaluation for each such major weapon system is pending, in progress, complete, or, pursuant to paragraph (2) of such section, waived.

(B) FUNDING.—The funding required for the fiscal year with respect to which the budget is submitted and for at least the four succeeding fiscal years required to complete the pending or in progress cyber vulnerability evaluation of each such major weapon system.

(C) DESCRIPTION.—A description of the activities planned in the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years to complete the required evaluation for each such major weapon system.

(D) RISK ANALYSIS.—A description of operational or security risks associated with cyber vulnerabilities identified as a result of such cyber vulnerability evaluations that require mitigation.

(2) MITIGATION ACTIVITIES.—

(A) STATUS.—Whether activities to address identified cyber vulnerabilities of such major weapon systems resulting in operational or security risks requiring mitigation are pending, in progress, or complete.

(B) FUNDING.—The funding required for the fiscal year with respect to which the budget is submitted and for at least the four succeeding fiscal years required to complete the pending or in progress mitigation activities referred to in subparagraph (A) related to such major weapon systems.

(C) DESCRIPTION.—A description of the activities planned in the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years to complete any necessary mitigation.

(b) FORM.—The display required under subsection (a) shall be submitted in an unclassified form, but may include a classified annex if necessary.

SEC. 1633. TRANSFER OF RESPONSIBILITY FOR THE DEPARTMENT OF DEFENSE INFORMATION NETWORK TO UNITED STATES CYBER COMMAND.

(a) IN GENERAL.—Not later than September 30, 2019, the Secretary of Defense shall transfer all roles, missions, and responsibilities of the Commander, Joint Force Headquarters–Department of Defense Information Networks (JFHQ–DODIN) from the Defense Information Support Agency to the Commander, United States Cyber Command.

(b) CERTIFICATION REQUIRED.—Prior to the transfer required under subsection (a), the Secretary of Defense shall certify in writing to the congressional defense committees that such transfer shall not result in mission degradation.

SEC. 1634. PILOT PROGRAM AUTHORITY TO ENHANCE CYBERSECURITY AND RESILIENCY OF CRITICAL INFRASTRUCTURE.

(a) AUTHORITY.—The Secretary of Defense, in coordination with the Secretary of Homeland Security, is authorized to provide, detail, or assign technical personnel to the Department of Homeland Security on a non-reimbursable basis to enhance cybersecurity cooperation, collaboration, and unity of Government efforts.

(b) SCOPE OF ASSISTANCE.—The authority under subsection (a) shall be limited in any fiscal year to the provision of not more than 50 technical cybersecurity personnel from the Department of Defense to the Department of Homeland Security, including the national cybersecurity and communications integration center (NCCIC) of the Department, or other locations as agreed upon by the Secretary of Defense and the Secretary of Homeland Security.

(c) LIMITATION.—The authority under subsection (a) may not negatively impact the primary missions of the Department of Defense or the Department of Homeland Security.

(d) ESTABLISHMENT OF PROCEDURES.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Homeland Security shall establish procedures to carry out subsection (a), including procedures relating to the protection of and safeguards for maintenance of information held by the NCCIC regarding United States persons.

(2) LIMITATION.—Nothing in this subsection may be construed as providing authority to the Secretary of Defense to establish procedures regarding the NCCIC with respect to any matter outside the scope of this section.

(e) NO EFFECT ON OTHER AUTHORITY TO PROVIDE SUPPORT.—Nothing in this section may be construed to limit the authority of an Executive department, military department, or independent establishment to provide any appropriate support, including cybersecurity support, or to provide, detail, or assign personnel, under any other law, rule, or regulation.

(f) DEFINITIONS.—In this section, each of the terms ''Executive department'', ''military department'', and ''independent establishment'', has the meaning given each of such terms, respectively, in chapter 1 of title 5, United States Code.

(g) TERMINATION OF AUTHORITY.—This section shall terminate on September 30, 2022.

SEC. 1635. PILOT PROGRAM ON REGIONAL CYBER SECURITY TRAINING CENTER FOR THE ARMY NATIONAL GUARD.

(a) PILOT PROGRAM.—The Secretary of the Army may carry out a pilot program under

which the Secretary establishes a National Guard training center to provide collaborative interagency education and training for members of the Army National Guard.

(b) DURATION.—If the Secretary carries out the pilot program under subsection (a), the Secretary shall carry out the pilot program for a two-year period.

(c) CENTER.—

(1) TRAINING AND COOPERATION.—In carrying out the pilot program under subsection (a), the Secretary shall ensure that the training center established under such subsection—

(A) educates and trains members of the Army National Guard quickly and efficiently by concurrently training cyber protection teams and cyber network defense teams on a common standard in order to defend—

(i) the information network of the Department of Defense in a State environment;

(ii) while acting under title 10, United States Code, the information networks of State governments; and

(iii) critical infrastructure;

(B) fosters interagency cooperation by—

(i) co-locating members of the Army National Guard with personnel of departments and agencies of the Federal Government and State governments; and

(ii) providing an environment to develop interagency relationship to coordinate responses and recovery efforts during and following a cyber attack;

(C) collaborates with academic institutions to develop and implement curriculum for interagency education and training within the classroom; and

(D) coordinates with the Persistent Cyber Training Environment of the Army Cyber Command in devising and implementing interagency education and training using physical and information technology infrastructure.

(2) LOCATIONS.—If the Secretary carries out the pilot program under subsection (a), the Secretary shall select one National Guard facility at which to carry out the pilot program. The Secretary shall select a facility that is located in an area that meets the following criteria:

(A) The location has a need for cyber training, as measured by both the number of members of the Army National Guard that would apply for such training and the number of units of the Army National Guard that verify the unit would apply for such training.

(B) The location has high capacity information and telecommunications infrastructure, including high speed fiber optic networks.

(C) The location has personnel, technology, laboratories, and facilities to support proposed activities and has the opportunity for ongoing training, education, and research.

(d) ACTIVITIES.—If the Secretary carries out the pilot program under subsection (a), the Secretary shall ensure that the pilot program includes the following activities:

(1) Providing joint education and training and accelerating training certifications for working in a cyber range.

(2) Integrating education and training between the National Guard, law enforcement, and emergency medical and fire first responders.

(3) Providing a program to continuously train the cyber network defense teams to not only defend the information network of the Department of Defense, but to also provide education and training on how to use defense capabilities of the team in a State environment.

(4) Developing curriculum and educating the National Guard on the different missions carried out under titles 10 and 32, United States Code, in order to enhance interagency coordination and create a common operating picture.

SEC. 1636. PROCEDURES AND REPORTING REQUIREMENT ON CYBERSECURITY BREACHES AND LOSS OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) IN GENERAL.—In the event of a significant loss of personally identifiable information of civilian or uniformed members of the Armed Forces, the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of such loss. Such notice may be submitted in classified or unclassified formats.

(b) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a). Such procedures shall be consistent with the national security of the United States, the protection of operational integrity, and the protection of personally identifiable information of civilian and uniformed members of the Armed Forces.

(c) SIGNIFICANT LOSS OF PERSONALLY IDENTIFIABLE INFORMATION DEFINED.—In this section, the term ''significant loss of personally identifiable information'' means an intentional, accidental, or otherwise known disclosure of information that can be used to distinguish or trace an individual's identity, such as the name, Social Security number, date and place of birth, biometric records, home or other phone numbers, or other demographic, personnel, medical, or financial information, involving 250 or more civilian or uniformed members of the Armed Forces.

SEC. 1637. CYBER INSTITUTES AT THE SENIOR MILITARY COLLEGES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to establish a cyber institute at each of the senior military colleges (referred to in this section as an ''SMC Cyber Institute'') for purposes of accelerating and focusing the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and Department of Defense, including such leaders of the reserve components.

(b) ELEMENTS.—Each SMC Cyber Institute established under subsection (a) shall include the following:

(1) Programs to provide future military and civilian leaders of the Armed Forces or the Department of Defense who possess cyber operational expertise from beginning through advanced skill levels with instruction and practical experiences that lead to recognized certifications and degrees in cyber-related fields.

(2) Programs of targeted strategic foreign language proficiency training for such future leaders that—

(A) are designed to significantly enhance critical cyber operational capabilities; and

(B) are tailored to current and anticipated readiness requirements.

(3) Programs related to mathematical foundations of cryptography and courses in cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic foreign language programs critical to cyber operations.

(4) Programs related to data science and courses in data science theory and practice designed to complement and reinforce cyber education along with the strategic foreign language programs critical to cyber operations.

(5) Programs designed to develop early interest and cyber talent through summer programs for elementary and secondary school students and dual enrollment opportunities for cyber, strategic foreign language, data science, and cryptography related courses.

(6) Training and education programs to expand the pool of qualified instructors necessary to support cyber education in regional school systems.

(c) PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.—A SMC Cyber Institute established under subsection (a) may enter into a partnership with one or more components of the Armed Forces (active or reserve) or any agency of the Department of Defense to facilitate the development of critical cyber skills for students who may pursue a career with the Department of Defense.

(d) PARTNERSHIPS WITH OTHER SCHOOLS.—A SMC Cyber Institute established under subsection (a) may enter into a partnership with one or more local educational agencies to carry out the requirements of this section.

(e) SENIOR MILITARY COLLEGES DEFINED.—In this section, the term ''senior military colleges'' means the senior military colleges described in section 2111a(f) of title 10, United States Code.

SEC. 1638. STUDY AND REPORT ON RESERVE COMPONENT CYBER CIVIL SUPPORT TEAMS.

(a) STUDY REQUIRED.—The Secretaries concerned shall conduct a study on the feasibility, advisability, and necessity of the establishment of reserve component cyber civil support teams for each State.

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

(1) An examination of the potential ability of the teams referred to in such subsection to respond to an attack, natural disaster, or other large-scale incident affecting computer networks, electronics, or cyber capabilities.

(2) An analysis of State and local civilian and private sector cyber response capabilities and services, including an identification of any gaps in such capabilities and services.

(3) An identification of the potential role of such teams with respect to the principles and processes set forth in—

(A) Presidential Policy Directive 20 (United States Cyber Operations Policy);

(B) Presidential Policy Directive 21 (Critical Infrastructure Security and Resilience); and

(C) Presidential Policy Directive 41 (United States Cyber Incident Coordination).

(4) An explanation of how such teams may interact with other organizations and elements of the Federal Government that have responsibilities under the Presidential Policy Directives referred to in paragraph (3).

(5) The amount of funding and other resources that may be required by the Department of Defense to organize, train, and equip such teams.

(6) An explanation of how the establishment of such teams may affect the ability of the Department of Defense—

(A) to organize, train, equip, and employ the Cyber Mission Force, and other organic cyber forces; and

(B) to perform national defense missions and defense support to civil authorities for cyber incident response.

(7) An explanation of how the establishment of such teams may affect the ability of the Department of Homeland Security—

(A) to organize, train, equip, and employ cyber incident response teams; and

(B) to perform civilian cyber response missions.

(8) Any effects on the privacy and civil liberties of United States persons that may result from the establishment of such teams.

(9) Any other considerations determined to be relevant by the Secretaries concerned.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretaries concerned shall submit to the appropriate congressional committees a report that includes—

(1) the results of the study conducted under subsection (a), including an explanation of each element described in subsection (b);

(2) the final determination of the Secretaries with respect to the feasibility, advisability, and necessity of establishing reserve component cyber civil support teams for each State; and

(3) if such final determination is in the affirmative, proposed legislation for the establishment of the teams, which may include proposed legislation to amend section 12310 of title 10, United States Code.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term ''reserve component cyber civil support team'' means a team that—

(A) is comprised of members of the reserve components;

(B) is organized, trained, equipped, and sustained by the Department of Defense for the purpose of assisting State authorities in preparing for and responding to cyber incidents, cyber emergencies, and cyber attacks; and

(C) operates principally under the command and control of the Chief Executive of the State in which the team is located.

(3) The term ''Secretaries concerned'' means the Secretary of Defense and the Secretary of Homeland Security acting jointly.

(4) The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

Subtitle D—Nuclear Forces

SEC. 1641. UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING AND THE NUCLEAR WEAPONS COUNCIL.

Section 179(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking '', Technology, and Logistics'' and inserting ''and Sustainment'';

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following new paragraph (4):

''(4) The Under Secretary of Defense for Research and Engineering.''.

SEC. 1642. LONG-RANGE STANDOFF WEAPON REQUIREMENTS.

Subparagraphs (A) and (B) of section 217(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 706) are amended to read as follows:

''(A) achieves initial operating capability for nuclear missions prior to the retirement of the nuclear-armed AGM–86;

''(B) achieves initial operating capability for conventional missions by not later than four years after the date of the achievement under subparagraph (A); and''.

SEC. 1643. ACCELERATION OF GROUND-BASED STRATEGIC DETERRENT PROGRAM AND LONG-RANGE STANDOFF WEAPON PROGRAM.

(a) PLAN FOR ACCELERATION OF PROGRAMS.—Consistent with validated military requirements and in accordance with applicable provisions of Federal law regarding acquisition, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Secretary of the Air Force, shall develop and implement—

(1) a plan to accelerate the development, procurement, and fielding of the ground-based strategic deterrent program; and

(2) a plan to accelerate the development, procurement, and fielding of the long-range standoff weapon.

(b) CRITERIA.—The plans developed under subsection (a) shall meet the following criteria:

(1) With respect to the plan developed under paragraph (1) of such subsection, the plan shall ensure that the ground-based strategic deterrent program includes the recapitalization of the full intercontinental ballistic missile weapon system for 400 deployed missiles and associated spares and 450 launch facilities, without phasing or splitting the program, including with respect to the missile flight system, ground-based infrastructure and equipment, appropriate command and control elements.

(2) The plans shall include a comprehensive assessment of the benefits, risks, feasibility, costs, and cost savings of various options for accelerating the respective program covered by the plan, including by considering—

(A) accelerating—

(i) the technology maturation and risk reduction phase, including through the identification of low and high technology readiness levels, requirements, and timelines for maturing such technology;

(ii) the award of an engineering and manufacturing development contract; and

(iii) making the milestone B decision;

(B) transitioning full acquisition authority, responsibility, and accountability of the respective program to the Secretary of the Air Force, including milestone decision authority;

(C) providing a general officer-level program executive officer a dedicated, single-program, long-term assignment with a tailored acquisition approach, program strategy, and oversight model for the respective program that empowers the general officer to accelerate the program, make decisions, and be held accountable;

(D) streamlining, as appropriate, test and evaluation activities for the respective program, particularly for proven technologies, while ensuring high confidence in the final deployed system;

(E) leveraging agile software development or other innovative approaches to reduce timeframes for software development;

(F) identifying and proposing statutory changes that the Under Secretary or the Secretary of the Air Force determine could accelerate the respective program;

(G) identifying accelerated goals for initial operational capability and full operational capability for the respective program; and

(H) such other options as the Under Secretary or the Secretary of the Air Force consider appropriate.

(c) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Secretary of the Air Force, shall submit to the congressional defense committees the plans developed under subsection (a), including an assessment of the options considered and the options selected to be implemented under the plans.

(d) BRIEFING.—Not later than 160 days after the date of the enactment of this Act, the Commander of the United States Strategic Command shall provide to the congressional defense committees a briefing on the views of the Commander with respect to the plans developed under subsection (a).

(e) DEFINITIONS.—In this section:

(1) The term ''milestone B decision'' has the meaning given that term in section 2400(a) of title 10, United States Code.

(2) The term ''milestone decision authority'' has the meaning given that term in section 2366a(d) of title 10, United States Code.

SEC. 1644. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2019 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in division D, $9,841,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) COVERED PARTS DEFINED.—In this section, the term ''covered parts'' means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1645. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) PROHIBITION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense shall be obligated or expended for—

(1) reducing, or preparing to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States; or

(2) reducing, or preparing to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1646. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE.

Section 1664 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2615), as amended by section 1663 by the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), is amended by striking ''2019'' and inserting ''2020''.

SEC. 1647. INDEPENDENT STUDY ON NUCLEAR WEAPONS LAUNCH-UNDER-ATTACK OPTION.

(a) FINDINGS.—Congress finds the following:

(1) Maintaining a safe, effective, and reliable nuclear arsenal and command and control system are high priorities for ensuring national security.

(2) The current launch-under-attack option, particularly for the intercontinental ballistic missile forces, could require a quick decision, on the order of minutes, on whether to use these weapons to respond to an incoming attack.

(b) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the potential benefits and risks of reducing the role of the launch-under-attack option with respect to planning by the United States relating to nuclear weapons.

(c) SELECTION.—The Secretary may not enter into the contract under subsection (b) with a federally funded research and development center for which the Air Force is the primary sponsor.

(d) REPORTS.—

(1) SUBMISSION TO DOD.—Not later than 270 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the Secretary a report containing the study conducted under subsection (b). Such report shall include the findings and recommendations of the center.

(2) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives the report under paragraph (1), the Secretary shall submit to the congressional defense committees such report, without change.

(3) FORM.—The reports under paragraphs (1) and (2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1648. EXTENSION OF ANNUAL REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.

Section 1043(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576) is amended by striking ''2019'' and inserting ''2022''.

SEC. 1649. SENSE OF CONGRESS ON NUCLEAR POSTURE OF THE UNITED STATES.

It is the sense of Congress that—

(1) for more than 70 years, the nuclear deterrent of the United States has played a central role in the national security of the United States and international stability;

(2) the nuclear forces of the United States have and will continue to play a fundamental role in deterring aggression against the interests of the United States and the allies of the United States in an increasingly dangerous world;

(3) strong, credible, and flexible nuclear forces of the United States assure the allies of the United States that the extended deterrence guarantees of the United States are credible and that the resolve of the United States remains strong even in the face of nuclear provocations, including nuclear coercion and blackmail;

(4) the 2017 National Security Strategy and the 2018 National Defense Strategy correctly assess that, due to increased global disorder and complexity, the decline of the international rules-based order and security environment, and the erosion of the competitive advantages of the United States, interstate strategic competition must now be the primary focus of the national security strategy of the United States;

(5) the 2018 Nuclear Posture Review aligns with these conclusions, and recognizes that deterrence is dynamic, not static, and that while the nuclear posture and policies of the United States are underpinned by enduring consistency, such posture and policies must also undergo measured adjustments to remain credible as threats evolve;

(6) the Russian Federation has elevated the role of nuclear weapons in its strategies, is developing and deploying new nuclear capabilities (including a recently announced nuclear-powered cruise missile and high-speed, nuclear-powered underwater drone), is violating many arms control agreements (including the INF Treaty), and has made explicit nuclear threats against the United States and the allies of the United States;

(7) the United States remains committed to its full range of nuclear arms control and nonproliferation obligations and seeks continued engagement for prudent and verifiable agreements, however, the policies and actions of the United States must also hold states that violate arms control treaties accountable for such violations and take such violations into account when considering further arms control agreements;

(8) the North Atlantic Treaty Organization (NATO) plays an essential role in the national security of the United States and NATO should continue to strengthen and align its nuclear and conventional deterrence posture, planning, and exercises to align with modern threats, including modernizing its dual-capable aircraft, command and control networks, nuclear-related facilities, and conventional capabilities;

(9) to deter large-scale, catastrophic war with Russia, the People's Republic of China, and other potential adversaries, as well as reassure allies, the United States requires reliable, diverse, and tailorable nuclear forces that are able to respond to a variety of current threats while preparing for future uncertainty;

(10) the 2018 Nuclear Posture Review reconfirms the value of the nuclear triad and dual-capable aircraft of the United States, directs the continuation of the comprehensive nuclear modernization program initiated by the previous administration, and proposes two supplemental capabilities (a lower-yield submarine-launched ballistic missile warhead and a sea-launched cruise missile) that will strengthen deterrence and assurance and reduce the chances that nuclear weapons are used in conflict;

(11) three successive Secretaries of Defense across two administrations have stated that nuclear deterrence is the highest priority mission of the Department of Defense; and

(12) in light of this prioritization, the age of the current nuclear forces and infrastructure of the United States, and the small percentage of the defense budget that will be expended on the recapitalization of the nuclear deterrent of the United States, the modernization of the nuclear forces, command and control systems, and supporting infrastructure of the United States is affordable and a national imperative.

SEC. 1650. SENSE OF CONGRESS ON EXTENDED NUCLEAR DETERRENCE IN THE INDO-PACIFIC REGION.

It is the sense of Congress that—

(1) the nuclear program of the Democratic People's Republic of Korea poses a critical national security threat not only to the United States, but to the security and stability of the entire Indo-Pacific region, including South Korea, Japan, and Australia;

(2) the nuclear and conventional forces of the United States continue to play a fundamental role in deterring aggression against its interests and the interests of its allies in the Indo-Pacific region and beyond;

(3) the United States stands unwaveringly behind its treaty obligations and assurances, including those related to defense and extended nuclear deterrence, to South Korea, Japan, and Australia;

(4) the complete, verifiable, and irreversible denuclearization of the Democratic People's Republic of Korea remains a central foreign policy objective of the United States;

(5) the status of any denuclearization or end-of-conflict agreement with the Democratic People's Republic of Korea should not supersede such treaty obligations and assurances described in paragraph (3); and

(6) the presence of United States Forces on the Korean Peninsula should remain strong and enduring.

Subtitle E—Missile Defense Programs

SEC. 1661. DEVELOPMENT OF PERSISTENT SPACE-BASED SENSOR ARCHITECTURE.

(a) FINDINGS.—Congress finds the following:

(1) Absent a missile defense review, the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019 did not propose funding for efforts within the Missile Defense Agency to further develop the Missile Defense Tracking System (a future space sensor architecture) and instead funds were provided to the Air Force to determine the plan of the Department of Defense for future missile warning and tracking capabilities.

(2) Delaying development and deployment of a space-based missile tracking capability further places the United States at a disadvantage against hypersonic threats.

(b) DEVELOPMENT REQUIRED.—Subsection (a) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131. Stat. 1777) is amended by striking ''If consistent with the direction or recommendations of the Ballistic Missile Defense Review that commenced in 2017, the Director of the Missile Defense Agency'' and inserting ''Beginning fiscal year 2019, the Director of the Missile Defense Agency, in coordination with the Director of National Intelligence, the Commander of the Air Force Space Command, and the Commander of the United States Strategic Command,''.

(c) PLAN.—

(1) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Defense for the development of the space-based sensor architecture under subsection (a) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1777), not more than 25 percent may be obligated or expended until the date on which the Director of the Missile Defense Agency submits the plan under subsection (e) of such section.

(2) CLARIFICATION OF ROLES.—Section 1683(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1777) is amended by striking ''the Director shall submit'' and inserting ''the Director of the Missile Defense Agency, in coordination with the Director of National Intelligence, the Commander of the Air Force Space Command, and the Commander of the United States Strategic Command shall submit''.

(d) REPORT ON USE OF OTHER AUTHORITIES.—Such section 1683 is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) REPORT ON USE OF OTHER AUTHORITIES.—Not later than January 31, 2019, the Director of the Missile Defense Agency shall submit to the appropriate congressional committees a report on the options available to the Director to use other transactional authorities pursuant to section 2371 of title 10, United States Code, to accelerate the development and deployment of the sensor architecture required by subsection (a).''.

SEC. 1662. BOOST PHASE BALLISTIC MISSILE DEFENSE.

(a) DEVELOPMENT AND STUDY.—Section 1685 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is amended by adding at the end the following new subsections:

''(d) DEVELOPMENT.—

''(1) REQUIREMENT.—Beginning fiscal year 2019, the Director of the Missile Defense Agency shall carry out a program to develop boost phase intercept capabilities that—

''(A) are cost effective;

''(B) are air-launched, ship-based, or both; and

''(C) include kinetic interceptors.

''(2) PARTNERSHIPS.—In developing kinetic boost phase intercept capabilities under paragraph (1), the Director may enter into partnerships with the Ministry of National Defense of the Republic of Korea or the Ministry of Defense of Japan, or both.

''(e) INDEPENDENT STUDY.—

''(1) REQUIREMENT.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct a feasibility study on providing an initial or demonstrated boost phase capability using unmanned aerial vehicles and kinetic interceptors by December 31, 2021. Such study shall include, at a minimum, a review of the study published by the Science, Technology, and National Security Working Group of the Massachusetts Institute of Technology in 2017 titled 'Airborne

Patrol to Destroy DPRK ICBMs in Powered Flight'.

''(2) SUBMISSION.—Not later than July 31, 2019, the Secretary shall submit to the congressional defense committees the study conducted under paragraph (1).''.

(b) DIRECTED ENERGY DEVELOPMENT.—Subsection (b) of such section is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Defense''; and

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

''(2) ROLE OF DIRECTOR.—

''(A) TRANSFER OF RESPONSIBILITY.—Beginning fiscal year 2019, the Secretary shall transfer from the Under Secretary of Defense for Research and Engineering to the Director of the Missile Defense Agency the responsibility to continue developing the interim directed energy boost phase ballistic missile defense capability specified in paragraph (1).

''(B) OTHER PROGRAMS.—In continuing the development under subparagraph (A), the Director shall—

''(i) leverage the efforts of the Under Secretary under the high energy laser advanced development program; and

''(ii) share with the Under Secretary any information useful to such program.

''(C) BRIEFING.—Not later than February 28, 2019, the Director shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other congressional defense committee upon request, a briefing on—

''(i) specific criteria that the Director will address in the development under subparagraph (A); and

''(ii) parameters used to measure progress in such development.''.

(c) MODIFICATION TO SENSE OF CONGRESS.—Subsection (a) of such section is amended by striking '', if consistent with the direction or recommendations of the Ballistic Missile Defense Review that commenced in 2017''.

SEC. 1663. IMPROVEMENTS TO RESEARCH AND DEVELOPMENT AND ACQUISITION PROCESSES OF MISSILE DEFENSE AGENCY.

(a) RESEARCH AND DEVELOPMENT.—

(1) TRANSFER.—Not later than September 30, 2020, the Secretary of Defense shall transfer the authority and the total obligational authority for each research and development program described in paragraph (2) from the Under Secretary of Defense for Research and Engineering to the Director of the Missile Defense Agency.

(2) RESEARCH AND DEVELOPMENT PROGRAM DESCRIBED.—A research and development program described in this paragraph is a program that the Under Secretary identifies as meeting each of the following criteria:

(A) The program consists of efforts to develop prototypes or science and technology, or has not yet received Milestone B approval (as defined in section 2366 of title 10, United States Code).

(B) The efforts of the program either—

(i) are planned to be incorporated into ballistic missile defense systems; or

(ii) have explicit applications for ballistic missile defense or hypersonic defense.

(3) REPORT.—Not later than March 31, 2019, the Under Secretary shall submit to the congressional defense committees a report that—

(A) lists each research and development program identified under paragraph (2); and

(B) a summary of the efforts and funding required for such programs during the period covered by the future-years defense program under section 221 of title 10, United States Code, as of the date of the report.

(b) NOTIFICATION ON CHANGES TO NON-STANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES.—

(1) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Secretary of Defense may be obligated or expended to change the non-standard acquisition processes and responsibilities described in paragraph (2) until—

(A) the Secretary notifies the congressional defense committees of such proposed change; and

(B) a period of 180 days has elapsed following the date of such notification.

(2) NON-STANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES DESCRIBED.—The non-standard acquisition processes and responsibilities described in this paragraph are such processes and responsibilities described in—

(A) the memorandum of the Secretary of Defense titled ''Missile Defense Program Direction'' signed on January 2, 2002;

(B) Department of Defense Directive 5134.09, as in effect on the date of the enactment of this Act; and

(C) United States Strategic Command Instruction 583–3.

(c) INTEGRATED MASTER TEST PLAN INFORMATION.—

(1) PUBLIC AVAILABILITY.—Together with the release of each integrated master test plan of the Missile Defense Agency, the Director of the Missile Defense Agency shall make publicly available a version of each such plan that identifies the fiscal year and the fiscal quarter in which events under the plan will occur.

(2) SUBMISSION.—Not later than 30 days after the budget of the President for each of fiscal years 2020 and 2021 is submitted to Congress under section 1105 of title 31, United States Code, the Director shall submit to the congressional defense committees the integrated master test plan of the Missile Defense Agency, including any classified and unclassified versions of such plan.

(d) MISSILE DEFENSE EXECUTIVE BOARD.—In addition to the Under Secretary of Defense for Research and Engineering serving as chairman of the Missile Defense Executive Board pursuant to section 1676(c)(3)(B) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1773), the Under Secretary of Defense for Acquisition and Sustainment shall serve—

(1) as a member of the Board; and

(2) as co-chairman with respect to decisions regarding acquisition and the approval of acquisition and production milestones, including with respect to the use of other transaction authority contracts and transactions in excess of $500,000,000 (including all options).

SEC. 1664. LAYERED DEFENSE OF THE UNITED STATES HOMELAND.

(a) FINDINGS.—Congress finds the following:

(1) The United States homeland (including Hawaii and Alaska) is currently protected against intercontinental ballistic missiles by the ground-based midcourse defense system, with 44 ground-based interceptors located at Fort Greely, Alaska, and Vandenberg, California.

(2) The Department of Defense plans to expand the number of ground-based interceptors to 64 interceptors by 2023 by adding Missile Field 4 at Fort Greely, Alaska.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) continue to explore and deploy capabilities that increase the layered defense of the United States homeland;

(2) support, if determined by the Secretary of Defense as necessary for the national security of the United States, the deployment of a ground-based interceptor site, or potential other ballistic missile defense systems pending successful testing, on the East Coast of the United States that—

(A) weighs cost effectiveness and prioritization of capability; and

(B) provides for increased protection of the continental United States from North Korean and Iranian threats;

(3) support the ability of the Army, the Navy, and the Missile Defense Agency to deploy fixed, semi-fixed, and mobile at-sea and ashore assets to locations to increase the layered defense of all of the United States homeland; and

(4) support, as appropriate, further analysis and testing for regional systems to be employed for the layered defense of the United States homeland.

(c) CERTIFICATION.—Before the Secretary of Defense makes a potential determination to deploy regional assets to provide missile defense from longer range threats, the Secretary shall certify to the congressional defense committees that such deployment would not unnecessarily undermine or pose additional risk to strategic stability.

(d) BRIEFING.—Not later than January 31, 2019, the Director of the Missile Defense Agency, in coordination with the Under Secretary of Defense for Policy, the Commander of the United States Northern Command, and the Commander of the United States Pacific Command, shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other congressional defense committee upon request, a briefing that—

(1) describes options and plans to increase or improve the layered protection of the United States homeland (including Hawaii and Alaska) from threats posed by North Korea and threats posed by Iran;

(2) addresses the capabilities and reliability of missile defense systems to defend against potential trajectories of missiles from both the North and South Poles; and

(3) addresses technical capability and policy with respect to such options.

SEC. 1665. TESTING OF REDESIGNED KILL VEHICLE PRIOR TO PRODUCTION.

(a) SUCCESSFUL TESTING REQUIRED.—Except as provided by subsection (b), the Director of the Missile Defense Agency may not make a lot production decision for the redesigned kill vehicle unless the vehicle has undergone at least one successful flight intercept test that meets the following criteria:

(1) The test sufficiently assesses the performance of the vehicle in order to inform a lot production decision.

(2) The results of the test demonstrate that the vehicle—

(A) will work in an effective manner; and

(B) has the ability to accomplish the intended mission of the vehicle.

(b) WAIVER.—The Secretary of Defense, without delegation, may waive subsection (a) if—

(1) the Secretary determines that the waiver is in the interest of national security;

(2) the Secretary determines that the threat of missiles is advancing at a pace that requires additional capacity of the ground-based midcourse system by 2023;

(3) the Secretary determines that the waiver is appropriate in light of the assessment conducted by the Director of Operational Test and Evaluation under subsection (c);

(4) the Secretary submits to the congressional defense committees a report containing—

(A) a notice of the waiver, including the rationale of the Secretary for making the waiver;

(B) a certification by the Secretary that the Secretary has analyzed and accepts the

risk of making and implementing a lot production decision for the redesigned kill vehicle prior to the vehicle undergoing a successful flight intercept test; and

(C) the assessment of the Director of Operational Test and Evaluation under subsection (c); and

(5) a period of 30 days elapses following the date on which the Secretary submits the report under paragraph (4).

(c) ASSESSMENT ON RISKS.—The Director of Operational Test and Evaluation shall submit to the Secretary of Defense an assessment on the risks of making a lot production decision for the redesigned kill vehicle prior to the vehicle undergoing a successful flight intercept test.

SEC. 1666. REQUIREMENTS FOR BALLISTIC MISSILE DEFENSE CAPABLE SHIPS.

(a) FORCE STRUCTURE ASSESSMENT.—The Secretary of the Navy, in consultation with the Director of the Missile Defense Agency, shall include in the first force structure assessment conducted following the date of the enactment of this Act the following:

(1) An assessment of the requirements for ballistic missile defense capable ships.

(2) The force structure requirements associated with advanced ballistic missile defense capabilities.

(b) FORCE STRUCTURE ASSESSMENT DEFINED.—The term ''force structure assessment'' has the meaning given the term in Chief of Naval Operations Instruction 3050.27.

SEC. 1667. MULTIYEAR PROCUREMENT AUTHORITY FOR STANDARD MISSILE–3 BLOCK IB MISSILES.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Director of the Missile Defense Agency may enter into one or more multiyear contracts, beginning with the 2019 program year, for the procurement of standard missile–3 block IB missiles.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2019 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 1668. LIMITATION ON AVAILABILITY OF FUNDS FOR ARMY LOWER TIER AIR AND MISSILE DEFENSE SENSOR.

(a) LIMITATION.—If the Secretary of the Army issues an acquisition strategy for a 360-degree lower tier air and missile defense sensor pursuant to section 1679(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1774) that proposes such sensor achieve initial operating capability later than December 31, 2023, not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for such sensor may be obligated or expended until the date on which the Secretary submits to the congressional defense committees a report—

(1) explaining the rationale of such delayed initial operating capability, including a description of any technological or acquisition-related factors causing such delay; and

(2) containing a funding profile and schedule to ensure that such sensor would achieve initial operating capability by December 31, 2023.

(b) PERFORMANCE SPECIFICATION.—The Secretary shall ensure that the performance specification of the 360-degree lower tier air and missile defense sensor—

(1) specifies requirements relating to—

(A) detecting and tracking complex attacks from air breathing threats, tactical ballistic missiles, and emerging hypersonic weapons; and

(B) being a key component of the future integrated air and missile defense architecture of the Army and supporting engagements for the full range and capability of Patriot Advanced Capability–3 missile segment enhancement interceptors; and

(2) uses evaluation criteria that enables an understanding of the cost and value of procuring such sensor in accordance with such specified requirements.

SEC. 1669. MISSILE DEFENSE RADAR IN HAWAII.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the Director of the Missile Defense Agency, and in coordination with relevant Federal and local entities, should—

(1) ensure an on-time or improved delivery schedule of the discrimination radar for homeland defense to be made operational in Hawaii; and

(2) accelerate the deployment of the radar as much as possible, contingent on the environmental review process pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) CERTIFICATION.—Not later than 45 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall certify to the congressional defense committees that—

(1) the Director is on schedule to award the contract for the discrimination radar for homeland defense planned to be located in Hawaii by December 31, 2018; and

(2) such radar and associated in-flight interceptor communications system data terminal will be operational by not later than September 30, 2023.

(c) BRIEFINGS.—

(1) DELAYED SCHEDULE.—If the Director is unable to certify under subsection (b) that the Director is on schedule to award the contract for the discrimination radar for homeland defense planned to be located in Hawaii by December 31, 2018, not later than 45 days after the date of the enactment of this Act, and on a biweekly basis thereafter until the date of the award, the Director shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other congressional defense committee upon request, a briefing explaining—

(A) the rationale for the delay in such schedule; and

(B) any effects of such delay in making such radar and associated in-flight interceptor communications system data terminal operational by not later than September 30, 2023.

(2) SEMIANNUAL.—Not later than 45 days after the date of the enactment of this Act, and semiannually thereafter through 2021, the Director shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other congressional defense committee upon request, a briefing on—

(A) the acquisition of the discrimination radar for homeland defense planned to be located in Hawaii and the associated in-flight interceptor communications system data terminal; and

(B) the environmental review process for such radar pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 1670. REPORTS ON UNFUNDED PRIORITIES OF THE MISSILE DEFENSE AGENCY.

(a) REPORTS.—Not later than 10 days after the date on which the budget of the President for each of fiscal years 2020 and 2021 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director of the Missile Defense Agency shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and to the congressional defense committees, a report on the unfunded priorities of the Missile Defense Agency.

(b) ELEMENTS.—

(1) MATTERS INCLUDED.—Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

(C) Account information with respect to such priority, including, as applicable—

(i) the line item number for applicable procurement accounts;

(ii) the program element number for applicable research, development, test, and evaluation accounts; and

(iii) the sub-activity group for applicable operation and maintenance accounts.

(2) PRIORITIZATION OF PRIORITIES.—Each report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.

(c) UNFUNDED PRIORITY DEFINED.—In this section, the term ''unfunded priority'', in the case of a fiscal year, means a program, activity, or mission requirement of the Missile Defense Agency that—

(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31, United States Code;

(2) is necessary to fulfill a requirement associated with an operational or contingency plan of a combatant command or other validated requirement; and

(3) would have been recommended for funding through the budget referred to in paragraph (1) by the Director of the Missile Defense Agency in connection with the budget if—

(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

(B) the program, activity, or mission requirement has emerged since the budget was formulated.

SEC. 1671. REPORT ON BALLISTIC MISSILE DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) The Secretary of Defense is conducting a ballistic missile defense review that will assess the capabilities and requirements for homeland, regional, and theater missile defense.

(2) This review will have significant implications for national security and potentially on resource prioritization and requirements.

(3) The review was initially expected to have been completed by January but has been delayed several months due to revisions and has not yet been submitted to Congress.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on ballistic missile defense that addresses the implications for planned programs of record, costs and resource prioritization, and strategic stability.

SEC. 1672. SENSE OF CONGRESS ON MISSILE AND ROCKET DEFENSE COOPERATION BETWEEN THE UNITED STATES AND ISRAEL.

(a) FINDINGS.—Congress finds the following:

(1) The United States and Israel signed a Memorandum of Understanding on September 14, 2016, that covers the 10-year period beginning with fiscal year 2019.

(2) The Memorandum of Understanding states that the United States will provide annual funding of $500,000,000 for cooperative programs to develop, produce, and procure missile, rocket, and projectile defense capabilities to help Israel meet its security needs

and to help develop and enhance the missile defense capabilities of the United States.

(3) The Memorandum of Understanding further states that Israel may seek additional missile defense funding from the United States in exceptional circumstances, as may be jointly agreed by the United States and Israel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the strong and enduring relationship between the United States and Israel is in the national security interest of both countries; and

(2) the September 2016 Memorandum of Understanding between the United States and Israel, including the provisions of the memorandum relating to missile and rocket defense cooperation, is a critical component of the bilateral relationship.

Subtitle F—Other Matters

SEC. 1681. EXTENSION OF COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACKS AND SIMILAR EVENTS.

Section 1691 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1786) is amended—

(1) in subsection (e)—

(A) in paragraph (1)(A), by striking ''April 1, 2019'' and inserting ''December 1, 2019''; and

(B) in paragraph (3), by striking ''October 1, 2018'' and inserting ''March 1, 2019''; and

(2) in subsection (h), by striking ''October 1, 2019'' and inserting ''the date that is 180 days after the date on which the Commission submits the report under subsection (e)(1)''.

SEC. 1682. PROCUREMENT OF AMMONIUM PERCHLORATE AND OTHER CHEMICALS FOR USE IN SOLID ROCKET MOTORS.

(a) BUSINESS CASE ANALYSIS.—

(1) GOVERNMENT-OWNED, CONTRACTOR OPERATED.—The Secretary of the Army and the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy shall jointly conduct a business case analysis of the Federal Government using a Government-owned, contractor-operated model to ensure a robust domestic industrial base to supply specialty chemicals, including ammonium perchlorate, for use in solid rocket motors. Such analysis shall include assessments of the near- and long-term costs, operating and sustainment costs, program impacts, opportunities for competition, opportunities for redundant or complementary capabilities, and national security implications of using such a model.

(2) REPORT.—Not later than March 1, 2019, the Secretary and the Deputy Assistant Secretary shall submit to the congressional defense committees the business case analysis conducted under paragraph (1).

(b) FULL AND OPEN COMPETITION.—

(1) USE.—To the extent practicable, in awarding a contract for the sale of ammonium perchlorate from retired solid rocket motors, the Secretary of Defense shall use full and open competition (as defined in section 107 of title 41, United States Code).

(2) NOTIFICATION.—If the Secretary awards a contract for the sale of ammonium perchlorate from retired solid rocket motors using procedures that do not include full and open competition, the Secretary shall notify the congressional defense committees of such award not later than 30 days after the date of such award.

SEC. 1683. CONVENTIONAL PROMPT GLOBAL STRIKE HYPERSONIC CAPABILITIES.

(a) VALIDATED REQUIREMENTS.—Not later than November 30, 2018, the Secretary of Defense shall submit to the congressional defense committees a validated requirement for ground-, sea-, or air-launched (or a combination thereof) conventional prompt global strike hypersonic capabilities.

(b) REPORT.—Not later than January 31, 2019, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretary of the Navy and the Under Secretary of Defense for Policy, shall submit to the congressional defense committees a report that contains the following:

(1) A plan to deliver a conventional prompt global strike weapon system that—

(A) is in accordance with section 1693 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1791); and

(B) includes—

(i) options with cost estimates for accelerating the initial capability for such system; and

(ii) a description of policy decisions by the Secretary of Defense that are necessary to employ hypersonic offense capabilities from each potential launch platform of such system.

(2) Details with respect to the assessed level of ambiguity and misinterpretation risk relating to the conventional prompt global strike weapon system, including such potential risks associated with warhead ambiguity, platform ambiguity (including if adversary sensors are degraded), perceptions of the survivability of strategic nuclear forces, and likely adversary responses.

(3) A description of whether, when, and how the Under Secretary would address the risks identified under paragraph (2) in developing and deploying the conventional prompt global strike weapon system and in developing the concept of operations for such system.

SEC. 1684. REPORT REGARDING INDUSTRIAL BASE FOR LARGE SOLID ROCKET MOTORS.

(a) REPORT.—

(1) IN GENERAL.—Not later than April 15, 2019, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Secretaries of the military departments that the Under Secretary determines appropriate, shall submit to the appropriate congressional committees a report on whether, and if so, how, the Federal Government will sustain more than one supplier for large solid rocket motors.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include an assessment of the following:

(A) The risks within the industrial base for large solid rocket motors, including the risks to national security.

(B) The near- and long-term costs associated with having a single source of large solid rocket motors as compared to having more than one such source.

(C) Options for sustaining more than one supplier for large solid rocket motors, including through leveraging—

(i) the ground-based strategic deterrent program;

(ii) the Trident II D5 fleet ballistic missile program;

(iii) the ground-based midcourse defense program;

(iv) national security space launch programs;

(v) programs of the National Aeronautics and Space Administration; and

(vi) any other applicable programs that use or may use solid rocket motors of any size, including with respect to substrategic and tactical systems.

(b) BRIEFING.—Not later than November 30, 2018, the Under Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on the industrial base for large solid rocket motors.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Science, Space, and Technology and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Commerce, Science, and Transportation and the Select Committee on Intelligence of the Senate.

SEC. 1685. NATIONAL INTELLIGENCE ESTIMATE WITH RESPECT TO RUSSIAN AND CHINESE INTERFERENCE IN DEMOCRATIC COUNTRIES.

Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall commission and produce a National Intelligence Estimate, which may be submitted in classified form with an unclassified summary, on Russian and Chinese interference in democratic countries around the world, including the United States, that contains specific descriptions of such interference.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2019''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER FIVE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2024 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2018; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alabama	Anniston Army Depot	$5,200,000
California	Fort Irwin	$29,000,000
Colorado	Fort Carson	$77,000,000
Georgia	Fort Gordon	$99,000,000
Indiana	Crane Army Ammunition Plant	$16,000,000
Kentucky	Fort Campbell	$50,000,000
	Fort Knox	$26,000,000
Maryland	Fort Meade	$16,500,000
New Jersey	Picatinny Arsenal	$41,000,000
New Mexico	White Sands Missile Range	$40,000,000
New York	U.S. Military Academy	$160,000,000
North Carolina	Fort Bragg	$10,000,000
South Carolina	Fort Jackson	$52,000,000
Texas	Fort Bliss	$24,000,000
	Fort Hood	$9,600,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Germany	East Camp Grafenwoehr	$31,000,000
Honduras	Soto Cano Air Base	$21,000,000
Korea	Camp Tango	$17,500,000
Kuwait	Camp Arifjan	$44,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Italy	Vicenza	Family Housing New Construction	$95,134,000
Korea	Camp Walker	Family Housing Replacement Construction	$68,000,000
Puerto Rico	Fort Buchanan	Family Housing Replacement Construction	$26,000,000
Wisconsin	Fort McCoy	Family Housing New Construction	$6,200,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $18,326,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (128 Stat. 3670), shall remain in effect until October 1, 2019, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2020, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2015 Project Authorization

State/Country	Installation	Project	Amount
California	Military Ocean Terminal, Concord	Access Control Point	$9,900,000

Army: Extension of 2015 Project Authorization—Continued

State/Country	Installation	Project	Amount
Japan	Kadena Air Base	Missile Magazine	$10,600,000

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Camp Navajo	$14,800,000
California	Marine Corps Base Camp Pendleton	$127,930,000
	Marine Corps Air Station Miramar	$31,980,000
	Naval Air Station Lemoore	$127,590,000
	Naval Base Coronado	$156,580,000
	Naval Base San Diego	$176,040,000
	Naval Base Ventura	$53,160,000
	Naval Weapons Station Seal Beach	$139,630,000
District of Columbia	Naval Observatory	$115,600,000
Florida	Naval Air Station Whiting Field	$10,000,000
	Naval Station Mayport	$111,460,000
Georgia	Marine Corps Logistics Base Albany	$31,900,000
Guam	Joint Region Marianas	$355,257,000
Hawaii	Joint Base Pearl Harbor-Hickam	$123,320,000
	Marine Corps Base Hawaii	$66,100,000
Maine	Portsmouth Naval Yard	$149,685,000
Mississippi	Naval Construction Battalion Center	$22,300,000
North Carolina	Marine Corps Base Camp Lejeune	$51,300,000
	Marine Corps Air Station Cherry Point	$240,830,000
Pennsylvania	Naval Support Activity Philadelphia	$71,050,000
South Carolina	Marine Corps Air Station Beaufort	$15,817,000
	Marine Corps Recruit Depot, Parris Island	$35,190,000
Utah	Hill Air Force Base	$105,520,000
Virginia	Marine Corps Base Quantico	$13,100,000
	Norfolk Naval Shipyard	$26,120,000
Washington	Naval Base Kitsap	$88,960,000
	Naval Air Station Whidbey Island	$27,380,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahamas	Andros Island	$31,050,000
Bahrain	SW Asia	$26,340,000
Cuba	Naval Station Guantanamo Bay	$104,700,000
Germany	Panzer Kaserne	$43,950,000
Japan	Kadena Air Base	$9,049,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

Country	Installation	Units	Amount
Guam	Joint Region Marianas	Replace Andersen Housing PH III	$83,441,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,502,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $16,638,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	$63,800,000
Arizona	Davis Monthan Air Force Base	$15,000,000
	Luke Air Force Base	$40,000,000
Arkansas	Little Rock Air Force Base	$26,000,000
Florida	Eglin Air Force Base	$62,863,000
	MacDill Air Force Base	$3,100,000
	Patrick Air Force Base	$9,000,000
Guam	Joint Region Marianas	$9,800,000
Louisiana	Barksdale Air Force Base	$12,250,000
Mariana Islands	Tinian	$50,700,000
Maryland	Joint Base Andrews	$58,000,000
Massachusetts	Hanscom Air Force Base	$225,000,000
Nebraska	Offutt Air Force Base	$9,500,000
Nevada	Creech Air Force Base	$59,000,000
	Nellis Air Force Base	$5,900,000
New Mexico	Holloman Air Force Base	$85,000,000
	Kirtland Air Force Base	$7,000,000
New York	Rome Lab	$14,200,000
North Dakota	Minot Air Force Base	$66,000,000
Ohio	Wright-Patterson Air Force Base	$182,000,000
Oklahoma	Altus Air Force Base	$12,000,000
	Tinker Air Force Base	$166,000,000
South Carolina	Shaw Air Force Base	$53,000,000
Utah	Hill Air Force Base	$26,000,000
Washington	Fairchild-White Bluff	$14,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
United Kingdom	Royal Air Force Lakenheath	$148,467,000
Worldwide Classified	Classified Location	$18,000,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,199,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $75,247,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN PHASED PROJECT AUTHORIZED IN FISCAL YEARS 2015, 2016, AND 2017.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3679) for Royal Air Force Croughton for JIAC Consolidation Phase 1, the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129 Stat. 1153) for Croughton Royal Air Force for JIAC Consolidation Phase 2, and the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2697) for Royal Air Force Croughton for JIAC Consolidation Phase 3, the location shall be United Kingdom, Unspecified.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2696) for Joint Base San Antonio, Texas, for construction of a basic military training recruit dormitory, the Secretary of the Air Force may construct a 26,537 square meter dormitory in the amount of $92,300,000.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1825) for the United States Air Force Academy, Colorado, for construction of a cyberworks facility, the Secretary of the Air Force may construct a facility of up to 4,000 square meters.

SEC. 2308. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) PROJECT AUTHORIZATIONS.—The Secretary of the Air Force may carry out military construction projects to construct—

(1) a 6,702 square meter Joint Simulation Environment Facility at Edwards Air Force Base, California, in the amount of $43,000,000;

(2) a 4,833 square meter Cyberspace Test Facility at Eglin Air Force Base, Florida, in the amount of $38,000,000; and

(3) a 4,735 square meter Joint Simulation Environment Facility at Nellis Air Force Base, Nevada, in the amount of $30,000,000.

(b) USE OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.—As provided for in the Defense Laboratory Modernization Pilot Program authorized by section 2803 of the Military Construction Authorization Act for Fiscal Year 2016 (10 U.S.C. 2358 note), the Secretary may use funds available for research, development, test, and evaluation for the projects described in subsection (a).

SEC. 2309. ADDITIONAL AUTHORITY TO CARRY OUT PROJECT AT TRAVIS AIR FORCE BASE, CALIFORNIA, IN FISCAL YEAR 2019.

The Secretary of the Air Force may carry out a military construction project to construct a 150,000 square foot high-bay air cargo pallet storage and marshaling enclosure integral to installation of a mechanized material handling system at Travis Air Force Base, California, in the amount of $35,000,000.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	$174,000,000
	Joint Base Elmendorf-Richardson	$14,000,000
Arkansas	Little Rock Air Force Base	$14,000,000
California	Marine Corps Base Camp Pendleton	$12,596,000
	Defense Distribution Depot-Tracy	$18,800,000
	Naval Base Coronado	$71,088,000
Colorado	Fort Carson	$24,297,000
Conus Classified	Classified Location	$49,222,000
Kentucky	Fort Campbell	$82,298,000
Maine	Kittery	$11,600,000
Maryland	Fort Meade	$805,000,000
Missouri	St. Louis	$447,800,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$10,200,000
North Carolina	Fort Bragg	$32,366,000
	Marine Corps Air Station New River	$32,580,000
Oklahoma	McAlester	$7,000,000
Texas	Joint Base San Antonio	$10,200,000
	Red River Army Depot	$71,500,000
Virginia	Fort A.P. Hill	$11,734,000
	Fort Belvoir	$6,127,000
	Humphreys Engineer Center	$20,257,000
	Joint Base Langley-Eustis	$12,700,000
	Pentagon	$35,850,000
	Training Center Dam Neck	$8,959,000
Washington	Joint Base Lewis-McChord	$26,200,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Chievres Air Base	$14,305,000
Cuba	Naval Station Guantanamo Bay	$9,080,000
Germany	Baumholder	$11,504,000
	Kaiserslautern Air Base	$99,955,000

Defense Agencies: Outside the United States—Continued

Country	Installation or Location	Amount
Japan	Wiesbaden	$56,048,000
	Camp McTureous	$94,851,000
	Iwakuni	$33,200,000
	Kadena Air Base	$21,400,000
	Yokosuka	$170,386,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount set forth in the table.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (128 Stat. 3681) and as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1831), shall remain in effect until October 1, 2019, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2020, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
Japan	Commander Fleet Activities Sasebo	E.J. King High School Replacement/Renovation	$37,681,000
Japan	Okinawa	Kubasaki High School Replacement/Renovation	$99,420,000
New Mexico	Cannon AFB	SOF Squadron Operations Facility (STS)	$23,333,000
Virginia	Pentagon	Redundant Chilled Water Loop	$15,100,000

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Country	Component	Installation or Location	Project	Amount
Korea	Army	Camp Carroll	Upgrade Electrical Distribution, Phase 2	$52,000,000
	Army	Camp Humphreys	Site Development	$7,800,000
	Army	Camp Humphreys	Air Support Operations Squadron	$25,000,000
	Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, P2	$76,000,000
	Army	Camp Humphreys	Echelon Above Brigade Engineer Battalion, VMF	$123,000,000
	Army	Camp Walker	Repair/Replace Sewer Piping System	$8,000,000
	Navy	Chinhae	Indoor Training Pool	$7,400,000
	Navy	Pohang Air Base	Replace Ordnance Storage Magazines	$87,000,000
	Air Force	Gimhae Air Base	Airfield Damage Repair Warehouse	$7,600,000
	Air Force	Gwangju Air Base	Airfield Damage Repair Warehouse	$7,600,000
	Air Force	Kunsan Air Base	Explosive Ordnance Disposal Facility	$8,000,000

Republic of Korea Funded Construction Projects—Continued

Country	Component	Installation or Location	Project	Amount
	Air Force	Kunsan Air Base	Upgrade Flow-Through Fuel System	$23,000,000
	Air Force	Osan Air Base	5th Reconnaissance Squadron Aircraft Shelter	$12,000,000
	Air Force	Osan Air Base	Airfield Damage Repair Facility	$22,000,000
	Air Force	Osan Air Base	Communications HQ Building	$45,000,000
	Air Force	Suwon Air Base	Airfield Damage Repair Warehouse	$7,200,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alaska	Joint Base Elmendorf-Richardson	$27,000,000
Illinois	Marseilles Training Center	$5,000,000
Montana	Malta	$15,000,000
Nevada	North Las Vegas	$32,000,000
New Hampshire	Pembroke	$12,000,000
North Dakota	Fargo	$32,000,000
Ohio	Camp Ravenna	$7,400,000
Oklahoma	Lexington	$11,000,000
South Dakota	Rapid City	$15,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve: Inside the United States

State	Location	Amount
California	Fort Irwin	$34,000,000
Washington	Yakima Training Center	$23,000,000
Wisconsin	Fort McCoy	$23,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California	Naval Weapons Station Seal Beach	$21,740,000
Georgia	Fort Benning	$13,630,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
California	Channel Islands Air National Guard Station	$8,000,000

Air National Guard—Continued

State	Location	Amount
Hawaii	Joint Base Pearl Harbor-Hickam	$17,000,000
Illinois	Greater Peoria Regional Airport	$9,000,000
Louisiana	Naval Air Station Joint Reserve Base New Orleans	$39,000,000
Minnesota	Duluth International Airport	$8,000,000
Montana	Great Falls International Airport	$9,000,000
New York	Francis S. Gabreski Airport	$20,000,000
Ohio	Mansfield Lahm Airport	$13,000,000
	Rickenbacker International Airport	$8,000,000
Pennsylvania	Fort Indiantown Gap	$8,000,000
Virginia	Joint Base Langley-Eustis	$10,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
Florida	Patrick Air Force Base	$24,000,000
Indiana	Grissom Air Reserve Base	$21,500,000
Massachusetts	Westover Air Reserve Base	$42,600,000
Minnesota	Minneapolis-St. Paul International Airport	$9,000,000
Mississippi	Keesler Air Force Base	$4,550,000
New York	Niagara Falls International Airport	$14,000,000
Ohio	Youngstown Air Reserve Station	$8,800,000
Texas	Naval Air Station Joint Reserve Base Fort Worth	$3,100,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2603 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1164) for construction of a Reserve Training Center Complex at Dam Neck, Virginia, the Secretary of the Navy may construct the Reserve Training Center Complex at Joint Expeditionary Base Little Creek-Story, Virginia.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.

In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1834) for Fort Belvoir, Virginia, for additions and alterations to the National Guard Readiness Center, the Secretary of the Army may construct a new readiness center.

SEC. 2613. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECT.

(a) PROJECT AUTHORIZATION.—

(1) PROJECT.—The Secretary of the Navy may carry out a military construction project to construct a 50,000 square foot reserve training center, 6,600 square foot combat vehicle maintenance and storage facility, 2,400 square foot vehicle wash rack, 1,600 square foot covered training area, road improvements, and associated supporting facilities.

(2) ACQUISITION OF LAND.—As part of the project under this subsection, the Secretary may acquire approximately 8.5 acres of adjacent land and obtain necessary interest in land at Pittsburgh, Pennsylvania, for the construction and operation of the reserve training center.

(3) AMOUNT OF AUTHORIZATION.—The total amount of funds the Secretary may obligate and expend on activities under this subsection during fiscal year 2019 may not exceed $17,650,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR NAVY MILITARY CONSTRUCTION RESERVE FUNDS.—The Secretary may use available, unobligated Navy military construction reserve funds for the project described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Navy shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. ADDITIONAL AUTHORITY TO REALIGN OR CLOSE CERTAIN MILITARY INSTALLATIONS.

(a) AUTHORIZATION.—Notwithstanding sections 993 or 2687 of title 10, United States Code, and subject to subsection (d), the Secretary of Defense may take such actions as may be necessary to carry out the realignment or closure of a military installation in a State during a fiscal year if—

(1) the military installation is the subject of a notice which is described in subsection (b); and

(2) the Secretary includes the military installation in the report submitted under paragraph (2) of subsection (c) with respect to the fiscal year.

(b) NOTICE FROM GOVERNOR OF STATE.—A notice described in this subsection is a notice received by the Secretary of Defense from the Governor of a State (or, in the case of the District of Columbia, the Mayor of the District of Columbia) in which the Governor recommends that the Secretary carry out the realignment or closure of a military installation located in the State, and which includes each of the following elements:

(1) A specific description of the military installation, or a specific description of the relevant real and personal property.

(2) Statements of support for the realignment or closure from units of local government in which the installation is located.

(3) A detailed plan for the reuse or redevelopment of the real and personal property of the installation, together with a description of the local redevelopment authority which will be responsible for the implementation of the plan.

(c) RESPONSE TO NOTICE.—

(1) MANDATORY RESPONSE TO GOVERNOR AND CONGRESS.—Not later than 1 year after receiving a notice from the Governor of a State (or, in the case of the District of Columbia, from the Mayor of the District of Columbia), the Secretary of Defense shall submit a response to the notice to the Governor and the congressional defense committees indicating whether or not the Secretary accepts the recommendation for the realignment or closure of a military installation which is the subject of the notice.

(2) ACCEPTANCE OF RECOMMENDATION.—If the Secretary of Defense determines that it is in the interests of the United States to accept the recommendation for the realignment or closure of a military installation which is the subject of a notice received under subsection (b) and intends to carry out the realignment or closure of the installation pursuant to the authority of this section during a fiscal year, at the time the budget is submitted under section 1105(a) of title 31, United States Code, for the fiscal year, the Secretary shall submit a report to the congressional defense committees which includes the following:

(A) The identification of each military installation for which the Secretary intends to carry out a realignment or closure pursuant to the authority of this section during the fiscal year, together with the reasons the Secretary of Defense believes that it is in the interest of the United States to accept the recommendation of the Governor of the State involved for the realignment or closure of the installation.

(B) For each military installation identified under subparagraph (A), a master plan describing the required scope of work, cost, and timing for all facility actions needed to carry out the realignment or closure, including the construction of new facilities and the repair or renovation of existing facilities.

(C) For each military installation identified under subparagraph (A), a certification that, not later than the end of the fifth fiscal year after the completion of the realignment or closure, the savings resulting from the realignment or closure will exceed the costs of carrying out the realignment or closure, together with an estimate of the annual recurring savings that would be achieved by the realignment or closure of the installation and the timeframe required for the financial savings to exceed the costs of carrying out the realignment or closure.

(d) LIMITATIONS.—

(1) TIMING.—The Secretary may not initiate the realignment or closure of a military installation pursuant to the authority of this section until the expiration of the 90-day period beginning on the date the Secretary submits the report under paragraph (2) of subsection (c).

(2) TOTAL COSTS.—Subject to appropriations, the aggregate cost to the government in carrying out the realignment or closure of military installations pursuant to the authority of this section for all fiscal years may not exceed $2,000,000,000. In determining the cost to the government for purposes of this section, there shall be included the costs of planning and design, military construction, operations and maintenance, environmental restoration, information technology, termination of public-private contracts, guarantees, and other factors contributing to the cost of carrying out the realignment or closure, as determined by the Secretary.

(e) PROCESS FOR IMPLEMENTATION.—The implementation of the realignment or closure of a military installation pursuant to the authority of this section shall be carried out in accordance with section 2905 of the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) in the same manner as the implementation of a realignment or closure of a military installation pursuant to the authority of such Act.

(f) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary to carry out a realignment or closure pursuant to this section shall terminate at the end of fiscal year 2029.

SEC. 2703. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing

SEC. 2801. COMMERCIAL CONSTRUCTION STANDARDS FOR FACILITIES ON LEASED PROPERTY.

(a) USE OF COMMERCIAL STANDARDS.—Section 2667(b) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ''; and''; and

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

''(8) shall provide that any facilities constructed on the property may be constructed using commercial standards in a manner that provides force protection safeguards appropriate to the activities conducted in, and the location of, such facilities.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to leases entered into during fiscal year 2019 or any succeeding fiscal year.

SEC. 2802. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1846), is amended—

(1) in paragraph (1), by striking ''December 31, 2018'' and inserting ''December 31, 2019''; and

(2) in paragraph (2), by striking ''fiscal year 2019'' and inserting ''fiscal year 2020''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking ''October 1, 2017'' and inserting ''October 1, 2018'';

(2) by striking ''December 31, 2018'' and inserting ''December 31, 2019''; and

(3) by striking ''fiscal year 2019'' and inserting ''fiscal year 2020''.

SEC. 2803. SMALL BUSINESS SET-ASIDE FOR CONTRACTS FOR ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN.

(a) MANDATORY AWARD OF CONTRACTS UNDER THRESHOLD AMOUNT.—Section 2855(b)(1) of title 10, United States Code, is amended by striking ''subsection (a)—'' and all that follows and inserting the following: ''subsection (a), if the Secretary concerned estimates that the initial award of the contract will be in an amount less than the threshold amount determined under paragraph (2), the contract shall be awarded in accordance with the set aside provisions of the Small Business Act (15 U.S.C. 631 et seq.).''.

(b) INCREASE IN THRESHOLD AMOUNT.—Section 2855(b)(2) of such title is amended—

(1) by striking ''initial'';

(2) by striking ''$300,000'' and inserting ''$1,000,000''; and

(3) by striking the second sentence.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

SEC. 2804. AUTHORITY TO OBTAIN ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN FOR DEFENSE LABORATORY MODERNIZATION PROGRAM.

(a) AUTHORITY.—Section 2803 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1169; 10 U.S.C. 2358 note) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) ADDITIONAL AUTHORITY TO USE FUNDS FOR RELATED ARCHITECTURAL AND ENGINEERING SERVICES AND CONTRACT DESIGN.—

''(1) AUTHORITY.—In addition to the authority provided to the Secretary of Defense under subsection (a) to use amounts appropriated or otherwise made available for research, development, test, and evaluation for a military construction project referred to in such subsection, the Secretary of the military department concerned may use amounts appropriated or otherwise made available for research, development, test, and evaluation to obtain architectural and engineering services and to carry out construction design in connection with such a project.

''(2) NOTICE REQUIREMENT.—In the case of architectural and engineering services and construction design to be undertaken under this subsection for which the estimated cost exceeds $1,000,000, the Secretary concerned shall notify the appropriate committees of Congress of the scope of the proposed project and the estimated cost of such services before the initial obligation of funds for such services. The Secretary may then obligate funds for such services only after the end of the 14-day period beginning on the date on which the notification is received by the committees in an electronic medium pursuant to section 480 of this title.''.

(b) CONFORMING AMENDMENTS TO WAIVE CONDITIONS APPLICABLE TO EXISTING AUTHORITY.—

(1) CONDITION ON AND SCOPE OF PROJECT AUTHORITY.—Section 2803(b) of such Act is amended by striking ''project under this section'' and inserting ''project under subsection (a)''.

(2) CONGRESSIONAL NOTIFICATION.—Section 2803(c) of such Act is amended by striking ''carried out under this section'' each place it appears in paragraphs (1) and (2) and inserting ''carried out under subsection (a)''.

(3) DESCRIPTION OF AUTHORIZED PROJECTS.—Section 2803(d) of such Act is amended by striking ''provided by this section'' and inserting ''provided by subsection (a)''.

(4) FUNDING LIMITATION.—Section 2803(e) of such Act is amended by striking ''projects under this section'' and inserting ''projects under subsection (a)''.

(c) EXTENSION OF PERIOD OF AUTHORITY.—Section 2803(g) of such Act, as redesignated by subsection (a)(1), is amended by striking ''October 1, 2020'' and inserting ''October 1, 2023''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 2803 of

the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1169; 10 U.S.C. 2358 note).

SEC. 2805. REPEAL OF LIMITATION ON CERTAIN GUAM PROJECT.

(a) REPEAL OF LIMITATION.—Section 2879 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1874) is amended by striking subsection (b).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2018.

SEC. 2806. ENHANCING FORCE PROTECTION AND SAFETY ON MILITARY INSTALLATIONS.

(a) AUTHORIZATION OF ADDITIONAL PROJECTS.—In addition to any other military construction projects authorized under this Act, the Secretary of the military department concerned may carry out military construction projects to enhance force protection and safety on military installations, as specified in the funding table in section 4601.

(b) NOTICE AND WAIT REQUIREMENTS.—The Secretary concerned may obligate or expend funds to carry out a project under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of title 10, United States Code, to the congressional defense committees a justification of the need for the project.

(c) EXPIRATION OF AUTHORIZATION.—Section 2002 shall apply with respect to the authorization of a military construction project under this section in the same manner as such section applies to the authorization of a project contained in titles XXI through XXVII.

SEC. 2807. LIMITATION ON USE OF FUNDS FOR ACQUISITION OF FURNISHED ENERGY FOR NEW MEDICAL CENTER IN GERMANY.

(a) LIMITATION.—No amounts authorized to be appropriated or made available to the Secretary of Defense or the Secretary of any military department may be used to enter into a contract for the acquisition of furnished energy for the new Rhine Ordnance Barracks Army Medical Center (hereafter in this section referred to as the ''Medical Center'') until the Secretary of Defense submits to the congressional defense committees a written certification that—

(1) the source of furnished energy for the Medical Center will minimize the use of fuels sourced from inside the Russian Federation;

(2) the design of the Medical Center will utilize a diversified energy supply from a mixed-fuel system as the source of furnished energy to sustain mission critical operations during any sustained energy supply disruption caused by the Russian Federation; and

(3) to the extent available, domestically-sourced fuels shall be the preferred source for furnished energy for the Medical Center.

(b) WAIVER FOR NATIONAL SECURITY INTERESTS.—Subsection (a) shall not apply if the Secretary of Defense certifies to the congressional defense committees that a waiver of such subsection is necessary to protect the national security interests of the United States.

(c) DEFINITION.—In this section, the term ''furnished energy'' means energy furnished to the Medical Center in any form and for any purpose, including heating, cooling, and electricity.

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

SEC. 2808. TREATMENT OF LEASES OF NON-EXCESS PROPERTY ENTERED INTO WITH INSURED DEPOSITORY INSTITUTIONS.

Section 2667 of title 10, United States Code, is amended —

(1) in subsection (b)(4), by striking ''amount that'' and inserting ''amount that, except as provided in subsection (c)(4),''; and

(2) in subsection (c), by adding at the end the following new paragraph:

''(4)(A) With respect to a lease under this section entered into with an insured depository institution (as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2019, the Secretary concerned shall accept the financial services provided by the insured depository institution to members of the armed forces, civilian employees of the Department of Defense, and dependents of such members or employees as sufficient in-kind consideration to cover all lease, services, and utilities costs assessed with regard to the leased property.

''(B) With respect to a lease under this section which was entered into with an insured depository institution before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2019, the Secretary concerned may renegotiate the terms of such lease to apply subparagraph (A) to such lease as if such subparagraph were in effect at the time the Secretary entered into the lease.''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. OPTIONAL PARTICIPATION IN COLLECTION OF INFORMATION ON UNUTILIZED AND UNDERUTILIZED MILITARY INSTALLATION PROPERTIES AVAILABLE FOR HOMELESS ASSISTANCE.

(a) MAKING PARTICIPATION BY AGENCIES OF DEPARTMENT OF DEFENSE OPTIONAL.—Section 501(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411(a)) is amended—

(1) by striking ''The Secretary of Housing'' and inserting ''(1) The Secretary of Housing''; and

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

''(2) The transmittal of information by the head of a landholding agency of the Department of Defense under this subsection shall be optional in the case of an excess or surplus building, facility, or property if the Secretary of Defense determines that the building, facility, or property—

''(A) would be for off-site use only; or

''(B) is located on an active military installation and is not subject to subsection (h).

''(3) If the Secretary of Defense makes a determination under paragraph (2) during a fiscal year, not later than 90 days after the end of that fiscal year, the Secretary of Defense shall submit a report to the Committees on Armed Services, Banking, Housing, and Urban Affairs, and Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services, Financial Services, and Oversight and Government Reform of the House of Representatives listing all of the buildings, facilities, and properties for which the Secretary of Defense made a determination under paragraph (2) during that fiscal year. The Secretary of Defense shall submit the report in unclassified form, but may include a classified annex as necessary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

SEC. 2812. FORCE STRUCTURE PLANS AND INFRASTRUCTURE CAPABILITIES NECESSARY TO SUPPORT THE FORCE STRUCTURE.

(a) FORCE STRUCTURE PLANS AND INFRASTRUCTURE CAPABILITIES.—Not later than the date on which the budget of the President for fiscal year 2021 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall develop and submit to the congressional defense committees the following:

(1) A force structure plan for each of the Army, Navy, Air Force, and Marine Corps and the reserve components of each military department that is informed by—

(A) an assessment by the Secretary of Defense of the probable threats to the national security of the United States; and

(B) end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) authorized in the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(2) A categorical model of installation capabilities required to carry out the force structures plans described in paragraph (1) based on—

(A) the infrastructure, real property, and facilities capabilities required to carry out such plans; and

(B) the current military requirements of the major military units referred to in subparagraph (B) of such paragraph.

(b) CONSISTENCY.—In developing force structure plans and categorical models of installation capabilities under subsection (a), the Secretary of Defense shall ensure that the infrastructure, real property, and facilities of each of the military departments are categorized and measured in consistent terms so as to facilitate comparisons.

(c) RELATIONSHIP TO INVENTORY.—Using the information in the force structure plans and categorical model developed under subsection (a), the Secretary of Defense shall submit to Congress each of the following:

(1) An assessment of the requirements necessary for carrying out the force structure plans compared to existing infrastructure, real property, and facilities capabilities, as documented in the records maintained under section 2721 of title 10, United States Code.

(2) An identification of any deficit or surplus capability in such infrastructure, real property, and facilities—

(A) for each military department; and

(B) for locations within the continental United States and territories.

SEC. 2813. RETROFITTING EXISTING WINDOWS IN MILITARY FAMILY HOUSING UNITS TO BE EQUIPPED WITH FALL PREVENTION DEVICES.

(a) AUTHORIZING FUNDING FOR RETROFITTING OR REPLACING WINDOWS.—Section 2879 of title 10, United States Code, as added by section 2817(a) of the National Defense Authorization Act for Fiscal Year 2018 (131 Stat. 1851) is amended—

(1) in subsection (a)(1), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d); and

(3) by inserting after subsection (a) the following new subsection:

''(b) RETROFITTING OR REPLACING EXISTING WINDOWS.—

''(1) PROGRAM TO RETROFIT EXISTING WINDOWS.—The Secretary concerned shall carry out a program under which, in military family housing units acquired or constructed under this chapter which are not subject to the requirements of subsection (a), windows which are described in subsection (c), including windows designed for emergency escape or rescue, are retrofitted to be equipped with fall prevention devices described in paragraph (1) of subsection (a) or are replaced with windows which are equipped with fall prevention devices described in such paragraph.

''(2) GRANTS.—The Secretary concerned may carry out the program under this subsection by making grants to private entities

to retrofit or replace existing windows, in accordance with such criteria as the Secretary may establish by regulation.

''(3) USE OF OPERATIONS FUNDING.—The Secretary may carry out the program under this subsection during a fiscal year with amounts made available to the Secretary for family housing operations for such fiscal year.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

SEC. 2814. UPDATING PROHIBITION ON USE OF CERTAIN ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS TO SUPERSEDE FUNDING OF CERTAIN PROJECTS.

(a) UPDATE.—Paragraph (3) of section 2814(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2717), as added by section 2818(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1852), is amended by striking ''33 projects'' and inserting ''38 projects''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2018.

Subtitle C—Land Conveyances

SEC. 2821. AUTHORITY FOR TRANSFER OF ADMINISTRATIVE JURISDICTION OVER CERTAIN LANDS, MARINE CORPS AIR GROUND COMBAT CENTER TWENTYNINE PALMS, CALIFORNIA, AND MARINE CORPS AIR STATION YUMA, ARIZONA.

(a) MARINE CORPS AIR GROUND COMBAT CENTER TWENTYNINE PALMS, CALIFORNIA.—

(1) AUTHORITY FOR TRANSFER.—Subject to paragraph (2), the Secretary of the Navy may transfer to the Secretary of the Interior, at no cost, administrative jurisdiction of approximately 2,105 acres of non-contiguous parcels of land within the Shared Use Area of the Marine Corps Air Ground Combat Center Twentynine Palms, California.

(2) CONDITION FOR TRANSFER.—The Secretary of the Navy may carry out the transfer under this subsection only if the Secretary of the Navy and the Secretary of the Interior each determine that the transfer is in the public interest and will be for the benefit of the Department of the Navy and the Department of the Interior, respectively.

(3) STATUS OF LAND AFTER TRANSFER.—Upon completion of the transfer under this subsection, the land over which the Secretary of the Interior obtains administrative jurisdiction shall become public land withdrawn and reserved under section 2941 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1034), and shall be managed in accordance with section 2942(b)(1) of such Act (Public Law 113–66; 127 Stat. 1036), in the same manner as other lands in the Shared Use Area.

(4) SHARED USE AREA DEFINED.—In this subsection, the term ''Shared Use Area'' means the area described in section 2941(b)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1035).

(b) MARINE CORPS AIR STATION YUMA, ARIZONA.—

(1) AUTHORITY FOR TRANSFER.—Subject to paragraph (2), the Secretary of the Interior may transfer to the Secretary of the Navy, at no cost, administrative jurisdiction of approximately 256 acres of non-contiguous parcels of land within Marine Corps Air Station Yuma, Arizona which are used by the Department of the Navy as of the day before the date of the enactment of this Act pursuant to any of the following authorities:

(A) Public Land Order Number 2766 of August 28, 1962.

(B) Expired Public Land Order Number 6804 of October 16, 1990.

(C) Memorandum of Understanding Number 14-06-300-1266 of July 5, 1962, between the Department of the Interior and the Department of the Navy.

(2) CONDITION FOR TRANSFER.—The Secretary of the Interior may carry out the transfer under this subsection only if the Secretary of the Interior and the Secretary of the Navy each determine that the transfer is in the public interest and will be for the benefit of the Department of the Interior and the Department of the Navy, respectively.

(3) WITHDRAWAL OF LAND AFTER TRANSFER.—Upon completion of the transfer under this subsection, the land over which the Secretary of the Navy obtains administrative jurisdiction—

(A) shall cease to be public land; and

(B) for as long as the land is under the administrative jurisdiction of the Secretary of the Navy or the Secretary of any other military department, shall be withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral interests and to mineral and geothermal leasing.

SEC. 2822. PUBLIC INVENTORY OF GUAM LAND PARCELS FOR TRANSFER TO GOVERNMENT OF GUAM.

(a) NET-NEGATIVE INVENTORY OF LAND PARCELS.—

(1) MAINTENANCE AND UPDATE OF INVENTORY.—The Secretary of the Navy shall maintain and update regularly an inventory of all land parcels located on Guam which meet each of the following conditions:

(A) The parcels are currently owned by the United States Government and are under the administrative jurisdiction of the Department of the Navy.

(B) The Secretary has determined or expects to determine the parcels to be excess to the needs of the Department of the Navy.

(C) Under Federal law, including Public Law 106–504 (commonly known as the ''Guam Omnibus Opportunities Act''; 40 U.S.C. 521 note), the parcels are eligible to be transferred to the territorial government.

(2) INFORMATION REQUIRED.—For each parcel included in the inventory under paragraph (1), the Secretary shall specify—

(A) the approximate size of the parcel;

(B) an estimate of the fair market value of the parcel, if available or as practicable;

(C) the date on which the Secretary determined, or the date by which the Secretary expects to determine, that the parcel is excess and made eligible for transfer to the territorial government; and

(D) the citation of the specific legal authority (including the Guam Omnibus Opportunities Act) under which the Secretary will transfer the parcel to the territorial government or otherwise dispose of the parcel.

(b) PARCELS REQUIRED TO BE INCLUDED.—The Secretary shall include in the inventory under this section each of the following parcels, as described in the 2017 Net Negative Report:

(1) The Tanguisson Power Plant (5 acres), listed as Site 14 in the Report.

(2) The Harmon Substation Annex (9.9 acres), listed as Site 15 in the Report.

(3) The Piti Power Plant and Substation (15.5 acres), listed as Site 38 in the Report.

(4) Apra Heights Lot 403–1 (0.5 acres), listed as Site 55 in the Report.

(5) The Agana Power Plant and Substation (5.9 acres), listed as Site 54 in the Report.

(6) The ACEORP Maui Tunnel-Tamuning Route 1 behind Old Telex (3.7 acres), listed as Site 23 in the Report.

(7) The Parcel South of Camp Covington, Parcel 7 (60.8 acres), listed as Site 49 in the Report.

(8) The NCTS Beach Lot, adjacent to the Tanguisson Power Plant (13.3 acres), listed as Site 13 in the Report.

(9) The Hoover Park Annex (also known as ''Old USO Beach''; 6 acres), listed as Site 37 in the Report.

(10) Parcel ''C'' Marbo Cave Annex (5 acres), listed as Site 12 in the Report.

(c) INCLUSION OF ADDITIONAL PARCELS IN INVENTORY.—

(1) REQUEST BY GOVERNOR.—The Governor of the territory of Guam may submit a request to the Secretary to add parcels to the inventory maintained under subsection (a), and shall specify in any such request any public benefit uses or public purposes proposed by the Governor for the parcel involved, pursuant to the Guam Omnibus Opportunities Act or any other relevant Federal law.

(2) CONSIDERATION BY SECRETARY.—Not later than 180 days of receipt of a request from the Governor under paragraph (1), the Secretary shall review the request and provide a response in writing to the Governor as to whether the Secretary will agree to the request to include the specific land parcel in the inventory maintained under subsection (a). If the Secretary denies the request, the Secretary shall provide a detailed written justification to the Governor that explains the continuing military need for the parcel, if any, and the date on which the Secretary expects that military need to cease, if ever.

(d) EXCLUSION OF PARCELS.—The Secretary shall not include in the inventory maintained under this section any parcel transferred to the government of Guam prior to the date of the enactment of this Act, without regard to whether or not the parcel is included in the inventory under subsection (b).

(e) PUBLIC NOTIFICATION.—The Secretary shall publish and update on a public website of the United States Government the following information:

(1) The inventory maintained under subsection (a), including the parcels required to be included in such inventory under subsection (b).

(2) All requests submitted by the Governor under subsection (c), including any proposed public benefit use or public purpose specified in any such request.

(3) A copy of each response provided by the Secretary to each request submitted by the Governor under subsection (c).

(4) A description of each parcel of land transferred by the Secretary to the territorial government after January 20, 2011, including the following:

(A) The approximate size of the parcel.

(B) An estimate of the fair market value of the parcel, if available or as practicable.

(C) The specific legal authority under which the Secretary transferred the parcel to the territorial government.

(D) The date the parcel was transferred to the territorial government.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) 2017 NET NEGATIVE REPORT.—The term ''2017 Net Negative Report'' means the report submitted by the Secretary of the Navy, on behalf of the Secretary of Defense, under section 2208 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2695) regarding the status of the implementation of the ''net negative'' policy regarding the total number of acres of the real property controlled by the Department of the Navy or the Department of Defense on Guam.

(2) GOVERNOR.—The term ''Governor'' means the Governor of the territory of Guam.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Navy.

(4) TERRITORIAL GOVERNMENT.—The term ''territorial government'' means the government of Guam established under the Organic Act of Guam (48 U.S.C. 1421 et seq.).

SEC. 2823. LAND CONVEYANCE, NAVAL ACADEMY DAIRY FARM, GAMBRILLS, MARYLAND.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding section 6976 of title 10, United States Code, the Secretary of the Navy may convey and release to Anne Arundel County, Maryland (in this section referred to as the ''County'') all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of approximately 40 acres at the property commonly referred to as the Naval Academy dairy farm located in Gambrills, Maryland (in this section referred to as the ''Dairy Farm'').

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the conveyance and release under subsection (a), the County shall provide an amount that is equivalent to the fair market value to the Department of the Navy of the right, title, and interest conveyed and released under such subsection, based on an appraisal approved by the Secretary of the Navy. The consideration under this paragraph may be provided by cash payment, in-kind consideration, or a combination thereof, at such time as the Secretary may require.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the County under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility, real property, or infrastructure under the jurisdiction of the Secretary.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be retained by the Superintendent of the Naval Academy and shall be available to cover expenses related to the Dairy Farm, including reimbursing nonappropriated fund instrumentalities of the Naval Academy.

(c) PAYMENT OF COST OF CONVEYANCE AND RELEASE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to pay costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance and release under subsection (a), including survey costs, appraisal costs, costs for environmental documentation related to the conveyance and release, and any other administrative costs related to the conveyance and release. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance and release or any costs incurred by the Secretary to administer the County's lease of the Dairy Farm, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to pay the costs incurred by the Secretary in carrying out the conveyance and release under subsection (a) or, if the period of availability of obligations for that appropriation has expired, to the appropriations of fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property which is subject to conveyance and release under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance and release under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) NO EFFECT ON EXISTING LEASES GOVERNING PROPERTY NOT SUBJECT TO CONVEYANCE.—Nothing in this section or in any conveyance and release carried out pursuant to this section may be construed to affect the terms, conditions, or applicability of any existing agreement entered into between the Country and the Secretary of the Navy which governs the use of any portion of the Dairy Farm which is not subject to conveyance and release under this section.

SEC. 2824. TECHNICAL CORRECTION OF DESCRIPTION OF LIMESTONE HILLS TRAINING AREA LAND WITHDRAWAL AND RESERVATION, MONTANA.

Section 2931(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1031) is amended by striking ''18,644 acres'' and all that follows through ''April 10, 2013'' and inserting the following: ''18,964 acres in Broadwater County, Montana, generally depicted as 'Limestone Hills Training Area Land Withdrawal' on the map entitled 'Limestone Hills Training Area Land Withdrawal', dated May 11, 2017''.

SEC. 2825. LAND CONVEYANCE, WASATCH-CACHE NATIONAL FOREST, RICH COUNTY, UTAH.

(a) LAND CONVEYANCE AUTHORIZED.—Subject to valid existing rights, not later than 6 months after the date of the enactment of this section, the Secretary of Agriculture shall convey, without consideration, to the Utah State University Research Foundation, (in this section referred to as the ''Foundation'') all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 80 acres, including improvements thereon, located outside of the boundaries of the Wasatch-Cache National Forest, Rich County, Utah, within Sections 19 and 30, Township 14 North, Range 5 East, Salt Lake Base and Meridian for the purpose of permitting the Foundation to use the property for scientific and educational purposes.

(b) REVERSIONARY INTEREST.—If the Secretary of Agriculture determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of Agriculture shall require the Foundation to cover the costs (except any costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Foundation in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Foundation.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of Agriculture.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Agriculture may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle D—Military Land Withdrawals

SEC. 2831. INDEFINITE DURATION OF CERTAIN MILITARY LAND WITHDRAWALS AND RESERVATIONS AND IMPROVED MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

(a) IMPROVING MANAGEMENT OF CURRENT STATUTORY LAND WITHDRAWALS AND RESERVATIONS AND MAKING MANAGEMENT MORE TRANSPARENT.—

(1) ROLE OF SECRETARY OF THE INTERIOR.—Section 101(a)(2) of the Sikes Act (16 U.S.C. 670a(a)(2)) is amended by striking '', acting through the Director of the United States Fish and Wildlife Service,''.

(2) ADDITIONAL ELEMENT OF INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—Section 101(b) of the Sikes Act (16 U.S.C. 670a(b)) is amended—

(A) by striking ''and'' at the end of paragraph (2);

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

''(3) for purposes of paragraph (2), shall be reviewed—

''(A) jointly by the Secretary of the military department and the Secretary of the Interior; and

''(B) in a manner that provides affected States and Indian tribes and the public a meaningful opportunity to comment on any significant revisions to the plan that may be proposed; and''.

(b) EL CENTRO NAVAL AIR FACILITY RANGES.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2813) is amended—

(A) in section 2921(b)(3), by striking '', before the termination date specified in section 2925,'';

(B) in section 2924(a), by striking the third sentence;

(C) by striking sections 2925 and 2927; and

(D) in section 2928(a), by striking ''specified in section 2925''.

(2) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2813) is further amended by inserting after section 2926 the following new section:

''SEC. 2927. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review as to operation and effect of an integrated natural resources management plan covering lands withdrawn and reserved under this title, as required by section 101(b)(2) of the Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of the Navy and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved under this subtitle since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved under this subtitle, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved under this subtitle.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Navy and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved under this subtitle.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of El Centro, and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The Secretary of the Navy shall make the final version of a report under this subsection available to the public and shall submit the final version of such a report to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.

''(b) DETERMINATION OF CONTINUING MILITARY NEED.—With each report prepared pursuant to subsection (a), the Secretary of the Navy shall attach the Secretary's determination regarding whether there will be a continuing military need for any or all the withdrawn and reserved lands for the following 5 years.''.

(3) CLERICAL AMENDMENTS.—The table of contents of the El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104-201; 110 Stat. 2813) is amended—

(A) by striking the item relating to section 2925; and

(B) by amending the item relating to section 2927 to read as follows:

''Sec. 2927. Determination of continuing military need for withdrawal and reservation and public reports.''.

(c) JUNIPER BUTTE RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2226) is amended—

(A) in section 2915—

(i) in the section heading, by striking ''**Duration**'' and inserting ''**Relinquishment**'';

(ii) in subsection (a), by striking ''TERMINATION.—'' and all that follows through ''At the time of termination'' and inserting ''EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.—Upon relinquishment of Department of the Air Force jurisdiction over lands withdrawn and reserved by this title'';

(iii) in subsection (b)—

(I) in the subsection heading, by inserting ''PROCESS'' after ''RELINQUISHMENT'';

(II) in paragraph (1), by striking ''under subsection (c)''; and

(III) in paragraph (3), by striking ''before the date of termination, as provided for in subsection (a)(1)''; and

(iv) by striking subsection (c); and

(B) in section 2916—

(i) in the section heading, by striking ''**or upon termination of withdrawal**'';

(ii) in subsection (a)(1), by striking ''and in all cases not later than 2 years before the date of termination of withdrawal and reservation,'';

(iii) in subsection (b), by striking ''environmental remediation'' and all that follows through the end of the subsection and inserting ''environmental remediation before relinquishing, to the Secretary of the Interior, jurisdiction over any lands identified in a notice of intent to relinquish under section 2915(b).''; and

(iv) in subsection (d)—

(I) in the subsection heading, by striking ''TERMINATES'' and inserting ''RELINQUISHED'';

(II) by striking ''termination date'' both places it appears and inserting ''relinquishment date''; and

(III) in paragraph (2), by striking ''termination'' and inserting ''relinquishment''.

(2) DETERMINATIONS OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—Section 2909 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2230) is amended by adding at the end the following new subsection:

''(d) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan developed under this section, the Secretary of the Air Force and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved by this title since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved by this title, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous 5 years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved by this title.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Air Force and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved by this title.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the Juniper Butte Range (if one exists), and any other means considered necessary or desirable by the Secretaries.

''(4) DETERMINATION OF CONTINUING MILITARY NEED.—With each report prepared pursuant to this subsection, the Secretary of the Air Force shall attach the Secretary's determination regarding whether there will be a continuing military need for any or all the withdrawn and reserved lands for the following 5 years.

''(5) DISTRIBUTION OF REPORT.—The Secretary of the Air Force shall make the final version of a report under this subsection available to the public and shall submit the final version of such a report to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.''.

(3) CLERICAL AMENDMENTS.—The table of contents of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105-261; 112 Stat. 2226) is amended—

(A) by amending the item relating to section 2915 to read as follows:

''Sec. 2915. Relinquishment of withdrawal.''; and

(B) by amending the item relating to section 2916 to read as follows:

''Sec. 2916. Environmental remediation of relinquished withdrawn lands.''.

(d) RANGES COVERED BY SUBTITLE A OF MILITARY LANDS WITHDRAWAL ACT OF 1999.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended—

(A) by striking section 3015;

(B) by striking section 3016 and inserting the following new section:

''SEC. 3016. RELINQUISHMENT.

''(a) NOTICE OF INTENT REGARDING RELINQUISHMENT.—If the Secretary of the military department concerned decides to relinquish all or any of the lands withdrawn and reserved by section 3011, such Secretary shall transmit a notice of intent to relinquish such lands to the Secretary of the Interior.

''(b) OPENING DATE.—On the date of relinquishment of the withdrawal and reservation of lands withdrawn and reserved by section 3011, such lands shall not be open to any form of appropriation under the public land laws, including the mineral laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order stating the date upon which such lands shall be restored to the public domain and opened.''; and

(C) in section 3017—

(i) by striking ''section 3016(d)'' each place it appears and inserting ''section 3016''; and

(ii) in subsection (e)—

(I) by striking ''If because'' and everything that follows through ''determines that'' and inserting ''If the Secretary of the Interior declines to accept jurisdiction over lands withdrawn by this subtitle which have been proposed for relinquishment because the Secretary determines that''; and

(II) in paragraph (2), by striking ''the expiration of the withdrawal of such lands under this subtitle'' and inserting ''such determination''.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEES.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 890) is amended by adding at the end the following new subsection:

''(g) INTERGOVERNMENTAL EXECUTIVE COMMITTEES.—

''(1) ESTABLISHMENT AND PURPOSE.—For the lands withdrawn and reserved by section 3011, the Secretary of the military department concerned and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for each range for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the withdrawn and reserved lands.

''(2) COMPOSITION.—(A) The Secretary of the military department concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a range.

''(B) The Secretary of the military department concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a range—

''(i) at least one elected officer (or other authorized representative) from the government of the State in which the withdrawn and reserved lands are located; and

''(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(3) OPERATION.—The intergovernmental executive committee for a range shall operate in accordance with the terms set forth in the memorandum of understanding.

''(4) PROCEDURES.—The memorandum of understanding for a range shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the withdrawn and reserved lands, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(5) COORDINATOR.—The Secretary of the military department concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a range. The duties of the coordinator shall be included in the memorandum of understanding. The coordinator shall not be a member of the committee.''.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885), as amended by paragraph (1), is further amended by inserting after section 3014 the following new section:

''SEC. 3015. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review as to operation and effect of an integrated natural resources management plan covering lands withdrawn and reserved under this title, as required by section 101(b)(2) of the Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of the military department concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved under this subtitle since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands covered by the integrated natural resources management plan.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the military department concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The Secretary of the military department concerned shall make the final version of a report under this subsection available to the public and shall submit the final version of such a report to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.

''(b) DETERMINATION OF CONTINUING MILITARY NEED.—With each report prepared pursuant to subsection (a), the Secretary of the military department concerned shall attach the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following 5 years.''.

(4) CLERICAL AMENDMENTS.—The table of contents of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106-65; 113 Stat. 885) is amended—

(A) by amending the item relating to section 3015 to read as follows:

''Sec. 3015. Determination of continuing military need for withdrawal and reservation and public reports.''; and

(B) by amending the item relating to section 3016 to read as follows:

''Sec. 3016. Relinquishment.''.

(e) BARRY M. GOLDWATER RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 897) is amended—

(A) in subsection (c)—

(i) in paragraph (1), by striking '', including the duration of any renewal or extension'';

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking ''OR TERMINATION''; and

(II) in subparagraph (C), by striking the last sentence; and

(iii) in paragraph (3)(A), by striking ''or termination''; and

(B) in subsection (d), by striking ''DURATION'' and all that follows through ''of the termination'' and inserting ''EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.—On the date of relinquishment'';

(C) by striking subsection (e); and

(D) in subsection (f)—

(i) in the subsection heading, by striking ''TERMINATION AND'';

(ii) in paragraph (1), by striking ''but not later than three years before the termination of the withdrawal and reservation,'';

(iii) in paragraph (3), by striking ''before the termination date of the withdrawal and reservation of such lands under this section''; and

(iv) in paragraph (4)(A), by striking ''Notwithstanding the termination date, unless'' and inserting ''Unless''.

(2) DETERMINATIONS OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 897), as amended by paragraph (1), is further amended by inserting after subsection (d) the following new subsection:

''(e) DETERMINATION OF CONTINUING MILITARY NEED.—With each report prepared pursuant to subsection (b)(5), the Secretary of the Navy and the Secretary of the Air Force shall attach the Secretary's determination regarding whether there will be a continuing military need for any or all the withdrawn and reserved lands for the following 5 years.''.

(3) USE OF DEFINITIONS.—Section 3031(c)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 907) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) The term 'military munitions' has the meaning given that term in section 101(e)(4) of title 10, United States Code.

''(B) The term 'unexploded ordnance' has the meaning given that term in section 101(e)(5) of such title.''.

(f) NATIONAL TRAINING CENTER.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is amended—

(A) in section 2910, by striking the section heading and all that follows through ''At the time of the termination'' and inserting the following:

''SEC. 2910. EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.

''On the date of relinquishment'';

(B) by striking section 2911; and

(C) in section 2912—

(i) in the section heading, by striking ''**Termination and**'';

(ii) in subsection (a), by striking ''During the first 22 years of the withdrawal and reservation made by this title, if'' and inserting ''If'';

(iii) in subsection (c), by striking ''before the termination date of the withdrawal and reservation''; and

(iv) in subsection (d), by striking ''Notwithstanding the termination date specified in section 2910, unless'' and inserting ''Unless''.

(2) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by inserting after section 2910 the following new section:

''SEC. 2911. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review as to operation and

effect of an integrated natural resources management plan covering lands withdrawn and reserved under this title, as required by section 101(b)(2) of the Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of the Army and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved under this title since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved by this title, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved by this title.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Army and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved by this title.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of National Training Center, and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The Secretary of the Army shall make the final version of a report under this subsection available to the public and shall submit the final version of such a report to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.

''(b) PERIODIC DETERMINATION OF CONTINUING NEED.—With each report prepared pursuant to subsection (a), the Secretary of the Army shall attach the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following 5 years.''.

(3) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is amended by adding at the end the following new section:

''SEC. 2914. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.

''(a) ESTABLISHMENT AND PURPOSE.—The Secretary of the Army and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

''(b) COMPOSITION.—

''(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary of the Army and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

''(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary of the Army and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

''(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

''(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(c) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

''(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(e) COORDINATOR.—The Secretary of the Army, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.''.

(4) CLERICAL AMENDMENTS.—The table of contents of the Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107-107; 115 Stat. 1335) is amended—

(A) by amending the item relating to section 2910 to read as follows:

''Sec. 2910. Effect of relinquishment on operation of general land laws.'';

(B) by amending the item relating to section 2911 to read as follows:

''Sec. 2911. Determination of continuing military need for withdrawal and reservation and public reports.'';

(C) by amending the item relating to section 2912 to read as follows:

''Sec. 2912. Relinquishment.''; and

(D) by inserting after the item relating to section 2913 the following new item:

''Sec. 2914. Intergovernmental executive committee.''.

(g) RANGES COVERED BY MILITARY LAND WITHDRAWALS ACT OF 2013.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is amended—

(A) by striking sections 2919, 2920; 2936, 2946, and 2979;

(B) in section 2921, by striking ''On the termination of'' and inserting ''On the relinquishment of''; and

(C) in section 2922(d)(3)—

(i) in the paragraph heading, by striking ''ON TERMINATION'' and inserting ''UPON RELINQUISHMENT''; and

(ii) by striking ''or if at the expiration of the withdrawal and reservation,''.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2918 the following new section:

''SEC. 2919. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.

''(a) ESTABLISHMENT AND PURPOSE.—For the lands withdrawn and reserved by sections 2941 and 2971, the Secretary concerned and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for each location for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the withdrawn and reserved lands.

''(b) COMPOSITION.—

''(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a location covered by subsection (a).

''(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a location covered by subsection (a)—

''(A) at least one elected officer (or other authorized representative) from the government of the State in which the withdrawn and reserved lands are located; and

''(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(c) OPERATION.—The intergovernmental executive committee for a location covered by subsection (a) shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

''(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the withdrawn and reserved lands, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(e) COORDINATOR.—The Secretary concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a location covered by subsection (a). The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.''.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2919, as added by paragraph (2), the following new section:

''SEC. 2920. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review as to operation and effect of an integrated natural resources management plan covering lands withdrawn and reserved under this title, as required by section 101(b)(2) of the Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of the military department concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under

this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands addressed by the report.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the military department concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The Secretary of the military department concerned shall make the final version of a report under this subsection available to the public and shall submit the final version of such a report to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.

''(b) DETERMINATION OF CONTINUING MILITARY NEED.—With each report prepared pursuant to subsection (a), the Secretary of the military department concerned shall attach the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following 5 years.''.

(4) CLERICAL AMENDMENTS.—The table of contents of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113-66; 127 Stat. 1025) is amended—

(A) by striking the item relating to section 2919 and inserting the following new item:

''Sec. 2919. Intergovernmental executive committee.'';

(B) by striking the item relating to section 2920 and inserting the following new item:

''Sec. 2920. Determination of continuing military need for withdrawal and reservation and public reports.''; and

(C) by striking the items relating to section 2936, 2946, and 2979.

(h) REQUESTS FOR WITHDRAWALS MADE TO SECRETARY OF THE INTERIOR; TEMPORARY USE PERMITS AND TRANSFERS OF SMALL PARCELS OF LAND BETWEEN DEPARTMENTS OF INTERIOR AND MILITARY DEPARTMENTS; MORE EFFICIENT SURVEYING OF LANDS.—

(1) REQUIRING REQUESTS FOR WITHDRAWALS TO BE MADE TO SECRETARY OF THE INTERIOR.—Section 3 of the Act of February 28, 1958 (Public Law 85–337; 43 U.S.C. 157), is amended—

(A) by striking ''Any application'' and inserting ''(a) CONTENTS OF APPLICATION.—Any application''; and

(B) by striking ''shall specify'' and inserting ''shall be filed with the Secretary of the Interior and shall specify''.

(2) AUTHORIZATION OF ADDITIONAL ARRANGEMENTS FOR USE AND TRANSFER OF LANDS UNDER JURISDICTION OF SECRETARY OF THE INTERIOR.—Such Act (43 U.S.C. 155 et seq.) is further amended by adding at the end the following new sections:

''SEC. 7. SHORT-TERM PERMITS FOR USE OF DEPARTMENT OF INTERIOR LANDS FOR MILITARY TRAINING AND TESTING.

''(a) AUTHORITY.—In addition to any other authority to grant permits for the use of land, the Secretary of the Interior may grant a permit to the Secretary of Defense to use land under the administrative jurisdiction of the Secretary of the Interior. Any such permit—

''(1) shall be issued consistent with section 2691 of title 10, United States Code;

''(2) shall allow the Department of Defense to use the land only for purposes of training and testing that are consistent with the purposes for which the Secretary of the Interior manages the land; and

''(3) may contain such other requirements as the Secretary of the Interior considers appropriate.

''(b) DURATION OF PERMIT.—A permit granted under this section shall be in effect for such period as the Secretary of the Interior may provide, except that such period may not exceed 30 days.

''SEC. 8. TRANSFERS OF SMALL PARCELS OF LAND BETWEEN THE DEPARTMENTS OF DEFENSE AND INTERIOR.

''(a) TRANSFER AUTHORIZED.—Subject to any valid existing rights, upon mutual agreement, and without cost for the value of the land or any improvements thereon—

''(1) the Secretary of the Interior may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of a military department; and

''(2) the Secretary of a military department may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of the Interior.

''(b) REQUIREMENTS FOR LAND ELIGIBLE FOR TRANSFER.—The requirements of this subsection are as follows:

''(1) CONTIGUITY.—The land is contiguous to land already under the administrative jurisdiction of the Secretary to whom such jurisdiction is transferred.

''(2) LIMITATION ON ACREAGE.—No single parcel of the land is larger than 5,000 acres of contiguous area.

''(3) NO RECENT PRIOR TRANSFER OF CONTIGUOUS LAND.—The land is not contiguous to any other land for which administrative jurisdiction has been transferred under the authority of this section during the previous 5 years.

''(4) PRIOR USE FOR DEFENSE PURPOSES.—In the case of land transferred to the Department of Defense, the land was used for defense purposes immediately prior to the date of transfer.

''(c) MAP AND LEGAL DESCRIPTION.—

''(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall—

''(A) publish in the Federal Register a notice containing the legal description of any land transferred under subsection (a);

''(B) file maps and legal descriptions of the land with—

''(i) the Committees on Armed Services and Energy and Natural Resources of the Senate, and

''(ii) the Committees on Armed Services and Natural Resources of the House of Representatives; and

''(C) make copies of such maps and legal descriptions available for public inspection in the appropriate offices of the Bureau of Land Management.

''(2) FORCE OF LAW.—For purposes of any transfer of administrative jurisdiction over land under this section, the legal description and map for the land shall be the legal description of the land filed under paragraph (1)(B), except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

''(3) COSTS.—The Secretary of the military department to whom administrative jurisdiction over land is transferred under subsection (a)(1) shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this subsection with respect to such land.

''(d) TREATMENT AND USE OF LAND TRANSFERRED TO THE SECRETARY OF A MILITARY DEPARTMENT.—Upon a transfer of administrative jurisdiction over land to the Secretary of a military department under subsection (a)(1)—

''(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the military department; and

''(2) for as long as the land is under the administrative jurisdiction of a Secretary of a military department, the land shall be withdrawn from—

''(A) all forms of entry, appropriation, or disposition under the public land laws,

''(B) location, entry, and patent under the mining laws,

''(C) disposition under all laws relating to mineral materials and all laws relating to mineral and geothermal leasing.

''(e) TREATMENT AND USE OF LAND TRANSFERRED TO THE SECRETARY OF THE INTERIOR.—Upon a transfer of administrative jurisdiction over land to the Secretary of the Interior under subsection (a)(2)—

''(1) the land shall become public land; and

''(2) the land shall be administered for the same purposes and be subject to the same conditions of use as the adjacent public land.

''(f) EFFECT ON OTHER AUTHORITIES.—The authority provided by this section is in addition to, and not subject to, any other authority relating to transfers of land.''.

(3) SHORT TITLE.—The first section of such Act (43 U.S.C. 155) is amended—

(A) by striking ''That, notwithstanding'' and inserting ''SECTION 1. (a) WITHDRAWAL, RESERVATION, OR RESTRICTION OF PUBLIC LANDS FOR DEFENSE PURPOSES.—Notwithstanding''; and

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

''(b) SHORT TITLE.—This Act may be cited as the 'Engle Act'.''.

(4) PROMOTING MORE EFFICIENT SURVEYING OF LANDS.—In fixing the original corner position in an official survey of unsurveyed land, when applicable and feasible, Cadastral Survey may, instead of using physical monuments, use geographic coordinates correlated to the National Spatial Reference System geodetic datum, in accordance with the Manual of Surveying Instructions.

(i) EFFECT ON NEW LAND WITHDRAWALS AND RESERVATIONS.—Nothing in this section or the amendments made by this section shall be construed as changing the requirements imposed on the Department of Defense to obtain a new or expanded land withdrawal and reservation.

SEC. 2832. DESIGNATION OF POTENTIAL WILDERNESS AREA.

(a) IN GENERAL.—Certain land administered by the National Park Service, comprising approximately 1 acre as generally depicted on the map entitled ''Proposed Potential Wilderness, Mormon Peak Microwave Facility, Death Valley National Park'', numbered 143–142, 834, and dated March 1, 2018, is designated as a potential wilderness area.

(b) USES.—The Secretary of the Interior may permit on the land described in subsection (a) only the uses that were permitted on such land on the date of enactment of the California Desert Protection Act of 1994 (Public Law 103-433).

(c) REESTABLISHMENT OF WILDERNESS DESIGNATION.—

(1) NOTICE.—The Secretary of the Interior shall publish a notice in the Federal Register when the Secretary determines that—

(A) the communications site within the potential wilderness area designated under subsection (a) is no longer used;

(B) the associated right-of-way is relinquished or not renewed; and

(C) the conditions in the potential wilderness area designated by subsection (a) are compatible with the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) DESIGNATION.—Upon publication by the Secretary of the notice described in paragraph (1), the land described in subsection (a) is—

(A) designated as wilderness and as a component of the National Wilderness Preservation System; and

(B) incorporated into the Death Valley National Park Wilderness designated by section 601of Public Law 103–433.

Subtitle E—Other Matters

SEC. 2841. DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM.

(a) AUTHORIZATION OF PROGRAM.—Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f); and

(2) by inserting after subsection (c) the following new subsection:

''(d) DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM.—(1) The Secretary of Defense may make grants, conclude cooperative agreements, and supplement funds available under Federal programs administered by agencies other than the Department of Defense to assist States and units of local government in addressing deficiencies in community infrastructure projects or facilities which are located outside of military installations but which support military installations, and which are owned by the State or unit of local government, if the Secretary determines that such assistance will enhance the military value, resiliency, or military family quality of life at such military installation.

''(2) The Secretary shall establish criteria for the eligibility and selection of States and units of local government to receive assistance under this subsection. Such criteria shall include a requirement that the State or unit of local government agrees to contribute not less than 20 percent of the funding required to address the deficiencies in the community infrastructure project or facility involved, except that the Secretary may waive such requirement in the case of a community infrastructure project or facility which is located in a rural area.

''(3) Prior to providing any assistance to a State or unit of local government with respect to a community infrastructure project or facility under this subsection, the Secretary shall provide a notification to the appropriate committees of Congress of the intent to provide the assistance, and shall include in the notification a comprehensive description of how the assistance will address deficiencies in the project or facility, a certification of military need, and (if applicable) a certification that the State or unit of local government has agreed to contribute funding for the infrastructure as required under paragraph (2). The Secretary may then obligate funds for such assistance only after the end of the 14-day period beginning on the date on which the notification is received by the committees in an electronic medium pursuant to section 480 of this title.''.

(b) DEFINITION.—Section 2391(e) of such title, as redesignated by subsection (a), is amended by adding at the end the following new paragraph:

''(4) The term 'community infrastructure project or facility' means any of the following:

''(A) A transportation project.

''(B) A school, hospital, police, fire, emergency response, or other community support facility.

''(C) A water, waste-water, telecommunications, electric, gas, or other utility infrastructure project.''.

SEC. 2842. RESTRICTIONS ON USE OF FUNDS FOR DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN COMMONWEALTH OF NORTHERN MARIANA ISLANDS.

(a) RESTRICTION.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure in the Commonwealth of the Northern Mariana Islands (hereafter in this section referred to as the ''Commonwealth''), the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless such grant, transfer, cooperative agreement, or supplemental funding—

(1) is specifically authorized by law; and

(2) will be used to carry out a public infrastructure project included in the report submitted under subsection (b).

(b) REPORT OF ECONOMIC ADJUSTMENT COMMITTEE.—

(1) CONVENING OF COMMITTEE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, as the chair of the Economic Adjustment Committee established in Executive Order No. 127887 (10 U.S.C. 2391 note), shall convene the Economic Adjustment Committee to consider assistance, including assistance to support public infrastructure projects, necessary to support changes in Department of Defense activities in the Commonwealth.

(2) REPORT.—Not later than 180 days after convening the Economic Adjustment Committee under paragraph (1), the Secretary shall submit to the congressional defense committees a report—

(A) describing the results of the Economic Adjustment Committee deliberations required by paragraph (1); and

(B) containing a description of any assistance the Committee determines to be necessary to support changes in Department of Defense activities in the Commonwealth, including any public infrastructure projects the Committee determines should be carried out with such assistance.

(c) PUBLIC INFRASTRUCTURE DEFINED.—In this section, the term ''public infrastructure'' means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

SEC. 2843. STUDY AND REPORT ON COLEMAN BRIDGE, YORK RIVER, VIRGINIA.

(a) FINDINGS.—Congress finds the following:

(1) Navy vessels must have access to Naval Weapons Station, Yorktown, Virginia, in order to load munitions for war time needs.

(2) To access the Station, vessels must pass the George P. Coleman Bridge on the York River, which swings open to allow passage.

(3) Many Federal employees at the Station and at other critical military installations in the Tidewater region of Virginia live on the north side of the York River and commute to work using the Bridge.

(4) The assured operation of the George P. Coleman Memorial Bridge is therefore critical to the operation of Naval Weapons Station, Yorktown and national security generally.

(b) STUDY AND REPORT ON INCLUSION OF BRIDGE IN STRATEGIC HIGHWAY NETWORK.—

(1) STUDY.—The Commander of the United States Transportation Command shall conduct a study of the feasibility and desirability of including the George P. Coleman Memorial Bridge on the York River, Virginia, and United States Route 17 in the Strategic Highway Network.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commander shall submit to the congressional defense committees a report on the results of the study conducted under paragraph (1).

SEC. 2844. CERTIFICATIONS REQUIRED PRIOR TO TRANSFER OF CERTAIN VETERANS MEMORIAL OBJECT.

(a) CERTIFICATIONS.—Subsection (c) of section 2864 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1869) is amended—

(1) in the heading, by striking ''TRANSFER'' and all that follows and inserting ''TRANSFER OF CERTAIN VETERANS MEMORIAL OBJECT'';

(2) in the matter preceding paragraph (1), by striking ''certifies to Congress'' and inserting ''provides a certification to Congress''

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following new paragraph:

''(2) CERTIFICATION REQUIREMENTS.—The certification required under paragraph (1) shall include a report with a classified annex describing the effects of the transfer of the object under this subsection on the national security interests of the United States (as required under subparagraph (A) of paragraph (1)) and the efforts undertaken to consult with veterans organizations and government officials in the State of Wyoming in order to preserve the history of the veterans associated with the object (as required by subparagraph (B) of paragraph (1)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2018.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Army may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Location	Amount
Bulgaria	Nevo Selo Fos	$5,200,000
Poland	Drawsko Pomorski Training Area	$17,000,000
	Powidz Air Base	$87,000,000
	Zagan Training Area	$40,400,000
Romania	Mihail Kogalniceanu	$21,651,000

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Location	Amount
Greece	Naval Support Activity Souda Bay	$47,850,000
Italy	Naval Air Station Sigonella	$66,050,000
Spain	Naval Station Rota	$21,590,000
United Kingdom	Lossiemouth	$79,130,000

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
Germany	Ramstein Air Base	$119,000,000
Norway	Rygge	$13,800,000
Qatar	Al Udeid	$70,400,000
Slovakia	Malacky	$59,000,000
United Kingdom	RAF Fairford	$106,000,000

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Location	Amount
Estonia	Unspecified Estonia	$15,700,000
Qatar	Al Udeid	$60,000,000

SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2018, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

SEC. 2906. RESTRICTIONS ON USE OF FUNDS FOR PLANNING AND DESIGN COSTS OF EUROPEAN DETERRENCE INITIATIVE PROJECTS.

None of the funds authorized to be appropriated for military construction projects outside the United States authorized by this title may be obligated or expended for planning and design costs of any project associated with the European Deterrence Initiative until the Secretary of Defense submits to the congressional defense committees a list of all of the military construction projects associated with the European Deterrence Initiative which the Secretary anticipates will be carried out during each of the fiscal years 2019 through 2023.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in division D.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 19–D–660, Lithium Production Capability, Y–12 National Security Complex, Oak Ridge, Tennessee, $19,000,000.

Project 19–D–670, 138k Power Transmission System Replacement, Nevada National Security Site, Mercury, Nevada, $6,000,000.

Project 19–D–930, KS Overhead Piping, Kesselring Site, West Milton, New York, $10,994,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for defense environmental cleanup activities in carrying out programs as specified in the funding table in division D.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for other defense activities in carrying out programs as specified in the funding table in division D.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2019 for nuclear energy as specified in the funding table in division D.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. SECURITY CLEARANCE FOR DUAL NATIONALS EMPLOYED BY NATIONAL NUCLEAR SECURITY AGENCY.

(a) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by inserting after section 3236 the following new section:

''SEC. 3237. SECURITY CLEARANCE FOR DUAL NATIONALS.

''(a) IN GENERAL.—(1) In the case of an individual described in paragraph (3), the Secretary of Energy shall develop a process to review foreign preference in accordance with the adjudicative guidelines issued pursuant to section 710.7 of title 10, Code of Federal Regulations, or such successor regulation, before approving a security clearance for such individual.

''(2) The Secretary shall designate an official of the Administration to be responsible for adjudicating any derogatory information of an individual described in paragraph (3) concerning foreign preference that is discovered after the security clearance of the individual is approved.

''(3) An individual described in this paragraph is an individual who is—

''(A) a national of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) and also a national of a foreign state; and

''(B) an employee or contractor of the Administration who requires access to classified information.

''(b) WAIVER.—In the case of an individual who is a national of the United States and also a national of a foreign state identified under section 1564b(b)(2) of title 10, United States Code, the Secretary may waive the requirement under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3236 the following new item:

''Sec. 3237. Security clearance for dual nationals.''.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy shall provide to the Committees on Armed Services of the House of Representatives and the Senate, and to any other appropriate congressional committee upon request, a briefing on—

(A) the process developed under paragraph (1) of section 3237(a) of the National Nuclear Security Administration Act, as added by subsection (a); and

(B) the official designated under paragraph (2) of such section 3237(a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The Committees on Armed Services of the House of Representatives and the Senate.

(B) The Committee on Energy and Commerce and the Permanent Select Committee on Intelligence of the House of Representatives.

(C) The Committee on Energy and Natural Resources and the Select Committee on Intelligence of the Senate.

SEC. 3112. DEPARTMENT OF ENERGY COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

Section 4504(b) of the Atomic Energy Defense Act (50 U.S.C. 2654(b)) is amended by adding at the end the following new paragraph:

''(4) The regulations prescribed under paragraph (1) shall ensure that the persons subject to the counterintelligence polygraph program required by subsection (a) include any person who is—

''(A) a national of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) and also a national of a foreign state; and

''(B) an employee or contractor who requires access to classified information.''.

SEC. 3113. EXTENSION OF ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

(a) EXTENSION.—Subsection (g) of section 4806 of the Atomic Energy Defense Act (50 U.S.C. 2786) is amended to read as follows:

''(g) TERMINATION.—The authority under this section shall terminate on June 30, 2023.''.

(b) TECHNICAL AMENDMENT.—Subsection (f)(5)(A) of such section is amended by striking ''section 3542(b) of title 44'' and inserting ''section 3552(b) of title 44''.

SEC. 3114. LOW-YIELD NUCLEAR WEAPONS.

(a) REPEAL OF PROHIBITION.—Section 3116 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 50 U.S.C. 2529 note) is amended by striking subsection (c).

(b) AUTHORIZATION.—The Secretary of Energy, acting through the Administrator for Nuclear Security, may carry out the engineering development phase, and any subsequent phase, to modify or develop a low-yield nuclear warhead for submarine-launched ballistic missiles.

SEC. 3115. USE OF FUNDS FOR CONSTRUCTION AND PROJECT SUPPORT ACTIVITIES RELATING TO MOX FACILITY.

(a) IN GENERAL.—Except as provided by subsection (b), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the National Nuclear Security Administration for the MOX facility.

(b) WAIVER.—The Secretary may waive the requirement under subsection (a) if the Secretary submits to the congressional defense committees the matters specified in section 3121(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1892).

(c) DEFINITIONS.—In this section:

(1) The term ''MOX facility'' means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term ''project support activities'' means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3116. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROGRAMS IN RUSSIAN FEDERATION.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for atomic energy defense activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a) only if—

(1) the Secretary determines, in writing, that a nuclear-related threat in the Russian Federation must be addressed urgently and it is necessary to waive the prohibition to address that threat;

(2) the Secretary of State and the Secretary of Defense concur in the determination under paragraph (1);

(3) the Secretary of Energy submits to the appropriate congressional committees a report containing—

(A) a notification that the waiver is in the national security interest of the United States;

(B) justification for the waiver, including the determination under paragraph (1); and

(C) a description of the activities to be carried out pursuant to the waiver, including the expected cost and timeframe for such activities; and

(4) a period of seven days elapses following the date on which the Secretary submits the report under paragraph (3).

(c) EXCEPTION.—The prohibition under subsection (a) and the requirements under subsection (b) to waive that prohibition shall not apply to an amount, not to exceed $3,000,000, that the Secretary may make available for the Department of Energy Russian Health Studies Program.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS FOR RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) PROHIBITION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the Department of Energy or the Department of Defense may be obligated or expended to plan or carry out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(b) EXCEPTION.—In accordance with section 7319 of title 10, United States Code, of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for defense nuclear nonproliferation, as specified in the funding table in division D, $10,000,000 shall be made available to the Deputy Administrator for Naval Reactors of the National Nuclear Security Administration for low-enriched uranium activities (including downblending of high-enriched uranium fuel into low-enriched uranium fuel, research and development using low-enriched uranium fuel, or the modification or procurement of equipment and infrastructure related to such activities) to develop an advanced naval nuclear fuel system based on low-enriched uranium.

SEC. 3118. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO SUBMISSION OF ANNUAL REPORTS ON UNFUNDED PRIORITIES.

Section 4716 of the Atomic Energy Defense Act (50 U.S.C. 2756) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) LIMITATION.—If the Administrator fails to submit to the congressional defense committees a report required by subsection (a) for any of fiscal years 2020 through 2024 that contains at least one unfunded priority by the deadline specified in such subsection, none of the funds authorized to be appropriated or otherwise made available for the fiscal year in which such failure occurs for travel and transportation of persons under the Federal salaries and expenses account of the Administration may be obligated or expended until the date on which the Administrator submits such report.''.

Subtitle C—Reports

SEC. 3121. NOTIFICATION REGARDING RELEASE OF CONTAMINATION AT HANFORD SITE.

(a) IN GENERAL.—Subtitle C of title XLIV of the Atomic Energy Defense Act (50 U.S.C.

2621 et seq.) is amended by adding at the end the following new section:

''SEC. 4447. NOTIFICATION REGARDING RELEASE OF CONTAMINATION.

''If the Assistant Secretary of Energy for Environmental Management detects an improper release of contamination resulting from defense waste at the Hanford Nuclear Reservation, Richland, Washington, the Assistant Secretary shall—

''(1) not later than two days after the date of such detection, notify the congressional defense committees of such release of contamination; and

''(2) not later than seven days after the date of such detection, provide the congressional defense committees a briefing on the status of such release of contamination, including—

''(A) the cause of the release, if known; and

''(B) plans to address and remediate the release, including associated costs and timelines.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 4446 the following new item:

''Sec. 4447. Notification regarding release of contamination.''.

Subtitle D—Other Matters

SEC. 3131. INCLUSION OF CAPITAL ASSETS ACQUISITION PROJECTS IN ACTIVITIES BY DIRECTOR FOR COST ESTIMATING AND PROGRAM EVALUATION.

Section 3221(h)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2411(h)(2)) is amended—

(1) by striking ''PROGRAM.—'' and all that follows through '', the term'' and inserting ''PROGRAM.—The term'';

(2) by striking subparagraph (B); and

(3) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively.

SEC. 3132. WHISTLEBLOWER PROTECTIONS.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Energy and its contractors rely to a significant extent on workers to bring attention to important nuclear safety concerns.

(2) The Department of Energy, including the National Nuclear Security Administration, have a strong interest in preventing whistleblower retaliation and in ensuring the work environment is conducive to employees raising concerns.

(3) Retaliation against whistleblowers can lead to a chilled work environment in which employees do not feel free to raise important safety concerns.

(4) The Comptroller General of the United States found in a 2016 report titled ''Whistleblower Protections Need Strengthening'' that the Department of Energy had infrequently used its enforcement authority to hold contractors accountable for unlawful retaliation, issuing only two violation notices in the past 20 years.

(5) The Comptroller General also found that the Department had taken limited or no action to hold contractors accountable for creating a chilled work environment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) raising nuclear safety concerns is important for avoiding potentially catastrophic incidents or harm to workers and the public;

(2) the Department of Energy should protect whistleblowers and take action against contractors and subcontractors that retaliate against whistleblowers; and

(3) such action sends a strong signal to prevent or limit retaliation against whistleblowers.

(c) CIVIL PENALTIES.—The Secretary of Energy, including by acting through the Administrator for Nuclear Security as appropriate, shall impose civil penalties under section 234 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2282(a)), as the Secretary or the Administrator determines appropriate, on contractors, subcontractors, and suppliers for violations of the rules, regulations, or orders of the Department of Energy relating to nuclear safety and radiation protection.

(d) CHILLED WORK ENVIRONMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall clearly define what constitutes evidence of a chilled work environment with respect to employees and contractors of the Department making a whistleblower complaint under section 4602 of the Atomic Energy Defense Act (50 U.S.C. 2702), or any other law that may provide protection for disclosures of information by such employees or contractors, without fear of being discharged, demoted, or otherwise discriminated against as a reprisal.

(e) NOTIFICATION.—

(1) IN GENERAL.—Not later than February 1, 2019, and each year thereafter through 2021, the Secretary of Energy shall submit to the appropriate congressional committees an annual notification on whether any penalties were imposed pursuant to subsection (c), including a description of such penalties and the entities against which the penalties were imposed.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2019, $31,243,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $10,000,000 for fiscal year 2019 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2018, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $74,593,000, of which—

(A) $70,593,000 shall be for Academy operations; and

(B) $4,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $24,400,000, of which—

(A) $2,400,000 shall remain available until September 30, 2019, for the Student Incentive Program; and

(B) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $350,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $53,435,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $30,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $300,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide small shipyards and maritime communities grants under section 54101 of title 46, United States Code, $35,000,000.

SEC. 3502. COMPLIANCE BY READY RESERVE FLEET VESSELS WITH SOLAS LIFEBOATS AND FIRE SUPPRESSION REQUIREMENTS.

The Secretary of Defense shall, consistent with section 2244a of title 10, United States Code, use authority under section 2218 of such title to make such modifications to Ready Reserve Fleet vessels as are necessary for such vessels to comply requirements for lifeboats and fire suppression under the International Convention for the Safety of Life at Sea by not later than October 1, 2021.

SEC. 3503. MARITIME ADMINISTRATION NATIONAL SECURITY MULTI-MISSION VESSEL PROGRAM.

Section 3505 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2776) is amended by adding at the end the following:

''(h) LIMITATION ON USE OF FUNDS FOR USED VESSELS.—Amounts authorized by this or any other Act for use by the Maritime Administration to carry out this section may not be used for the procurement of any used vessel.''.

SEC. 3504. PERMANENT AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE VESSEL WAR RISK INSURANCE.

(a) IN GENERAL.—Section 53912 of title 46, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 539 of title 46, United States Code, is amended by striking the item relating to section 53912.

SEC. 3505. USE OF STATE MARITIME ACADEMY TRAINING VESSELS.

(a) IN GENERAL.—Section 51504(g) of title 46, United States Code, is amended to read as follows:

''(g) TRAINING VESSEL CAPACITY SHARING.—

''(1) IN GENERAL.—The Secretary, acting through the Maritime Administrator and in consultation with the State maritime academies, implement a program under which State maritime academies shall share among such academies training vessel capacity provided by the Secretary as necessary to ensure that training needs for the purpose of training licensed mariners of each academy are met in periods of limited vessel capacity that could affect required licensed mariner training as determined by the Maritime Administrator.

''(2) PROGRAM REQUIREMENTS.—The program shall include—

''(A) ways to maximize the underway training capacity for licensed mariners available in the fleet of training vessels;

''(B) coordinating the dates and duration of training cruises with the academic calendars of State maritime academies, and

''(C) identifying ways to minimize costs associated with training voyages for both the Maritime Administration and the State maritime academies.

''(3) ADDITIONAL FUNDING.—Subject to the availability of appropriations, the Maritime Administrator may provide additional funding the State maritime academies during periods of limited training vessel capacity, for costs associated with training vessel sharing.

''(4) EVALUATION AND MODIFICATION.—Not later than 30 days after the beginning of each fiscal year and as the Maritime Administrator determines necessary in the State maritime academy training year, the Secretary, acting through the Maritime Administrator, shall—

''(A) evaluate the program under this subsection to determine the optimal utilization of State maritime academy training vessels for the purpose described in paragraph (1); and

''(B) modify the program as necessary to improve such utilization.''.

(b) DEADLINE.—The Secretary of Transportation shall begin implementing the program required by the amendment made by subsection (a) by not later than 180 days after the date of the enactment of this Act.

Subtitle B—Coast Guard

SEC. 3521. ALIGNMENT WITH DEPARTMENT OF DEFENSE AND SEA SERVICES AUTHORITIES.

(a) PROHIBITING SEXUAL HARASSMENT; REPORT.—

(1) NOTIFICATION.—

(A) IN GENERAL.—The Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on August 26, 2018, if there is not in effect a general order or regulation prohibiting sexual harassment by members of the Coast Guard and clearly stating that a violation of such order or regulation is punishable in accordance with the Uniform Code of Military Justice.

(B) CONTENTS.—The notification required under subparagraph (A) shall include—

(i) details regarding the status of the drafting of such general order or regulation;

(ii) a projected implementation timeline for such general order or regulation; and

(iii) an explanation regarding any barriers to implementation.

(2) REPORT.—Section 217 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2917) is amended—

(A) in subsection (a), by inserting ''and incidents of sexual harassment'' after ''sexual assaults''; and

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''and incidents of sexual harassment'' after ''sexual assault'' each place it appears;2

(ii) in paragraph (3), by inserting ''and sexual harassment'' after ''sexual assault''; and

(iii) in paragraph (4), by inserting ''and sexual harassment'' after ''sexual assault''.

(b) ANNUAL PERFORMANCE REPORT.—

(1) IN GENERAL.—Chapter 29 of title 14, United States Code, is amended by adding at the end the following:

''§ 2905. Annual performance report

''Not later than the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant of the Coast Guard shall make available on a public website and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an update on Coast Guard mission performance during the previous fiscal year.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''2905. Annual performance report.''.

SEC. 3522. PRELIMINARY DEVELOPMENT AND DEMONSTRATION.

Section 573 of title 14, United States Code, is amended—

(1) in subsection (b)(3), by—

(A) striking ''require that safety concerns identified'' and inserting ''ensure that independent third parties and Government employees that identify safety concerns''; and

(B) striking ''Coast Guard shall be communicated as'' and inserting ''Coast Guard communicate such concerns as;''

(2) in subsection (b)(4), by striking ''Any safety concerns that have been reported to the Chief Acquisition Officer for an acquisition program or project shall be reported by the Commandant'' and inserting ''The Commandant shall ensure that any safety concerns that have been communicated under paragraph (3) for an acquisition program or project are reported'';

(3) in subsection (b)(5)—

(A) by striking the matter preceding subparagraph (A) and inserting the following:

''(5) ASSET ALREADY IN LOW, INITIAL, OR FULL-RATE PRODUCTION.—The Commandant shall ensure that if an independent third party or a Government employee identifies a safety concern with a capability or asset or any subsystems of a capability or asset not previously identified during operational test and evaluation of a capability or asset already in low, initial, or full-rate production—'';

(B) in subparagraph (A), by inserting ''the Commandant, through the Assistant Commandant for Capability, shall'' before ''notify''; and

(C) in subparagraph (B), by striking ''notify the Chief Acquisition Officer and include in such notification'' and inserting ''the Deputy Commandant for Mission Support shall notify the Commandant and the Deputy Commandant for Operations of the safety concern within 50 days after the notification required under subparagraph (A), and include in such notification''; and

(4) in subsection (c)—

(A) in paragraph (2)(A), by striking ''and that are delivered after the date of enactment of the Coast Guard Authorization Act of 2010''; and

(B) in paragraph (5), by striking ''and delivered after the date of enactment of the Coast Guard Authorization Act of 2010''.

SEC. 3523. CONTRACT TERMINATION.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by inserting after section 656 the following:

''§ 657. Contract termination

''(a) IN GENERAL.—

''(1) NOTIFICATION.—Before terminating a procurement or acquisition contract with a total value of more than $1,000,000, the Commandant of the Coast Guard shall notify each vendor under such contract and require the vendor to maintain all work product related to the contract until the earlier of—

''(A) not less than 1 year after the date of the notification; or

''(B) the date the Commandant notifies the vendor that maintenance of such work product is no longer required.

''(b) WORK PRODUCT DEFINED.—In this section the term 'work product'—

''(1) means tangible and intangible items and information produced or possessed as a result of a contract referred to in subsection (a); and

''(2) includes—

''(A) any completed end items;

''(B) any uncompleted end items; and

''(C) any property in the contractor's possession in which the United States Government has an interest.

''(c) PENALTY.—A vendor that fails to maintain work product as required under subsection (a) is liable to the United States for a civil penalty of not more than $25,000 for each day on which such work product is unavailable.

''(d) REPORT.—Not later than 45 days after the end of each fiscal year, the Commandant of the Coast Guard shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

''(1) all Coast Guard contracts with a total value of more than $1,000,000 that were terminated in the fiscal year;

''(2) all vendors who were notified under subsection (a)(1) in the fiscal year, and the date of such notification;

''(3) all criminal, administrative, and other investigations regarding any contract with a total value of more than $1,000,000 that were initiated by the Coast Guard in the fiscal year;

''(4) all criminal, administrative, and other investigations regarding contracts with a total value of more than $1,000,000 that were completed by the Coast Guard in the fiscal year; and

''(5) an estimate of costs incurred by the Coast Guard, including contract line items and termination costs, as a result of the requirements of this section.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by inserting after the item relating to section 656 the following:

''657. Contract termination.''.

SEC. 3524. REIMBURSEMENT FOR TRAVEL EXPENSES.

The text of section 518 of title 14, United States Code is amended to read as follows:

''In any case in which a covered beneficiary (as defined in section 1072(5) of title 10) resides on an island that is located in the 48 contiguous States and the District of Columbia and that lacks public access roads to the mainland, the Secretary shall reimburse the reasonable travel expenses of the covered beneficiary and, when accompaniment by an adult is necessary, for a parent or guardian of the covered beneficiary or another member of the covered beneficiary's family who is at least 21 years of age, if—

''(1) the covered beneficiary is referred by a primary care physician to a specialty care provider (as defined in section 1074i(b) of title 10) on the mainland who provides services less than 100 miles from the location where the beneficiary resides; or

''(2) the Coast Guard medical regional manager for the area in which such island is located determines that the covered beneficiary requires services of a primary care, specialty care, or dental provider and such a provider who is part of the network of providers of a TRICARE program (as that term is defined in section 1072(7) of title 10) does not practice on such island.''.

SEC. 3525. CAPITAL INVESTMENT PLAN.

Section 2902(a) of title 14, United States Code, is amended—

(1) by striking ''On the date'' and inserting ''Not later than 60 days after the date'';

(2) in paragraph (1)(D), by striking ''and''; and

(3) by inserting after paragraph (1)(E) the following:

''(F) projected commissioning and decommissioning dates for each asset; and''.

SEC. 3526. MAJOR ACQUISITION PROGRAM RISK ASSESSMENT.

(a) IN GENERAL.—Chapter 29 of title 14, United States Code, as amended by section 3521(b)(1) of this Act, is further amended by adding at the end the following:

''§ 2906. Major acquisition program risk assessment

''(a) IN GENERAL.—Not later than April 15 and October 15 of each year, the Commandant of the Coast Guard shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing regarding a current assessment of the risks associated with all current major acquisition programs, as that term is defined in section 2903(f).

''(b) ELEMENTS.—Each assessment under this subsection shall include, for each current major acquisition program, discussion of the following:

''(1) The top five current risks to such program.

''(2) Any failure of such program to demonstrate a key performance parameter or threshold during operational test and evaluation conducted during the 2 fiscal-year quarters preceding such assessment.

''(3) Whether there has been any decision in such 2 fiscal-year quarters to order full-rate production before all key performance parameters or thresholds are met.

''(4) Whether there has been any breach of major acquisition program cost (as defined by the Major Systems Acquisition Manual) in such 2 fiscal-year quarters.

''(5) Whether there has been any breach of major acquisition program schedule (as so defined) during such 2 fiscal-year quarters.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by adding at the end the following:

''2906. Major acquisition program risk assessment.''.

(c) CONFORMING AMENDMENTS.—Section 2903 of title 14, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

SEC. 3527. MARINE SAFETY IMPLEMENTATION STATUS.

On the date on which the President submits to Congress a budget for fiscal year 2020 under section 1105 of title 31, and on such date for each of the 2 subsequent years, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of implementation of each action outlined in the Commandant's final action memo dated December 19, 2017.

SEC. 3528. RETIREMENT OF VICE COMMANDANT.

(a) IN GENERAL.—Section 46 of title 14, United States Code, is amended—

(1) in the section heading, by inserting ''**or Vice Commandant**'' after ''**Commandant**'';

(2) by redesignating subsection (a) as subsection (a)(1);

(3) by adding at the end of subsection (a) the following:

''(2) A Vice Commandant who is not reappointed or appointed Commandant shall be retired with the grade of admiral at the expiration of the appointed term, except as provided in section 51(d).'';

(4) in subsections (b) and (c), by inserting ''or Vice Commandant'' after ''Commandant'' each place it appears; and

(5) in subsection (c), by striking ''his'' and inserting ''the officer's''.

(b) CONFORMING AMENDMENT.—Section 51 of title 14, United States Code, is amended by striking ''other than the Commandant,'' each place it appears and inserting ''other than the Commandant or Vice Commandant,''.

(c) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 3 of title 14, United States Code, is amended by striking the item relating to section 46 and inserting the following:

''46. Retirement of Commandant or Vice Commandant.''.

SEC. 3529. LARGE COMMERCIAL YACHT CODE.

The Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard, shall develop a Large Commercial Yacht code for recreational vessels over 300 gross tons as measured under section 14502 of title 46, United States Code, or an alternate tonnage measured under section 14302 of such title (as prescribed by the Secretary under section 14104 of such title), that is comparable to the Code of Safe Practice for Large Commercial Yachts (commonly referred to as the ''Large Commercial Yacht Code''), as published by the Maritime and Coast Guard of the United Kingdom. The Secretary shall complete such code by no later than one year after the date of the enactment of this Act.

Subtitle C—Coast Guard and Shipping Technical Corrections

CHAPTER 1—COAST GUARD

SEC. 3531. COMMANDANT DEFINED.

(a) IN GENERAL.—Chapter 1 of title 14, United States Code, is amended by adding at the end the following:

''§ 5. Commandant defined

''In this title, the term 'Commandant' means the Commandant of the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 14, United States Code, is amended by adding at the end the following:

''5. Commandant defined.''.

(c) CONFORMING AMENDMENTS.—Title 14, United States Code, is amended—

(1) in section 58(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(2) in section 101 by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(3) in section 693 by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(4) in section 672a(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(5) in section 678(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(6) in section 561(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(7) in section 577(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(8) in section 581—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) through (12) as paragraphs (4) through (11), respectively;

(9) in section 200(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(10) in section 196(b)(1) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(11) in section 199 by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(12) in section 429(a)(1) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(13) in section 423(a)(2) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(14) in section 2702(5) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant'';

(15) in section 2902(a) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant''; and

(16) in section 2903(f)(1) by striking ''Commandant of the Coast Guard'' and inserting ''Commandant''.

SEC. 3532. TRAINING COURSE ON WORKINGS OF CONGRESS.

Section 60(d) of title 14, United States Code, is amended to read as follows:

''(d) COMPLETION OF REQUIRED TRAINING.—A Coast Guard flag officer who is newly appointed or assigned to a billet in the National Capital Region, and a Coast Guard Senior Executive Service employee who is newly employed in the National Capital Region, shall complete a training course that meets the requirements of this section not later than 60 days after reporting for duty.''.

SEC. 3533. MISCELLANEOUS.

(a) SECRETARY; GENERAL POWERS.—Section 92 of title 14, United States Code, is amended by redesignating subsections (f) through (i) as subsections (e) through (h), respectively.

(b) COMMANDANT; GENERAL POWERS.—Section 93(a)(21) of title 14, United States Code, is amended by striking ''section 30305(a)'' and inserting ''section 30305(b)(7)''.

(c) ENLISTED MEMBERS.—

(1) DEPARTMENT OF THE ARMY AND DEPARTMENT OF THE AIR FORCE.—Section 144(b) of title 14, United States Code, is amended by striking ''enlisted men'' each place it appears and inserting ''enlisted members''.

(2) NAVY DEPARTMENT.—Section 145(b) of title 14, United States Code, is amended by striking ''enlisted men'' each place it appears and inserting ''enlisted members''.

(3) PURCHASE OF COMMISSARY AND QUARTERMASTER SUPPLIES.—Section 4 of the Act of May 22, 1926 (44 Stat. 626, chapter 371; 33 U.S.C. 754a), is amended by striking ''enlisted men'' and inserting ''enlisted members''.

(d) ARCTIC MARITIME TRANSPORTATION.—Section 90(f) of title 14, United States Code, is amended by striking the question mark.

(e) LONG-TERM LEASE AUTHORITY FOR LIGHTHOUSE PROPERTY.—Section 672a(a) of title 14, United States Code, as amended by this Act, is further amended by striking ''Section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b)'' and inserting ''Section 1302 of title 40''.

(f) REQUIRED CONTRACT TERMS.—Section 565 of title 14, United States Code, is amended—

(1) in subsection (a) by striking ''awarded or issued by the Coast Guard after the date of enactment of the Coast Guard Authorization Act of 2010''; and

(2) in subsection (b)(1) by striking ''after the date of enactment of the Coast Guard Authorization Act of 2010''.

(g) ACQUISITION PROGRAM BASELINE BREACH.—Section 575(c) of title 14, United States Code, is amended by striking ''certification, with a supporting explanation, that'' and inserting ''determination, with a supporting explanation, of whether''.

(h) ENLISTMENTS; TERM, GRADE.—Section 351(a) of title 14, United States Code, is amended by inserting ''the duration of their'' before ''minority''.

(i) MEMBERS OF THE AUXILIARY; STATUS.—Section 823a(b)(9) of title 14, United States Code, is amended by striking ''On or after January 1, 2001, section'' and inserting ''Section''.

(j) USE OF MEMBER'S FACILITIES.—Section 826(b) of title 14, United States Code, is amended by striking ''section 154 of title 23, United States Code'' and inserting ''section 30102 of title 49''.

(k) AVAILABILITY OF APPROPRIATIONS.—Section 830(b) of title 14, United States Code, is amended by striking ''1954'' and inserting ''1986''.

SEC. 3534. DEPARTMENT OF DEFENSE CONSULTATION.

Section 566 of title 14, United States Code, is amended—

(1) in subsection (b) by striking ''enter into'' and inserting ''maintain''; and

(2) by striking subsection (d).

SEC. 3535. REPEAL.

Section 568 of title 14, United States Code, and the item relating to that section in the analysis for chapter 15 of that title, are repealed.

SEC. 3536. MISSION NEED STATEMENT.

Section 569 of title 14, United States Code, is—

(1) amended in subsection (a)—

(A) by striking ''for fiscal year 2016'' and inserting ''for fiscal year 2019''; and

(B) by striking '', on the date on which the President submits to Congress a budget for fiscal year 2019 under such section,''.

SEC. 3537. CONTINUATION ON ACTIVE DUTY.

Section 290(a) of title 14, United States Code, is amended by striking ''Officers, other than the Commandant, serving'' and inserting ''Officers serving''.

SEC. 3538. SYSTEM ACQUISITION AUTHORIZATION.

(a) REQUIREMENT FOR PRIOR AUTHORIZATION OF APPROPRIATIONS.—Section 2701(2) of title 14, United States Code, is amended by striking ''and aircraft'' and inserting ''aircraft, and systems''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 2702(2) of title 14, United States Code, is amended by striking ''and aircraft'' and inserting ''aircraft, and systems''.

SEC. 3539. INVENTORY OF REAL PROPERTY.

Section 679 of title 14, United States Code, is amended—

(1) in subsection (a) by striking ''Not later than September 30, 2015, the Commandant shall establish'' and inserting ''The Commandant shall maintain''; and

(2) by striking subsection (b) and inserting the following:

''(b) UPDATES.—The Commandant shall update information on each unit of real property included in the inventory required under subsection (a) not later than 30 days after any change relating to the control of such property.''.

CHAPTER 2—MARITIME TRANSPORTATION

SEC. 3541. DEFINITIONS.

(a) IN GENERAL.—

(1) Section 2101 of title 46, United States Code, is amended—

(A) by inserting after paragraph (4) the following:

''( ) 'Commandant' means the Commandant of the Coast Guard.'';

(B) by striking the semicolon at the end of paragraph (14) and inserting a period; and

(C) by redesignating the paragraphs of such section in order as paragraphs (1) through (54), respectively.

(2) Section 3701 of title 46, United States Code, is amended by redesignating paragraphs (3) and (4) as paragraphs (2) and (3) respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 114(o)(3) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1383a(o)(3)) is amended—

(A) by striking ''section 2101(11a)'' and inserting ''section 2101(12)''; and

(B) by striking ''section 2101(11b)'' and inserting ''section 2101(13)''.

(2) Section 3(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802(3)), is amended by striking ''section 2101(21a)'' and inserting ''section 2101(30)''.

(3) Section 1992(d)(7) of title 18, United States Code, is amended by striking ''section 2101(22)'' and inserting ''section 2101(31)''.

(4) Section 12(c) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1980b(c)) is amended by striking ''section 2101(11a)'' and inserting ''section 2101(12)''.

(5) Section 311(a)(26)(D) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(26)(D)) is amended by striking ''section 2101(17a)'' and inserting ''section 2101(23)''.

(6) Section 2113(3) of title 46, United States Code, is amended by striking ''section 2101(42)(A)'' and inserting ''section 2101(51)(A)''.

(7) Section 2116(d)(1) of title 46, United States Code, is amended by striking ''Coast Guard Commandant'' and inserting ''Commandant''.

(8) Section 3202(a)(1)(A) of title 46, United States Code, is amended by striking ''section 2101(21)(A)'' and inserting ''section 2101(29)(A)''.

(9) Section 3507 of title 46, United States Code, is amended—

(A) in subsection (k)(1), by striking ''section 2101(22)'' and inserting ''section 2101(31)''; and

(B) by striking subsection (l) and inserting the following:

''(l) DEFINITION.—In this section and section 3508, the term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.''.

(10) Section 4105 of title 46, United States Code, is amended—

(A) in subsection (b)(1), by striking ''section 2101(42)'' and inserting ''section 2101(51)''; and

(B) in subsection (c), by striking ''section 2101(42)(A)'' and inserting ''section 2101(51)(A)''.

(11) Section 6101(i)(4) of title 46, United States Code, is amended by striking ''of the Coast Guard''.

(12) Section 7510(c)(1) of title 46, United States Code, is amended by striking ''Commandant of the Coast Guard'' and inserting ''Commandant''.

(13) Section 7706(a) of title 46, United States Code, is amended by striking ''of the Coast Guard''.

(14) Section 8108(a)(1) of title 46, United States Code, is amended by striking ''of the Coast Guard''.

(15) Section 12119(a)(3) of title 46, United States Code, is amended by striking ''section 2101(20)'' and inserting ''section 2101(26)''.

(16) Section 80302(d) of title 46, United States Code, is amended by striking ''of the Coast Guard'' the first place it appears.

(17) Section 1101 of title 49, United States Code, is amended by striking ''Section 2101(17a)'' and inserting ''Section 2101(23)''.

SEC. 3542. AUTHORITY TO EXEMPT VESSELS.

(a) IN GENERAL.—Section 2113 of title 46, United States Code, is amended—

(1) by adding ''and'' after the semicolon at the end of paragraph (3); and

(2) by striking paragraphs (4) and (5) and inserting the following:

''(4) maintain different structural fire protection, manning, operating, and equipment requirements for vessels that satisfied requirements set forth in the Passenger Vessel Safety Act of 1993 (Public Law 103–206) before June 21, 1994.''.

(b) CONFORMING AMENDMENTS.—Section 3306(i) of title 46, United States Code, is amended by striking ''section 2113(5)'' and inserting ''section 2113(4)''.

SEC. 3543. PASSENGER VESSELS.

(a) Section 3507 of title 46, United States Code, is amended—

(1) by striking subsection (a)(3);

(2) in subsection (e)(2), by striking ''services confidential'' and inserting ''services as confidential''; and

(3) in subsection (i), by striking ''Within 6 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary shall issue'' and insert ''The Secretary shall maintain''.

(b) Section 3508 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the'' and inserting ''The'', and by striking ''develop'' and inserting ''maintain'';

(2) in subsection (c), by striking ''Beginning 2 years after the standards are established under subsection (b), no'' and inserting ''No'';

(3) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(4) in subsection (e), as redesignated by paragraph (3), by striking ''subsection (e)'' each place it appears and inserting ''subsection (d)''.

SEC. 3544. TANK VESSELS.

(a) Section 3703a of title 46, United States Code, is amended—

(1) in subsection (b), by striking paragraph (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (c)(2)—

(A) by striking ''that is delivered'' and inserting ''that was delivered'';

(B) by striking ''that qualifies'' and inserting ''that qualified''; and

(C) by striking ''after January 1, 2015,'';

(3) in subsection (c)(3)—

(A) by striking ''that is delivered'' and inserting ''that was delivered''; and

(B) by striking ''that qualifies'' and inserting ''that qualified'';

(4) by striking subsection (c)(3)(A) and inserting the following:

''(A) in the case of a vessel of at least 5,000 gross tons but less than 15,000 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, if the vessel is 25 years old or older and has a single hull, or is 30 years old or older and has a double bottom or double sides;'';

(5) by striking subsection (c)(3)(B) and inserting the following:

''(B) in the case of a vessel of at least 15,000 gross tons but less than 30,000 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, if the vessel is 25 years old or older and has a single hull, or is 30 years old or older and has a double bottom or double sides; and'';

(6) by striking subsection (c)(3)(C) and inserting the following:

''(C) in the case of a vessel of at least 30,000 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, if the vessel is 23 years old or older and has a single hull, or is 28 years old or older and has a double bottom or double sides.''; and

(7) in subsection (e)—

(A) in paragraph (1), by striking ''and except as otherwise provided in paragraphs (2) and (3) of this subsection''; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(b) Section 3705 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (2);

(B) by striking ''(1)''; and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(2) in subsection (c), by striking ''before January 2, 1986, or the date on which the tanker reaches 15 years of age, whichever is later''.

(c) Section 3706(d) of title 46, United States Code, is amended by striking ''before January 2, 1986, or the date on which it reaches 15 years of age, whichever is later''.

(d) Section 1001(32)(A) of the Oil Pollution Act of 1990 (33 U.S.C. 2701(32)(A)) is amended by striking ''(other than a vessel described in section 3703a(b)(3) of title 46, United States Code)''.

SEC. 3545. GROUNDS FOR DENIAL OR REVOCATION.

(a) Section 7503 of title 46, United States Code, is amended to read as follows:

''§ 7503. Dangerous drugs as grounds for denial

''A license, certificate of registry, or merchant mariner's document authorized to be issued under this part may be denied to an individual who—

''(1) within 10 years before applying for the license, certificate, or document, has been convicted of violating a dangerous drug law of the United States or of a State; or

''(2) when applying, has ever been a user of, or addicted to, a dangerous drug unless the individual provides satisfactory proof that the individual is cured.''.

(b) Section 7704 of title 46, United States Code, is amended by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 3546. MISCELLANEOUS CORRECTIONS TO TITLE 46, U.S.C.

(a) Section 2110 of title 46, United States Code, is amended by striking subsection (k).

(b) Section 2116(c) of title 46, United States Code, is amended by striking ''Beginning with fiscal year 2011 and each fiscal year thereafter, the'' and inserting ''The''.

(c) Section 3302(g)(2) of title 46, United States Code, is amended by striking ''After December 31, 1988, this'' and inserting ''This''.

(d) Section 6101(j) of title 46, United States Code, is amended by striking '', as soon as possible, and no later than January 1, 2005,''.

(e) Section 7505 of title 46, United States Code, is amended by striking ''section 206(b)(7) of the National Driver Register Act of 1982 (23 U.S.C. 401 note)'' and inserting ''section 30305(b)(7) of title 49''.

(f) Section 7702(c)(1) of title 46, United States Code, is amended by striking ''section 206(b)(4) of the National Driver Register Act of 1982 (23 U.S.C. 401 note)'' and inserting ''section 30305(b)(7) of title 49''.

(g) Section 8106(f) of title 46, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) CONTINUING VIOLATIONS.—The maximum amount of a civil penalty for a violation under this subsection shall be $100,000.''.

(h) Section 8703 of title 46, United States Code, is amended by redesignating subsection (c) as subsection (b).

(i) Section 11113 of title 46, United States Code, is amended—

(1) in subsection (a)(4)(A) by striking ''paragraph (2)'' and inserting ''paragraph (3)''; and

(2) in subsection (c)(2)(B)—

(A) by striking ''section 2(9)(a)'' and inserting ''section 2(a)(9)(A)''; and

(B) by striking ''33 U.S.C. 1901(9)(a)'' and inserting ''33 U.S.C. 1901(a)(9)(A)''.

(j) Section 12113(d)(2)(C)(iii) of title 46, United States Code, is amended by striking ''118 Stat. 2887)'' and inserting ''118 Stat. 2887))''.

(k) Section 13107(c)(2) of title 46, United States Code, is amended by striking ''On and after October 1, 2016, no'' and inserting ''No''.

(l) Section 31322(a)(4)(B) of title 46, United States Code, is amended by striking ''state'' and inserting ''State''.

(m) Section 52101(d) of title 46, United States Code, is amended by striking ''(50 App. U.S.C. 459(a))'' and inserting ''(50 U.S.C. 3808(a))''.

(n) The analysis for chapter 531 of title 46, United States Code, is amended by striking the item relating to section 53109:

(o) Section 53106(a)(1) of title 46, United States Code, is amended by striking subparagraphs (A), (B), (C), and (D), and by redesignating subparagraphs (E), (F), and (G) as subparagraphs (A), (B), and (C), respectively.

(p) Section 53111 of title 46, United States Code, is amended by striking paragraphs (1) through (4), and by redesignating paragraphs (5), (6), and (7) as paragraphs (1), (2), and (3), respectively.

(q) Section 53501 of title 46, United States Code, is amended—

(1) in paragraph (5)(A)(iii), by striking ''transportation trade trade or'' and inserting ''transportation trade or'';

(2) by redesignating paragraph (8) as paragraph (9);

(3) by striking the second paragraph (7) (relating to the definition of ''United States foreign trade''); and

(4) by inserting after the first paragraph (7) the following:

''(8) UNITED STATES FOREIGN TRADE.—The term 'United States foreign trade' includes those areas in domestic trade in which a vessel built with a construction-differential subsidy is allowed to operate under the first sentence of section 506 of the Merchant Marine Act, 1936.''.

(r) Section 54101(f) of title 46, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) MINIMUM STANDARDS FOR PAYMENT OR REIMBURSEMENT.—Each application submitted under paragraph (1) shall include a comprehensive description of—

''(A) the need for the project;

''(B) the methodology for implementing the project; and

''(C) any existing programs or arrangements that can be used to supplement or leverage assistance under the program.''.

(s) Section 55305(d)(2)(D) of title 46, United States Code, is amended by striking ''421(c)(1)'' and inserting ''1303(a)(1))''.

(t) The analysis for chapter 575 of title 46, United States Code, is amended in the item relating to section 57533 by adding a period at the end.

(u) Section 57532(d) of title 46, United States Code, is amended by striking ''(50 App. U.S.C. 1291(a), (c), 1293(c), 1294)'' and inserting ''(50 U.S.C. 4701(a), (c), 4703(c), and 4704)''.

(v) Section 60303(c) of title 46, United States Code, is amended in by striking ''Subsection (a) section does'' and inserting ''Subsection (a) does''.

SEC. 3547. MISCELLANEOUS CORRECTIONS TO OIL POLLUTION ACT OF 1990.

(a) Section 2 of the Oil Pollution Act of 1990 (33 U.S.C. 2701 note) is amended by—

(1) inserting after the item relating to section 5007 the following:

''Sec. 5008. North Pacific Marine Research Institute.''.

(2) striking the item relating to section 6003.

(b) Section 1003(d)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2703(d)(5)) is amended by inserting ''section'' before ''1002(a)''.

(c) Section 1004(d)(2)(C) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(d)(2)(C)) is amended by striking ''under this subparagraph (A)'' and inserting ''under subparagraph (A)''.

(d) Section 4303 of the Oil Pollution Act of 1990 (33 U.S.C. 2716a) is amended—

(1) in subsection (a), by striking ''subsection (c)(2)'' and inserting ''subsection (b)(2)''; and

(2) in subsection (b), by striking ''this section 1016'' and inserting ''section 1016''.

(e) Section 5002(l)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(l)(2)) is amended by striking ''General Accounting Office'' and inserting ''Government Accountability Office''.

SEC. 3548. MISCELLANEOUS CORRECTIONS.

(a) Section 1 of the Act of June 15, 1917 (chapter 30; 50 U.S.C. 191), is amended by striking ''the Secretary of the Treasury'' and inserting ''the Secretary of the department in which the Coast Guard is operating''.

(b) Section 5(b) of the Act entitled ''An Act to regulate the construction of bridges over navigable waters'', approved March 23, 1906, popularly known as the Bridge Act of 1906 (chapter 1130; 33 U.S.C. 495(b)), is amended by striking ''$5,000 for a violation occurring in 2004; $10,000 for a violation occurring in 2005; $15,000 for a violation occurring in 2006; $20,000 for a violation occurring in 2007; and''.

(c) Section 5(f) of the Act to Prevent Pollution from Ships (33 U.S.C. 1904(f)) is amended to read as follows:

''(f) SHIP CLEARANCE; REFUSAL OR REVOCATION.—If a ship is under a detention order under this section, the Secretary may refuse or revoke the clearance required by section 60105 of title 46, United States Code.''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1512 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	UTILITY F/W AIRCRAFT	744	744
003	MQ–1 UAV	43,326	103,326
	MQ–1 Gray Eagle Service Life Extension Program		[60,000]
004	RQ–11 (RAVEN)	46,416	46,416
	ROTARY		
007	AH–64 APACHE BLOCK IIIA REMAN	753,248	753,248
008	ADVANCE PROCUREMENT (CY)	174,550	174,550
009	AH–64 APACHE BLOCK IIIB NEW BUILD	284,687	284,687
	Additional AH–64Es to address ARNG shortfalls		[192,000]
	Realignment to cover ARNG shortfalls		[–192,000]
010	ADVANCE PROCUREMENT (CY)	58,600	58,600
011	UH–60 BLACKHAWK M MODEL (MYP)	988,810	1,073,810
	Additional UH–60Ms for ARNG		[85,000]
012	ADVANCE PROCUREMENT (CY)	106,150	106,150
013	UH–60 BLACK HAWK A AND L MODELS	146,138	146,138
014	CH–47 HELICOPTER	99,278	99,278
015	ADVANCE PROCUREMENT (CY)	24,235	24,235
	MODIFICATION OF AIRCRAFT		
018	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	27,114	27,114
019	GRAY EAGLE MODS2	97,781	97,781
020	MULTI SENSOR ABN RECON (MIP)	52,274	66,274
	Army UFR: program increase		[14,000]
021	AH–64 MODS	104,996	104,996
022	CH–47 CARGO HELICOPTER MODS (MYP)	7,807	7,807
023	GRCS SEMA MODS (MIP)	5,573	5,573
024	ARL SEMA MODS (MIP)	7,522	7,522
025	EMARSS SEMA MODS (MIP)	20,448	20,448
026	UTILITY/CARGO AIRPLANE MODS	17,719	17,719
027	UTILITY HELICOPTER MODS	6,443	16,443
	UH–72A Life-Cycle Sustainability		[10,000]
028	NETWORK AND MISSION PLAN	123,614	123,614
029	COMMS, NAV SURVEILLANCE	161,969	161,969
030	DEGRADED VISUAL ENVIRONMENT	30,000	30,000
031	GATM ROLLUP	26,848	26,848
032	RQ–7 UAV MODS	103,246	154,114
	Realignment of EDI APS Unit Set from OCO to Base		[50,868]
033	UAS MODS	17,644	21,046
	Realignment of EDI APS Unit Set from OCO to Base		[3,402]
	GROUND SUPPORT AVIONICS		
034	AIRCRAFT SURVIVABILITY EQUIPMENT	57,170	57,170
035	SURVIVABILITY CM	5,853	5,853
036	CMWS	13,496	13,496
037	COMMON INFRARED COUNTERMEASURES (CIRCM)	36,839	36,839
	OTHER SUPPORT		
038	AVIONICS SUPPORT EQUIPMENT	1,778	1,778
039	COMMON GROUND EQUIPMENT	34,818	34,818
040	AIRCREW INTEGRATED SYSTEMS	27,243	27,243
041	AIR TRAFFIC CONTROL	63,872	63,872
042	INDUSTRIAL FACILITIES	1,417	1,417
043	LAUNCHER, 2.75 ROCKET	1,901	1,901
044	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	991	991
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,782,558**	**4,005,828**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	111,395	111,395
002	MSE MISSILE	871,276	1,131,276
	Realignment of EDI APS Unit Set from OCO to Base		[260,000]
003	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	145,636	145,636
004	ADVANCE PROCUREMENT (CY)	31,286	31,286
	AIR-TO-SURFACE MISSILE SYSTEM		
006	JOINT AIR-TO-GROUND MSLS (JAGM)	276,462	248,862
	Unit cost and engineering services cost growth		[–27,600]
	ANTI-TANK/ASSAULT MISSILE SYS		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY	303,665	267,465
	Forward financed in the FY18 Omnibus for command launch units		[–50,000]
	Realignment of EDI APS Unit Set from OCO to Base		[13,800]
009	TOW 2 SYSTEM SUMMARY	105,014	105,014
010	ADVANCE PROCUREMENT (CY)	19,949	19,949
011	GUIDED MLRS ROCKET (GMLRS)	359,613	329,613
	Forward financed in the FY18 Omnibus		[–30,000]
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	20,964	20,964
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS		171,138
	Realignment of EDI APS Unit Set from OCO to Base		[171,138]
	MODIFICATIONS		
015	PATRIOT MODS	313,228	333,228
	Increase PATRIOT Mod efforts		[20,000]
016	ATACMS MODS	221,656	236,656
	Forward financed in the FY18 Omnibus		[–65,000]
	Realignment of EDI APS Unit Set from OCO to Base		[80,000]
017	GMLRS MOD	266	266

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
018	STINGER MODS	94,756	94,756
019	AVENGER MODS	48,670	48,670
020	ITAS/TOW MODS	3,173	3,173
021	MLRS MODS	383,216	505,216
	Realignment of EDI APS Unit Set from OCO to Base		[122,000]
022	HIMARS MODIFICATIONS	10,196	10,196
	SPARES AND REPAIR PARTS		
023	SPARES AND REPAIR PARTS	27,737	27,737
	SUPPORT EQUIPMENT & FACILITIES		
024	AIR DEFENSE TARGETS	6,417	6,417
025	PRODUCTION BASE SUPPORT	1,202	1,202
	TOTAL MISSILE PROCUREMENT, ARMY	**3,355,777**	**3,850,115**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	BRADLEY PROGRAM		205,000
	Realignment of EDI APS Unit Set from OCO to Base		[205,000]
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	479,801	710,160
	Realignment of EDI APS Unit Set from OCO to Base		[230,359]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	STRYKER (MOD)	287,490	138,190
	Army requested realignment to WTCV–5		[–149,300]
005	STRYKER UPGRADE	21,900	360,000
	A1 conversions for 5th SBCT		[188,800]
	Army requested realignment—A1 conversions for 5th SBCT		[149,300]
006	BRADLEY PROGRAM (MOD)	625,424	675,424
	Realignment of EDI APS Unit Set from OCO to Base		[50,000]
007	M109 FOV MODIFICATIONS	26,482	26,482
008	PALADIN INTEGRATED MANAGEMENT (PIM)	351,802	493,802
	Realignment of EDI APS Unit Set from OCO to Base		[67,000]
	Smooth funding production profile		[75,000]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	110,500	152,854
	Realignment of EDI APS Unit Set from OCO to Base		[42,354]
010	ASSAULT BRIDGE (MOD)	2,120	2,120
011	ASSAULT BREACHER VEHICLE	62,407	62,407
012	M88 FOV MODS	4,517	4,517
013	JOINT ASSAULT BRIDGE	142,255	142,255
014	M1 ABRAMS TANK (MOD)	927,600	961,600
	Realignment of EDI APS Unit Set from OCO to Base		[34,000]
015	ABRAMS UPGRADE PROGRAM	1,075,999	1,530,999
	Realignment of EDI APS Unit Set from OCO to Base		[455,000]
	WEAPONS & OTHER COMBAT VEHICLES		
018	M240 MEDIUM MACHINE GUN (7.62MM)	1,955	7,081
	Program Increase—M240L and M240B		[5,000]
	Realignment of EDI APS Unit Set from OCO to Base		[126]
019	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	23,345	23,345
020	GUN AUTOMATIC 30MM M230	7,434	7,434
021	MACHINE GUN, CAL .50 M2 ROLL	22,330	22,330
022	MORTAR SYSTEMS	12,470	12,650
	Realignment of EDI APS Unit Set from OCO to Base		[180]
023	XM320 GRENADE LAUNCHER MODULE (GLM)	697	697
024	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	46,236	46,236
025	CARBINE	69,306	71,106
	Realignment of EDI APS Unit Set from OCO to Base		[1,800]
026	SMALL ARMS—FIRE CONTROL	7,929	7,929
027	COMMON REMOTELY OPERATED WEAPONS STATION	35,968	39,346
	Realignment of EDI APS Unit Set from OCO to Base		[3,378]
028	HANDGUN	48,251	48,251
	MOD OF WEAPONS AND OTHER COMBAT VEH		
029	MK–19 GRENADE MACHINE GUN MODS	1,684	1,684
030	M777 MODS	3,086	3,086
031	M4 CARBINE MODS	31,575	35,775
	Additional free-float forward extended rails		[4,200]
032	M2 50 CAL MACHINE GUN MODS	21,600	26,520
	Realignment of EDI APS Unit Set from OCO to Base		[4,920]
033	M249 SAW MACHINE GUN MODS	3,924	3,924
034	M240 MEDIUM MACHINE GUN MODS	6,940	6,947
	Realignment of EDI APS Unit Set from OCO to Base		[7]
035	SNIPER RIFLES MODIFICATIONS	2,747	2,747
036	M119 MODIFICATIONS	5,704	5,704
037	MORTAR MODIFICATION	3,965	3,965
038	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	5,577	5,577
	SUPPORT EQUIPMENT & FACILITIES		
039	ITEMS LESS THAN $5.0M (WOCV-WTCV)	3,174	4,571
	Realignment of EDI APS Unit Set from OCO to Base		[1,397]
040	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,284	3,284
041	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	1,640	1,640
	TOTAL PROCUREMENT OF W&TCV, ARMY	**4,489,118**	**5,857,639**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	41,848	45,240
	Realignment of EDI APS Unit Set from OCO to Base		[3,392]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
002	CTG, 7.62MM, ALL TYPES	86,199	86,239
	Realignment of EDI APS Unit Set from OCO to Base		[40]
003	CTG, HANDGUN, ALL TYPES	20,158	20,175
	Realignment of EDI APS Unit Set from OCO to Base		[17]
004	CTG, .50 CAL, ALL TYPES	65,573	65,762
	Realignment of EDI APS Unit Set from OCO to Base		[189]
005	CTG, 20MM, ALL TYPES	8,198	8,198
007	CTG, 30MM, ALL TYPES	77,995	102,995
	Realignment of EDI APS Unit Set from OCO to Base		[25,000]
008	CTG, 40MM, ALL TYPES	69,781	69,781
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	45,280	45,498
	Realignment of EDI APS Unit Set from OCO to Base		[218]
010	81MM MORTAR, ALL TYPES	46,853	47,337
	Realignment of EDI APS Unit Set from OCO to Base		[484]
011	120MM MORTAR, ALL TYPES	83,003	83,003
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	168,101	168,101
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	39,341	39,341
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	211,442	290,842
	Realignment of EDI APS Unit Set from OCO to Base		[79,400]
015	PROJ 155MM EXTENDED RANGE M982	100,906	152,606
	Realignment of EDI APS Unit Set from OCO to Base		[51,700]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	236,677	268,577
	Forward financed in the FY18 Omnibus		[–15,000]
	Program decrease		[–2,000]
	Realignment of EDI APS Unit Set from OCO to Base		[48,900]
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	15,905	15,905
	ROCKETS		
018	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	4,503	31,745
	Army UFR: bunker defeat munitions		[25,000]
	Realignment of EDI APS Unit Set from OCO to Base		[2,242]
019	ROCKET, HYDRA 70, ALL TYPES	211,211	241,211
	Army UFR: additional HYDRA rockets		[30,000]
	OTHER AMMUNITION		
020	CAD/PAD, ALL TYPES	10,428	10,428
021	DEMOLITION MUNITIONS, ALL TYPES	44,656	44,661
	Realignment of EDI APS Unit Set from OCO to Base		[5]
022	GRENADES, ALL TYPES	19,896	19,904
	Realignment of EDI APS Unit Set from OCO to Base		[8]
023	SIGNALS, ALL TYPES	10,121	10,121
024	SIMULATORS, ALL TYPES	11,464	11,464
	MISCELLANEOUS		
025	AMMO COMPONENTS, ALL TYPES	5,224	5,224
026	NON-LETHAL AMMUNITION, ALL TYPES	4,310	4,310
027	ITEMS LESS THAN $5 MILLION (AMMO)	11,193	11,259
	Realignment of EDI APS Unit Set from OCO to Base		[66]
028	AMMUNITION PECULIAR EQUIPMENT	10,500	10,500
029	FIRST DESTINATION TRANSPORTATION (AMMO)	18,456	18,456
030	CLOSEOUT LIABILITIES	100	100
	PRODUCTION BASE SUPPORT		
032	INDUSTRIAL FACILITIES	394,133	394,133
033	CONVENTIONAL MUNITIONS DEMILITARIZATION	157,535	157,535
034	ARMS INITIATIVE	3,771	3,771
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,234,761**	**2,484,422**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	16,512	16,512
002	SEMITRAILERS, FLATBED:	16,951	24,951
	Realignment of EDI APS Unit Set from OCO to Base		[8,000]
003	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	50,123	70,893
	Realignment of EDI APS Unit Set from OCO to Base		[20,770]
004	GROUND MOBILITY VEHICLES (GMV)	46,988	36,988
	Unobligated Balances		[–10,000]
005	ARNG HMMWV MODERNIZATION PROGRAM		25,000
	Additional HMMWVs		[25,000]
006	JOINT LIGHT TACTICAL VEHICLE	1,319,436	1,319,436
007	TRUCK, DUMP, 20T (CCE)	6,480	6,480
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	132,882	132,882
009	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	14,842	14,842
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	138,105	253,505
	Realignment of EDI APS Unit Set from OCO to Base		[115,400]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	31,892	38,574
	Realignment of EDI APS Unit Set from OCO to Base		[6,682]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	38,128	88,128
	Realignment of EDI APS Unit Set from OCO to Base		[50,000]
014	MODIFICATION OF IN SVC EQUIP	78,507	78,884
	Realignment of EDI APS Unit Set from OCO to Base		[377]
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS		27,000
	SFAB emerging requirements		[27,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	NON-TACTICAL VEHICLES		
016	HEAVY ARMORED VEHICLE	790	790
017	PASSENGER CARRYING VEHICLES	1,390	1,390
018	NONTACTICAL VEHICLES, OTHER	15,415	15,415
	COMM—JOINT COMMUNICATIONS		
020	SIGNAL MODERNIZATION PROGRAM	150,777	150,777
021	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	469,117	533,117
	Additional TCN-L, NOSC-L, and next generation embedded kits for IBCTs and SBCTs		[64,000]
022	SITUATION INFORMATION TRANSPORT	62,727	62,727
023	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	13,895	13,895
024	JCSE EQUIPMENT (USREDCOM)	4,866	4,866
	COMM—SATELLITE COMMUNICATIONS		
027	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	108,133	108,133
028	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	56,737	56,737
029	SHF TERM	13,100	13,100
030	SMART-T (SPACE)	9,160	9,160
031	GLOBAL BRDCST SVC—GBS	25,647	25,647
032	ENROUTE MISSION COMMAND (EMC)	37,401	37,401
	COMM—C3 SYSTEM		
036	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	20,500	20,500
	COMM—COMBAT COMMUNICATIONS		
037	JOINT TACTICAL RADIO SYSTEM		1,560
	Realignment of EDI APS Unit Set from OCO to Base		[1,560]
038	HANDHELD MANPACK SMALL FORM FIT (HMS)	351,565	351,565
040	RADIO TERMINAL SET, MIDS LVT(2)	4,641	4,641
041	TRACTOR DESK	2,187	2,187
042	TRACTOR RIDE	9,411	22,611
	Army UFR: program increase		[13,200]
044	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	17,515	17,515
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	819	819
046	UNIFIED COMMAND SUITE	17,807	17,807
047	COTS COMMUNICATIONS EQUIPMENT	191,835	208,835
	Program decrease		[–5,000]
	Realignment of EDI APS Unit Set from OCO to Base		[22,000]
048	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	25,177	25,177
	COMM—INTELLIGENCE COMM		
050	CI AUTOMATION ARCHITECTURE (MIP)	9,740	9,740
051	DEFENSE MILITARY DECEPTION INITIATIVE	2,667	2,667
	INFORMATION SECURITY		
053	FAMILY OF BIOMETRICS	8,319	8,319
054	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	2,000	2,000
055	COMMUNICATIONS SECURITY (COMSEC)	88,337	88,340
	Realignment of EDI APS Unit Set from OCO to Base		[3]
056	DEFENSIVE CYBER OPERATIONS	51,343	51,343
057	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	330	330
058	PERSISTENT CYBER TRAINING ENVIRONMENT	3,000	3,000
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	34,434	34,434
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	95,558	95,558
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,736	4,736
062	HOME STATION MISSION COMMAND CENTERS (HSMCC)	24,479	24,479
063	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	216,433	225,483
	Realignment of EDI APS Unit Set from OCO to Base		[9,050]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
066	JTT/CIBS-M (MIP)	10,268	10,268
068	DCGS-A (MIP)	261,863	261,863
069	JOINT TACTICAL GROUND STATION (JTAGS) (MIP)	5,434	5,434
070	TROJAN (MIP)	20,623	21,223
	Realignment of EDI APS Unit Set from OCO to Base		[600]
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	45,998	45,998
072	CI HUMINT AUTO REPRTING & COLL(CHARCS)(MIP)	296	296
076	ITEMS LESS THAN $5.0M (MIP)	410	410
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
077	LIGHTWEIGHT COUNTER MORTAR RADAR	9,165	9,165
078	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	5,875	5,875
079	AIR VIGILANCE (AV) (MIP)	8,497	8,497
083	CI MODERNIZATION (MIP)	486	486
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
084	SENTINEL MODS	79,629	79,629
085	NIGHT VISION DEVICES	153,180	153,266
	Realignment of EDI APS Unit Set from OCO to Base		[86]
086	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM		2,861
	Realignment of EDI APS Unit Set from OCO to Base		[2,861]
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	22,882	22,882
088	RADIATION MONITORING SYSTEMS	17,393	17,404
	Realignment of EDI APS Unit Set from OCO to Base		[11]
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	46,740	47,002
	Realignment of EDI APS Unit Set from OCO to Base		[262]
091	FAMILY OF WEAPON SIGHTS (FWS)	140,737	131,962
	Realignment of EDI APS Unit Set from OCO to Base		[525]
	Unexecutable funds		[–9,300]
093	PROFILER	171	171

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Line	Item	FY 2019 Request	House Authorized
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	405,239	431,385
	Realignment of EDI APS Unit Set from OCO to Base		[26,146]
095	JOINT EFFECTS TARGETING SYSTEM (JETS)	66,574	66,574
096	MOD OF IN-SVC EQUIP (LLDR)	20,783	24,833
	Realignment of EDI APS Unit Set from OCO to Base		[4,050]
097	COMPUTER BALLISTICS: LHMBC XM32	8,553	8,553
098	MORTAR FIRE CONTROL SYSTEM	21,489	21,489
099	COUNTERFIRE RADARS	162,121	162,121
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	2,855	2,855
101	FIRE SUPPORT C2 FAMILY	19,153	19,153
102	AIR & MSL DEFENSE PLANNING & CONTROL SYS	33,837	33,837
103	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,136	5,136
104	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,329	18,329
105	MANEUVER CONTROL SYSTEM (MCS)	38,015	38,015
106	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	15,164	15,164
107	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	29,239	29,239
109	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	6,823	6,823
110	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,177	1,177
	ELECT EQUIP—AUTOMATION		
111	ARMY TRAINING MODERNIZATION	12,265	12,265
112	AUTOMATED DATA PROCESSING EQUIP	201,875	201,875
113	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	10,976	10,976
114	HIGH PERF COMPUTING MOD PGM (HPCMP)	66,330	66,330
115	CONTRACT WRITING SYSTEM	5,927	5,927
116	RESERVE COMPONENT AUTOMATION SYS (RCAS)	27,896	27,896
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	TACTICAL DIGITAL MEDIA	4,392	4,392
118	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	1,970	1,970
	ELECT EQUIP—SUPPORT		
119	PRODUCTION BASE SUPPORT (C-E)	506	506
	CLASSIFIED PROGRAMS		
120A	CLASSIFIED PROGRAMS	4,501	4,501
	CHEMICAL DEFENSIVE EQUIPMENT		
121	PROTECTIVE SYSTEMS	2,314	2,341
	Realignment of EDI APS Unit Set from OCO to Base		[27]
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	7,478	7,478
124	CBRN DEFENSE	173,954	174,271
	Realignment of EDI APS Unit Set from OCO to Base		[317]
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	98,229	98,229
126	TACTICAL BRIDGE, FLOAT-RIBBON	64,438	64,438
127	COMMON BRIDGE TRANSPORTER (CBT) RECAP	79,916	79,916
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
128	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	8,471	8,471
129	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	29,883	29,883
130	AREA MINE DETECTION SYSTEM (AMDS)	11,594	11,595
	Realignment of EDI APS Unit Set from OCO to Base		[1]
131	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	40,834	40,834
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	4,029	4,029
133	EOD ROBOTICS SYSTEMS RECAPITALIZATION	14,208	14,208
134	ROBOTICS AND APPLIQUE SYSTEMS	31,456	31,456
136	REMOTE DEMOLITION SYSTEMS	1,748	1,749
	Realignment of EDI APS Unit Set from OCO to Base		[1]
137	< $5M, COUNTERMINE EQUIPMENT	7,829	7,829
138	FAMILY OF BOATS AND MOTORS	5,806	5,806
	COMBAT SERVICE SUPPORT EQUIPMENT		
139	HEATERS AND ECU'S	9,852	9,852
140	SOLDIER ENHANCEMENT	1,103	1,103
141	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,875	5,875
142	GROUND SOLDIER SYSTEM	92,487	92,487
143	MOBILE SOLDIER POWER	30,774	30,774
145	FIELD FEEDING EQUIPMENT	17,521	17,521
146	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	44,855	44,855
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	17,173	17,173
148	ITEMS LESS THAN $5M (ENG SPT)	2,000	2,000
	PETROLEUM EQUIPMENT		
149	QUALITY SURVEILLANCE EQUIPMENT	1,770	1,770
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	39,730	39,730
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	57,752	77,752
	Simulators and other technologies to reduce the use of live animal tissue for medical training		[20,000]
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	37,722	37,722
153	ITEMS LESS THAN $5.0M (MAINT EQ)	4,985	5,253
	Realignment of EDI APS Unit Set from OCO to Base		[268]
	CONSTRUCTION EQUIPMENT		
155	SCRAPERS, EARTHMOVING	7,961	7,961
156	HYDRAULIC EXCAVATOR	1,355	1,355
158	ALL TERRAIN CRANES	13,031	13,031
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	46,048	46,048
160	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	980	8,480
	Program increase—additional ERACC systems		[7,500]

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Line	Item	FY 2019 Request	House Authorized
161	CONST EQUIP ESP	37,017	37,017
162	ITEMS LESS THAN $5.0M (CONST EQUIP)	6,103	6,103
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
163	ARMY WATERCRAFT ESP	27,711	27,711
164	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	8,385	8,385
	GENERATORS		
165	GENERATORS AND ASSOCIATED EQUIP	133,772	133,772
166	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,333	8,333
	MATERIAL HANDLING EQUIPMENT		
167	FAMILY OF FORKLIFTS	12,901	12,901
	TRAINING EQUIPMENT		
168	COMBAT TRAINING CENTERS SUPPORT	123,228	123,228
169	TRAINING DEVICES, NONSYSTEM	228,598	228,598
170	CLOSE COMBAT TACTICAL TRAINER	33,080	33,080
171	AVIATION COMBINED ARMS TACTICAL TRAINER	32,700	32,700
172	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	25,161	25,161
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
173	CALIBRATION SETS EQUIPMENT	4,270	4,270
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	76,295	85,790
	Realignment of EDI APS Unit Set from OCO to Base		[9,495]
175	TEST EQUIPMENT MODERNIZATION (TEMOD)	9,806	9,806
	OTHER SUPPORT EQUIPMENT		
176	M25 STABILIZED BINOCULAR	4,368	4,401
	Realignment of EDI APS Unit Set from OCO to Base		[33]
177	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	9,879	9,879
178	PHYSICAL SECURITY SYSTEMS (OPA3)	54,043	54,043
179	BASE LEVEL COMMON EQUIPMENT	6,633	6,633
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	49,797	49,797
181	PRODUCTION BASE SUPPORT (OTH)	2,301	2,301
182	SPECIAL EQUIPMENT FOR USER TESTING	11,608	11,608
183	TRACTOR YARD	4,956	4,956
	OPA2		
184	INITIAL SPARES—C&E	9,817	9,817
	TOTAL OTHER PROCUREMENT, ARMY	**7,999,529**	**8,410,454**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A–18E/F (FIGHTER) HORNET	1,937,553	1,907,553
	Excess NRE and Support Costs		[–30,000]
002	ADVANCE PROCUREMENT (CY)	58,799	58,799
003	JOINT STRIKE FIGHTER CV	1,144,958	1,132,058
	Production Effiencies		[–12,900]
004	ADVANCE PROCUREMENT (CY)	140,010	140,010
005	JSF STOVL	2,312,847	2,276,547
	Production Efficiences		[–36,300]
006	ADVANCE PROCUREMENT (CY)	228,492	228,492
007	CH–53K (HEAVY LIFT)	1,113,804	1,089,804
	Support cost growth		[–24,000]
008	ADVANCE PROCUREMENT (CY)	161,079	161,079
009	V–22 (MEDIUM LIFT)	806,337	806,337
010	ADVANCE PROCUREMENT (CY)	36,955	36,955
011	H–1 UPGRADES (UH–1Y/AH–1Z)	820,755	820,755
014	P–8A POSEIDON	1,803,753	1,777,753
	Excessive CFE Electronics cost growth		[–5,000]
	Excessive GFE Electronics cost growth		[–1,000]
	Excessive support cost growth		[–20,000]
015	ADVANCE PROCUREMENT (CY)	180,000	180,000
016	E–2D ADV HAWKEYE	742,693	726,393
	Excessive CFE cost growth		[–5,800]
	Excessive Non-reoccurring cost growth		[–2,900]
	Excessive Other ILS cost growth		[–1,700]
	Excessive peculiar equipment cost growth		[–5,900]
017	ADVANCE PROCUREMENT (CY)	240,734	240,734
	AIRLIFT AIRCRAFT		
018	C–40A	206,000	0
	Forward financed in the FY18 Omnibus		[–206,000]
	OTHER AIRCRAFT		
020	KC–130J	160,433	160,433
021	ADVANCE PROCUREMENT (CY)	110,013	110,013
022	MQ–4 TRITON	568,743	544,793
	Unit and support cost growth		[–23,950]
023	ADVANCE PROCUREMENT (CY)	58,522	58,522
024	MQ–8 UAV	54,761	54,761
025	STUASL0 UAV	14,866	14,866
026	VH–92A EXECUTIVE HELO	649,015	649,015
	MODIFICATION OF AIRCRAFT		
027	AEA SYSTEMS	25,277	25,277
028	AV–8 SERIES	58,577	58,577
029	ADVERSARY	14,606	14,606
030	F–18 SERIES	1,213,482	1,210,982
	Program decrease		[–2,500]
031	H–53 SERIES	70,997	70,997
032	SH–60 SERIES	130,661	130,661

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Line	Item	FY 2019 Request	House Authorized
033	H–1 SERIES	87,143	87,143
034	EP–3 SERIES	3,633	3,633
035	P–3 SERIES	803	803
036	E–2 SERIES	88,780	88,780
037	TRAINER A/C SERIES	11,660	11,660
038	C–2A	11,327	11,327
039	C–130 SERIES	79,075	79,075
040	FEWSG	597	597
041	CARGO/TRANSPORT A/C SERIES	8,932	8,932
042	E–6 SERIES	181,821	181,821
043	EXECUTIVE HELICOPTERS SERIES	23,566	23,566
044	SPECIAL PROJECT AIRCRAFT	7,620	7,620
045	T–45 SERIES	195,475	195,475
046	POWER PLANT CHANGES	21,521	21,521
047	JPATS SERIES	27,644	27,644
048	AVIATION LIFE SUPPORT MODS	15,864	15,864
049	COMMON ECM EQUIPMENT	166,306	191,306
	Navy UFR: F/A–18E/F Super Hornet Adaptive RADAR countermeasures		[25,000]
050	COMMON AVIONICS CHANGES	117,551	112,551
	Program decrease		[–5,000]
051	COMMON DEFENSIVE WEAPON SYSTEM	1,994	1,994
052	ID SYSTEMS	40,696	40,696
053	P–8 SERIES	71,251	71,251
054	MAGTF EW FOR AVIATION	11,590	11,590
055	MQ–8 SERIES	37,907	37,907
057	V–22 (TILT/ROTOR ACFT) OSPREY	214,820	214,820
058	NEXT GENERATION JAMMER (NGJ)	952	952
059	F–35 STOVL SERIES	36,618	36,618
060	F–35 CV SERIES	21,236	21,236
061	QRC	101,499	101,499
062	MQ–4 SERIES	48,278	48,278
063	RQ–21 SERIES	6,904	6,904
	AIRCRAFT SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS	1,792,920	1,832,920
	F–35B Spares		[40,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
065	COMMON GROUND EQUIPMENT	421,606	411,606
	Program decrease		[–10,000]
066	AIRCRAFT INDUSTRIAL FACILITIES	24,496	24,496
067	WAR CONSUMABLES	42,108	42,108
068	OTHER PRODUCTION CHARGES	1,444	1,444
069	SPECIAL SUPPORT EQUIPMENT	49,489	49,489
070	FIRST DESTINATION TRANSPORTATION	1,951	1,951
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**19,041,799**	**18,713,849**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,078,750	1,078,750
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	6,998	6,998
	STRATEGIC MISSILES		
003	TOMAHAWK	98,570	213,370
	Forward financed in the FY18 Omnibus		[–81,000]
	Program Increase—198 missile		[216,000]
	Shutdown costs early to need		[–20,200]
	TACTICAL MISSILES		
004	AMRAAM	211,058	211,058
005	SIDEWINDER	77,927	122,927
	Navy UFR: additional AIM 9–X missiles		[45,000]
006	JSOW	1,330	1,330
007	STANDARD MISSILE	490,210	490,210
008	ADVANCE PROCUREMENT (CY)	125,683	125,683
009	SMALL DIAMETER BOMB II	91,272	91,272
010	RAM	96,221	93,921
	Excess Production Support		[–2,300]
011	JOINT AIR GROUND MISSILE (JAGM)	24,109	24,109
014	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	11,378	11,378
015	AERIAL TARGETS	137,137	137,137
016	OTHER MISSILE SUPPORT	3,318	3,318
017	LRASM	81,190	111,190
	Navy Unfunded Requirement		[30,000]
018	LCS OTH MISSILE	18,156	18,156
	MODIFICATION OF MISSILES		
019	ESSM	98,384	96,384
	Excess Production Support		[–2,000]
020	HARPOON MODS	14,840	14,840
021	HARM MODS	187,985	187,985
	SUPPORT EQUIPMENT & FACILITIES		
023	WEAPONS INDUSTRIAL FACILITIES	2,006	2,006
024	FLEET SATELLITE COMM FOLLOW-ON	66,779	66,779
	ORDNANCE SUPPORT EQUIPMENT		
025	ORDNANCE SUPPORT EQUIPMENT	62,008	62,008
	TORPEDOES AND RELATED EQUIP		

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Line	Item	FY 2019 Request	House Authorized
026	SSTD	6,353	6,353
027	MK–48 TORPEDO	92,616	103,616
	Navy Unfunded Requirement		[11,000]
028	ASW TARGETS	12,324	12,324
	MOD OF TORPEDOES AND RELATED EQUIP		
029	MK–54 TORPEDO MODS	105,946	95,446
	HAAWC unit cost growth		[–6,500]
	Non Recurring Engineering excess growth		[–4,000]
030	MK–48 TORPEDO ADCAP MODS	40,005	40,005
031	QUICKSTRIKE MINE	9,758	9,758
	SUPPORT EQUIPMENT		
032	TORPEDO SUPPORT EQUIPMENT	79,371	79,371
033	ASW RANGE SUPPORT	3,872	3,872
	DESTINATION TRANSPORTATION		
034	FIRST DESTINATION TRANSPORTATION	3,726	3,726
	GUNS AND GUN MOUNTS		
035	SMALL ARMS AND WEAPONS	15,067	15,067
	MODIFICATION OF GUNS AND GUN MOUNTS		
036	CIWS MODS	63,318	63,318
037	COAST GUARD WEAPONS	40,823	40,823
038	GUN MOUNT MODS	74,618	74,618
039	LCS MODULE WEAPONS	11,350	5,550
	Mission Module Early to need		[–5,800]
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS	22,249	22,249
	SPARES AND REPAIR PARTS		
043	SPARES AND REPAIR PARTS	135,688	130,688
	Unjustified program cost growth		[–5,000]
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,702,393**	**3,877,593**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	79,871	79,871
002	JDAM	87,900	87,900
003	AIRBORNE ROCKETS, ALL TYPES	151,431	151,431
004	MACHINE GUN AMMUNITION	11,344	11,344
005	PRACTICE BOMBS	49,471	49,471
006	CARTRIDGES & CART ACTUATED DEVICES	56,227	56,227
007	AIR EXPENDABLE COUNTERMEASURES	66,382	66,382
008	JATOS	2,907	2,907
009	5 INCH/54 GUN AMMUNITION	72,657	72,657
010	INTERMEDIATE CALIBER GUN AMMUNITION	33,613	33,613
011	OTHER SHIP GUN AMMUNITION	42,142	42,142
012	SMALL ARMS & LANDING PARTY AMMO	49,888	49,888
013	PYROTECHNIC AND DEMOLITION	10,931	10,931
015	AMMUNITION LESS THAN $5 MILLION	1,106	1,106
	MARINE CORPS AMMUNITION		
019	MORTARS	28,266	28,266
021	DIRECT SUPPORT MUNITIONS	63,664	63,664
022	INFANTRY WEAPONS AMMUNITION	59,295	59,295
026	COMBAT SUPPORT MUNITIONS	31,577	31,577
028	AMMO MODERNIZATION	15,001	15,001
029	ARTILLERY MUNITIONS	86,297	86,297
030	ITEMS LESS THAN $5 MILLION	6,239	6,239
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**1,006,209**	**1,006,209**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	ADVANCE PROCUREMENT (CY)	3,005,330	3,088,030
	Accelerated Advance Procurement		[150,000]
	Forward financed in the FY18 Omnibus for the foundry propeller center		[–19,000]
	Ordnance Early to Need		[–48,300]
	OTHER WARSHIPS		
002	CARRIER REPLACEMENT PROGRAM	1,598,181	1,549,081
	Authorize CVN81—One ship		
	Excess change order rate		[–49,100]
004	VIRGINIA CLASS SUBMARINE	4,373,382	5,311,382
	EOQ AP for submarine in FY 2022 and 2023		[1,003,000]
	Excess change order rate		[–20,000]
	Forward financed in the FY18 Omnibus		[–45,000]
005	ADVANCE PROCUREMENT (CY)	2,796,401	2,796,401
007	ADVANCE PROCUREMENT (CY)	449,597	449,597
008	DDG 1000	270,965	270,965
009	DDG–51	5,253,327	4,941,327
	DDG Flight III Multiyear Procurement Savings		[–150,000]
	Excessive Basic Construction Unit Cost Growth		[–162,000]
010	ADVANCE PROCUREMENT (CY)	391,928	391,928
011	LITTORAL COMBAT SHIP	646,244	1,596,244
	Program Increase—Two ships		[950,000]
	AMPHIBIOUS SHIPS		
012A	ADVANCE PROCUREMENT (CY)		150,000
	EOQ for LPD Flight II Multi-year Procurement		[150,000]
013	EXPEDITIONARY SEA BASE (ESB)	650,000	630,000
	Accelerated contracts learning curve		[–20,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
016	TAO FLEET OILER	977,104	957,104
	Accelerated contracts learning curve		[–20,000]
017	ADVANCE PROCUREMENT (CY)	75,046	75,046
018	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	80,517	75,517
	Accelerated contracts learning curve		[–5,000]
020	LCU 1700	41,520	41,520
021	OUTFITTING	634,038	589,038
	Outfitting and Post Delivery early to need		[–45,000]
022	SHIP TO SHORE CONNECTOR	325,375	507,875
	Program Increase—Three vessels		[182,500]
023	SERVICE CRAFT	72,062	72,062
024	LCAC SLEP	23,321	23,321
028	COMPLETION OF PY SHIPBUILDING PROGRAMS	207,099	207,099
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**21,871,437**	**23,723,537**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	19,700	19,700
	GENERATORS		
003	SURFACE COMBATANT HM&E	23,495	23,495
	NAVIGATION EQUIPMENT		
004	OTHER NAVIGATION EQUIPMENT	63,330	63,330
	OTHER SHIPBOARD EQUIPMENT		
005	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	178,421	178,421
006	DDG MOD	487,999	591,199
	AWS Installation Unit Cost Growth		[–4,800]
	Navy Unfunded Requirement		[43,000]
	Program Increase—One additional Combat System		[65,000]
007	FIREFIGHTING EQUIPMENT	28,143	28,143
008	COMMAND AND CONTROL SWITCHBOARD	2,248	2,248
009	LHA/LHD MIDLIFE	37,694	37,694
010	POLLUTION CONTROL EQUIPMENT	20,883	20,883
011	SUBMARINE SUPPORT EQUIPMENT	37,155	37,155
012	VIRGINIA CLASS SUPPORT EQUIPMENT	66,328	66,328
013	LCS CLASS SUPPORT EQUIPMENT	47,241	47,241
014	SUBMARINE BATTERIES	27,987	27,987
015	LPD CLASS SUPPORT EQUIPMENT	65,033	65,033
016	DDG 1000 CLASS SUPPORT EQUIPMENT	89,700	89,700
017	STRATEGIC PLATFORM SUPPORT EQUIP	22,254	22,254
018	DSSP EQUIPMENT	3,629	3,629
019	CG MODERNIZATION	276,446	272,546
	Integrated Ship Controls Unit Cost Growth		[–3,900]
020	LCAC	3,709	3,709
021	UNDERWATER EOD PROGRAMS	78,807	48,407
	Insufficient transition strategy		[–30,400]
022	ITEMS LESS THAN $5 MILLION	126,865	126,865
023	CHEMICAL WARFARE DETECTORS	2,966	2,966
024	SUBMARINE LIFE SUPPORT SYSTEM	11,968	11,968
	REACTOR PLANT EQUIPMENT		
025	REACTOR POWER UNITS	346,325	0
	Early to need		[–346,325]
026	REACTOR COMPONENTS	497,063	497,063
	OCEAN ENGINEERING		
027	DIVING AND SALVAGE EQUIPMENT	10,706	10,706
	SMALL BOATS		
028	STANDARD BOATS	49,771	49,771
	PRODUCTION FACILITIES EQUIPMENT		
029	OPERATING FORCES IPE	225,181	225,181
	OTHER SHIP SUPPORT		
031	LCS COMMON MISSION MODULES EQUIPMENT	46,732	46,732
032	LCS MCM MISSION MODULES	124,147	124,147
033	LCS ASW MISSION MODULES	57,294	7,394
	Late test event for VDS and MFTA		[–49,900]
034	LCS SUW MISSION MODULES	26,006	15,006
	Surface to Surface MM Early to need		[–11,000]
035	LCS IN-SERVICE MODERNIZATION	70,526	70,526
	LOGISTIC SUPPORT		
036	LSD MIDLIFE & MODERNIZATION	4,784	4,784
	SHIP SONARS		
037	SPQ–9B RADAR	20,309	20,309
038	AN/SQQ–89 SURF ASW COMBAT SYSTEM	115,459	115,459
039	SSN ACOUSTIC EQUIPMENT	318,189	318,189
040	UNDERSEA WARFARE SUPPORT EQUIPMENT	10,134	10,134
	ASW ELECTRONIC EQUIPMENT		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM	23,815	23,815
042	SSTD	11,277	11,277
043	FIXED SURVEILLANCE SYSTEM	237,780	207,780
	Forward financed in the FY18 Omnibus		[–30,000]
044	SURTASS	57,872	47,872
	Forward financed in the FY18 Omnibus for SURTASS-E		[–10,000]
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ–32	420,344	397,244

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(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	Excess Ship Installation Unit Cost Growth		[–23,100]
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	220,883	220,883
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,028	4,028
	OTHER SHIP ELECTRONIC EQUIPMENT		
048	COOPERATIVE ENGAGEMENT CAPABILITY	44,173	42,573
	Excess Production Engineering Support		[–1,600]
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	10,991	10,991
050	ATDLS	34,526	34,526
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,769	3,769
052	MINESWEEPING SYSTEM REPLACEMENT	35,709	35,709
053	SHALLOW WATER MCM	8,616	8,616
054	NAVSTAR GPS RECEIVERS (SPACE)	10,703	10,703
055	AMERICAN FORCES RADIO AND TV SERVICE	2,626	2,626
056	STRATEGIC PLATFORM SUPPORT EQUIP	9,467	9,467
	AVIATION ELECTRONIC EQUIPMENT		
057	ASHORE ATC EQUIPMENT	70,849	70,849
058	AFLOAT ATC EQUIPMENT	47,890	47,890
059	ID SYSTEMS	26,163	26,163
060	JOINT PRECISION APPROACH AND LANDING SYSTEM (	38,094	38,094
061	NAVAL MISSION PLANNING SYSTEMS	11,966	11,966
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	TACTICAL/MOBILE C4I SYSTEMS	42,010	42,010
063	DCGS-N	12,896	12,896
064	CANES	423,027	423,027
065	RADIAC	8,175	8,175
066	CANES-INTELL	54,465	54,465
067	GPETE	5,985	5,985
068	MASF	5,413	5,413
069	INTEG COMBAT SYSTEM TEST FACILITY	6,251	6,251
070	EMI CONTROL INSTRUMENTATION	4,183	4,183
071	ITEMS LESS THAN $5 MILLION	148,350	148,350
	SHIPBOARD COMMUNICATIONS		
072	SHIPBOARD TACTICAL COMMUNICATIONS	45,450	45,450
073	SHIP COMMUNICATIONS AUTOMATION	105,087	105,087
074	COMMUNICATIONS ITEMS UNDER $5M	41,123	41,123
	SUBMARINE COMMUNICATIONS		
075	SUBMARINE BROADCAST SUPPORT	30,897	30,897
076	SUBMARINE COMMUNICATION EQUIPMENT	78,580	78,580
	SATELLITE COMMUNICATIONS		
077	SATELLITE COMMUNICATIONS SYSTEMS	41,205	41,205
078	NAVY MULTIBAND TERMINAL (NMT)	113,885	113,885
	SHORE COMMUNICATIONS		
079	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,292	4,292
	CRYPTOGRAPHIC EQUIPMENT		
080	INFO SYSTEMS SECURITY PROGRAM (ISSP)	153,526	153,526
081	MIO INTEL EXPLOITATION TEAM	951	951
	CRYPTOLOGIC EQUIPMENT		
082	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,209	14,209
	OTHER ELECTRONIC SUPPORT		
086	COAST GUARD EQUIPMENT	40,713	40,713
	SONOBUOYS		
088	SONOBUOYS—ALL TYPES	177,891	216,191
	Navy Unfunded Requirement		[38,300]
	AIRCRAFT SUPPORT EQUIPMENT		
089	WEAPONS RANGE SUPPORT EQUIPMENT	93,864	93,864
090	AIRCRAFT SUPPORT EQUIPMENT	111,724	111,724
091	ADVANCED ARRESTING GEAR (AAG)	11,054	11,054
092	METEOROLOGICAL EQUIPMENT	21,072	21,072
093	DCRS/DPL	656	656
094	AIRBORNE MINE COUNTERMEASURES	11,299	11,299
095	LAMPS EQUIPMENT	594	594
096	AVIATION SUPPORT EQUIPMENT	39,374	39,374
097	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	35,405	35,405
	SHIP GUN SYSTEM EQUIPMENT		
098	SHIP GUN SYSTEMS EQUIPMENT	5,337	5,337
	SHIP MISSILE SYSTEMS EQUIPMENT		
099	SHIP MISSILE SUPPORT EQUIPMENT	213,090	208,090
	Unjustified Stalker Growth		[–5,000]
100	TOMAHAWK SUPPORT EQUIPMENT	92,890	92,890
	FBM SUPPORT EQUIPMENT		
101	STRATEGIC MISSILE SYSTEMS EQUIP	271,817	271,817
	ASW SUPPORT EQUIPMENT		
102	SSN COMBAT CONTROL SYSTEMS	129,501	124,001
	Excessive Unit Cost Growth for Install		[–5,500]
103	ASW SUPPORT EQUIPMENT	19,436	19,436
	OTHER ORDNANCE SUPPORT EQUIPMENT		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	14,258	14,258
105	ITEMS LESS THAN $5 MILLION	5,378	5,378
	OTHER EXPENDABLE ORDNANCE		
106	SUBMARINE TRAINING DEVICE MODS	65,543	65,543
107	SURFACE TRAINING EQUIPMENT	230,425	230,425
	CIVIL ENGINEERING SUPPORT EQUIPMENT		

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Line	Item	FY 2019 Request	House Authorized
108	PASSENGER CARRYING VEHICLES	4,867	4,867
109	GENERAL PURPOSE TRUCKS	2,674	2,674
110	CONSTRUCTION & MAINTENANCE EQUIP	20,994	20,994
111	FIRE FIGHTING EQUIPMENT	17,189	17,189
112	TACTICAL VEHICLES	19,916	19,916
113	AMPHIBIOUS EQUIPMENT	7,400	7,400
114	POLLUTION CONTROL EQUIPMENT	2,713	2,713
115	ITEMS UNDER $5 MILLION	35,540	35,540
116	PHYSICAL SECURITY VEHICLES	1,155	1,155
	SUPPLY SUPPORT EQUIPMENT		
117	SUPPLY EQUIPMENT	18,786	18,786
118	FIRST DESTINATION TRANSPORTATION	5,375	5,375
119	SPECIAL PURPOSE SUPPLY SYSTEMS	580,371	580,371
	TRAINING DEVICES		
120	TRAINING SUPPORT EQUIPMENT	3,400	3,400
121	TRAINING AND EDUCATION EQUIPMENT	24,283	22,183
	Excess Production Support		[–2,100]
	COMMAND SUPPORT EQUIPMENT		
122	COMMAND SUPPORT EQUIPMENT	66,681	66,681
123	MEDICAL SUPPORT EQUIPMENT	3,352	3,352
125	NAVAL MIP SUPPORT EQUIPMENT	1,984	1,984
126	OPERATING FORCES SUPPORT EQUIPMENT	15,131	15,131
127	C4ISR EQUIPMENT	3,576	3,576
128	ENVIRONMENTAL SUPPORT EQUIPMENT	31,902	31,902
129	PHYSICAL SECURITY EQUIPMENT	175,436	175,436
130	ENTERPRISE INFORMATION TECHNOLOGY	25,393	25,393
	OTHER		
133	NEXT GENERATION ENTERPRISE SERVICE	96,269	96,269
	CLASSIFIED PROGRAMS		
133A	CLASSIFIED PROGRAMS	15,681	15,681
	SPARES AND REPAIR PARTS		
134	SPARES AND REPAIR PARTS	326,838	326,838
	TOTAL OTHER PROCUREMENT, NAVY	**9,414,355**	**9,037,030**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	156,249	136,249
	Program reduction		[–20,000]
002	AMPHIBIOUS COMBAT VEHICLE 1.1	167,478	167,478
003	LAV PIP	43,701	43,701
	ARTILLERY AND OTHER WEAPONS		
005	155MM LIGHTWEIGHT TOWED HOWITZER	47,158	47,158
006	ARTILLERY WEAPONS SYSTEM	134,246	134,246
007	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	40,687	40,687
	OTHER SUPPORT		
008	MODIFICATION KITS	22,904	22,904
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	18,334	18,334
010	ANTI-ARMOR MISSILE-JAVELIN	3,020	3,020
011	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	13,760	13,760
012	ANTI-ARMOR MISSILE-TOW	59,702	59,702
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,467	35,467
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	46,081	41,481
	Program Reduction		[–4,600]
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	971	971
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
016	ITEMS UNDER $5 MILLION (COMM & ELEC)	69,203	62,203
	Program Reduction		[–7,000]
017	AIR OPERATIONS C2 SYSTEMS	14,269	14,269
	RADAR + EQUIPMENT (NON-TEL)		
018	RADAR SYSTEMS	6,694	6,694
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	224,969	224,969
	INTELL/COMM EQUIPMENT (NON-TEL)		
021	GCSS-MC	1,187	1,187
022	FIRE SUPPORT SYSTEM	60,189	60,189
023	INTELLIGENCE SUPPORT EQUIPMENT	73,848	67,848
	Unjustified request for TSCS Inc 1		[–6,000]
025	UNMANNED AIR SYSTEMS (INTEL)	3,848	3,848
026	DCGS-MC	16,081	16,081
	OTHER SUPPORT (NON-TEL)		
030	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	87,120	87,120
031	COMMON COMPUTER RESOURCES	68,914	68,914
032	COMMAND POST SYSTEMS	124,838	124,838
033	RADIO SYSTEMS	279,680	264,680
	Program reduction		[–15,000]
034	COMM SWITCHING & CONTROL SYSTEMS	36,649	36,649
035	COMM & ELEC INFRASTRUCTURE SUPPORT	83,971	83,971
	CLASSIFIED PROGRAMS		
035A	CLASSIFIED PROGRAMS	3,626	3,626
	ADMINISTRATIVE VEHICLES		

SEC. 4101. PROCUREMENT
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Line	Item	FY 2019 Request	House Authorized
036	COMMERCIAL CARGO VEHICLES	25,441	25,441
	TACTICAL VEHICLES		
037	MOTOR TRANSPORT MODIFICATIONS	11,392	11,392
038	JOINT LIGHT TACTICAL VEHICLE	607,011	676,011
	Optimize production profile		[69,000]
039	FAMILY OF TACTICAL TRAILERS	2,393	2,393
040	TRAILERS	6,540	6,540
	ENGINEER AND OTHER EQUIPMENT		
041	ENVIRONMENTAL CONTROL EQUIP ASSORT	496	496
042	TACTICAL FUEL SYSTEMS	54	54
043	POWER EQUIPMENT ASSORTED	21,062	21,062
044	AMPHIBIOUS SUPPORT EQUIPMENT	5,290	5,290
045	EOD SYSTEMS	47,854	47,854
	MATERIALS HANDLING EQUIPMENT		
046	PHYSICAL SECURITY EQUIPMENT	28,306	28,306
	GENERAL PROPERTY		
047	FIELD MEDICAL EQUIPMENT	33,513	33,513
048	TRAINING DEVICES	52,040	52,040
049	FAMILY OF CONSTRUCTION EQUIPMENT	36,156	39,656
	GPS Grade Control Systems (GCS) and Survey Sets		[3,500]
050	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	606	606
	OTHER SUPPORT		
051	ITEMS LESS THAN $5 MILLION	11,608	11,608
	SPARES AND REPAIR PARTS		
053	SPARES AND REPAIR PARTS	25,804	25,804
	TOTAL PROCUREMENT, MARINE CORPS	**2,860,410**	**2,880,310**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	4,261,021	4,177,681
	Production Efficiences		[–83,340]
002	ADVANCE PROCUREMENT (CY)	406,000	406,000
	OTHER COMBAT AIRCRAFT		
003	C–135B	222,176	0
	Ahead of need		[–222,176]
	TACTICAL AIRLIFT		
004	C–130J	35,858	35,858
005	KC–46A TANKER	2,559,911	2,010,911
	Forward financed in the FY18 Omnibus—three aircraft		[–499,000]
	Interim contractor support early to need		[–50,000]
	OTHER AIRLIFT		
007	HC–130J	129,437	129,437
009	MC–130J	770,201	670,201
	Interim supply support costs unjustified growth		[–100,000]
010	ADVANCE PROCUREMENT (CY)	218,000	218,000
	HELICOPTERS		
012	COMBAT RESCUE HELICOPTER	680,201	680,201
	MISSION SUPPORT AIRCRAFT		
014	CIVIL AIR PATROL A/C	2,719	2,719
	OTHER AIRCRAFT		
015	TARGET DRONES	139,053	139,053
016	COMPASS CALL MODS	108,113	108,113
018	MQ–9	221,707	264,507
	Program increase		[42,800]
	STRATEGIC AIRCRAFT		
020	B–2A	60,301	37,301
	MOP modifications excess to need		[–23,000]
021	B–1B	51,290	51,290
022	B–52	105,519	90,819
	Technical adjustment (move to R–173)		[–14,700]
	TACTICAL AIRCRAFT		
024	A–10	98,720	163,720
	Additional A–10 wing replacements		[65,000]
025	C–130J	10,831	10,831
026	F–15	548,109	548,109
027	F–16	324,312	324,312
028	F–16	11	11
029	F–22A	250,710	250,710
031	F–35 MODIFICATIONS	247,271	247,271
032	F–15 EPAW	147,685	214,885
	Eagle Passive Active Warning and Survivability System (EPAWSS)		[67,200]
033	INCREMENT 3.2B	9,007	9,007
035	KC–46A TANKER	8,547	8,547
	AIRLIFT AIRCRAFT		
036	C–5	77,845	77,845
038	C–17A	102,121	102,121
039	C–21	17,516	17,516
040	C–32A	4,537	4,537
041	C–37A	419	419
	TRAINER AIRCRAFT		
043	GLIDER MODS	137	137
044	T–6	22,550	22,550
045	T–1	21,952	21,952

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Line	Item	FY 2019 Request	House Authorized
046	T–38	70,623	70,623
	OTHER AIRCRAFT		
047	U–2 MODS	48,774	48,774
048	KC–10A (ATCA)	11,104	11,104
049	C–12	4,900	4,900
050	VC–25A MOD	36,938	36,938
051	C–40	251	251
052	C–130	22,094	151,094
	Program Increase--eight blade propeller upgrade (88 kits)		[55,000]
	Program Increase--engine enhancement program (88 kits)		[74,000]
053	C–130J MODS	132,045	132,045
054	C–135	113,076	113,076
055	OC–135B	5,913	5,913
056	COMPASS CALL MODS	49,885	49,885
057	COMBAT FLIGHT INSPECTION (CFIN)	499	499
058	RC–135	394,532	394,532
059	E–3	133,906	133,906
060	E–4	67,858	67,858
061	E–8	9,919	9,919
062	AIRBORNE WARNING AND CNTR SYS (AWACS) 40/45	57,780	57,780
063	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	14,293	14,293
064	H–1	2,940	2,940
065	H–60	55,466	55,466
066	RQ–4 MODS	23,715	128,715
	EQ–4 BACN aircraft increase		[105,000]
067	HC/MC–130 MODIFICATIONS	37,754	37,754
068	OTHER AIRCRAFT	62,010	62,010
069	MQ–9 MODS	171,548	171,548
071	CV–22 MODS	60,416	60,416
	AIRCRAFT SPARES AND REPAIR PARTS		
072	INITIAL SPARES/REPAIR PARTS	956,408	1,016,408
	F–35A Spares		[60,000]
	COMMON SUPPORT EQUIPMENT		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	81,241	81,241
	POST PRODUCTION SUPPORT		
076	B–2A	1,763	1,763
077	B–2B	35,861	35,861
078	B–52	12,819	12,819
079	C–17A	10,114	10,114
081	F–15	2,545	2,545
083	F–16	11,718	7,718
	F–16 Line Shutdown		[–4,000]
084	F–22A	14,489	14,489
085	OTHER AIRCRAFT	9,928	9,928
086	RQ–4 POST PRODUCTION CHARGES	40,641	3,341
	RQ–4 Post Production Support		[–37,300]
	INDUSTRIAL PREPAREDNESS		
088	INDUSTRIAL RESPONSIVENESS	17,378	17,378
	WAR CONSUMABLES		
090	WAR CONSUMABLES	29,342	29,342
	OTHER PRODUCTION CHARGES		
091	OTHER PRODUCTION CHARGES	1,502,386	1,393,386
	Classified program adjustment		[–109,000]
	CLASSIFIED PROGRAMS		
095	CLASSIFIED PROGRAMS	28,278	28,278
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**16,206,937**	**15,533,421**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	36,786	36,786
	TACTICAL		
002	JOINT AIR-SURFACE STANDOFF MISSILE	430,708	430,708
003	LRASM0	44,185	44,185
004	SIDEWINDER (AIM–9X)	121,253	121,253
005	AMRAAM	337,886	337,886
006	PREDATOR HELLFIRE MISSILE	113,765	113,765
007	SMALL DIAMETER BOMB	105,034	105,034
008	SMALL DIAMETER BOMB II	100,861	100,861
	INDUSTRIAL FACILITIES		
009	INDUSTR'L PREPAREDNS/POL PREVENTION	787	787
	CLASS IV		
010	ICBM FUZE MOD	15,767	15,767
011	ADVANCE PROCUREMENT (CY)	4,100	4,100
012	MM III MODIFICATIONS	129,199	129,199
013	AGM–65D MAVERICK	288	288
014	AIR LAUNCH CRUISE MISSILE (ALCM)	47,632	47,632
	MISSILE SPARES AND REPAIR PARTS		
016	REPLEN SPARES/REPAIR PARTS	97,481	97,481
	SPECIAL PROGRAMS		
018	SPECIAL UPDATE PROGRAMS	188,539	188,539
	CLASSIFIED PROGRAMS		
019	CLASSIFIED PROGRAMS	895,183	895,183
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,669,454**	**2,669,454**

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Line	Item	FY 2019 Request	House Authorized
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	29,829	29,829
002	AF SATELLITE COMM SYSTEM	35,400	35,400
003	COUNTERSPACE SYSTEMS	1,121	1,121
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	27,867	27,867
005	WIDEBAND GAPFILLER SATELLITES(SPACE)	61,606	61,606
006	GENERAL INFORMATION TECH—SPACE	3,425	3,425
007	GPS III SPACE SEGMENT	69,386	74,386
	GPS backup technology demonstration		[5,000]
008	GLOBAL POSTIONING (SPACE)	2,181	2,181
009	INTEG BROADCAST SERV	16,445	16,445
010	SPACEBORNE EQUIP (COMSEC)	31,895	31,895
012	MILSATCOM	11,265	11,265
013	EVOLVED EXPENDABLE LAUNCH CAPABILITY	709,981	709,981
014	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	994,555	994,555
015	SBIR HIGH (SPACE)	138,397	138,397
017	NUDET DETECTION SYSTEM	7,705	7,705
018	ROCKET SYSTEMS LAUNCH PROGRAM	47,609	47,609
019	SPACE FENCE	51,361	51,361
020	SPACE MODS	148,065	148,065
021	SPACELIFT RANGE SYSTEM SPACE	117,637	117,637
	SSPARES		
022	SPARES AND REPAIR PARTS	21,812	21,812
	TOTAL SPACE PROCUREMENT, AIR FORCE	**2,527,542**	**2,532,542**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	345,911	345,911
	CARTRIDGES		
002	CARTRIDGES	163,840	163,840
	BOMBS		
003	PRACTICE BOMBS	20,876	20,876
004	GENERAL PURPOSE BOMBS	259,308	259,308
005	MASSIVE ORDNANCE PENETRATOR (MOP)	38,111	38,111
006	JOINT DIRECT ATTACK MUNITION	234,198	234,198
007	B61	109,292	109,292
008	ADVANCE PROCUREMENT (CY)	52,731	52,731
	OTHER ITEMS		
009	CAD/PAD	51,455	51,455
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,038	6,038
011	SPARES AND REPAIR PARTS	524	524
012	MODIFICATIONS	1,270	1,270
013	ITEMS LESS THAN $5,000,000	4,604	4,604
	FLARES		
015	FLARES	125,286	125,286
	FUZES		
016	FUZES	109,358	109,358
	SMALL ARMS		
017	SMALL ARMS	64,502	59,502
	Program decrease		[–5,000]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,587,304**	**1,582,304**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	6,949	3,449
	Forward financed in the FY18 Omnibus		[–3,500]
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	36,002	18,002
	Forward financed in the FY18 Omnibus		[–18,000]
003	CAP VEHICLES	1,022	1,022
004	CARGO AND UTILITY VEHICLES	42,696	21,696
	Forward financed in the FY18 Omnibus		[–21,000]
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	30,145	30,145
006	SECURITY AND TACTICAL VEHICLES	1,230	1,230
007	SPECIAL PURPOSE VEHICLES	43,003	22,003
	Forward financed in the FY18 Omnibus		[–21,000]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,328	23,328
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	11,537	11,537
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	37,600	37,600
011	BASE MAINTENANCE SUPPORT VEHICLES	104,923	52,923
	Forward financed in the FY18 Omnibus		[–52,000]
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	114,372	114,372
	INTELLIGENCE PROGRAMS		
013	INTERNATIONAL INTEL TECH & ARCHITECTURES	8,290	8,290
014	INTELLIGENCE TRAINING EQUIPMENT	2,099	2,099
015	INTELLIGENCE COMM EQUIPMENT	37,415	37,415

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	57,937	14,387
	D-RAPCON Cost Growth		[–43,550]
018	BATTLE CONTROL SYSTEM—FIXED	3,012	3,012
019	THEATER AIR CONTROL SYS IMPROVEMEN	19,989	19,989
020	WEATHER OBSERVATION FORECAST	45,020	45,020
021	STRATEGIC COMMAND AND CONTROL	32,836	32,836
022	CHEYENNE MOUNTAIN COMPLEX	12,454	12,454
023	MISSION PLANNING SYSTEMS	14,263	14,263
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	7,769	7,769
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	40,450	40,450
027	AF GLOBAL COMMAND & CONTROL SYS	6,619	6,619
028	MOBILITY COMMAND AND CONTROL	10,192	10,192
029	AIR FORCE PHYSICAL SECURITY SYSTEM	159,313	143,413
	Underexecution		[–15,900]
030	COMBAT TRAINING RANGES	132,675	132,675
031	MINIMUM ESSENTIAL EMERGENCY COMM N	140,875	140,875
032	WIDE AREA SURVEILLANCE (WAS)	92,104	92,104
033	C3 COUNTERMEASURES	45,152	45,152
034	GCSS-AF FOS	483	483
035	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	802	802
036	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	12,207	12,207
037	THEATER BATTLE MGT C2 SYSTEM	7,644	7,644
038	AIR & SPACE OPERATIONS CENTER (AOC)	40,066	40,066
	AIR FORCE COMMUNICATIONS		
041	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	22,357	22,357
042	AFNET	102,836	102,836
043	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	3,145	3,145
044	USCENTCOM	13,194	13,194
	ORGANIZATION AND BASE		
045	TACTICAL C-E EQUIPMENT	161,231	161,231
047	RADIO EQUIPMENT	12,142	12,142
048	CCTV/AUDIOVISUAL EQUIPMENT	6,505	6,505
049	BASE COMM INFRASTRUCTURE	169,404	169,404
	MODIFICATIONS		
050	COMM ELECT MODS	10,654	10,654
	PERSONAL SAFETY & RESCUE EQUIP		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT	51,906	51,906
	DEPOT PLANT+MTRLS HANDLING EQ		
052	MECHANIZED MATERIAL HANDLING EQUIP	88,298	80,798
	Program reduction		[–7,500]
	BASE SUPPORT EQUIPMENT		
053	BASE PROCURED EQUIPMENT	17,031	22,031
	Civil Engineers Construction, Surveying, and Mapping Equipment		[5,000]
054	ENGINEERING AND EOD EQUIPMENT	82,635	82,635
055	MOBILITY EQUIPMENT	9,549	6,549
	Program reduction		[–3,000]
056	BASE MAINTENANCE AND SUPPORT EQUIPMENT	24,005	17,005
	Program reduction		[–7,000]
	SPECIAL SUPPORT PROJECTS		
058	DARP RC135	26,262	26,262
059	DCGS-AF	448,290	400,490
	Forward financed in the FY18 Omnibus		[–35,000]
	Program decrease		[–12,800]
061	SPECIAL UPDATE PROGRAM	913,813	913,813
	CLASSIFIED PROGRAMS		
062	CLASSIFIED PROGRAMS	17,258,069	17,258,069
	SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	86,365	86,365
	TOTAL OTHER PROCUREMENT, AIR FORCE	**20,890,164**	**20,654,914**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
043	MAJOR EQUIPMENT, OSD	35,295	35,295
	MAJOR EQUIPMENT, NSA		
042	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,403	5,403
	MAJOR EQUIPMENT, WHS		
046	MAJOR EQUIPMENT, WHS	497	497
	MAJOR EQUIPMENT, DISA		
007	INFORMATION SYSTEMS SECURITY	21,590	21,590
008	TELEPORT PROGRAM	33,905	33,905
009	ITEMS LESS THAN $5 MILLION	27,886	27,886
010	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,017	1,017
011	DEFENSE INFORMATION SYSTEM NETWORK	150,674	150,674
013	WHITE HOUSE COMMUNICATION AGENCY	94,610	94,610
014	SENIOR LEADERSHIP ENTERPRISE	197,246	197,246
015	JOINT REGIONAL SECURITY STACKS (JRSS)	140,338	140,338
016	JOINT SERVICE PROVIDER	107,182	107,182
	MAJOR EQUIPMENT, DLA		
018	MAJOR EQUIPMENT	5,225	5,225
	MAJOR EQUIPMENT, DSS		
021	MAJOR EQUIPMENT	1,196	1,196

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN $5 MILLION	2,542	2,542
	MAJOR EQUIPMENT, TJS		
044	MAJOR EQUIPMENT, TJS	4,360	4,360
045	MAJOR EQUIPMENT, TJS—CE2T2	904	904
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
026	THAAD	874,068	874,068
027	GROUND BASED MIDCOURSE	409,000	409,000
028	ADVANCE PROCUREMENT (CY)	115,000	115,000
029	AEGIS BMD	593,488	593,488
030	ADVANCE PROCUREMENT (CY)	115,206	115,206
031	BMDS AN/TPY–2 RADARS	13,185	13,185
032	ISRAELI PROGRAMS	80,000	80,000
033	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
034	AEGIS ASHORE PHASE III	15,000	15,000
035	IRON DOME	70,000	70,000
036	AEGIS BMD HARDWARE AND SOFTWARE	97,057	97,057
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	10,630	10,630
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
023	VEHICLES	207	207
024	OTHER MAJOR EQUIPMENT	5,592	5,592
	MAJOR EQUIPMENT, DODEA		
020	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,723	1,723
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	3,873	3,873
	MAJOR EQUIPMENT, DMACT		
019	MAJOR EQUIPMENT	13,106	13,106
	CLASSIFIED PROGRAMS		
046A	CLASSIFIED PROGRAMS	589,691	589,691
	AVIATION PROGRAMS		
050	ROTARY WING UPGRADES AND SUSTAINMENT	148,351	148,351
051	UNMANNED ISR	57,708	57,708
052	NON-STANDARD AVIATION	18,731	18,731
053	U–28	32,301	32,301
054	MH–47 CHINOOK	131,033	131,033
055	CV–22 MODIFICATION	32,529	32,529
056	MQ–9 UNMANNED AERIAL VEHICLE	24,621	24,621
057	PRECISION STRIKE PACKAGE	226,965	226,965
058	AC/MC–130J	165,813	165,813
059	C–130 MODIFICATIONS	80,274	80,274
	SHIPBUILDING		
060	UNDERWATER SYSTEMS	136,723	136,723
	AMMUNITION PROGRAMS		
061	ORDNANCE ITEMS <$5M	357,742	357,742
	OTHER PROCUREMENT PROGRAMS		
062	INTELLIGENCE SYSTEMS	85,699	85,699
063	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	17,863	17,863
064	OTHER ITEMS <$5M	112,117	112,117
065	COMBATANT CRAFT SYSTEMS	7,313	7,313
066	SPECIAL PROGRAMS	14,026	14,026
067	TACTICAL VEHICLES	88,608	88,608
068	WARRIOR SYSTEMS <$5M	438,590	433,390
	Link 16 handheld radios for USSOCOM		[12,800]
	SAT Deployable Node		[–18,000]
069	COMBAT MISSION REQUIREMENTS	19,408	19,408
070	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,281	6,281
071	OPERATIONAL ENHANCEMENTS INTELLIGENCE	18,509	18,509
073	OPERATIONAL ENHANCEMENTS	367,433	367,433
	CBDP		
074	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	166,418	153,618
	Program decrease		[–12,800]
075	CB PROTECTION & HAZARD MITIGATION	144,519	144,519
	TOTAL PROCUREMENT, DEFENSE-WIDE	**6,786,271**	**6,768,271**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	100,025	0
	Program decrease		[–100,025]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**100,025**	**0**
	TOTAL PROCUREMENT	**130,526,043**	**133,587,892**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
003	MQ–1 UAV	60,000	60,000
	ROTARY		
011	UH–60 BLACKHAWK M MODEL (MYP)	21,246	21,246
014	CH–47 HELICOPTER	25,000	25,000
	MODIFICATION OF AIRCRAFT		
017	MQ–1 PAYLOAD (MIP)	11,400	11,400
019	GRAY EAGLE MODS2	32,000	32,000
020	MULTI SENSOR ABN RECON (MIP)	51,000	51,000
032	RQ–7 UAV MODS	50,868	0
	Realignment of EDI APS Unit Set from OCO to Base		[–50,868]
033	UAS MODS	3,402	0
	Realignment of EDI APS Unit Set from OCO to Base		[–3,402]
	GROUND SUPPORT AVIONICS		
036	CMWS	84,387	84,387
037	COMMON INFRARED COUNTERMEASURES (CIRCM)	24,060	24,060
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**363,363**	**309,093**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	MSE MISSILE	260,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–260,000]
	AIR-TO-SURFACE MISSILE SYSTEM		
005	HELLFIRE SYS SUMMARY	255,040	255,040
	ANTI-TANK/ASSAULT MISSILE SYS		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY	31,120	17,320
	Realignment of EDI APS Unit Set from OCO to Base		[–13,800]
011	GUIDED MLRS ROCKET (GMLRS)	624,500	624,500
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	171,138	0
	Realignment of EDI APS Unit Set from OCO to Base		[–171,138]
014	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	112,973	112,973
	MODIFICATIONS		
016	ATACMS MODS	225,580	145,580
	Realignment of EDI APS Unit Set from OCO to Base		[–80,000]
021	MLRS MODS	122,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–122,000]
	TOTAL MISSILE PROCUREMENT, ARMY	**1,802,351**	**1,155,413**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	BRADLEY PROGRAM	205,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–205,000]
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	230,359	0
	Realignment of EDI APS Unit Set from OCO to Base		[–230,359]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
006	BRADLEY PROGRAM (MOD)	50,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–50,000]
008	PALADIN INTEGRATED MANAGEMENT (PIM)	67,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–67,000]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	42,354	0
	Realignment of EDI APS Unit Set from OCO to Base		[–42,354]
014	M1 ABRAMS TANK (MOD)	34,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–34,000]
015	ABRAMS UPGRADE PROGRAM	455,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–455,000]
	WEAPONS & OTHER COMBAT VEHICLES		
018	M240 MEDIUM MACHINE GUN (7.62MM)	126	0
	Realignment of EDI APS Unit Set from OCO to Base		[–126]
022	MORTAR SYSTEMS	11,842	11,662
	Realignment of EDI APS Unit Set from OCO to Base		[–180]
025	CARBINE	1,800	0
	Realignment of EDI APS Unit Set from OCO to Base		[–1,800]
027	COMMON REMOTELY OPERATED WEAPONS STATION	3,378	0
	Realignment of EDI APS Unit Set from OCO to Base		[–3,378]
	MOD OF WEAPONS AND OTHER COMBAT VEH		
032	M2 50 CAL MACHINE GUN MODS	4,920	0
	Realignment of EDI APS Unit Set from OCO to Base		[–4,920]
034	M240 MEDIUM MACHINE GUN MODS	7	0
	Realignment of EDI APS Unit Set from OCO to Base		[–7]
	SUPPORT EQUIPMENT & FACILITIES		
039	ITEMS LESS THAN $5.0M (WOCV-WTCV)	1,397	0
	Realignment of EDI APS Unit Set from OCO to Base		[–1,397]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,107,183**	**11,662**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	3,392	0
	Realignment of EDI APS Unit Set from OCO to Base		[–3,392]
002	CTG, 7.62MM, ALL TYPES	40	0
	Realignment of EDI APS Unit Set from OCO to Base		[–40]
003	CTG, HANDGUN, ALL TYPES	17	0
	Realignment of EDI APS Unit Set from OCO to Base		[–17]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
004	CTG, .50 CAL, ALL TYPES	189	0
	Realignment of EDI APS Unit Set from OCO to Base		[–189]
005	CTG, 20MM, ALL TYPES	1,605	1,605
007	CTG, 30MM, ALL TYPES	25,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–25,000]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	218	0
	Realignment of EDI APS Unit Set from OCO to Base		[–218]
010	81MM MORTAR, ALL TYPES	484	0
	Realignment of EDI APS Unit Set from OCO to Base		[–484]
	ARTILLERY AMMUNITION		
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	79,400	0
	Realignment of EDI APS Unit Set from OCO to Base		[–79,400]
015	PROJ 155MM EXTENDED RANGE M982	72,985	21,285
	Realignment of EDI APS Unit Set from OCO to Base		[–51,700]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	63,900	15,000
	Realignment of EDI APS Unit Set from OCO to Base		[–48,900]
	ROCKETS		
018	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	22,242	20,000
	Realignment of EDI APS Unit Set from OCO to Base		[–2,242]
019	ROCKET, HYDRA 70, ALL TYPES	39,974	39,974
	OTHER AMMUNITION		
021	DEMOLITION MUNITIONS, ALL TYPES	5	0
	Realignment of EDI APS Unit Set from OCO to Base		[–5]
022	GRENADES, ALL TYPES	8	0
	Realignment of EDI APS Unit Set from OCO to Base		[–8]
	MISCELLANEOUS		
027	ITEMS LESS THAN $5 MILLION (AMMO)	66	0
	Realignment of EDI APS Unit Set from OCO to Base		[–66]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**309,525**	**97,864**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	8,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–8,000]
003	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	20,770	0
	Realignment of EDI APS Unit Set from OCO to Base		[–20,770]
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	115,400	0
	Realignment of EDI APS Unit Set from OCO to Base		[–115,400]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	6,682	0
	Realignment of EDI APS Unit Set from OCO to Base		[–6,682]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	50,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–50,000]
014	MODIFICATION OF IN SVC EQUIP	186,377	186,000
	Realignment of EDI APS Unit Set from OCO to Base		[–377]
	COMM—SATELLITE COMMUNICATIONS		
028	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	7,100	7,100
	COMM—COMBAT COMMUNICATIONS		
037	JOINT TACTICAL RADIO SYSTEM	1,560	0
	Realignment of EDI APS Unit Set from OCO to Base		[–1,560]
042	TRACTOR RIDE	13,190	13,190
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	9,549	9,549
047	COTS COMMUNICATIONS EQUIPMENT	22,000	0
	Realignment of EDI APS Unit Set from OCO to Base		[–22,000]
	COMM—INTELLIGENCE COMM		
050	CI AUTOMATION ARCHITECTURE (MIP)	9,800	9,800
	INFORMATION SECURITY		
055	COMMUNICATIONS SECURITY (COMSEC)	3	0
	Realignment of EDI APS Unit Set from OCO to Base		[–3]
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	690	690
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	8,750	8,750
063	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	60,337	51,287
	Realignment of EDI APS Unit Set from OCO to Base		[–9,050]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
068	DCGS-A (MIP)	37,806	37,806
070	TROJAN (MIP)	6,926	6,326
	Realignment of EDI APS Unit Set from OCO to Base		[–600]
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,011	2,011
075	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	5,370	5,370
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
080	CREW	42,651	42,651
081	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	20,050	25,450
	SOUTHCOM UFR: CENTAM Maritime Sensor		[3,600]
	SOUTHCOM UFR: SIGINT Suite COMSAT RF		[1,800]
082	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	12,974	12,974
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
085	NIGHT VISION DEVICES	463	377
	Realignment of EDI APS Unit Set from OCO to Base		[–86]
086	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	2,861	0
	Realignment of EDI APS Unit Set from OCO to Base		[–2,861]
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	60	60

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
088	RADIATION MONITORING SYSTEMS	11	0
	Realignment of EDI APS Unit Set from OCO to Base		[–11]
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	251,062	250,800
	Realignment of EDI APS Unit Set from OCO to Base		[–262]
091	FAMILY OF WEAPON SIGHTS (FWS)	525	0
	Realignment of EDI APS Unit Set from OCO to Base		[–525]
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	26,146	0
	Realignment of EDI APS Unit Set from OCO to Base		[–26,146]
096	MOD OF IN-SVC EQUIP (LLDR)	4,050	0
	Realignment of EDI APS Unit Set from OCO to Base		[–4,050]
097	COMPUTER BALLISTICS: LHMBC XM32	960	960
098	MORTAR FIRE CONTROL SYSTEM	7,660	7,660
099	COUNTERFIRE RADARS	165,200	165,200
	ELECT EQUIP—AUTOMATION		
112	AUTOMATED DATA PROCESSING EQUIP	28,475	28,475
	CHEMICAL DEFENSIVE EQUIPMENT		
121	PROTECTIVE SYSTEMS	27	0
	Realignment of EDI APS Unit Set from OCO to Base		[–27]
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	20,200	20,200
123	BASE DEFENSE SYSTEMS (BDS)	39,200	39,200
124	CBRN DEFENSE	2,317	2,000
	Realignment of EDI APS Unit Set from OCO to Base		[–317]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	16,000	16,000
130	AREA MINE DETECTION SYSTEM (AMDS)	1	0
	Realignment of EDI APS Unit Set from OCO to Base		[–1]
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	4,850	4,850
136	REMOTE DEMOLITION SYSTEMS	1	0
	Realignment of EDI APS Unit Set from OCO to Base		[–1]
	COMBAT SERVICE SUPPORT EQUIPMENT		
139	HEATERS AND ECU'S	270	270
141	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,300	4,300
142	GROUND SOLDIER SYSTEM	1,725	1,725
144	FORCE PROVIDER	55,800	55,800
145	FIELD FEEDING EQUIPMENT	1,035	1,035
146	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	1,980	1,980
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	17,527	17,527
	MAINTENANCE EQUIPMENT		
153	ITEMS LESS THAN $5.0M (MAINT EQ)	268	0
	Realignment of EDI APS Unit Set from OCO to Base		[–268]
	CONSTRUCTION EQUIPMENT		
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	25,700	25,700
	GENERATORS		
165	GENERATORS AND ASSOCIATED EQUIP	569	569
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	9,495	0
	Realignment of EDI APS Unit Set from OCO to Base		[–9,495]
	OTHER SUPPORT EQUIPMENT		
176	M25 STABILIZED BINOCULAR	33	0
	Realignment of EDI APS Unit Set from OCO to Base		[–33]
177	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	18,000	18,000
178	PHYSICAL SECURITY SYSTEMS (OPA3)	6,000	6,000
179	BASE LEVEL COMMON EQUIPMENT	2,080	2,080
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	19,200	19,200
	TOTAL OTHER PROCUREMENT, ARMY	**1,382,047**	**1,108,922**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
025	STUASL0 UAV	35,065	35,065
	MODIFICATION OF AIRCRAFT		
032	SH–60 SERIES	4,858	4,858
034	EP–3 SERIES	5,380	5,380
044	SPECIAL PROJECT AIRCRAFT	2,165	2,165
049	COMMON ECM EQUIPMENT	9,820	9,820
051	COMMON DEFENSIVE WEAPON SYSTEM	3,206	3,206
061	QRC	2,410	2,410
063	RQ–21 SERIES	17,215	17,215
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**80,119**	**80,119**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
004	AMRAAM	1,183	1,183
005	SIDEWINDER	381	381
012	HELLFIRE	1,530	1,530
015	AERIAL TARGETS	6,500	6,500
	GUNS AND GUN MOUNTS		
035	SMALL ARMS AND WEAPONS	1,540	1,540
	MODIFICATION OF GUNS AND GUN MOUNTS		
038	GUN MOUNT MODS	3,000	3,000
	TOTAL WEAPONS PROCUREMENT, NAVY	**14,134**	**14,134**
	PROCUREMENT OF AMMO, NAVY & MC		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	62,530	62,530
002	JDAM	93,019	93,019
003	AIRBORNE ROCKETS, ALL TYPES	2,163	2,163
004	MACHINE GUN AMMUNITION	5,000	5,000
006	CARTRIDGES & CART ACTUATED DEVICES	5,334	5,334
007	AIR EXPENDABLE COUNTERMEASURES	36,580	36,580
008	JATOS	747	747
011	OTHER SHIP GUN AMMUNITION	2,538	2,538
013	PYROTECHNIC AND DEMOLITION	1,807	1,807
015	AMMUNITION LESS THAN $5 MILLION	2,229	2,229
	MARINE CORPS AMMUNITION		
019	MORTARS	2,018	2,018
021	DIRECT SUPPORT MUNITIONS	632	632
022	INFANTRY WEAPONS AMMUNITION	779	779
026	COMBAT SUPPORT MUNITIONS	164	164
029	ARTILLERY MUNITIONS	31,001	31,001
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**246,541**	**246,541**
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
021	UNDERWATER EOD PROGRAMS	9,200	9,200
	SMALL BOATS		
028	STANDARD BOATS	19,060	19,060
	ASW ELECTRONIC EQUIPMENT		
043	FIXED SURVEILLANCE SYSTEM	56,950	56,950
	SATELLITE COMMUNICATIONS		
077	SATELLITE COMMUNICATIONS SYSTEMS	3,200	3,200
	CRYPTOLOGIC EQUIPMENT		
082	CRYPTOLOGIC COMMUNICATIONS EQUIP	2,000	2,000
	SONOBUOYS		
088	SONOBUOYS—ALL TYPES	21,156	21,156
	OTHER ORDNANCE SUPPORT EQUIPMENT		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	33,580	33,580
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
108	PASSENGER CARRYING VEHICLES	170	170
109	GENERAL PURPOSE TRUCKS	400	400
111	FIRE FIGHTING EQUIPMENT	770	770
112	TACTICAL VEHICLES	7,298	7,298
	SUPPLY SUPPORT EQUIPMENT		
118	FIRST DESTINATION TRANSPORTATION	500	500
	COMMAND SUPPORT EQUIPMENT		
123	MEDICAL SUPPORT EQUIPMENT	6,500	6,500
128	ENVIRONMENTAL SUPPORT EQUIPMENT	2,200	2,200
129	PHYSICAL SECURITY EQUIPMENT	19,389	19,389
	CLASSIFIED PROGRAMS		
133A	CLASSIFIED PROGRAMS	4,800	4,800
	TOTAL OTHER PROCUREMENT, NAVY	**187,173**	**187,173**
	PROCUREMENT, MARINE CORPS		
	INTELL/COMM EQUIPMENT (NON-TEL)		
022	FIRE SUPPORT SYSTEM	5,583	5,583
	TACTICAL VEHICLES		
037	MOTOR TRANSPORT MODIFICATIONS	44,440	44,440
	ENGINEER AND OTHER EQUIPMENT		
045	EOD SYSTEMS	8,000	8,000
	TOTAL PROCUREMENT, MARINE CORPS	**58,023**	**58,023**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
007	HC–130J	100,000	100,000
	OTHER AIRCRAFT		
018	MQ–9	339,740	147,040
	Excess attrition aircraft		[–192,700]
019	RQ–20B PUMA	13,500	13,500
	STRATEGIC AIRCRAFT		
021	B–1B	4,000	4,000
023	LARGE AIRCRAFT INFRARED COUNTERMEASURES	149,778	149,778
	TACTICAL AIRCRAFT		
024	A–10	10,350	10,350
	OTHER AIRCRAFT		
047	U–2 MODS	7,900	7,900
056	COMPASS CALL MODS	36,400	36,400
061	E–8	13,000	13,000
065	H–60	40,560	40,560
067	HC/MC–130 MODIFICATIONS	87,900	87,900
068	OTHER AIRCRAFT	53,731	53,731
070	MQ–9 UAS PAYLOADS	16,000	16,000
	AIRCRAFT SPARES AND REPAIR PARTS		
072	INITIAL SPARES/REPAIR PARTS	91,500	91,500
	COMMON SUPPORT EQUIPMENT		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	32,529	32,529
074	OTHER PRODUCTION CHARGES	22,000	22,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**1,018,888**	**826,188**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
002	JOINT AIR-SURFACE STANDOFF MISSILE	61,600	61,600
005	AMRAAM	2,600	2,600
006	PREDATOR HELLFIRE MISSILE	255,000	255,000
007	SMALL DIAMETER BOMB	140,724	140,724
	CLASS IV		
013	AGM–65D MAVERICK	33,602	33,602
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**493,526**	**493,526**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	29,587	29,587
	BOMBS		
004	GENERAL PURPOSE BOMBS	551,862	551,862
006	JOINT DIRECT ATTACK MUNITION	738,451	738,451
	FLARES		
015	FLARES	12,116	12,116
	FUZES		
016	FUZES	81,000	81,000
	SMALL ARMS		
017	SMALL ARMS	8,500	8,500
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,421,516**	**1,421,516**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	9,680	9,680
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	9,680	9,680
004	CARGO AND UTILITY VEHICLES	19,680	19,680
	SPECIAL PURPOSE VEHICLES		
006	SECURITY AND TACTICAL VEHICLES	24,880	24,880
007	SPECIAL PURPOSE VEHICLES	34,680	34,680
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	9,736	9,736
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	24,680	24,680
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	9,680	9,680
011	BASE MAINTENANCE SUPPORT VEHICLES	9,680	9,680
	INTELLIGENCE PROGRAMS		
015	INTELLIGENCE COMM EQUIPMENT	6,156	6,156
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	56,884	56,884
	SPCL COMM-ELECTRONICS PROJECTS		
029	AIR FORCE PHYSICAL SECURITY SYSTEM	46,236	46,236
037	THEATER BATTLE MGT C2 SYSTEM	2,500	2,500
	ORGANIZATION AND BASE		
045	TACTICAL C-E EQUIPMENT	27,911	27,911
	PERSONAL SAFETY & RESCUE EQUIP		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT	13,600	13,600
	BASE SUPPORT EQUIPMENT		
053	BASE PROCURED EQUIPMENT	28,800	28,800
054	ENGINEERING AND EOD EQUIPMENT	53,500	53,500
055	MOBILITY EQUIPMENT	78,562	78,562
056	BASE MAINTENANCE AND SUPPORT EQUIPMENT	28,055	28,055
	SPECIAL SUPPORT PROJECTS		
059	DCGS-AF	2,000	2,000
	CLASSIFIED PROGRAMS		
062	CLASSIFIED PROGRAMS	3,229,364	3,229,364
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,725,944**	**3,725,944**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
008	TELEPORT PROGRAM	3,800	3,800
017	DEFENSE INFORMATION SYSTEMS NETWORK	12,000	12,000
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
025	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES	5,534	5,534
	CLASSIFIED PROGRAMS		
046A	CLASSIFIED PROGRAMS	41,559	41,559
	AVIATION PROGRAMS		
047	MANNED ISR	5,000	5,000
048	MC–12	5,000	5,000
049	MH–60 BLACKHAWK	27,600	27,600
051	UNMANNED ISR	17,000	17,000
052	NON-STANDARD AVIATION	13,000	13,000
053	U–28	51,722	51,722
054	MH–47 CHINOOK	36,500	36,500
	AMMUNITION PROGRAMS		
061	ORDNANCE ITEMS <$5M	100,850	100,850
	OTHER PROCUREMENT PROGRAMS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
062	INTELLIGENCE SYSTEMS	16,500	16,500
064	OTHER ITEMS <$5M	7,700	7,700
067	TACTICAL VEHICLES	59,891	59,891
068	WARRIOR SYSTEMS <$5M	21,135	21,135
069	COMBAT MISSION REQUIREMENTS	10,000	10,000
071	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,805	10,805
073	OPERATIONAL ENHANCEMENTS	126,539	126,539
	TOTAL PROCUREMENT, DEFENSE-WIDE	**572,135**	**572,135**
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		150,000
	Program increase		[150,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**150,000**
	TOTAL PROCUREMENT	**12,782,468**	**10,458,253**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	11,585	11,585
002	0601102A	DEFENSE RESEARCH SCIENCES	276,912	276,912
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	65,283	65,283
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	92,115	92,115
		SUBTOTAL BASIC RESEARCH	**445,895**	**445,895**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	28,600	29,600
		Conformal batteries and composite armor		[1,000]
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	32,366	36,366
		Expand Army Research lab Open Campus project		[4,000]
007	0602122A	TRACTOR HIP	8,674	8,674
008	0602126A	TRACTOR JACK	400	400
009	0602211A	AVIATION TECHNOLOGY	64,847	64,847
010	0602270A	ELECTRONIC WARFARE TECHNOLOGY	25,571	25,571
011	0602303A	MISSILE TECHNOLOGY	50,183	50,183
012	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,502	29,502
013	0602308A	ADVANCED CONCEPTS AND SIMULATION	28,500	28,500
014	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	70,450	70,450
015	0602618A	BALLISTICS TECHNOLOGY	75,541	75,541
016	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	5,032	5,032
017	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	12,394	12,394
018	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	40,444	50,444
		Accelerate Army railgun development and prototyping		[10,000]
019	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	58,283	58,283
020	0602709A	NIGHT VISION TECHNOLOGY	29,582	29,582
021	0602712A	COUNTERMINE SYSTEMS	21,244	21,244
022	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	24,131	24,131
023	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	13,242	13,242
024	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	55,003	55,003
025	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	14,958	14,958
026	0602784A	MILITARY ENGINEERING TECHNOLOGY	78,159	78,159
027	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	21,862	21,862
028	0602786A	WARFIGHTER TECHNOLOGY	40,566	45,566
		Program increase		[5,000]
029	0602787A	MEDICAL TECHNOLOGY	90,075	90,075
		SUBTOTAL APPLIED RESEARCH	**919,609**	**939,609**
		ADVANCED TECHNOLOGY DEVELOPMENT		
030	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,338	39,338
031	0603002A	MEDICAL ADVANCED TECHNOLOGY	62,496	62,496
032	0603003A	AVIATION ADVANCED TECHNOLOGY	124,958	124,958
033	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	102,686	102,686
034	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	119,739	119,739
035	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	13,000	13,000
036	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	8,044	8,044
037	0603009A	TRACTOR HIKE	22,631	22,631
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	25,682	25,682
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	3,762	3,762
041	0603130A	TRACTOR NAIL	4,896	4,896
042	0603131A	TRACTOR EGGS	6,041	6,041
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	31,491	31,491
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	61,132	71,132

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
		Shoot-on-the-Move Technology Development for SHORAD platforms		[10,000]
045	0603322A	TRACTOR CAGE	16,845	16,845
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	183,322	188,322
		Enhance and accelerate Army artificial intelligence and machine learning		[5,000]
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	11,104	11,104
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,885	5,885
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	61,376	58,876
		Program decrease		[–2,500]
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	9,136	9,136
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	25,864	25,864
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	34,883	39,883
		Program increase		[5,000]
053	0603794A	C3 ADVANCED TECHNOLOGY	52,387	49,887
		Program decrease		[–2,500]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,026,698**	**1,041,698**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	10,777	10,777
056	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	42,802	43,802
		Realignment of EDI APS Unit Set from OCO to Base		[1,000]
057	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	45,254	45,254
058	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	22,700	22,700
059	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	41,974	55,974
		Army UFR: test and evaluation of the M999 155mm Anti-Personnel Improved Conventional Munition		[14,000]
060	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	119,395	119,395
061	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	8,746	8,746
062	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	35,667	35,667
063	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,350	7,350
064	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	14,749	14,749
065	0603790A	NATO RESEARCH AND DEVELOPMENT	3,687	3,687
066	0603801A	AVIATION—ADV DEV	10,793	10,793
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	14,248	14,248
068	0603807A	MEDICAL SYSTEMS—ADV DEV	34,284	34,284
069	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	18,044	28,044
		Advanced materials research for personal protective equipment (PPE)		[10,000]
070	0604017A	ROBOTICS DEVELOPMENT	95,660	95,660
071	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING	38,000	68,000
		Iron Dome short range air defense experimentation		[30,000]
072	0604100A	ANALYSIS OF ALTERNATIVES	9,765	9,765
073	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	12,393	12,393
074	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	120,374	120,374
075	0604115A	TECHNOLOGY MATURATION INITIATIVES	95,347	95,347
076	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	95,085	118,085
		Realignment of EDI APS Unit Set from OCO to Base		[23,000]
077	0604118A	TRACTOR BEAM	52,894	52,894
079	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	77,939	77,939
080	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	51,030	51,030
081	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	65,817	65,817
082	1206120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	146,300	146,300
083	1206308A	ARMY SPACE SYSTEMS INTEGRATION	38,319	38,319
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,329,393**	**1,407,393**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
084	0604201A	AIRCRAFT AVIONICS	32,293	32,293
085	0604270A	ELECTRONIC WARFARE DEVELOPMENT	78,699	78,699
088	0604328A	TRACTOR CAGE	17,050	17,050
089	0604601A	INFANTRY SUPPORT WEAPONS	83,155	83,155
090	0604604A	MEDIUM TACTICAL VEHICLES	3,704	3,704
091	0604611A	JAVELIN	10,623	10,623
092	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	11,950	11,950
093	0604633A	AIR TRAFFIC CONTROL	12,347	12,347
095	0604642A	LIGHT TACTICAL WHEELED VEHICLES	8,212	8,212
096	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	393,613	393,613
097	0604710A	NIGHT VISION SYSTEMS—ENG DEV	139,614	139,614
098	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	4,507	4,507
099	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	49,436	49,436
100	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	95,172	95,172
101	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	22,628	22,628
102	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	13,297	13,297
103	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	9,145	9,145
104	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	9,894	9,894
105	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,964	21,964
106	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	49,288	49,288
107	0604802A	WEAPONS AND MUNITIONS—ENG DEV	183,100	183,100
108	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	79,706	75,906
		Late MSV-L contract award and concurrency		[–3,800]
109	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	15,970	15,970
110	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	44,542	44,542
111	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	50,817	50,817
112	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	178,693	178,693
113	0604820A	RADAR DEVELOPMENT	39,338	39,338
114	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	37,851	37,851
115	0604823A	FIREFINDER	45,473	45,473

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Line	Program Element	Item	FY 2019 Request	House Authorized
116	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	10,395	10,395
117	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	69,204	55,804
		Program reduction		[–13,400]
118	0604854A	ARTILLERY SYSTEMS—EMD	1,781	1,781
119	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	113,758	113,758
120	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	166,603	166,603
121	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	118,239	118,239
122	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C)	3,211	3,211
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	15,889	15,889
124	0605031A	JOINT TACTICAL NETWORK (JTN)	41,972	41,972
125	0605032A	TRACTOR TIRE	41,166	41,166
126	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E)	5,175	5,175
127	0605034A	TACTICAL SECURITY SYSTEM (TSS)	4,496	4,496
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	51,178	51,178
129	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	11,311	11,311
131	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE	17,154	17,154
132	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	36,626	36,626
133	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	3,829	3,829
134	0605047A	CONTRACT WRITING SYSTEM	41,928	41,928
135	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	28,276	28,276
136	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	21,965	21,965
137	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	157,710	157,710
138	0605053A	GROUND ROBOTICS	86,167	86,167
139	0605054A	EMERGING TECHNOLOGY INITIATIVES	42,866	68,266
		Army UFR: program increase		[25,400]
140	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	15,984	15,984
141	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	11,773	11,773
142	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,607	277,607
143	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	12,340	12,340
144	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	2,686	2,686
145	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	2,706	2,706
147	0303032A	TROJAN—RH12	4,521	4,521
150	0304270A	ELECTRONIC WARFARE DEVELOPMENT	8,922	8,922
151	1205117A	TRACTOR BEARS	23,170	23,170
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,192,689**	**3,200,889**
		RDT&E MANAGEMENT SUPPORT		
152	0604256A	THREAT SIMULATOR DEVELOPMENT	12,835	12,835
153	0604258A	TARGET SYSTEMS DEVELOPMENT	12,135	12,135
154	0604759A	MAJOR T&E INVESTMENT	82,996	82,996
155	0605103A	RAND ARROYO CENTER	19,821	19,821
156	0605301A	ARMY KWAJALEIN ATOLL	246,574	246,574
157	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	30,430	30,430
159	0605601A	ARMY TEST RANGES AND FACILITIES	305,759	305,759
160	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	62,379	62,379
161	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	40,496	40,496
162	0605606A	AIRCRAFT CERTIFICATION	3,941	3,941
163	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	9,767	9,767
164	0605706A	MATERIEL SYSTEMS ANALYSIS	21,226	21,226
165	0605709A	EXPLOITATION OF FOREIGN ITEMS	13,026	13,026
166	0605712A	SUPPORT OF OPERATIONAL TESTING	52,718	52,718
167	0605716A	ARMY EVALUATION CENTER	57,049	57,049
168	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,801	2,801
169	0605801A	PROGRAMWIDE ACTIVITIES	60,942	60,942
170	0605803A	TECHNICAL INFORMATION ACTIVITIES	29,050	29,050
171	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	42,332	42,332
172	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,216	3,216
173	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	54,145	54,145
174	0606001A	MILITARY GROUND-BASED CREW TECHNOLOGY	4,896	4,896
175	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	63,011	63,011
176	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	2,636	2,636
177	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	88,300	88,300
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,322,481**	**1,322,481**
		OPERATIONAL SYSTEMS DEVELOPMENT		
181	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	8,886	8,886
182	0603813A	TRACTOR PULL	4,067	4,067
183	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	4,254	4,254
184	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	16,022	16,022
185	0607133A	TRACTOR SMOKE	4,577	4,577
186	0607134A	LONG RANGE PRECISION FIRES (LRPF)	186,475	186,475
187	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	31,049	31,049
188	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	35,240	35,240
189	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	157,822	157,822
190	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	4,189	4,189
191	0607139A	IMPROVED TURBINE ENGINE PROGRAM	192,637	192,637
194	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	60,860	60,860
195	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	52,019	52,019
196	0607665A	FAMILY OF BIOMETRICS	2,400	2,400
197	0607865A	PATRIOT PRODUCT IMPROVEMENT	65,369	90,369
		Increase PATRIOT improvement efforts		[25,000]
198	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	1	1
199	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	30,954	30,954

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Line	Program Element	Item	FY 2019 Request	House Authorized
200	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	411,927	411,927
202	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	40,676	40,676
203	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	17,706	17,706
204	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	146	146
205	0203758A	DIGITIZATION	6,316	6,316
206	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,643	3,643
		Realignment of EDI APS Unit Set from OCO to Base		[2,000]
207	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	4,947	4,947
208	0203808A	TRACTOR CARD	34,050	34,050
210	0205410A	MATERIALS HANDLING EQUIPMENT	1,464	1,464
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	249	249
212	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	79,283	79,283
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	154,102	154,102
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,280	12,280
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	68,533	68,533
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	68,619	68,619
220	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	2,034	2,034
223	0305172A	COMBINED ADVANCED APPLICATIONS	1,500	1,500
224	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	450	450
225	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	6,000	6,000
226	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	12,416	26,416
		Realignment of EDI APS Unit Set from OCO to Base		[14,000]
227	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	38,667	38,667
229	0305232A	RQ–11 UAV	6,180	6,180
230	0305233A	RQ–7 UAV	12,863	12,863
231	0307665A	BIOMETRICS ENABLED INTELLIGENCE	4,310	4,310
233	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	53,958	53,958
234	1203142A	SATCOM GROUND ENVIRONMENT (SPACE)	12,119	12,119
235	1208053A	JOINT TACTICAL GROUND SYSTEM	7,400	7,400
235A	9999999999	CLASSIFIED PROGRAMS	5,955	5,955
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,922,614**	**1,963,614**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**10,159,379**	**10,321,579**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	119,433	129,433
		Defense University Research Instrumentation Program		[10,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,237	19,237
003	0601153N	DEFENSE RESEARCH SCIENCES	458,708	458,708
		SUBTOTAL BASIC RESEARCH	**597,378**	**607,378**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	14,643	14,643
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	124,049	124,049
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	59,607	59,607
007	0602235N	COMMON PICTURE APPLIED RESEARCH	36,348	41,348
		Enhance and accelerate Navy artificial intelligence research		[5,000]
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	56,197	56,197
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	83,800	83,800
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,998	42,998
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,349	6,349
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	58,049	78,049
		Academic partnerships for undersea unmanned warfare research and energy technology		[20,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	147,771	147,771
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,545	61,045
		Program increase-one sensor plus integration		[23,500]
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	159,697	169,697
		Accelerate Navy railgun development and prototyping		[10,000]
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	64,418	64,418
		SUBTOTAL APPLIED RESEARCH	**891,471**	**949,971**
		ADVANCED TECHNOLOGY DEVELOPMENT		
019	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	2,423	2,423
021	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	150,245	150,245
022	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,313	13,313
023	0603671N	NAVY ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	131,502	131,502
024	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	232,996	232,996
025	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	58,657	58,657
030	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	161,859	181,859
		Accelerate Navy railgun development and prototyping		[20,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**750,995**	**770,995**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
031	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	29,747	29,747
032	0603216N	AVIATION SURVIVABILITY	7,050	7,050
033	0603251N	AIRCRAFT SYSTEMS	793	793
034	0603254N	ASW SYSTEMS DEVELOPMENT	7,058	12,058
		Prototyping fiber deployment sonobuoy systems		[5,000]
035	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,540	3,540
036	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	59,741	59,741
037	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	62,727	62,727
038	0603506N	SURFACE SHIP TORPEDO DEFENSE	8,570	18,570

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Line	Program Element	Item	FY 2019 Request	House Authorized
		Program increase		[10,000]
039	0603512N	CARRIER SYSTEMS DEVELOPMENT	5,440	5,440
040	0603525N	PILOT FISH	162,222	162,222
041	0603527N	RETRACT LARCH	11,745	11,745
042	0603536N	RETRACT JUNIPER	114,265	114,265
043	0603542N	RADIOLOGICAL CONTROL	740	740
044	0603553N	SURFACE ASW	1,122	1,122
045	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	109,086	89,086
		Excessive cost growth		[–7,000]
		Prior year inefficiencies impact		[–13,000]
046	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,374	9,374
047	0603563N	SHIP CONCEPT ADVANCED DESIGN	89,419	89,419
048	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,348	13,348
049	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	256,137	256,137
050	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	22,109	22,109
051	0603576N	CHALK EAGLE	29,744	29,744
052	0603581N	LITTORAL COMBAT SHIP (LCS)	27,997	27,997
053	0603582N	COMBAT SYSTEM INTEGRATION	16,351	16,351
054	0603595N	OHIO REPLACEMENT	514,846	526,846
		Advanced Submarines Control and Precision Propulsion Module Integration		[12,000]
055	0603596N	LCS MISSION MODULES	103,633	103,633
056	0603597N	AUTOMATED TEST AND ANALYSIS	7,931	7,931
057	0603599N	FRIGATE DEVELOPMENT	134,772	134,772
058	0603609N	CONVENTIONAL MUNITIONS	9,307	9,307
060	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,828	1,828
061	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,148	43,148
062	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	5,915	5,915
063	0603721N	ENVIRONMENTAL PROTECTION	19,811	24,811
		High-Pressure Waterjet Explosive Ordnance Disposal Technology development		[5,000]
064	0603724N	NAVY ENERGY PROGRAM	25,656	25,656
065	0603725N	FACILITIES IMPROVEMENT	5,301	5,301
066	0603734N	CHALK CORAL	267,985	267,985
067	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,059	4,059
068	0603746N	RETRACT MAPLE	377,878	377,878
069	0603748N	LINK PLUMERIA	381,770	381,770
070	0603751N	RETRACT ELM	60,535	60,535
073	0603790N	NATO RESEARCH AND DEVELOPMENT	9,652	9,652
074	0603795N	LAND ATTACK TECHNOLOGY	15,529	15,529
075	0603851M	JOINT NON-LETHAL WEAPONS TESTING	27,581	32,581
		Joint service adoption of non-lethal weapon technologies		[5,000]
076	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	101,566	101,566
077	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	223,344	171,344
		Program decrease		[–52,000]
078	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST)	108,700	108,700
079	0604027N	DIGITAL WARFARE OFFICE	26,691	26,691
080	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	16,717	16,717
081	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	30,187	30,187
082	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	48,796	48,796
083	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	92,613	71,413
		Excessive Snakehead LDUUV growth		[–21,200]
084	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	58,121	73,121
		EMALS software support activity		[15,000]
086	0604126N	LITTORAL AIRBORNE MCM	17,622	17,622
087	0604127N	SURFACE MINE COUNTERMEASURES	18,154	18,154
088	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	47,278	47,278
090	0604289M	NEXT GENERATION LOGISTICS	11,081	11,081
092	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	7,107	7,107
093	0604454N	LX (R)	5,549	5,549
094	0604536N	ADVANCED UNDERSEA PROTOTYPING	87,669	87,669
095	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	132,818	132,818
096	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	7,230	7,230
097	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	143,062	143,062
099	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,889	8,889
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	25,291	10,341
		Unjustified cost growth		[–14,950]
101	0304240N	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	9,300	9,300
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	466	466
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,293,713**	**4,237,563**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
103	0603208N	TRAINING SYSTEM AIRCRAFT	12,798	13,798
		TH–57 follow-on training system development		[1,000]
104	0604212N	OTHER HELO DEVELOPMENT	32,128	32,128
105	0604214M	AV–8B AIRCRAFT—ENG DEV	46,363	46,363
107	0604215N	STANDARDS DEVELOPMENT	3,771	3,771
108	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	16,611	16,611
109	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	17,368	17,368
110	0604221N	P–3 MODERNIZATION PROGRAM	2,134	2,134
111	0604230N	WARFARE SUPPORT SYSTEM	9,729	9,729
112	0604231N	TACTICAL COMMAND SYSTEM	57,688	57,688
113	0604234N	ADVANCED HAWKEYE	223,565	215,565
		Forward financed in the FY18 Omnibus		[–10,000]
		Program increase--IFF range improvement		[2,000]

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114	0604245M	H–1 UPGRADES	58,097	58,097
116	0604261N	ACOUSTIC SEARCH SENSORS	42,485	42,485
117	0604262N	V–22A	143,079	143,079
118	0604264N	AIR CREW SYSTEMS DEVELOPMENT	20,980	20,980
119	0604269N	EA–18	147,419	147,419
120	0604270N	ELECTRONIC WARFARE DEVELOPMENT	89,824	121,424
		Navy UFR: EA–18G offensive airborne electronic attack special mission pods		[31,600]
121	0604273M	EXECUTIVE HELO DEVELOPMENT	245,064	245,064
123	0604274N	NEXT GENERATION JAMMER (NGJ)	459,529	459,529
124	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	3,272	3,272
125	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	115,253	115,253
126	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	397,403	377,403
		ACB 20 unexecutable growth		[–20,000]
127	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	939	939
128	0604329N	SMALL DIAMETER BOMB (SDB)	104,448	104,448
129	0604366N	STANDARD MISSILE IMPROVEMENTS	165,881	180,881
		XFU electronics unit integration		[15,000]
130	0604373N	AIRBORNE MCM	10,831	10,831
131	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	33,429	26,529
		Excess overhead		[–6,900]
132	0604501N	ADVANCED ABOVE WATER SENSORS	35,635	35,635
133	0604503N	SSN–688 AND TRIDENT MODERNIZATION	126,932	126,932
134	0604504N	AIR CONTROL	62,448	62,448
135	0604512N	SHIPBOARD AVIATION SYSTEMS	9,710	9,710
136	0604518N	COMBAT INFORMATION CENTER CONVERSION	19,303	19,303
137	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	27,059	27,059
138	0604530N	ADVANCED ARRESTING GEAR (AAG)	184,106	184,106
139	0604558N	NEW DESIGN SSN	148,233	126,833
		Excess cost growth		[–21,400]
140	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	60,824	60,824
141	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	60,062	60,062
142	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,642	4,642
144	0604601N	MINE DEVELOPMENT	25,756	25,756
145	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	95,147	95,147
146	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	7,107	7,107
147	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	6,539	6,539
148	0604727N	JOINT STANDOFF WEAPON SYSTEMS	441	441
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	180,391	180,391
150	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	178,538	178,538
151	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	120,507	120,507
152	0604761N	INTELLIGENCE ENGINEERING	29,715	29,715
153	0604771N	MEDICAL DEVELOPMENT	8,095	8,095
154	0604777N	NAVIGATION/ID SYSTEM	121,026	121,026
155	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	66,566	66,566
156	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	65,494	65,494
159	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	14,005	14,005
160	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	268,567	268,567
161	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	5,618	5,618
162	0605212M	CH–53K RDTE	326,945	326,945
164	0605215N	MISSION PLANNING	32,714	32,714
165	0605217N	COMMON AVIONICS	51,486	51,486
166	0605220N	SHIP TO SHORE CONNECTOR (SSC)	1,444	1,444
167	0605327N	T-AO 205 CLASS	1,298	1,298
168	0605414N	UNMANNED CARRIER AVIATION (UCA)	718,942	602,042
		Insufficient Air Vehicle budget justification		[–116,900]
169	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	6,759	11,759
		JAGM-F for USN and USMC		[5,000]
171	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	37,296	37,296
172	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	160,389	160,389
173	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION	98,223	98,223
174	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION	2,260	2,260
175	0204202N	DDG–1000	161,264	161,264
180	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	44,098	44,098
182	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	6,808	6,808
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,042,480**	**5,921,880**
		MANAGEMENT SUPPORT		
183	0604256N	THREAT SIMULATOR DEVELOPMENT	94,576	94,576
184	0604258N	TARGET SYSTEMS DEVELOPMENT	10,981	10,981
185	0604759N	MAJOR T&E INVESTMENT	77,014	83,014
		Program increase		[6,000]
186	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	48	48
187	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,942	3,942
188	0605154N	CENTER FOR NAVAL ANALYSES	48,797	48,797
189	0605285N	NEXT GENERATION FIGHTER	5,000	5,000
191	0605804N	TECHNICAL INFORMATION SERVICES	1,029	1,029
192	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	87,565	87,565
193	0605856N	STRATEGIC TECHNICAL SUPPORT	4,231	4,231
194	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	1,072	1,072
195	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	97,471	97,471
196	0605864N	TEST AND EVALUATION SUPPORT	373,834	373,834
197	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	21,554	21,554
198	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	16,227	16,227

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Line	Program Element	Item	FY 2019 Request	House Authorized
200	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	24,303	24,303
201	0605898N	MANAGEMENT HQ—R&D	43,262	43,262
202	0606355N	WARFARE INNOVATION MANAGEMENT	41,918	41,918
203	0606942M	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	7,000	7,000
204	0606942N	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	48,800	48,800
205	0305327N	INSIDER THREAT	1,682	1,682
206	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	1,579	1,579
208	1206867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,684	8,684
		SUBTOTAL MANAGEMENT SUPPORT	**1,020,569**	**1,026,569**
		OPERATIONAL SYSTEMS DEVELOPMENT		
210	0604227N	HARPOON MODIFICATIONS	5,426	5,426
211	0604840M	F–35 C2D2	259,122	259,122
212	0604840N	F–35 C2D2	252,360	252,360
213	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	130,515	119,315
		Excess cost growth		[–11,200]
214	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,127	3,127
215	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	157,679	166,679
		Project 2228, technical applications, systems engineering modeling and simulation capability and tool development.		[9,000]
216	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	43,198	39,198
		Excess program growth		[–4,000]
217	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	11,311	11,311
218	0101402N	NAVY STRATEGIC COMMUNICATIONS	39,313	39,313
219	0204136N	F/A–18 SQUADRONS	193,086	200,586
		Engine noise reduction engineering		[2,500]
		JAGM-F for USN and USMC		[5,000]
220	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	25,014	25,014
221	0204228N	SURFACE SUPPORT	11,661	11,661
222	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	282,395	282,395
223	0204311N	INTEGRATED SURVEILLANCE SYSTEM	36,959	36,959
224	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	15,454	15,454
225	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	6,073	6,073
226	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	45,029	45,029
227	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	104,903	104,903
228	0204574N	CRYPTOLOGIC DIRECT SUPPORT	4,544	4,544
229	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	66,889	66,889
230	0205601N	HARM IMPROVEMENT	120,762	120,762
231	0205604N	TACTICAL DATA LINKS	104,696	104,696
232	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,421	28,421
233	0205632N	MK–48 ADCAP	94,155	68,555
		Excessive TI–1 cost growth		[–25,600]
234	0205633N	AVIATION IMPROVEMENTS	121,805	136,805
		Navy UFR: F/A–18E/F Super Hornet engine enhancements		[15,000]
235	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	117,028	117,028
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	174,779	174,779
237	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	4,826	4,826
238	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	97,152	97,152
239	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	30,156	30,156
240	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	39,976	39,976
241	0206629M	AMPHIBIOUS ASSAULT VEHICLE	22,637	22,637
242	0207161N	TACTICAL AIM MISSILES	40,121	40,121
243	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,473	32,473
249	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	23,697	23,697
250	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	44,228	44,228
252	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,081	6,081
253	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,529	8,529
254	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,212	41,212
255	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,687	7,687
256	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	42,846	42,846
257	0305220N	MQ–4C TRITON	14,395	14,395
258	0305231N	MQ–8 UAV	9,843	9,843
259	0305232M	RQ–11 UAV	524	524
260	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	5,360	5,360
261	0305239M	RQ–21A	10,914	10,914
262	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	81,231	81,231
263	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,956	5,956
264	0305421N	RQ–4 MODERNIZATION	219,894	216,894
		Program decrease		[–3,000]
265	0308601N	MODELING AND SIMULATION SUPPORT	7,097	7,097
266	0702207N	DEPOT MAINTENANCE (NON-IF)	36,560	36,560
267	0708730N	MARITIME TECHNOLOGY (MARITECH)	7,284	7,284
268	1203109N	SATELLITE COMMUNICATIONS (SPACE)	39,174	39,174
268A	9999999999	CLASSIFIED PROGRAMS	1,549,503	1,549,503
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**4,885,060**	**4,872,760**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**18,481,666**	**18,387,116**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	348,322	348,322
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	154,991	154,991
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,506	14,506

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Line	Program Element	Item	FY 2019 Request	House Authorized
		SUBTOTAL BASIC RESEARCH	**517,819**	**517,819**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	125,373	144,373
		Additional facility engineering research and development		[3,000]
		Structural Biology Techniques		[3,000]
		Sub-atomic particle research		[3,000]
		Thermal protecting systems for hypersonics		[10,000]
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	130,547	140,547
		Hypersonic vehicle structures		[10,000]
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	112,518	112,518
007	0602203F	AEROSPACE PROPULSION	190,919	195,919
		Program increase		[5,000]
008	0602204F	AEROSPACE SENSORS	166,534	166,534
009	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES	8,288	8,288
011	0602602F	CONVENTIONAL MUNITIONS	112,841	112,841
012	0602605F	DIRECTED ENERGY TECHNOLOGY	141,898	141,898
013	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	162,420	172,420
		Enhance and accelerate Air Force artificial intelligence research		[10,000]
014	0602890F	HIGH ENERGY LASER RESEARCH	43,359	43,359
015	1206601F	SPACE TECHNOLOGY	117,645	117,645
		SUBTOTAL APPLIED RESEARCH	**1,312,342**	**1,356,342**
		ADVANCED TECHNOLOGY DEVELOPMENT		
016	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	34,426	44,426
		Metals Affordability Initiative		[10,000]
017	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	15,150	20,150
		Air Force artificial intelligence research and non-operational support activities		[5,000]
018	0603203F	ADVANCED AEROSPACE SENSORS	39,968	39,968
019	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	121,002	121,002
020	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	115,462	125,462
		Laser power system enhancement		[10,000]
021	0603270F	ELECTRONIC COMBAT TECHNOLOGY	55,319	55,319
022	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,895	54,895
023	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	10,674	10,674
024	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	36,463	46,463
		Autonomous life support system development		[10,000]
025	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	194,981	194,981
026	0603605F	ADVANCED WEAPONS TECHNOLOGY	43,368	43,368
027	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,025	47,025
		Academic and industrial partnerships for aerospace materials		[5,000]
028	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	51,064	64,364
		Additional facility engineering research and development		[8,300]
		Enhance and accelerate Air Force artificial intelligence research		[5,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**814,797**	**868,097**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
030	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,568	5,568
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	18,194	18,194
033	0603790F	NATO RESEARCH AND DEVELOPMENT	2,305	2,305
035	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	41,856	41,856
037	0604015F	LONG RANGE STRIKE—BOMBER	2,314,196	2,314,196
038	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	14,894	14,894
039	0604257F	ADVANCED TECHNOLOGY AND SENSORS	34,585	34,585
040	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	9,740	9,740
041	0604317F	TECHNOLOGY TRANSFER	12,960	12,960
042	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	71,501	71,501
043	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	62,618	62,618
046	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	28,350	28,350
048	0604858F	TECH TRANSITION PROGRAM	1,186,075	1,201,075
		Competitively Awarded Transition Programs		[5,000]
		Non-engine development technology		[10,000]
049	0605230F	GROUND BASED STRATEGIC DETERRENT	345,041	414,441
		Accelerated execution of program		[69,400]
050	0207110F	NEXT GENERATION AIR DOMINANCE	503,997	413,997
		Ahead of need		[–90,000]
051	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	40,326	40,326
052	0208099F	UNIFIED PLATFORM (UP)	29,800	29,800
054	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	41,880	41,880
055	0305601F	MISSION PARTNER ENVIRONMENTS	10,074	10,074
056	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	253,825	253,825
057	0306415F	ENABLED CYBER ACTIVITIES	16,325	16,325
059	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	17,577	17,577
060	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	286,629	286,629
061	1203710F	EO/IR WEATHER SYSTEMS	7,940	7,940
062	1206422F	WEATHER SYSTEM FOLLOW-ON	138,052	148,052
		Commercial weather data pilot		[10,000]
063	1206425F	SPACE SITUATION AWARENESS SYSTEMS	39,338	39,338
064	1206434F	MIDTERM POLAR MILSATCOM SYSTEM	383,113	383,113
065	1206438F	SPACE CONTROL TECHNOLOGY	91,018	106,018
		NTS–3 Payload		[15,000]
066	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	45,542	49,542
		Allied launch services		[4,000]

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067	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	51,419	51,419
068	1206761F	PROTECTED TACTICAL SERVICE (PTS)	29,776	29,776
069	1206855F	PROTECTED SATCOM SERVICES (PSCS)—AGGREGATED	29,379	29,379
070	1206857F	OPERATIONALLY RESPONSIVE SPACE	366,050	247,050
		Space RCO Advanced Solar Power—early to need		[–119,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,529,943**	**6,434,343**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
071	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	39,602	39,602
072	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	58,531	58,531
073	0604222F	NUCLEAR WEAPONS SUPPORT	4,468	4,468
074	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,909	1,909
075	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	207,746	207,746
076	0604287F	PHYSICAL SECURITY EQUIPMENT	14,421	14,421
077	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	73,158	93,158
		SDB II cost reduction initiatives		[20,000]
081	0604429F	AIRBORNE ELECTRONIC ATTACK	7,153	7,153
083	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	58,590	58,590
084	0604604F	SUBMUNITIONS	2,990	2,990
085	0604617F	AGILE COMBAT SUPPORT	20,028	20,028
086	0604618F	JOINT DIRECT ATTACK MUNITION	15,787	15,787
087	0604706F	LIFE SUPPORT SYSTEMS	8,919	8,919
088	0604735F	COMBAT TRAINING RANGES	35,895	62,895
		Advanced threat radar system		[27,000]
089	0604800F	F–35—EMD	69,001	69,001
091	0604932F	LONG RANGE STANDOFF WEAPON	614,920	699,920
		Accelerated execution of program		[85,000]
092	0604933F	ICBM FUZE MODERNIZATION	172,902	172,902
097	0605221F	KC–46	88,170	88,170
098	0605223F	ADVANCED PILOT TRAINING	265,465	265,465
099	0605229F	COMBAT RESCUE HELICOPTER	457,652	457,652
105	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	3,617	3,617
106	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	261,758	261,758
107	0101125F	NUCLEAR WEAPONS MODERNIZATION	91,907	91,907
108	0207171F	F–15 EPAWSS	137,095	137,095
109	0207328F	STAND IN ATTACK WEAPON	43,175	43,175
110	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	14,888	14,888
111	0207701F	FULL COMBAT MISSION TRAINING	1,015	1,015
115	0307581F	JSTARS RECAP		623,000
		JSTARS recap EMD execution		[623,000]
116	0401310F	C–32 EXECUTIVE TRANSPORT RECAPITALIZATION	7,943	7,943
117	0401319F	PRESIDENTIAL AIRCRAFT RECAPITALIZATION (PAR)	673,032	673,032
118	0701212F	AUTOMATED TEST SYSTEMS	13,653	13,653
119	1203176F	COMBAT SURVIVOR EVADER LOCATOR	939	939
120	1203269F	GPS IIIC	451,889	451,889
121	1203940F	SPACE SITUATION AWARENESS OPERATIONS	46,668	46,668
122	1206421F	COUNTERSPACE SYSTEMS	20,676	20,676
123	1206425F	SPACE SITUATION AWARENESS SYSTEMS	134,463	134,463
124	1206426F	SPACE FENCE	20,215	20,215
125	1206431F	ADVANCED EHF MILSATCOM (SPACE)	151,506	151,506
126	1206432F	POLAR MILSATCOM (SPACE)	27,337	27,337
127	1206433F	WIDEBAND GLOBAL SATCOM (SPACE)	3,970	3,970
128	1206441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	60,565	60,565
129	1206442F	EVOLVED SBIRS	643,126	643,126
130	1206853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	245,447	245,447
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**5,272,191**	**6,027,191**
		MANAGEMENT SUPPORT		
131	0604256F	THREAT SIMULATOR DEVELOPMENT	34,256	34,256
132	0604759F	MAJOR T&E INVESTMENT	91,844	91,844
133	0605101F	RAND PROJECT AIR FORCE	34,614	34,614
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	18,043	18,043
136	0605807F	TEST AND EVALUATION SUPPORT	692,784	724,684
		Test range modernization		[31,900]
137	0605826F	ACQ WORKFORCE- GLOBAL POWER	233,924	233,924
138	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	263,488	263,488
139	0605828F	ACQ WORKFORCE- GLOBAL REACH	153,591	153,591
140	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	232,315	232,315
141	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	169,868	169,868
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	226,219	226,219
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	38,400	38,400
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	125,761	125,761
147	0605898F	MANAGEMENT HQ—R&D	10,642	10,642
148	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	162,216	162,216
149	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	28,888	28,888
150	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	35,285	35,285
153	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	20,545	20,545
154	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	12,367	12,367
155	0804731F	GENERAL SKILL TRAINING	1,448	1,448
157	1001004F	INTERNATIONAL ACTIVITIES	3,998	3,998
158	1206116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	23,254	23,254
159	1206392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	169,912	169,912
160	1206398F	SPACE & MISSILE SYSTEMS CENTER—MHA	10,508	10,508

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161	1206860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	19,721	29,721
		Rocket systems launch program		[10,000]
162	1206864F	SPACE TEST PROGRAM (STP)	25,620	75,620
		Blackjack project		[50,000]
		SUBTOTAL MANAGEMENT SUPPORT	**2,839,511**	**2,931,411**
		OPERATIONAL SYSTEMS DEVELOPMENT		
165	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	11,344	11,344
167	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	47,287	47,287
168	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	32,770	32,770
169	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	68,368	68,368
170	0605278F	HC/MC–130 RECAP RDT&E	32,574	32,574
171	0606018F	NC3 INTEGRATION	26,112	26,112
172	0606942F	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	99,100	99,100
173	0101113F	B–52 SQUADRONS	280,414	295,114
		Technical adjustment		[14,700]
174	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	5,955	5,955
175	0101126F	B–1B SQUADRONS	76,030	76,030
176	0101127F	B–2 SQUADRONS	105,561	105,561
177	0101213F	MINUTEMAN SQUADRONS	156,047	156,047
179	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	10,442	10,442
180	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK	22,833	22,833
181	0101328F	ICBM REENTRY VEHICLES	18,412	18,412
183	0102110F	UH–1N REPLACEMENT PROGRAM	288,022	288,022
184	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	9,252	9,252
186	0205219F	MQ–9 UAV	115,345	115,345
188	0207131F	A–10 SQUADRONS	26,738	26,738
189	0207133F	F–16 SQUADRONS	191,564	191,564
190	0207134F	F–15E SQUADRONS	192,883	242,883
		ALQ–128 EW suite for ANG units		[50,000]
191	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,238	15,238
192	0207138F	F–22A SQUADRONS	603,553	583,853
		Program reduction		[–19,700]
193	0207142F	F–35 SQUADRONS	549,501	549,501
194	0207161F	TACTICAL AIM MISSILES	37,230	37,230
195	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	61,393	61,393
196	0207227F	COMBAT RESCUE—PARARESCUE	647	647
198	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	14,891	14,891
199	0207253F	COMPASS CALL	13,901	13,901
200	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	121,203	121,203
202	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	60,062	60,062
203	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	106,102	79,602
		Unjustified request		[–26,500]
204	0207412F	CONTROL AND REPORTING CENTER (CRC)	6,413	6,413
205	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	120,664	78,864
		Program reduction		[–5,800]
		Radar controller program delay		[–36,000]
206	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	2,659	2,659
208	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	10,316	10,316
209	0207444F	TACTICAL AIR CONTROL PARTY-MOD	6,149	6,149
210	0207448F	C2ISR TACTICAL DATA LINK	1,738	1,738
211	0207452F	DCAPES	13,297	13,297
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	1,788	1,788
213	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	14,888	14,888
214	0207590F	SEEK EAGLE	24,699	24,699
215	0207601F	USAF MODELING AND SIMULATION	17,078	17,078
216	0207605F	WARGAMING AND SIMULATION CENTERS	6,141	6,141
218	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,225	4,225
219	0208006F	MISSION PLANNING SYSTEMS	63,653	63,653
220	0208007F	TACTICAL DECEPTION	6,949	6,949
221	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	40,526	40,526
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	24,166	24,166
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	13,000	13,000
224	0208099F	UNIFIED PLATFORM (UP)	28,759	28,759
229	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,579	3,579
230	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	29,620	29,620
237	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	6,633	6,633
238	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	57,758	57,758
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	99,088	99,088
241	0303133F	HIGH FREQUENCY RADIO SYSTEMS	51,612	51,612
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	34,612	34,612
244	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,170	2,170
246	0304260F	AIRBORNE SIGINT ENTERPRISE	106,873	109,873
		SIGINT single-pod development		[3,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,472	3,472
250	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	8,608	8,608
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,586	1,586
252	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,492	4,492
254	0305111F	WEATHER SERVICE	26,942	26,942
255	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	6,271	8,771
		Augmentation of air surveillance and early warning radar systems		[2,500]
256	0305116F	AERIAL TARGETS	8,383	8,383
259	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	418	418

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261	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	3,845	3,845
268	0305202F	DRAGON U–2	48,518	65,518
		EO/IR sensor upgrades		[17,000]
270	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	175,334	175,334
		Gorgon Stare		[10,800]
		Program reduction		[–10,800]
271	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,223	14,223
272	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	24,554	24,554
273	0305220F	RQ–4 UAV	221,690	211,890
		RQ–4 infrastructure unjustified request		[–9,800]
274	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	14,288	14,288
275	0305238F	NATO AGS	51,527	51,527
276	0305240F	SUPPORT TO DCGS ENTERPRISE	26,579	26,579
278	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	8,464	8,464
280	0305881F	RAPID CYBER ACQUISITION	4,303	4,303
284	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,466	2,466
285	0307577F	INTELLIGENCE MISSION DATA (IMD)	4,117	4,117
287	0401115F	C–130 AIRLIFT SQUADRON	105,988	105,988
288	0401119F	C–5 AIRLIFT SQUADRONS (IF)	25,071	25,071
289	0401130F	C–17 AIRCRAFT (IF)	48,299	48,299
290	0401132F	C–130J PROGRAM	15,409	15,409
291	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	4,334	4,334
292	0401218F	KC–135S	3,493	3,493
293	0401219F	KC–10S	6,569	6,569
294	0401314F	OPERATIONAL SUPPORT AIRLIFT	3,172	3,172
295	0401318F	CV–22	18,502	18,502
296	0401840F	AMC COMMAND AND CONTROL SYSTEM	1,688	1,688
297	0408011F	SPECIAL TACTICS / COMBAT CONTROL	2,541	2,541
298	0702207F	DEPOT MAINTENANCE (NON-IF)	1,897	1,897
299	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	50,933	50,933
300	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	13,787	13,787
301	0708611F	SUPPORT SYSTEMS DEVELOPMENT	4,497	4,497
302	0804743F	OTHER FLIGHT TRAINING	2,022	2,022
303	0808716F	OTHER PERSONNEL ACTIVITIES	108	108
304	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,023	2,023
305	0901218F	CIVILIAN COMPENSATION PROGRAM	3,772	3,772
306	0901220F	PERSONNEL ADMINISTRATION	6,358	6,358
307	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,418	1,418
308	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	99,734	99,734
309	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	14,161	14,161
310	1202247F	AF TENCAP	26,986	26,986
311	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	80,168	80,168
312	1203110F	SATELLITE CONTROL NETWORK (SPACE)	17,808	17,808
314	1203165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	8,937	8,937
315	1203173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	59,935	59,935
316	1203174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	21,019	21,019
317	1203179F	INTEGRATED BROADCAST SERVICE (IBS)	8,568	8,568
318	1203182F	SPACELIFT RANGE SYSTEM (SPACE)	10,641	10,641
319	1203265F	GPS III SPACE SEGMENT	144,543	144,543
320	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,278	16,278
321	1203614F	JSPOC MISSION SYSTEM	72,256	72,256
322	1203620F	NATIONAL SPACE DEFENSE CENTER	42,209	42,209
325	1203913F	NUDET DETECTION SYSTEM (SPACE)	19,778	19,778
326	1203940F	SPACE SITUATION AWARENESS OPERATIONS	19,572	19,572
327	1206423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	513,235	513,235
327A	9999999999	CLASSIFIED PROGRAMS	16,534,124	16,390,224
		Classifed adjustment		[–40,000]
		Forward financed in the FY18 Omnibus		[–89,900]
		PDSA staff reduction		[–14,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**22,891,740**	**22,737,240**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**40,178,343**	**40,872,443**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	37,023	37,023
002	0601101E	DEFENSE RESEARCH SCIENCES	422,130	416,130
		Program decrease		[–6,000]
003	0601110D8Z	BASIC RESEARCH INITIATIVES	42,702	42,702
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	47,825	47,825
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	85,919	85,919
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	30,412	40,412
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	42,103	42,103
		SUBTOTAL BASIC RESEARCH	**708,114**	**712,114**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,170	19,170
009	0602115E	BIOMEDICAL TECHNOLOGY	101,300	101,300
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,596	51,596
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	60,688	60,688
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	395,317	395,317
014	0602383E	BIOLOGICAL WARFARE DEFENSE	38,640	38,640

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015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	192,674	192,674
016	0602668D8Z	CYBER SECURITY RESEARCH	14,969	14,969
017	0602702E	TACTICAL TECHNOLOGY	335,466	335,466
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	226,898	226,898
019	0602716E	ELECTRONICS TECHNOLOGY	333,847	333,847
020	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	161,151	161,151
021	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	9,300	9,300
022	1160401BB	SOF TECHNOLOGY DEVELOPMENT	35,921	35,921
		SUBTOTAL APPLIED RESEARCH	**1,976,937**	**1,976,937**
		ADVANCED TECHNOLOGY DEVELOPMENT		
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,598	25,598
024	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	125,271	125,271
025	0603133D8Z	FOREIGN COMPARATIVE TESTING	24,532	24,532
027	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT	299,858	299,858
028	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	13,017	13,017
029	0603178C	WEAPONS TECHNOLOGY		10,000
		Accelerate hypersonic defense capability		[10,000]
031	0603180C	ADVANCED RESEARCH	20,365	40,365
		Accelerate hypersonic defense capability		[20,000]
032	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,644	18,644
034	0603286E	ADVANCED AEROSPACE SYSTEMS	277,603	277,603
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY	254,671	254,671
036	0603288D8Z	ANALYTIC ASSESSMENTS	19,472	19,472
037	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	37,263	37,263
038	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA	13,621	13,621
039	0603294C	COMMON KILL VEHICLE TECHNOLOGY	189,753	100,753
		Early to need		[–89,000]
040	0603342D8W	DEFENSE INNOVATION UNIT EXPERIMENTAL (DIUX)	29,364	29,364
041	0603375D8Z	TECHNOLOGY INNOVATION	83,143	83,143
042	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	142,826	142,826
043	0603527D8Z	RETRACT LARCH	161,128	161,128
044	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	12,918	12,918
045	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	106,049	106,049
046	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	12,696	12,696
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	114,637	114,637
048	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	49,667	49,667
049	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	48,338	48,338
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	11,778	11,778
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	76,514	76,514
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	168,931	168,931
054	0603727D8Z	JOINT WARFIGHTING PROGRAM	5,992	5,992
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,099	111,099
056	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	185,984	185,984
057	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	438,569	438,569
058	0603767E	SENSOR TECHNOLOGY	190,128	190,128
059	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,564	13,564
060	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,050	15,050
061	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	69,626	69,626
062	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	19,415	19,415
063	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	69,533	69,533
064	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	96,389	96,389
065	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	40,582	40,582
066	0303310D8Z	CWMD SYSTEMS	26,644	26,644
067	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	79,380	79,380
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**3,699,612**	**3,640,612**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
068	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	28,140	28,140
069	0603600D8Z	WALKOFF	92,222	92,222
070	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES	2,506	2,506
071	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	40,016	40,016
072	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	214,173	359,173
		Accelerate USFK JEON delivery		[100,000]
		Address cyber threats		[45,000]
073	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	926,359	726,359
		Address cyber threats		[8,000]
		Forward financed in the FY18 Omnibus		[–208,000]
074	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	129,886	129,886
075	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	220,876	245,876
		Accelerate USFK JEON delivery		[20,000]
		Address cyber threats		[5,000]
076	0603890C	BMD ENABLING PROGRAMS	540,926	540,926
077	0603891C	SPECIAL PROGRAMS—MDA	422,348	422,348
078	0603892C	AEGIS BMD	767,539	767,539
081	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	475,168	483,168
		Address cyber threats		[8,000]
082	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	48,767	48,767
083	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	54,925	54,925
084	0603906C	REGARDING TRENCH	16,916	16,916
085	0603907C	SEA BASED X-BAND RADAR (SBX)	149,715	116,715
		Forward financed in the FY18 Omnibus		[–33,000]
086	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000

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087	0603914C	BALLISTIC MISSILE DEFENSE TEST	365,681	430,681
		Accelerate USFK JEON delivery		[50,000]
		Address cyber threats		[15,000]
088	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	517,852	491,352
		Accelerate USFK JEON delivery		[4,500]
		Address cyber threats		[5,000]
		Forward financed in the FY18 Omnibus		[–36,000]
089	0603920D8Z	HUMANITARIAN DEMINING	11,347	11,347
090	0603923D8Z	COALITION WARFARE	8,528	8,528
091	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,477	3,477
092	0604115C	TECHNOLOGY MATURATION INITIATIVES	148,822	203,822
		Address cyber threats		[5,000]
		Continue directed energy and boost phase intercept efforts		[50,000]
093	0604132D8Z	MISSILE DEFEAT PROJECT	58,607	58,607
094	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING	12,993	12,993
095	0604181C	HYPERSONIC DEFENSE	120,444	130,444
		Accelerate hypersonic defense capability		[10,000]
096	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,431,702	1,381,702
		Program reduction		[–50,000]
097	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	233,142	233,142
098	0604331D8Z	RAPID PROTOTYPING PROGRAM	99,333	99,333
098A	0604342D8Z	DEFENSE TECHNOLOGY OFFSET		100,000
		Directed energy		[100,000]
099	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	3,781	3,781
100	0604673C	PACIFIC DISCRIMINATING RADAR	95,765	95,765
101	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,768	3,768
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS	22,435	22,435
104	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	164,562	164,562
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	561,220	421,820
		Forward financed in the FY18 Omnibus		[–139,400]
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	61,017	61,017
107	0604878C	AEGIS BMD TEST	95,756	95,756
108	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	81,001	81,001
109	0604880C	LAND-BASED SM–3 (LBSM3)	27,692	27,842
		Retain Poland CHUs		[150]
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	81,934	72,634
		Forward financed in the FY18 Omnibus		[–9,300]
112	0604894C	MULTI-OBJECT KILL VEHICLE	8,256	8,256
113	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,600	2,600
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,104	3,104
115	0305103C	CYBER SECURITY INITIATIVE	985	985
116	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	36,955	36,955
117	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	16,484	74,484
		Address cyber threats		[8,000]
		Develop space sensor architecture		[50,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	**8,709,725**	**8,717,675**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,333	8,333
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	263,414	413,414
		Accelerate program		[150,000]
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	388,701	388,701
121	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	19,503	19,503
122	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	6,163	6,163
123	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	11,988	11,988
124	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	296	296
125	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,489	1,489
126	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	9,590	9,590
127	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	3,173	3,173
128	0605075D8Z	DCMO POLICY AND INTEGRATION	2,105	2,105
129	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	21,156	21,156
130	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	10,731	10,731
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	6,374	6,374
133	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	56,178	56,178
134	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	2,512	2,512
135	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	2,435	2,435
136	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION	17,048	17,048
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	**831,189**	**981,189**
		MANAGEMENT SUPPORT		
137	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,661	6,661
138	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,088	4,088
139	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	258,796	258,796
140	0604942D8Z	ASSESSMENTS AND EVALUATIONS	31,356	31,356
141	0605001E	MISSION SUPPORT	65,646	65,646
142	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	84,184	84,184
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	22,576	22,576
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	52,565	42,565
		Unjustified program growth		[–10,000]
146	0605142D8Z	SYSTEMS ENGINEERING	38,872	38,872
147	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,534	3,534
148	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,050	5,050
149	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	11,450	11,450

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
150	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,693	1,693
151	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	102,883	102,883
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER	2,545	2,545
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	24,487	24,487
161	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,853	56,853
162	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	24,914	24,914
163	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	20,179	20,179
164	0605898E	MANAGEMENT HQ—R&D	13,643	13,643
165	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	4,124	4,124
166	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	5,768	5,768
167	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	1,030	1,030
168	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	1,000	1,000
169	0606942C	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	3,400	3,400
170	0606942S	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	4,000	4,000
171	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,008	3,008
172	0204571J	JOINT STAFF ANALYTICAL SUPPORT	6,658	6,658
175	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	652	652
176	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,005	1,005
177	0305172K	COMBINED ADVANCED APPLICATIONS	21,363	21,363
180	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS	109,529	109,529
181	0306310D8Z	CWMD SYSTEMS: RDT&E MANAGEMENT SUPPORT	1,244	1,244
184	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA	42,940	42,940
185	0901598C	MANAGEMENT HQ—MDA	28,626	28,626
187	0903235K	JOINT SERVICE PROVIDER (JSP)	5,104	5,104
188A	9999999999	CLASSIFIED PROGRAMS	45,604	45,604
		SUBTOTAL MANAGEMENT SUPPORT	**1,117,030**	**1,107,030**
		OPERATIONAL SYSTEM DEVELOPMENT		
189	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	9,750	9,750
190	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA	1,855	1,855
191	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	304	304
192	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	10,376	10,376
193	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	5,915	5,915
194	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	5,869	5,869
195	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	48,741	48,741
196	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,037	3,037
197	0208045K	C4I INTEROPERABILITY	62,814	62,814
203	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,561	16,561
204	0303126K	LONG-HAUL COMMUNICATIONS—DCS	14,769	14,769
205	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	17,579	17,579
207	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	31,737	31,737
208	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	7,940	17,940
		Expand cyber scholarship program		[10,000]
209	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	229,252	229,252
210	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	19,611	19,611
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	46,900	46,900
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	7,570	7,570
213	0303228K	JOINT INFORMATION ENVIRONMENT (JIE)	7,947	7,947
215	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	39,400	39,400
224	0305186D8Z	POLICY R&D PROGRAMS	6,262	6,262
225	0305199D8Z	NET CENTRICITY	16,780	16,780
227	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,286	6,286
230	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,970	2,970
233	0305327V	INSIDER THREAT	5,954	5,954
234	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,198	2,198
240	0307577D8Z	INTELLIGENCE MISSION DATA (IMD)	6,889	6,889
242	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,317	1,317
243	0708012S	PACIFIC DISASTER CENTERS	1,770	1,770
244	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	1,805	1,805
246	1105219BB	MQ–9 UAV	18,403	18,403
248	1160403BB	AVIATION SYSTEMS	184,993	179,993
		Realignment of funds		[–5,000]
249	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	10,625	10,625
250	1160408BB	OPERATIONAL ENHANCEMENTS	102,307	102,307
251	1160431BB	WARRIOR SYSTEMS	46,942	46,942
252	1160432BB	SPECIAL PROGRAMS	2,479	2,479
253	1160434BB	UNMANNED ISR	27,270	27,270
254	1160480BB	SOF TACTICAL VEHICLES	1,121	1,121
255	1160483BB	MARITIME SYSTEMS	42,471	42,471
256	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,780	4,780
257	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	12,176	12,176
258	1203610K	TELEPORT PROGRAM	2,323	2,323
258A	9999999999	CLASSIFIED PROGRAMS	3,877,898	3,877,898
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,973,946**	**4,978,946**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**22,016,553**	**22,114,503**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	85,685	85,685
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	64,332	64,332
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	70,992	70,992
		SUBTOTAL MANAGEMENT SUPPORT	**221,009**	**221,009**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**221,009**	**221,009**
		TOTAL RDT&E	**91,056,950**	**91,916,650**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

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

Line	Program Element	Item	FY 2019 Request	House Authorized
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
056	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	1,000	0
		Realignment of EDI APS Unit Set from OCO to Base		[–1,000]
058	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	1,500	1,500
061	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,000	3,000
076	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	23,000	0
		Realignment of EDI APS Unit Set from OCO to Base		[–23,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**28,500**	**4,500**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
088	0604328A	TRACTOR CAGE	12,000	12,000
100	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	119,300	119,300
125	0605032A	TRACTOR TIRE	66,760	66,760
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	2,670	2,670
136	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	34,933	34,933
147	0303032A	TROJAN—RH12	1,200	1,200
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**236,863**	**236,863**
		OPERATIONAL SYSTEMS DEVELOPMENT		
184	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	2,548	2,548
185	0607133A	TRACTOR SMOKE	7,780	7,780
206	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	2,000	0
		Realignment of EDI APS Unit Set from OCO to Base		[–2,000]
209	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV	8,000	8,000
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	23,199	23,199
226	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	14,000	0
		Realignment of EDI APS Unit Set from OCO to Base		[–14,000]
231	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,214	2,214
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**59,741**	**43,741**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**325,104**	**285,104**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
041	0603527N	RETRACT LARCH	18,000	18,000
061	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	13,900	13,900
074	0603795N	LAND ATTACK TECHNOLOGY	1,400	1,400
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**33,300**	**33,300**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,100	1,100
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**1,100**	**1,100**
		OPERATIONAL SYSTEMS DEVELOPMENT		
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	16,130	16,130
268A	9999999999	CLASSIFIED PROGRAMS	117,282	117,282
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**133,412**	**133,412**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**167,812**	**167,812**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
065	1206438F	SPACE CONTROL TECHNOLOGY	1,100	1,100
070	1206857F	OPERATIONALLY RESPONSIVE SPACE	12,395	12,395
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**13,495**	**13,495**
		OPERATIONAL SYSTEMS DEVELOPMENT		
186	0205219F	MQ–9 UAV	4,500	4,500
187	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,000	4,000
188	0207131F	A–10 SQUADRONS	1,000	1,000
217	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	42,349	42,349
228	0208288F	INTEL DATA APPLICATIONS	1,200	1,200
254	0305111F	WEATHER SERVICE	3,000	3,000
268	0305202F	DRAGON U–2	22,100	22,100
272	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	29,500	29,500
310	1202247F	AF TENCAP	5,000	5,000
327A	9999999999	CLASSIFIED PROGRAMS	188,127	188,127
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**300,776**	**300,776**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**314,271**	**314,271**

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

Line	Program Element	Item	FY 2019 Request	House Authorized
		ADVANCED TECHNOLOGY DEVELOPMENT		
024	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	25,000	25,000
026	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	13,648	13,648
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**38,648**	**38,648**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
094	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING	242,668	242,668
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	**242,668**	**242,668**
		OPERATIONAL SYSTEM DEVELOPMENT		
250	1160408BB	OPERATIONAL ENHANCEMENTS	3,632	3,632
251	1160431BB	WARRIOR SYSTEMS	11,040	11,040
253	1160434BB	UNMANNED ISR	11,700	11,700
254	1160480BB	SOF TACTICAL VEHICLES	725	725
258A	9999999999	CLASSIFIED PROGRAMS	192,131	192,131
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**219,228**	**219,228**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**500,544**	**500,544**
		TOTAL RDT&E	**1,307,731**	**1,267,731**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

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

Line	Item	FY 2019 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	2,076,360	1,631,060
	Readiness restoration		[9,400]
	Realign OCO requirements from Base to OCO		[–454,700]
020	MODULAR SUPPORT BRIGADES	107,946	109,746
	Readiness restoration		[1,800]
030	ECHELONS ABOVE BRIGADE	732,485	588,515
	Readiness restoration		[7,600]
	Realign OCO requirements from Base to OCO		[–151,570]
040	THEATER LEVEL ASSETS	1,169,508	945,308
	Readiness restoration		[18,300]
	Realign OCO requirements from Base to OCO		[–242,500]
050	LAND FORCES OPERATIONS SUPPORT	1,180,460	1,197,960
	Readiness restoration		[17,500]
060	AVIATION ASSETS	1,467,500	1,485,300
	Readiness restoration		[17,800]
070	FORCE READINESS OPERATIONS SUPPORT	4,285,211	3,680,951
	Female personal protective equipment		[2,000]
	Realign OCO requirements from Base to OCO		[–606,260]
080	LAND FORCES SYSTEMS READINESS	482,201	482,201
090	LAND FORCES DEPOT MAINTENANCE	1,536,851	1,375,231
	Readiness restoration		[111,200]
	Realign OCO requirements from Base to OCO		[–272,820]
100	BASE OPERATIONS SUPPORT	8,274,299	7,668,039
	Realign OCO requirements from Base to OCO		[–606,260]
110	FACILITIES SUSTAINMENT	3,516,859	2,497,978
	85% Sustainment		[175,469]
	Capability Output Level 3 Funding		[25,000]
	Realignment of FSRM funds to new RM and Demo lines		[–1,219,350]
111	FACILITIES RESTORATION & MODERNIZATION		1,054,140
	Realignment of FSRM funds to new RM and Demo lines		[1,054,140]
112	FACILITIES DEMOLITION		215,210
	Program increase		[50,000]
	Realignment of FSRM funds to new RM and Demo lines		[165,210]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	438,733	438,733
180	US AFRICA COMMAND	231,518	231,518
190	US EUROPEAN COMMAND	150,268	150,268
200	US SOUTHERN COMMAND	195,964	195,964
210	US FORCES KOREA	59,625	59,625
	SUBTOTAL OPERATING FORCES	**25,905,788**	**24,007,747**
	MOBILIZATION		
220	STRATEGIC MOBILITY	370,941	370,941
230	ARMY PREPOSITIONED STOCKS	573,560	732,313

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

Line	Item	FY 2019 Request	House Authorized
	Realignment of EDI APS Unit Set from OCO to Base		[158,753]
240	INDUSTRIAL PREPAREDNESS	7,678	7,678
	SUBTOTAL MOBILIZATION	**952,179**	**1,110,932**
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	135,832	135,832
260	RECRUIT TRAINING	54,819	54,819
270	ONE STATION UNIT TRAINING	69,599	69,599
280	SENIOR RESERVE OFFICERS TRAINING CORPS	518,998	518,998
290	SPECIALIZED SKILL TRAINING	1,020,073	1,020,073
300	FLIGHT TRAINING	1,082,190	1,082,190
310	PROFESSIONAL DEVELOPMENT EDUCATION	220,399	220,399
320	TRAINING SUPPORT	611,482	611,482
330	RECRUITING AND ADVERTISING	698,962	698,962
340	EXAMINING	162,049	162,049
350	OFF-DUTY AND VOLUNTARY EDUCATION	215,622	215,622
360	CIVILIAN EDUCATION AND TRAINING	176,914	176,914
370	JUNIOR RESERVE OFFICER TRAINING CORPS	174,430	174,430
	SUBTOTAL TRAINING AND RECRUITING	**5,141,369**	**5,141,369**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	588,047	436,447
	Realign OCO requirements from Base to OCO		[–151,600]
400	CENTRAL SUPPLY ACTIVITIES	931,462	931,462
410	LOGISTIC SUPPORT ACTIVITIES	696,114	696,114
420	AMMUNITION MANAGEMENT	461,637	461,637
430	ADMINISTRATION	447,564	447,564
440	SERVICEWIDE COMMUNICATIONS	2,069,127	2,069,127
450	MANPOWER MANAGEMENT	261,021	261,021
460	OTHER PERSONNEL SUPPORT	379,541	379,541
470	OTHER SERVICE SUPPORT	1,699,767	1,699,767
480	ARMY CLAIMS ACTIVITIES	192,686	192,686
490	REAL ESTATE MANAGEMENT	240,917	240,917
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	291,569	291,569
510	INTERNATIONAL MILITARY HEADQUARTERS	442,656	442,656
520	MISC. SUPPORT OF OTHER NATIONS	48,251	58,251
	NATO Cooperative Cyber Defense Center of Excellence		[5,000]
	NATO Strategic Communications Center of Excellence		[5,000]
565	CLASSIFIED PROGRAMS	1,259,622	1,259,622
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**10,009,981**	**9,868,381**
	UNDISTRIBUTED		
570	UNDISTRIBUTED		–894,500
	Foreign Currency adjustments		[–210,300]
	Historical unobligated balances		[–694,200]
	Simulators and other technologies to reduce the use of live animal tissue for medical training		[10,000]
	SUBTOTAL UNDISTRIBUTED		**–894,500**
	TOTAL OPERATION & MAINTENANCE, ARMY	**42,009,317**	**39,233,929**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	13,867	13,867
020	ECHELONS ABOVE BRIGADE	536,438	536,438
030	THEATER LEVEL ASSETS	113,225	113,225
040	LAND FORCES OPERATIONS SUPPORT	551,141	551,141
050	AVIATION ASSETS	89,073	89,073
060	FORCE READINESS OPERATIONS SUPPORT	409,531	409,531
070	LAND FORCES SYSTEMS READINESS	101,411	101,411
080	LAND FORCES DEPOT MAINTENANCE	60,114	60,114
090	BASE OPERATIONS SUPPORT	595,728	595,728
100	FACILITIES SUSTAINMENT	304,658	263,065
	Realignment of FSRM funds to new RM and Demo lines		[–71,593]
	Sustainment recovery		[30,000]
101	FACILITIES RESTORATION & MODERNIZATION		49,176
	Realignment of FSRM funds to new RM and Demo lines		[49,176]
102	FACILITIES DEMOLITION		22,417
	Realignment of FSRM funds to new RM and Demo lines		[22,417]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,175	22,175
	SUBTOTAL OPERATING FORCES	**2,797,361**	**2,827,361**
	ADMIN & SRVWD ACTIVITIES		
120	SERVICEWIDE TRANSPORTATION	11,832	11,832
130	ADMINISTRATION	18,218	18,218

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

Line	Item	FY 2019 Request	House Authorized
140	SERVICEWIDE COMMUNICATIONS	25,069	25,069
150	MANPOWER MANAGEMENT	6,248	6,248
160	RECRUITING AND ADVERTISING	58,181	58,181
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**119,548**	**119,548**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,916,909**	**2,946,909**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	810,269	810,269
020	MODULAR SUPPORT BRIGADES	193,402	193,402
030	ECHELONS ABOVE BRIGADE	753,815	753,815
040	THEATER LEVEL ASSETS	84,124	84,124
050	LAND FORCES OPERATIONS SUPPORT	31,881	31,881
060	AVIATION ASSETS	973,874	973,874
070	FORCE READINESS OPERATIONS SUPPORT	784,086	784,086
080	LAND FORCES SYSTEMS READINESS	51,353	51,353
090	LAND FORCES DEPOT MAINTENANCE	221,633	221,633
100	BASE OPERATIONS SUPPORT	1,129,942	1,129,942
110	FACILITIES SUSTAINMENT	919,947	888,760
	Realignment of FSRM funds to new RM and Demo lines		[–101,187]
	Sustainment recovery		[70,000]
111	FACILITIES RESTORATION & MODERNIZATION		85,859
	Realignment of FSRM funds to new RM and Demo lines		[85,859]
112	FACILITIES DEMOLITION		15,328
	Realignment of FSRM funds to new RM and Demo lines		[15,328]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,010,524	1,010,524
	SUBTOTAL OPERATING FORCES	**6,964,850**	**7,034,850**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,017	10,017
140	ADMINISTRATION	72,746	72,746
150	SERVICEWIDE COMMUNICATIONS	83,105	83,105
160	MANPOWER MANAGEMENT	10,678	10,678
170	OTHER PERSONNEL SUPPORT	254,753	254,753
180	REAL ESTATE MANAGEMENT	3,146	3,146
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**434,445**	**434,445**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,399,295**	**7,469,295**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,372,399	5,372,399
020	FLEET AIR TRAINING	2,023,351	2,014,593
	Advanced skills management		[–8,758]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	56,225	56,225
040	AIR OPERATIONS AND SAFETY SUPPORT	156,081	156,081
050	AIR SYSTEMS SUPPORT	682,379	682,379
060	AIRCRAFT DEPOT MAINTENANCE	1,253,756	1,291,156
	Readiness restoration		[37,400]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	66,649	66,649
080	AVIATION LOGISTICS	939,368	945,768
	Readiness restoration		[6,400]
090	MISSION AND OTHER SHIP OPERATIONS	4,439,566	4,439,566
100	SHIP OPERATIONS SUPPORT & TRAINING	997,663	997,663
110	SHIP DEPOT MAINTENANCE	8,751,526	8,900,126
	Readiness restoration		[116,600]
	Western Pacific Dry Dock capability		[32,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,168,876	2,168,876
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,349,593	1,349,593
150	SPACE SYSTEMS AND SURVEILLANCE	215,255	215,255
160	WARFARE TACTICS	632,446	632,446
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	373,046	373,046
180	COMBAT SUPPORT FORCES	1,452,075	1,452,075
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	153,719	153,719
210	COMBATANT COMMANDERS CORE OPERATIONS	63,039	63,039
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	89,339	89,339
230	MILITARY INFORMATION SUPPORT OPERATIONS	8,475	8,475
240	CYBERSPACE ACTIVITIES	424,088	424,088
260	FLEET BALLISTIC MISSILE	1,361,947	1,361,947
280	WEAPONS MAINTENANCE	823,952	819,452
	Insufficient budget justification for submarine acoustic systems		[–4,500]
290	OTHER WEAPON SYSTEMS SUPPORT	494,101	494,101
300	ENTERPRISE INFORMATION	921,936	921,936

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

Line	Item	FY 2019 Request	House Authorized
310	FACILITIES SUSTAINMENT	2,040,389	1,712,222
	85% Sustainment		[101,000]
	Capability Output Level 3 Funding		[20,000]
	Project oversight (Unjustified Growth)		[–85,420]
	Realignment of FSRM funds to new RM and Demo lines		[–363,747]
311	FACILITIES RESTORATION & MODERNIZATION		243,745
	Realignment of FSRM funds to new RM and Demo lines		[243,745]
312	FACILITIES DEMOLITION		160,002
	Program increase		[40,000]
	Realignment of FSRM funds to new RM and Demo lines		[120,002]
320	BASE OPERATING SUPPORT	4,414,753	4,414,753
	SUBTOTAL OPERATING FORCES	**41,725,992**	**41,980,714**
	MOBILIZATION		
330	SHIP PREPOSITIONING AND SURGE	549,142	400,545
	Realign DoD Mobilization Alternation to NDSF		[–20,858]
	Realign LG Med Spd RO/RO Maintenance to NDSF		[–127,739]
340	READY RESERVE FORCE	310,805	0
	Realign Ready Reserve Forces to NDSF		[–310,805]
360	SHIP ACTIVATIONS/INACTIVATIONS	161,150	161,150
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	120,338	47,988
	Realign T-AH Maintenance to NDSF		[–72,350]
390	COAST GUARD SUPPORT	24,097	24,097
	SUBTOTAL MOBILIZATION	**1,165,532**	**633,780**
	TRAINING AND RECRUITING		
400	OFFICER ACQUISITION	145,481	145,481
410	RECRUIT TRAINING	9,637	9,637
420	RESERVE OFFICERS TRAINING CORPS	149,687	149,687
430	SPECIALIZED SKILL TRAINING	879,557	879,557
450	PROFESSIONAL DEVELOPMENT EDUCATION	184,436	186,136
	Naval Sea Cadets		[1,700]
460	TRAINING SUPPORT	223,159	223,159
470	RECRUITING AND ADVERTISING	181,086	181,086
480	OFF-DUTY AND VOLUNTARY EDUCATION	96,006	96,006
490	CIVILIAN EDUCATION AND TRAINING	72,083	72,083
500	JUNIOR ROTC	54,156	54,156
	SUBTOTAL TRAINING AND RECRUITING	**1,995,288**	**1,996,988**
	ADMIN & SRVWD ACTIVITIES		
510	ADMINISTRATION	1,089,964	1,089,964
530	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	164,074	164,074
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	418,350	418,350
580	SERVICEWIDE TRANSPORTATION	167,106	167,106
600	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	333,556	333,556
610	ACQUISITION, LOGISTICS, AND OVERSIGHT	663,690	663,690
650	INVESTIGATIVE AND SECURITY SERVICES	705,087	705,087
765	CLASSIFIED PROGRAMS	574,994	574,994
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,116,821**	**4,116,821**
	UNDISTRIBUTED		
770	UNDISTRIBUTED		–398,100
	Foreign Currency adjustments		[–55,100]
	Historical unobligated balances		[–343,000]
	SUBTOTAL UNDISTRIBUTED		**–398,100**
	TOTAL OPERATION & MAINTENANCE, NAVY	**49,003,633**	**48,330,203**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	873,320	885,720
	Additional parts & spares to support intermediate & organizational maintenance		[8,200]
	Additional training requirements		[4,200]
020	FIELD LOGISTICS	1,094,187	1,094,187
030	DEPOT MAINTENANCE	314,182	341,082
	Readiness restoration		[26,900]
040	MARITIME PREPOSITIONING	98,136	98,136
050	CYBERSPACE ACTIVITIES	183,546	183,546
060	FACILITIES SUSTAINMENT	832,636	746,354
	85% Sustainment		[42,400]
	Capability Output Level 3 Funding		[10,000]
	Realignment of FSRM funds to new RM and Demo lines		[–138,682]
061	FACILITIES RESTORATION & MODERNIZATION		61,469
	Realignment of FSRM funds to new RM and Demo lines		[61,469]

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

Line	Item	FY 2019 Request	House Authorized
062	FACILITIES DEMOLITION		107,213
	Program increase		[30,000]
	Realignment of FSRM funds to new RM and Demo lines		[77,213]
070	BASE OPERATING SUPPORT	2,151,390	2,151,390
	SUBTOTAL OPERATING FORCES	**5,547,397**	**5,669,097**
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	16,453	16,453
090	OFFICER ACQUISITION	1,144	1,144
100	SPECIALIZED SKILL TRAINING	106,360	106,360
110	PROFESSIONAL DEVELOPMENT EDUCATION	46,096	46,096
120	TRAINING SUPPORT	389,751	389,751
130	RECRUITING AND ADVERTISING	201,662	201,662
140	OFF-DUTY AND VOLUNTARY EDUCATION	32,461	32,461
150	JUNIOR ROTC	24,217	24,217
	SUBTOTAL TRAINING AND RECRUITING	**818,144**	**818,144**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	29,735	29,735
170	ADMINISTRATION	386,375	386,375
225	CLASSIFIED PROGRAMS	50,859	50,859
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**466,969**	**466,969**
	UNDISTRIBUTED		
230	UNDISTRIBUTED		–43,600
	Foreign Currency adjustments		[–13,600]
	Historical unobligated balances		[–30,000]
	SUBTOTAL UNDISTRIBUTED		**–43,600**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**6,832,510**	**6,910,610**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	569,584	569,584
020	INTERMEDIATE MAINTENANCE	6,902	6,902
030	AIRCRAFT DEPOT MAINTENANCE	109,776	109,776
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	538	538
050	AVIATION LOGISTICS	18,888	18,888
060	SHIP OPERATIONS SUPPORT & TRAINING	574	574
070	COMBAT COMMUNICATIONS	17,561	17,561
080	COMBAT SUPPORT FORCES	121,070	121,070
090	CYBERSPACE ACTIVITIES	337	337
100	ENTERPRISE INFORMATION	23,964	23,964
110	FACILITIES SUSTAINMENT	36,356	41,151
	Realignment of FSRM funds to new RM and Demo lines		[–5,205]
	Sustainment recovery		[10,000]
111	FACILITIES RESTORATION & MODERNIZATION		3,205
	Realignment of FSRM funds to new RM and Demo lines		[3,205]
112	FACILITIES DEMOLITION		2,000
	Realignment of FSRM funds to new RM and Demo lines		[2,000]
120	BASE OPERATING SUPPORT	103,562	103,562
	SUBTOTAL OPERATING FORCES	**1,009,112**	**1,019,112**
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,868	1,868
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,849	12,849
160	ACQUISITION AND PROGRAM MANAGEMENT	3,177	3,177
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**17,894**	**17,894**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,027,006**	**1,037,006**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	99,173	107,873
	Additional training requirements		[8,700]
020	DEPOT MAINTENANCE	19,430	19,430
030	FACILITIES SUSTAINMENT	39,962	25,666
	Realignment of FSRM funds to new RM and Demo lines		[–22,296]
	Sustainment recovery		[8,000]
031	FACILITIES RESTORATION & MODERNIZATION		22,296
	Realignment of FSRM funds to new RM and Demo lines		[22,296]
040	BASE OPERATING SUPPORT	101,829	101,829
	SUBTOTAL OPERATING FORCES	**260,394**	**277,094**

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

Line	Item	FY 2019 Request	House Authorized
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	11,176	11,176
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**11,176**	**11,176**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**271,570**	**288,270**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	758,178	758,178
020	COMBAT ENHANCEMENT FORCES	1,509,027	1,509,027
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,323,330	1,323,330
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,511,830	3,596,330
	Readiness restoration		[46,500]
	Restoration of U–2 Tail #80–1099		[38,000]
050	FACILITIES SUSTAINMENT	2,892,705	2,621,824
	85% Sustainment		[152,000]
	Capability Output Level 3 Funding		[23,000]
	Realignment of FSRM funds to new RM and Demo lines		[–445,881]
051	FACILITIES RESTORATION & MODERNIZATION		420,861
	Realignment of FSRM funds to new RM and Demo lines		[420,861]
052	FACILITIES DEMOLITION		67,020
	Program increase		[42,000]
	Realignment of FSRM funds to new RM and Demo lines		[25,020]
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	7,613,084	7,687,884
	Readiness restoration		[74,800]
070	FLYING HOUR PROGRAM	4,345,208	4,345,208
080	BASE SUPPORT	5,989,215	5,989,215
090	GLOBAL C3I AND EARLY WARNING	928,023	928,023
100	OTHER COMBAT OPS SPT PROGRAMS	1,080,956	1,080,956
110	CYBERSPACE ACTIVITIES	879,032	879,032
130	LAUNCH FACILITIES	183,777	183,777
140	SPACE CONTROL SYSTEMS	404,072	404,072
170	US NORTHCOM/NORAD	187,375	187,375
180	US STRATCOM	529,902	529,902
190	US CYBERCOM	329,474	329,474
200	US CENTCOM	166,024	166,024
210	US SOCOM	723	723
220	US TRANSCOM	535	535
225	CLASSIFIED PROGRAMS	1,164,810	1,164,810
	SUBTOTAL OPERATING FORCES	**33,797,280**	**34,173,580**
	MOBILIZATION		
230	AIRLIFT OPERATIONS	1,307,695	1,307,695
240	MOBILIZATION PREPAREDNESS	144,417	144,417
	SUBTOTAL MOBILIZATION	**1,452,112**	**1,452,112**
	TRAINING AND RECRUITING		
280	OFFICER ACQUISITION	133,187	133,187
290	RECRUIT TRAINING	25,041	25,041
300	RESERVE OFFICERS TRAINING CORPS (ROTC)	117,338	117,338
330	SPECIALIZED SKILL TRAINING	401,996	401,996
340	FLIGHT TRAINING	477,064	477,064
350	PROFESSIONAL DEVELOPMENT EDUCATION	276,423	276,423
360	TRAINING SUPPORT	95,948	95,948
380	RECRUITING AND ADVERTISING	154,530	154,530
390	EXAMINING	4,132	4,132
400	OFF-DUTY AND VOLUNTARY EDUCATION	223,150	223,150
410	CIVILIAN EDUCATION AND TRAINING	209,497	209,497
420	JUNIOR ROTC	59,908	59,908
	SUBTOTAL TRAINING AND RECRUITING	**2,178,214**	**2,178,214**
	ADMIN & SRVWD ACTIVITIES		
430	LOGISTICS OPERATIONS	681,788	681,788
440	TECHNICAL SUPPORT ACTIVITIES	117,812	117,812
480	ADMINISTRATION	953,102	953,102
490	SERVICEWIDE COMMUNICATIONS	358,389	358,389
500	OTHER SERVICEWIDE ACTIVITIES	1,194,862	1,194,862
510	CIVIL AIR PATROL	29,594	29,594
540	INTERNATIONAL SUPPORT	74,959	74,959
545	CLASSIFIED PROGRAMS	1,222,456	1,222,456
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,632,962**	**4,632,962**
	UNDISTRIBUTED		
550	UNDISTRIBUTED		–455,200

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

Line	Item	FY 2019 Request	House Authorized
	Foreign Currency adjustments		[–104,500]
	Historical unobligated balances		[–350,700]
	SUBTOTAL UNDISTRIBUTED		**–455,200**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**42,060,568**	**41,981,668**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,853,437	1,853,437
020	MISSION SUPPORT OPERATIONS	205,369	205,369
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	345,576	347,476
	Readiness restoration		[1,900]
040	FACILITIES SUSTAINMENT	120,736	123,103
	Realignment of FSRM funds to new RM and Demo lines		[–27,633]
	Sustainment recovery		[30,000]
041	FACILITIES RESTORATION & MODERNIZATION		27,633
	Realignment of FSRM funds to new RM and Demo lines		[27,633]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	241,239	259,939
	Readiness restoration		[18,700]
060	BASE SUPPORT	385,922	385,922
	SUBTOTAL OPERATING FORCES	**3,152,279**	**3,202,879**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
070	ADMINISTRATION	71,188	71,188
080	RECRUITING AND ADVERTISING	19,429	19,429
090	MILITARY MANPOWER AND PERS MGMT (ARPC)	9,386	9,386
100	OTHER PERS SUPPORT (DISABILITY COMP)	7,512	7,512
110	AUDIOVISUAL	440	440
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**107,955**	**107,955**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,260,234**	**3,310,834**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,619,940	2,619,940
020	MISSION SUPPORT OPERATIONS	623,265	623,265
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	748,287	748,287
040	FACILITIES SUSTAINMENT	303,792	289,700
	Realignment of FSRM funds to new RM and Demo lines		[–34,092]
	Sustainment recovery		[20,000]
041	FACILITIES RESTORATION & MODERNIZATION		31,696
	Realignment of FSRM funds to new RM and Demo lines		[31,696]
042	FACILITIES DEMOLITION		2,396
	Realignment of FSRM funds to new RM and Demo lines		[2,396]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,061,759	1,064,759
	Readiness restoration		[3,000]
060	BASE SUPPORT	988,333	989,233
	Readiness restoration		[900]
	SUBTOTAL OPERATING FORCES	**6,345,376**	**6,369,276**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
070	ADMINISTRATION	45,711	45,711
080	RECRUITING AND ADVERTISING	36,535	36,535
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**82,246**	**82,246**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,427,622**	**6,451,522**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	430,215	430,215
020	JOINT CHIEFS OF STAFF—CE2T2	602,186	602,186
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	5,389,250	5,215,250
	Civilian pay ahead of need		[–10,700]
	Communications		[–20,000]
	DCGS-SOF		[–10,000]
	MC–12 ahead of need		[–33,300]
	Program decrease		[–100,000]
	SUBTOTAL OPERATING FORCES	**6,421,651**	**6,247,651**
	TRAINING AND RECRUITING		
050	DEFENSE ACQUISITION UNIVERSITY	181,601	172,501
	Efficiencies within the 4th estate		[–9,100]
060	JOINT CHIEFS OF STAFF	96,565	96,565
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	370,583	370,583

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

Line	Item	FY 2019 Request	House Authorized
	SUBTOTAL TRAINING AND RECRUITING	**648,749**	**639,649**
	ADMIN & SRVWIDE ACTIVITIES		
080	CIVIL MILITARY PROGRAMS	166,131	186,131
	STARBASE		[20,000]
100	DEFENSE CONTRACT AUDIT AGENCY	625,633	594,333
	Efficiencies within the 4th estate		[–31,300]
110	DEFENSE CONTRACT MANAGEMENT AGENCY	1,465,354	1,392,054
	Efficiencies within the 4th estate		[–73,300]
120	DEFENSE HUMAN RESOURCES ACTIVITY	859,923	816,923
	Efficiencies within the 4th estate		[–43,000]
130	DEFENSE INFORMATION SYSTEMS AGENCY	2,106,930	2,001,630
	Efficiencies within the 4th estate		[–105,300]
150	DEFENSE LEGAL SERVICES AGENCY	27,403	26,003
	Efficiencies within the 4th estate		[–1,400]
160	DEFENSE LOGISTICS AGENCY	379,275	385,750
	Efficiencies within the 4th estate		[–19,000]
	Program increase for the Procurement Technical Assistance Program (PTAP)		[25,475]
170	DEFENSE MEDIA ACTIVITY	207,537	197,137
	Efficiencies within the 4th estate		[–10,400]
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	130,696	130,696
190	DEFENSE SECURITY COOPERATION AGENCY	754,711	754,711
200	DEFENSE SECURITY SERVICE	789,175	789,175
220	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	34,951	33,251
	Efficiencies within the 4th estate		[–1,700]
230	DEFENSE THREAT REDUCTION AGENCY	553,329	553,329
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,892,284	2,942,284
	Impact Aid		[40,000]
	Impact Aid for Children with Severe Disabilities		[10,000]
260	MISSILE DEFENSE AGENCY	499,817	499,817
280	OFFICE OF ECONOMIC ADJUSTMENT	70,035	166,535
	Defense Community Infrastructure Program		[100,000]
	Efficiencies within the 4th estate		[–3,500]
290	OFFICE OF THE SECRETARY OF DEFENSE	1,519,655	1,530,655
	CDC PFOS/PFOA Health Study Increment		[7,000]
	Contract support for ACCM oversight as directed by Sec. 1062 of FY17 NDAA		[5,000]
	Efficiencies within the 4th estate		[–76,000]
	Establish Artificial Intelligence commission		[10,000]
	Funds to support the Global Engagement Center		[60,000]
	Initial capital for Department of Defense World War II Commemoration Fund		[2,000]
	Training of qualified personnel to join the staff of the Boards of Corrections for Military and Naval Records		[3,000]
300	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	97,787	97,787
310	WASHINGTON HEADQUARTERS SERVICES	456,407	387,907
	Efficiencies within the 4th estate		[–68,500]
315	CLASSIFIED PROGRAMS	15,645,192	15,645,192
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**29,282,225**	**29,131,300**
	UNDISTRIBUTED		
320	UNDISTRIBUTED		–411,800
	Foreign Currency adjustments		[–26,400]
	Historical unobligated balances		[–385,400]
	SUBTOTAL UNDISTRIBUTED		**–411,800**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**36,352,625**	**35,606,800**
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
	ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,662	14,662
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	**14,662**	**14,662**
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	**14,662**	**14,662**
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	400,000	400,000
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**400,000**	**400,000**
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	**400,000**	**400,000**
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	107,663	107,663
	SUBTOTAL HUMANITARIAN ASSISTANCE	**107,663**	**107,663**

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

Line	Item	FY 2019 Request	House Authorized
	TOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**107,663**	**107,663**
	COOPERATIVE THREAT REDUCTION ACCOUNT		
	FSU THREAT REDUCTION		
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION	335,240	335,240
	SUBTOTAL FSU THREAT REDUCTION	**335,240**	**335,240**
	TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	**335,240**	**335,240**
	ENVIRONMENTAL RESTORATION, ARMY		
	DEPARTMENT OF THE ARMY		
060	ENVIRONMENTAL RESTORATION, ARMY	203,449	213,449
	PFOS/PFOA remediation increase		[10,000]
	SUBTOTAL DEPARTMENT OF THE ARMY	**203,449**	**213,449**
	TOTAL ENVIRONMENTAL RESTORATION, ARMY	**203,449**	**213,449**
	ENVIRONMENTAL RESTORATION, NAVY		
	DEPARTMENT OF THE NAVY		
080	ENVIRONMENTAL RESTORATION, NAVY	329,253	339,253
	PFOS/PFOA remediation increase		[10,000]
	SUBTOTAL DEPARTMENT OF THE NAVY	**329,253**	**339,253**
	TOTAL ENVIRONMENTAL RESTORATION, NAVY	**329,253**	**339,253**
	ENVIRONMENTAL RESTORATION, AIR FORCE		
	DEPARTMENT OF THE AIR FORCE		
100	ENVIRONMENTAL RESTORATION, AIR FORCE	296,808	346,808
	PFOS/PFOA remediation increase		[50,000]
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	**296,808**	**346,808**
	TOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	**296,808**	**346,808**
	ENVIRONMENTAL RESTORATION, DEFENSE		
	DEFENSE-WIDE		
120	ENVIRONMENTAL RESTORATION, DEFENSE	8,926	8,926
	SUBTOTAL DEFENSE-WIDE	**8,926**	**8,926**
	TOTAL ENVIRONMENTAL RESTORATION, DEFENSE	**8,926**	**8,926**
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
	DEFENSE-WIDE		
140	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	212,346	212,346
	SUBTOTAL DEFENSE-WIDE	**212,346**	**212,346**
	TOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**212,346**	**212,346**
	TOTAL OPERATION & MAINTENANCE	**199,469,636**	**195,545,393**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

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

Line	Item	FY 2019 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,179,339	1,634,039
	Realign OCO requirements from Base to OCO		[454,700]
030	ECHELONS ABOVE BRIGADE	25,983	177,553
	Realign OCO requirements from Base to OCO		[151,570]
040	THEATER LEVEL ASSETS	2,189,916	2,432,416
	Realign OCO requirements from Base to OCO		[242,500]
050	LAND FORCES OPERATIONS SUPPORT	188,609	188,609
060	AVIATION ASSETS	120,787	120,787
070	FORCE READINESS OPERATIONS SUPPORT	3,867,286	4,473,546
	Realign OCO requirements from Base to OCO		[606,260]
080	LAND FORCES SYSTEMS READINESS	550,068	550,068
090	LAND FORCES DEPOT MAINTENANCE	195,873	468,693
	Realign OCO requirements from Base to OCO		[272,820]

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

Line	Item	FY 2019 Request	House Authorized
100	BASE OPERATIONS SUPPORT	109,560	715,820
	Realign OCO requirements from Base to OCO		[606,260]
110	FACILITIES SUSTAINMENT	60,807	60,807
140	ADDITIONAL ACTIVITIES	5,992,222	5,992,222
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	10,000
160	RESET	1,036,454	1,036,454
180	US AFRICA COMMAND	248,796	263,796
	Contract personnel recovery/casualty evacuation in AFRICOM		[15,000]
190	US EUROPEAN COMMAND	98,127	98,127
200	US SOUTHERN COMMAND	2,550	2,550
	SUBTOTAL OPERATING FORCES	**15,876,377**	**18,225,487**
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	158,753	0
	Realignment of EDI APS Unit Set from OCO to Base		[–158,753]
	SUBTOTAL MOBILIZATION	**158,753**	**0**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	712,230	863,830
	Realign OCO requirements from Base to OCO		[151,600]
400	CENTRAL SUPPLY ACTIVITIES	44,168	44,168
410	LOGISTIC SUPPORT ACTIVITIES	5,300	5,300
420	AMMUNITION MANAGEMENT	38,597	38,597
460	OTHER PERSONNEL SUPPORT	109,019	109,019
490	REAL ESTATE MANAGEMENT	191,786	191,786
565	CLASSIFIED PROGRAMS	1,074,270	1,074,270
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**2,175,370**	**2,326,970**
	UNDISTRIBUTED		
570	UNDISTRIBUTED		–27,900
	Historical unobligated balances		[–27,900]
	SUBTOTAL UNDISTRIBUTED		**–27,900**
	TOTAL OPERATION & MAINTENANCE, ARMY	**18,210,500**	**20,524,557**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	20,700	20,700
060	FORCE READINESS OPERATIONS SUPPORT	700	700
090	BASE OPERATIONS SUPPORT	20,487	20,487
	SUBTOTAL OPERATING FORCES	**41,887**	**41,887**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**41,887**	**41,887**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	42,519	42,519
020	MODULAR SUPPORT BRIGADES	778	778
030	ECHELONS ABOVE BRIGADE	12,093	12,093
040	THEATER LEVEL ASSETS	708	708
060	AVIATION ASSETS	28,135	28,135
070	FORCE READINESS OPERATIONS SUPPORT	5,908	5,908
100	BASE OPERATIONS SUPPORT	18,877	18,877
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	956	956
	SUBTOTAL OPERATING FORCES	**109,974**	**109,974**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE COMMUNICATIONS	755	755
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**755**	**755**
	TOTAL OPERATION & MAINTENANCE, ARNG	**110,729**	**110,729**
	AFGHAN NATIONAL ARMY		
090	SUSTAINMENT	1,522,777	1,522,777
100	INFRASTRUCTURE	137,732	137,732
110	EQUIPMENT AND TRANSPORTATION	71,922	71,922
120	TRAINING AND OPERATIONS	175,846	175,846
	SUBTOTAL AFGHAN NATIONAL ARMY	**1,908,277**	**1,908,277**
	AFGHAN NATIONAL POLICE		
130	SUSTAINMENT	527,554	527,554
140	INFRASTRUCTURE	42,984	42,984
150	EQUIPMENT AND TRANSPORTATION	14,554	14,554
160	TRAINING AND OPERATIONS	181,922	181,922

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

Line	Item	FY 2019 Request	House Authorized
	SUBTOTAL AFGHAN NATIONAL POLICE	**767,014**	**767,014**
	AFGHAN AIR FORCE		
170	SUSTAINMENT	942,279	942,279
180	INFRASTRUCTURE	30,350	30,350
190	EQUIPMENT AND TRANSPORTATION	572,310	572,310
200	TRAINING AND OPERATIONS	277,191	277,191
	SUBTOTAL AFGHAN AIR FORCE	**1,822,130**	**1,822,130**
	AFGHAN SPECIAL SECURITY FORCES		
210	SUSTAINMENT	353,734	353,734
220	INFRASTRUCTURE	43,132	43,132
230	EQUIPMENT AND TRANSPORTATION	151,790	151,790
240	TRAINING AND OPERATIONS	153,373	153,373
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	**702,029**	**702,029**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**5,199,450**	**5,199,450**
	COUNTER-ISIS TRAIN AND EQUIP FUND		
	COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	850,000	850,000
020	SYRIA	300,000	300,000
030	OTHER	250,000	250,000
	SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)	**1,400,000**	**1,400,000**
	TOTAL COUNTER-ISIS TRAIN AND EQUIP FUND	**1,400,000**	**1,400,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	435,507	435,507
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	800	800
040	AIR OPERATIONS AND SAFETY SUPPORT	9,394	9,394
050	AIR SYSTEMS SUPPORT	193,384	193,384
060	AIRCRAFT DEPOT MAINTENANCE	173,053	173,053
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,524	3,524
080	AVIATION LOGISTICS	60,219	60,219
090	MISSION AND OTHER SHIP OPERATIONS	942,960	942,960
100	SHIP OPERATIONS SUPPORT & TRAINING	20,236	20,236
110	SHIP DEPOT MAINTENANCE	1,022,647	1,022,647
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	59,553	59,553
160	WARFARE TACTICS	16,651	16,651
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	31,118	31,118
180	COMBAT SUPPORT FORCES	635,560	635,560
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	4,334	4,334
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	24,800	24,800
240	CYBERSPACE ACTIVITIES	355	355
280	WEAPONS MAINTENANCE	493,033	493,033
290	OTHER WEAPON SYSTEMS SUPPORT	12,780	12,780
310	FACILITIES SUSTAINMENT	67,321	67,321
320	BASE OPERATING SUPPORT	211,394	211,394
	SUBTOTAL OPERATING FORCES	**4,418,623**	**4,418,623**
	MOBILIZATION		
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	12,902	12,902
390	COAST GUARD SUPPORT	165,000	165,000
	SUBTOTAL MOBILIZATION	**177,902**	**177,902**
	TRAINING AND RECRUITING		
430	SPECIALIZED SKILL TRAINING	51,138	51,138
	SUBTOTAL TRAINING AND RECRUITING	**51,138**	**51,138**
	ADMIN & SRVWD ACTIVITIES		
510	ADMINISTRATION	4,145	4,145
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,503	7,503
580	SERVICEWIDE TRANSPORTATION	69,297	69,297
610	ACQUISITION, LOGISTICS, AND OVERSIGHT	10,912	10,912
650	INVESTIGATIVE AND SECURITY SERVICES	1,559	1,559
765	CLASSIFIED PROGRAMS	16,076	16,076
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**109,492**	**109,492**
	TOTAL OPERATION & MAINTENANCE, NAVY	**4,757,155**	**4,757,155**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		

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

Line	Item	FY 2019 Request	House Authorized
010	OPERATIONAL FORCES	734,505	734,505
020	FIELD LOGISTICS	212,691	212,691
030	DEPOT MAINTENANCE	53,040	53,040
070	BASE OPERATING SUPPORT	23,047	23,047
	SUBTOTAL OPERATING FORCES	**1,023,283**	**1,023,283**
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	30,459	30,459
	SUBTOTAL TRAINING AND RECRUITING	**30,459**	**30,459**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
170	ADMINISTRATION	2,108	2,108
225	CLASSIFIED PROGRAMS	4,650	4,650
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**68,158**	**68,158**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**1,121,900**	**1,121,900**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	500	500
030	AIRCRAFT DEPOT MAINTENANCE	11,400	11,400
080	COMBAT SUPPORT FORCES	13,737	13,737
	SUBTOTAL OPERATING FORCES	**25,637**	**25,637**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**25,637**	**25,637**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,550	2,550
040	BASE OPERATING SUPPORT	795	795
	SUBTOTAL OPERATING FORCES	**3,345**	**3,345**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**3,345**	**3,345**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	166,274	166,274
020	COMBAT ENHANCEMENT FORCES	1,492,580	1,492,580
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	110,237	110,237
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	209,996	209,996
050	FACILITIES SUSTAINMENT	92,412	92,412
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,289,693	1,289,693
070	FLYING HOUR PROGRAM	2,355,264	2,355,264
080	BASE SUPPORT	1,141,718	1,141,718
090	GLOBAL C3I AND EARLY WARNING	13,537	13,537
100	OTHER COMBAT OPS SPT PROGRAMS	224,713	224,713
110	CYBERSPACE ACTIVITIES	17,353	17,353
120	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,098	36,098
130	LAUNCH FACILITIES	385	385
140	SPACE CONTROL SYSTEMS	38,966	38,966
170	US NORTHCOM/NORAD	725	725
180	US STRATCOM	2,056	2,056
190	US CYBERCOM	35,189	35,189
200	US CENTCOM	162,691	162,691
210	US SOCOM	19,000	19,000
	SUBTOTAL OPERATING FORCES	**7,408,887**	**7,408,887**
	MOBILIZATION		
230	AIRLIFT OPERATIONS	1,287,659	1,287,659
240	MOBILIZATION PREPAREDNESS	107,064	107,064
	SUBTOTAL MOBILIZATION	**1,394,723**	**1,394,723**
	TRAINING AND RECRUITING		
280	OFFICER ACQUISITION	300	300
290	RECRUIT TRAINING	340	340
330	SPECIALIZED SKILL TRAINING	25,327	25,327
340	FLIGHT TRAINING	844	844
350	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199
360	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	**29,330**	**29,330**
	ADMIN & SRVWD ACTIVITIES		
430	LOGISTICS OPERATIONS	154,485	154,485

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

Line	Item	FY 2019 Request	House Authorized
440	TECHNICAL SUPPORT ACTIVITIES	13,608	13,608
480	ADMINISTRATION	4,814	4,814
490	SERVICEWIDE COMMUNICATIONS	131,123	131,123
500	OTHER SERVICEWIDE ACTIVITIES	97,471	97,471
540	INTERNATIONAL SUPPORT	240	240
545	CLASSIFIED PROGRAMS	51,108	51,108
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**452,849**	**452,849**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,285,789**	**9,285,789**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	51,000	51,000
060	BASE SUPPORT	9,500	9,500
	SUBTOTAL OPERATING FORCES	**60,500**	**60,500**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**60,500**	**60,500**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,560	3,560
060	BASE SUPPORT	12,310	12,310
	SUBTOTAL OPERATING FORCES	**15,870**	**15,870**
	TOTAL OPERATION & MAINTENANCE, ANG	**15,870**	**15,870**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	28,671	28,671
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	3,733,161	3,733,161
	SUBTOTAL OPERATING FORCES	**3,761,832**	**3,761,832**
	ADMIN & SRVWIDE ACTIVITIES		
100	DEFENSE CONTRACT AUDIT AGENCY	1,781	1,781
110	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
130	DEFENSE INFORMATION SYSTEMS AGENCY	111,702	111,702
150	DEFENSE LEGAL SERVICES AGENCY	127,023	127,023
170	DEFENSE MEDIA ACTIVITY	14,377	14,377
190	DEFENSE SECURITY COOPERATION AGENCY	2,208,442	2,008,442
	Transfer of funds to Ukraine Security Assistance fund		[–200,000]
230	DEFENSE THREAT REDUCTION AGENCY	302,250	302,250
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	31,620	31,620
290	OFFICE OF THE SECRETARY OF DEFENSE	16,579	16,579
310	WASHINGTON HEADQUARTERS SERVICES	7,766	7,766
315	CLASSIFIED PROGRAMS	1,944,813	1,944,813
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**4,788,076**	**4,588,076**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**8,549,908**	**8,349,908**
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE		250,000
	Program increase for defensive lethal assistance		[50,000]
	Transfer of funds from the Defense Security Cooperation Agency		[200,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		**250,000**
	TOTAL UKRAINE SECURITY ASSISTANCE		**250,000**
	TOTAL OPERATION & MAINTENANCE	**48,782,670**	**51,146,727**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

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

Item	FY 2019 Request	House Authorized
Military Personnel Appropriations	**140,689,301**	**139,988,801**
Control Grade Increase		[7,000]
Foreign Currency adjustments		[–218,000]
Historical unobligated balance		[–761,500]

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

Item	FY 2019 Request	House Authorized
Permanently reverse BAH reduction for Military Housing Privatization Initiative		[275,000]
Program decrease		[–3,000]
Medicare-Eligible Retiree Health Fund Contributions	**7,533,090**	**7,533,090**
Total, Military Personnel	**148,222,391**	**147,521,891**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
Military Personnel Appropriations	**4,660,661**	**4,660,661**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	59,002	59,002
ARMY SUPPLY MANAGEMENT	99,763	99,763
TOTAL WORKING CAPITAL FUND, ARMY	**158,765**	**158,765**
WORKING CAPITAL FUND, AIR FORCE		
WORKING CAPITAL FUND	69,054	69,054
TOTAL WORKING CAPITAL FUND, AIR FORCE	**69,054**	**69,054**
WORKING CAPITAL FUND, DEFENSE-WIDE		
WORKING CAPITAL FUND SUPPORT	48,096	48,096
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**48,096**	**48,096**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND SUPPORT	1,266,200	1,266,200
TOTAL WORKING CAPITAL FUND, DECA	**1,266,200**	**1,266,200**
NATIONAL DEFENSE SEALIFT FUND		
SURGE SEALIFT RECAPITALIZATION		200,000
Program increase—one used vessel		[200,000]
LG MED SPD RO/RO MAINTENANCE		127,739
Transfer from OMN		[127,739]
DOD MOBILIZATION ALTERATIONS		20,858
Transfer from OMN		[20,858]
TAH MAINTENANCE		157,350
Service Life Extension of USNS Comfort (TAH 20)		[85,000]
Transfer from OMN		[72,350]
READY RESERVE AND PREPOSITIONING FORCE		310,805
Transfer from OMN		[310,805]
TOTAL NATIONAL DEFENSE SEALIFT FUND		**816,752**
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	105,997	105,997
RDT&E	886,728	886,728
PROCUREMENT	1,091	1,091
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**993,816**	**993,816**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	547,171	567,171
Combatting opioid trafficking and abuse		[20,000]
DRUG DEMAND REDUCTION PROGRAM	117,900	117,900

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
NATIONAL GUARD COUNTER-DRUG PROGRAM	117,178	117,178
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	5,276	5,276
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**787,525**	**807,525**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	327,611	332,611
Program increase		[5,000]
PROCUREMENT	1,602	1,602
RDT&E	60	60
TOTAL OFFICE OF THE INSPECTOR GENERAL	**329,273**	**334,273**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	9,738,569	9,738,569
PRIVATE SECTOR CARE	15,103,735	15,103,735
CONSOLIDATED HEALTH SUPPORT	2,107,961	2,107,961
INFORMATION MANAGEMENT	2,039,878	2,039,878
MANAGEMENT ACTIVITIES	307,629	307,629
EDUCATION AND TRAINING	756,778	756,778
BASE OPERATIONS/COMMUNICATIONS	2,090,845	2,090,845
RDT&E		
RESEARCH	11,386	11,386
EXPLORATRY DEVELOPMENT	75,010	80,010
Simulators and other technologies to reduce the use of live animal tissue for medical training		[5,000]
ADVANCED DEVELOPMENT	275,258	280,258
Simulators and other technologies to reduce the use of live animal tissue for medical training		[5,000]
DEMONSTRATION/VALIDATION	117,529	122,529
Simulators and other technologies to reduce the use of live animal tissue for medical training		[5,000]
ENGINEERING DEVELOPMENT	151,985	176,985
FDA approved devices to detect and monitor traumatic brain injury		[10,000]
Freeze-dried platelet derived hemostatic agents		[10,000]
Simulators and other technologies to reduce the use of live animal tissue for medical training		[5,000]
MANAGEMENT AND SUPPORT	63,755	63,755
CAPABILITIES ENHANCEMENT	15,714	15,714
PROCUREMENT		
INITIAL OUTFITTING	33,056	33,056
REPLACEMENT & MODERNIZATION	343,424	343,424
DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	496,680	496,680
UNDISTRIBUTED		
UNDISTRIBUTED		–492,500
Foreign Currency adjustments		[–22,100]
Historical unobligated balances		[–470,400]
TOTAL DEFENSE HEALTH PROGRAM	**33,729,192**	**33,276,692**
TOTAL OTHER AUTHORIZATIONS	**37,381,921**	**37,771,173**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY SUPPLY MANAGEMENT	6,600	6,600
TOTAL WORKING CAPITAL FUND, ARMY	**6,600**	**6,600**
WORKING CAPITAL FUND, AIR FORCE		
WORKING CAPITAL FUND	8,590	8,590
TOTAL WORKING CAPITAL FUND, AIR FORCE	**8,590**	**8,590**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	153,100	153,100
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**153,100**	**153,100**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	24,692	24,692
TOTAL OFFICE OF THE INSPECTOR GENERAL	**24,692**	**24,692**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	72,627	72,627
PRIVATE SECTOR CARE	277,066	277,066
CONSOLIDATED HEALTH SUPPORT	2,375	2,375
TOTAL DEFENSE HEALTH PROGRAM	**352,068**	**352,068**
TOTAL OTHER AUTHORIZATIONS	**545,050**	**545,050**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
	Alabama			
Army	Anniston Army Depot	Weapon Maintenance Shop	5,200	5,200
	California			
Army	Fort Irwin	Multipurpose Range Complex	29,000	29,000
	Colorado			
Army	Fort Carson	Vehicle Maintenance Shop	77,000	77,000
	Georgia			
Army	Fort Gordon	Cyber Instructional Fac and Network Ctr	99,000	99,000
	Germany			
Army	East Camp Grafenwoehr	Mission Training Complex	31,000	31,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility, Incr 4	105,000	95,000
	Honduras			
Army	Soto Cano Air Base	Barracks	21,000	21,000
	Indiana			
Army	Crane Army Ammunition Plant	Railcar Holding Area	16,000	16,000
	Kentucky			
Army	Fort Campbell	Microgird and Power Plant	0	18,000
Army	Fort Campbell	Vehicle Maintenance Shop	32,000	32,000
Army	Fort Knox	Digital Air/Ground Integration Range	26,000	26,000
	Korea			
Army	Camp Tango	Command and Control Facility	17,500	17,500
	Kuwait			
Army	Camp Arifjan	Vehicle Maintenance Shop	44,000	44,000
	Maryland			
Army	Fort Meade	Cantonment Area Roads	0	16,500
	New Jersey			
Army	Picatinny Arsenal	Munitions Disassembly Complex	41,000	41,000
	New Mexico			
Army	White Sands Missile Range	Information Systems Facility	40,000	40,000
	New York			
Army	U.S. Military Academy	Engineering Center	95,000	95,000
Army	U.S. Military Academy	Parking Structure	65,000	65,000
	North Carolina			
Army	Fort Bragg	Dining Facility	10,000	10,000
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2	52,000	52,000
	Texas			
Army	Fort Bliss	Supply Support Activity	24,000	24,000
Army	Fort Hood	Supply Support Activity	0	9,600
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Force Protection and Safety	0	50,000
Army	Unspecified Worldwide Locations	Host Nation Support	34,000	34,000
Army	Unspecified Worldwide Locations	Planning and Design	76,068	76,068
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	72,000	72,000
Military Construction, Army Total			**1,011,768**	**1,095,868**
	Arizona			
Navy	Camp Navajo	Missile Motor Magazines and U&SI	0	14,800
	Bahamas			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
Navy	Andros Island	AUTEC Austere Quarters	31,050	31,050
	Bahrain			
Navy	SW Asia	Fleet Maintenance Facility & TOC	26,340	26,340
	California			
Navy	Camp Pendleton	AAV-ACV Maintenance & Warehouse Facility	49,410	49,410
Navy	Camp Pendleton	Electrical Upgrades	4,020	4,020
Navy	Camp Pendleton	Full Motion Trainer Facility	10,670	10,670
Navy	Camp Pendleton	Potable Water Distribution Improvements	47,230	47,230
Navy	Camp Pendleton	Supply Warehouse SOI-West	0	16,600
Navy	Marine Corps Air Station Miramar	Airfield Security Improvements	11,500	11,500
Navy	Marine Corps Air Station Miramar	F–35 Vertical Landing Pads and Taxiway	20,480	20,480
Navy	Naval Air Station Lemoore	Communications Line Ops to Admin	0	14,900
Navy	Naval Air Station Lemoore	F–35 Maintenance Hangar	112,690	112,690
Navy	Naval Base Coronado	Aircraft Paint Complex	0	78,800
Navy	Naval Base Coronado	CMV–22B Airfield Improvements	77,780	77,780
Navy	Naval Base San Diego	Harbor Drive Switching Station	48,440	48,440
Navy	Naval Base San Diego	LCS Mission Module Readiness Center	0	19,500
Navy	Naval Base San Diego	Pier 8 Replacement	108,100	48,747
Navy	Naval Base Ventura	Directed Energy Systems Intergration Lab	22,150	22,150
Navy	Naval Base Ventura	Missile Assembly Build & High Explosive Mag	31,010	31,010
Navy	Naval Weapons Station Seal Beach	Causeway, Boat Channel & Turning Basin	117,830	117,830
Navy	Naval Weapons Station Seal Beach	Missile Magazines	0	21,800
	Cuba			
Navy	Naval Station Guantanamo Bay	Consolidated Fire Station	0	19,700
Navy	Naval Station Guantanamo Bay	Solid Waste Management Facility	85,000	85,000
	District of Columbia			
Navy	Naval Observatory	Master Time Clocks & Operations Facility	115,600	60,000
	Florida			
Navy	Naval Air Station Whiting Field	Air Traffic Control Tower (North Field)	0	10,000
Navy	Naval Station Mayport	LCS Operational Training Facility Addition	29,110	29,110
Navy	Naval Station Mayport	LCS Support Facility	82,350	82,350
	Georgia			
Navy	Marine Corps Base Albany	Welding and Body Repair Shop Facility	0	31,900
	Germany			
Navy	Panzer Kaserne	MARFOREUR HQ Modernization and Expansion	43,950	43,950
	Guam			
Navy	Joint Region Marianas	ACE Gym & Dining	27,910	27,910
Navy	Joint Region Marianas	Earth Covered Magazines	52,270	52,270
Navy	Joint Region Marianas	Machine Gun Range	141,287	70,000
Navy	Joint Region Marianas	Ordnance Ops	22,020	22,020
Navy	Joint Region Marianas	Unaccompanied Enlisted Housing	36,170	36,170
Navy	Naval Base Guam	X-Ray Wharf Improvements (Berth 2)	0	75,600
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Drydock Waterfront Facility	45,000	45,000
Navy	Joint Base Pearl Harbor-Hickam	Water Transmission Line	78,320	78,320
Navy	Marine Corps Base Hawaii	Corrosion Control Hangar	66,100	66,100
	Japan			
Navy	Kadena Air Base	Tactical Operations Center	9,049	9,049
	Maine			
Navy	Portsmouth Naval Yard	Dry Dock #1 Superflood Basin	109,960	51,639
Navy	Portsmouth Naval Yard	Extend Portal Crane Rail	39,725	39,725
	Mississippi			
Navy	Naval Construction Battalion Center	Expeditionary Combat Skills Student Berthing	0	22,300
	North Carolina			
Navy	Camp Lejeune	2nd Radio BN Complex, Phase 2	0	51,300
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar	133,970	60,000
Navy	Marine Corps Air Station Cherry Point	Flightline Utility Modernization	106,860	55,000
	Pennsylvania			
Navy	Naval Support Activity Philadelphia	Submarine Propulsor Manufacturing Support Fac	71,050	71,050
	South Carolina			
Navy	Marine Corps Air Station Beaufort	Cryogenics Facility	0	6,300
Navy	Marine Corps Air Station Beaufort	Recycling/Hazardous Waste Facility	9,517	9,517
Navy	Marine Corps Recruit Depot, Parris Island	Range Improvements & Modernization, Phase 2	35,190	35,190
	Utah			
Navy	Hill Air Force Base	D5 Missile Motor Receipt/Storage Facility	105,520	55,000
	Virginia			
Navy	Marine Corps Base Quantico	Ammunition Supply Point Upgrade, Phase 2	0	13,100
Navy	Marine Corps Base Quantico	TBS Fire Station	21,980	0
Navy	Portsmouth	Ships Maintenance Facility	26,120	26,120
	Washington			
Navy	Bangor	Pier and Maintenance Facility	88,960	88,960
Navy	Naval Air Station Whidbey Island	Fleet Support Facility	19,450	19,450
Navy	Naval Air Station Whidbey Island	Next Generation Jammer Facility	7,930	7,930
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Force Protection and Safety	0	50,000
Navy	Unspecified Worldwide Locations	Planning and Design	185,542	177,542
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	28,579	28,579
Military Construction, Navy Total			**2,543,189**	**2,538,898**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
	Alaska			
AF	Eielson Air Force Base	F–35 Aircraft Maintenance Unit Admin Facility	6,800	6,800
AF	Eielson Air Force Base	F–35 Conventional Munitions Maintenance Fac	15,500	15,500
AF	Eielson Air Force Base	F–35A CATM Range	19,000	19,000
AF	Eielson Air Force Base	F–35A School Age Facility	22,500	22,500
	Arizona			
AF	Davis Monthan Air Force Base	AGE Facility	0	15,000
AF	Luke Air Force Base	F–35A Aircraft Maintenance Unit Facility	23,000	23,000
AF	Luke Air Force Base	F–35A Squad Ops #6	17,000	17,000
	Arkansas			
AF	Little Rock Air Force Base	Dormitory - 168 PN	0	26,000
	Florida			
AF	Eglin Air Force Base	F–35A Integrated Trng Center Academics Bldg	34,863	34,863
AF	Eglin Air Force Base	F–35A Student Dormitory II	28,000	28,000
AF	MacDill Air Force Base	KC135 Beddown Add Flight Simulator Training	3,100	3,100
AF	Patrick Air Force Base	Main Gate	0	9,000
	Guam			
AF	Joint Region Marianas	Hayman Munitions Storage Igloos MSA 2	9,800	9,800
	Louisiana			
AF	Barksdale Air Force Base	Entrance Road and Gate Complex	0	12,250
	Mariana Islands			
AF	Tinian	APR—Cargo Pad with Taxiway Extension	46,000	46,000
AF	Tinian	APR—Maintenance Support Facility	4,700	4,700
	Maryland			
AF	Joint Base Andrews	Child Development Center	0	13,000
AF	Joint Base Andrews	MWD Facility	0	8,000
AF	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range	37,000	37,000
AF	Joint Base Andrews	Presidential Aircraft Recap Complex, Inc. 2	154,000	123,116
	Massachusetts			
AF	Hanscom Air Force Base	MIT-Lincoln Laboratory (West Lab CSL/MIF)	225,000	40,000
	Nebraska			
AF	Offutt Air Force Base	Parking Lot, USSTRATCOM	9,500	9,500
	Nevada			
AF	Creech Air Force Base	MQ–9 CPIP GCS Operations Facility	28,000	28,000
AF	Creech Air Force Base	MQ–9 CPIP Operations & Command Center Fac.	31,000	31,000
AF	Nellis Air Force Base	CRH Simulator	5,900	5,900
	New Mexico			
AF	Holloman Air Force Base	MQ–9 FTU Ops Facility	85,000	85,000
AF	Kirtland Air Force Base	Wyoming Gate Upgrade for Anti-terrorism Compliance	0	7,000
	New York			
AF	Rome Lab	Anti-Terrorism Perimeter Security / Entry Control Point	0	14,200
	North Dakota			
AF	Minot Air Force Base	Consolidated Helo/TRF Ops/AMU and Alert Fac	66,000	66,000
	Ohio			
AF	Wright-Patterson Air Force Base	ADAL Intelligence Production Complex (NASIC)	116,100	61,000
	Oklahoma			
AF	Altus Air Force Base	KC–46A FTU/FTC Simulator Facility Ph 3	12,000	12,000
AF	Tinker Air Force Base	KC–46A Depot Fuel Maintenance Hangar	85,000	85,000
AF	Tinker Air Force Base	KC–46A Depot Maintenance Hangar	81,000	81,000
	Qatar			
AF	Al Udeid	Flightline Support Facilities	30,400	0
AF	Al Udeid	Personnel Deployment Processing Facility	40,000	0
	South Carolina			
AF	Shaw Air Force Base	CPIP MQ–9 MCE GROUP	53,000	53,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 6	25,000	25,000
	United Kingdom			
AF	RAF Lakenheath	F–35A 6 Bay Hangar	39,036	39,036
AF	RAF Lakenheath	F–35A ADAL Conventional Munitions MX	9,204	9,204
AF	RAF Lakenheath	F–35A ADAL Parts Store	13,926	13,926
AF	RAF Lakenheath	F–35A AGE Facility	12,449	12,449
AF	RAF Lakenheath	F–35A Dorm	29,541	29,541
AF	RAF Lakenheath	F–35A Fuel System Maintenance Dock 2 Bay	16,880	16,880
AF	RAF Lakenheath	F–35A Parking Apron	27,431	27,431
	Utah			
AF	Hill Air Force Base	Composite Aircraft Antenna Calibration Fac	0	26,000
	Washington			
AF	Fairchild—White Bluff	ADAL JPRA C2 Mission Support Facility	0	14,000
	Worldwide Classified			
AF	Classified Location	TACMOR—Utilities and Infrastructure Support	18,000	18,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Force Protection and Safety	0	50,000
AF	Various Worldwide Locations	Planning and Design	206,577	198,577
AF	Various Worldwide Locations	Unspecified Minor Military Construction	38,500	38,500
	Military Construction, AF Total		**1,725,707**	**1,570,773**
	Alaska			
Def-Wide	Clear Air Force Station	Long Range Discrim Radar Sys Complex Ph2	174,000	130,000
Def-Wide	Fort Greely	Missile Field #1 Expansion	8,000	0
Def-Wide	Joint Base Elmendorf-Richardson	Operations Facility Replacement	14,000	14,000
	Arkansas			
Def-Wide	Little Rock Air Force Base	Hydrant Fuel System Alterations	14,000	14,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
	Belgium			
Def-Wide	Chievres Air Base	Europe West District Superintendent's Office	14,305	14,305
	California			
Def-Wide	Camp Pendleton	SOF EOD Facility—West	3,547	3,547
Def-Wide	Camp Pendleton	SOF Human Performance Training Center-West	9,049	9,049
Def-Wide	Defense Distribution Depot-Tracy	Main Access Control Point Upgrades	18,800	18,800
Def-Wide	Naval Base Coronado	SOF ATC Applied Instruction Facility	14,819	14,819
Def-Wide	Naval Base Coronado	SOF ATC Training Facility	18,329	18,329
Def-Wide	Naval Base Coronado	SOF Close Quarters Combat Facility	12,768	12,768
Def-Wide	Naval Base Coronado	SOF NSWG–1 Operations Support Facility	25,172	25,172
	Colorado			
Def-Wide	Fort Carson	SOF Human Performance Training Center	15,297	15,297
Def-Wide	Fort Carson	SOF Mountaineering Facility	9,000	9,000
	Conus Classified			
Def-Wide	Classified Location	Battalion Complex, PH2	49,222	49,222
	Cuba			
Def-Wide	Naval Base Guantanamo Bay	Working Dog Treatment Facility Replacement	9,080	9,080
	Germany			
Def-Wide	Baumholder	SOF Joint Parachute Rigging Facility	11,504	11,504
Def-Wide	Kaiserlautern Air Base	Kaiserslautern Middle School	99,955	99,955
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Inc. 8	319,589	319,589
Def-Wide	Weisbaden	Clay Kaserne Elementary School	56,048	56,048
	Japan			
Def-Wide	Camp Mctureous	Bechtel Elementary School	94,851	94,851
Def-Wide	Iwakuni	Fuel Pier	33,200	33,200
Def-Wide	Kadena Air Base	Truck Unload Facilities	21,400	21,400
Def-Wide	Yokosuka	Kinnick High School	170,386	40,000
	Kentucky			
Def-Wide	Fort Campbell	Ft Campbell Middle School	62,634	62,634
Def-Wide	Fort Campbell	SOF Air/Ground Integ. Urban Live Fire Range	9,091	9,091
Def-Wide	Fort Campbell	SOF Logistics Support Operations Facility	5,435	5,435
Def-Wide	Fort Campbell	SOF Multi-Use Helicopter Training Facility	5,138	5,138
	Maine			
Def-Wide	Kittery	Consolidated Warehouse Replacement	11,600	11,600
	Maryland			
Def-Wide	Fort Meade	Mission Support Operations Warehouse Facility	30,000	30,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Inc 4	218,000	218,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc 1	99,000	99,000
	Missouri			
Def-Wide	St. Louis	Next NGA West (N2W) Complex Phase 1 Inc. 2	213,600	181,000
Def-Wide	St. Louis	Next NGA West (N2W) Complex Phase 2 Inc. 1	110,000	110,000
	New Jersey			
Def-Wide	Joint Base Mcguire-Dix-Lakehurst	Hot Cargo Hydrant System Replacement	10,200	10,200
	North Carolina			
Def-Wide	Fort Bragg	SOF Replace Training Maze and Tower	12,109	12,109
Def-Wide	Fort Bragg	SOF SERE Resistance Training Lab. Complex	20,257	20,257
Def-Wide	New River	Amb Care Center/Dental Clinic Replacement	32,580	32,580
	Oklahoma			
Def-Wide	Mcalester	Bulk Diesel System Replacement	7,000	7,000
	Texas			
Def-Wide	Joint Base San Antonio	Energy Aerospace Operations Facility	10,200	10,200
Def-Wide	Red River Army Depot	General Purpose Warehouse	71,500	71,500
	United Kingdom			
Def-Wide	Croughton RAF	Ambulatory Care Center Addition/Alteration	10,000	0
	Virginia			
Def-Wide	Fort A.P. Hill	Training Campus	11,734	11,734
Def-Wide	Fort Belvoir	Human Performance Training Center	6,127	6,127
Def-Wide	Humphreys Engineer Center	Maintenance and Supply Facility	20,257	20,257
Def-Wide	Joint Base Langley-Eustis	Fuel Facilities Replacement	6,900	6,900
Def-Wide	Joint Base Langley-Eustis	Ground Vehicle Fueling Facility Replacement	5,800	5,800
Def-Wide	Pentagon	Exterior Infrastruc. & Security Improvements	23,650	23,650
Def-Wide	Pentagon	North Village VACP & Fencing	12,200	12,200
Def-Wide	Traning Center Dam Neck	SOF Magazines	8,959	8,959
	Washington			
Def-Wide	Joint Base Lewis-Mcchord	Refueling Facility	26,200	26,200
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	150,000	165,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	12,479	12,479
Def-Wide	Unspecified Worldwide Locations	Planning and Design	86,941	86,941
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	31,642	31,642
Def-Wide	Various Worldwide Locations	Planning & Design	42,705	42,705
Def-Wide	Various Worldwide Locations	Planning and Design	55,699	55,699
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction	17,366	17,366
	Military Construction, Def-Wide Total		**2,693,324**	**2,473,338**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	Nato Security Investment Program	171,064	171,064
	NATO Security Investment Program Total		**171,064**	**171,064**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
	Alaska			
Army NG	Joint Base Elmendorf-Richardson	United States Property & Fiscal Office	27,000	27,000
	Illinois			
Army NG	Marseilles Training Center	Automated Record Fire Range	5,000	5,000
	Montana			
Army NG	Malta	National Guard Readiness Center	15,000	15,000
	Nevada			
Army NG	North Las Vegas	National Guard Readiness Center	32,000	32,000
	New Hampshire			
Army NG	Pembroke	National Guard Readiness Center	12,000	12,000
	North Dakota			
Army NG	Fargo	National Guard Readiness Center	32,000	32,000
	Ohio			
Army NG	Camp Ravenna	Automated Multipurpose Machine Gun Range	7,400	7,400
	Oklahoma			
Army NG	Lexington	Aircraft Vehicle Storage Building	0	11,000
	South Dakota			
Army NG	Rapid City	National Guard Readiness Center	15,000	15,000
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	16,622	16,622
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	18,100	18,100
	Military Construction, Army National Guard Total		**180,122**	**191,122**
	California			
Army Res	Fort Irwin	ECS Modified TEMF / Warehouse	34,000	34,000
	Washington			
Army Res	Yakima Training Center	ECS Modified TEMF	0	23,000
	Wisconsin			
Army Res	Fort Mccoy	Transient Training Barracks	23,000	23,000
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	5,855	5,855
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	2,064	2,064
	Military Construction, Army Reserve Total		**64,919**	**87,919**
	California			
N/MC Res	Naval Weapons Station Seal Beach	Reserve Training Center	21,740	21,740
	Georgia			
N/MC Res	Fort Benning	Reserve Training Center	13,630	13,630
	Pennsylvania			
N/MC Res	Pittsburgh	Reserve Training Center	0	0
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Planning & Design	4,695	4,695
N/MC Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
	Military Construction, Naval Reserve Total		**43,065**	**43,065**
	California			
Air NG	Channel Islands Air National Guard Station	Construct C–130J Flight Simulator Facility	8,000	8,000
	Hawaii			
Air NG	Joint Base Pearl Harbor-Hickam	Construct Addition to F–22 LO/CRF B3408	17,000	17,000
	Illinois			
Air NG	Greater Peoria Regional Airport	Construct New Fire Crash/Rescue Station	9,000	9,000
	Louisiana			
Air NG	New Orleans	NORTHCOM—Construct Alert Apron	15,000	15,000
Air NG	New Orleans	NORTHCOM—Construct Alert Facilities	0	24,000
	Minnesota			
Air NG	Duluth International Airport	Construct Small Arms Range	0	8,000
	Montana			
Air NG	Great Falls International Airport	Construct Aircraft Apron	0	9,000
	New York			
Air NG	Francis S. Gabreski Airport	Security Forces/Comm.Training Facility	20,000	20,000
	Ohio			
Air NG	Mansfield Lahm Airport	Replace Fire Station	0	13,000
Air NG	Rickenbacker International Airport	Construct Small Arms Range	0	8,000
	Pennsylvania			
Air NG	Fort Indiantown Gap	Replace Operations Training/Dining Hall	8,000	8,000
	Virginia			
Air NG	Joint Base Langley-Eustis	Construct Cyber Ops Facility	10,000	10,000
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	23,626	23,626
Air NG	Various Worldwide Locations	Planning and Design	18,500	18,500
	Military Construction, Air National Guard Total		**129,126**	**191,126**
	Florida			
AF Res	Patrick Air Force Base	HC–130J Mx Hanger	0	24,000
	Indiana			
AF Res	Grissom Air Reserve Base	Add/Alter Aircraft Maintenance Hangar	12,100	12,100
AF Res	Grissom Air Reserve Base	Aerial Port Facility	0	9,400
	Massachusetts			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
AF Res	Westover Air Reserve Base	Regional ISO Mx Hanger	0	42,600
	Minnesota			
AF Res	Minneapolis-St Paul International Airport	Small Arms Range	9,000	9,000
	Mississippi			
AF Res	Keesler Air Force Base	Aeromedical Staging Squadron Facility	4,550	4,550
	New York			
AF Res	Niagara Falls International Airport	Physical Fitness Center	14,000	14,000
	Ohio			
AF Res	Youngstown Air Rserve Station	Relocation Main Gate	0	8,800
	Texas			
AF Res	Naval Air Station Joint Reserve Base Fort Worth	Munitions Training/Admin Facility	3,100	3,100
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	4,055	4,055
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,358	3,358
	Military Construction, Air Force Reserve Total		50,163	134,963
	Germany			
FH Con Army	Baumholder	Family Housing Improvements	32,000	32,000
	Italy			
FH Con Army	Vicenza	Family Housing New Construction	95,134	95,134
	Korea			
FH Con Army	Camp Humphreys	Family Housing New Construction Incr 3	85,000	85,000
FH Con Army	Camp Walker	Family Housing Replacement Construction	68,000	68,000
	Puerto Rico			
FH Con Army	Fort Buchanan	Family Housing Replacement Construction	26,000	26,000
	Wisconsin			
FH Con Army	Fort Mccoy	Family Housing New Construction	6,200	6,200
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	18,326	18,326
	Family Housing Construction, Army Total		**330,660**	**330,660**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	15,842	15,842
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	18,801	20,301
FH Ops Army	Unspecified Worldwide Locations	Leasing	161,252	161,252
FH Ops Army	Unspecified Worldwide Locations	Maintenance	75,530	75,530
FH Ops Army	Unspecified Worldwide Locations	Management	36,302	34,802
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	408	408
FH Ops Army	Unspecified Worldwide Locations	Services	10,502	10,502
FH Ops Army	Unspecified Worldwide Locations	Utilities	57,872	57,872
	Family Housing Operation And Maintenance, Army Total		**376,509**	**376,509**
	Mariana Islands			
FH Con Navy	Guam	Replace Anderson Housing PH III	83,441	83,441
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Design, Washington DC	4,502	4,502
FH Con Navy	Unspecified Worldwide Locations	Improvements, Washington DC	16,638	16,638
	Family Housing Construction, Navy And Marine Corps Total		104,581	104,581
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	16,395	16,395
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	21,767	23,267
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,515	62,515
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	86,328	86,328
FH Ops Navy	Unspecified Worldwide Locations	Management	50,870	49,370
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	148	148
FH Ops Navy	Unspecified Worldwide Locations	Services	16,261	16,261
FH Ops Navy	Unspecified Worldwide Locations	Utilities	60,252	60,252
	Family Housing Operation And Maintenance, Navy And Marine Corps Total		**314,536**	**314,536**
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	75,247	75,247
FH Con AF	Unspecified Worldwide Locations	Planning & Design	3,199	3,199
	Family Housing Construction, Air Force Total		**78,446**	**78,446**
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	30,645	30,645
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization Support	22,205	23,705
FH Ops AF	Unspecified Worldwide Locations	Leasing	15,832	15,832
FH Ops AF	Unspecified Worldwide Locations	Maintenance	129,763	129,763
FH Ops AF	Unspecified Worldwide Locations	Management	54,423	52,923
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,171	2,171
FH Ops AF	Unspecified Worldwide Locations	Services	13,669	13,669
FH Ops AF	Unspecified Worldwide Locations	Utilities	48,566	48,566

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
Family Housing Operation And Maintenance, Air Force Total			**317,274**	**317,274**
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings	1,060	1,060
FH Ops DW	Unspecified Worldwide Locations	Leasing	51,278	51,278
FH Ops DW	Unspecified Worldwide Locations	Maintenance	1,663	1,663
FH Ops DW	Unspecified Worldwide Locations	Management	155	155
FH Ops DW	Unspecified Worldwide Locations	Services	2	2
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,215	4,215
Family Housing Operation And Maintenance, Defense-Wide Total			**58,373**	**58,373**
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	1,653	1,653
DOD Family Housing Improvement Fund Total			**1,653**	**1,653**
	Worldwide Unspecified			
UHIF	Unaccompanied Housing Improvement Fund	Administrative Expenses—UHIF	600	600
Unaccompanied Housing Improvement Fund Total			**600**	**600**
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure	62,796	80,906
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure	151,839	170,949
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure	52,903	71,013
Base Realignment and Closure Total			**267,538**	**322,868**
	Prior Year Savings			
PYS	Prior Year Savings	Prior Year Savings	0	–71,158
Prior Year Savings Total			**0**	**–71,158**
Total, Military Construction			**10,462,617**	**10,332,478**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
	Bulgaria			
Army	Nevo Selo	EDI: Ammunition Holding Area	5,200	5,200
	Cuba			
Army	Guantanamo Bay	High Value Detention Facility	69,000	0
	Poland			
Army	Drawsko Pomorski Training Area	EDI: Staging Area	17,000	17,000
Army	Powidz Air Base	EDI: Ammunition Storage Facility	52,000	52,000
Army	Powidz Air Base	EDI: Bulk Fuel Storage	21,000	21,000
Army	Powidz Air Base	EDI: Rail Extension & Railhead	14,000	14,000
Army	Zagan Training Area	EDI: Rail Extension and Railhead	6,400	6,400
Army	Zagan Training Area	EDI: Staging Area	34,000	34,000
	Romania			
Army	Mihail Kogalniceanu	EDI: Explosives & Ammo Load/Unload Apron	21,651	21,651
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI: Planning and Design	20,999	20,999
Military Construction, Army Total			**261,250**	**192,250**
	Greece			
Navy	Souda Bay	EDI: Joint Mobility Processing Center	41,650	41,650
Navy	Souda Bay	EDI: Marathi Logistics Support Center	6,200	6,200
	Italy			
Navy	Sigonella	EDI: P–8A Taxiway	66,050	66,050
	Spain			
Navy	Rota	EDI: Port Operations Facilities	21,590	21,590
	United Kingdom			
Navy	Lossiemouth	EDI: P–8 Base Improvements	79,130	79,130
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	EDI: Planning and Design	12,700	12,700
Military Construction, Navy Total			**227,320**	**227,320**
	Germany			
AF	Ramstein AB	EDI: KMC DABS-FEV/RH Storage Warehouses	119,000	119,000
	Norway			
AF	Rygge	EDI: Construct Taxiway	13,800	13,800
	Qatar			

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
AF	Al Udeid	Flight line Support Facilities	0	30,400
AF	Al Udeid	Personnel Deployment Processing Facility	0	40,000
	Slovakia			
AF	Malacky	EDI: Regional Munitions Storage Area	59,000	59,000
	United Kingdom			
AF	RAF Fairford	EDI: Construct DABS-FEV Storage	87,000	87,000
AF	RAF Fairford	EDI: Munitions Holding Area	19,000	19,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	EDI: Planning & Design Funds	48,000	46,600
	Military Construction, Air Force Total		**345,800**	**414,800**
	Estonia			
Def-Wide	Unspecified Estonia	EDI: SOF Operations Facility	6,100	6,100
Def-Wide	Unspecified Estonia	EDI: SOF Training Facility	9,600	9,600
	Qatar			
Def-Wide	Al Udeid	Trans-Regional Logistics Complex	60,000	60,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	EDI: Planning and Design	7,100	7,100
Def-Wide	Various Worldwide Locations	EDI: Planning and Design	4,250	4,250
	Military Construction, Defense-Wide Total		**87,050**	**87,050**
	Total, Military Construction		**921,420**	**921,420**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

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

Program	FY 2019 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	136,090	136,090
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	11,017,078	11,215,078
Defense nuclear nonproliferation	1,862,825	1,989,825
Naval reactors	1,788,618	1,788,618
Federal salaries and expenses	422,529	404,529
Total, National nuclear security administration	**15,091,050**	**15,398,050**
Environmental and other defense activities:		
Defense environmental cleanup	5,630,217	5,680,217
Other defense activities	853,300	853,300
Defense nuclear waste disposal	30,000	30,000
Total, Environmental & other defense activities	**6,513,517**	**6,563,517**
Total, Atomic Energy Defense Activities	**21,604,567**	**21,961,567**
Total, Discretionary Funding	**21,740,657**	**22,097,657**
Nuclear Energy		
Idaho sitewide safeguards and security	136,090	136,090
Total, Nuclear Energy	**136,090**	**136,090**
Weapons Activities		
Directed stockpile work		
Life extension programs and major alterations		
B61–12 Life extension program	794,049	794,049
W76–1 Life extension program	48,888	48,888
W88 Alt 370	304,285	304,285
W80–4 Life extension program	654,766	654,766
IW–1	53,000	53,000
W76–2 Warhead modification program	65,000	65,000
Total, Life extension programs and major alterations	**1,919,988**	**1,919,988**
Stockpile systems		
B61 Stockpile systems	64,547	64,547
W76 Stockpile systems	94,300	94,300
W78 Stockpile systems	81,329	81,329

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

Program	FY 2019 Request	House Authorized
W80 Stockpile systems	80,204	80,204
B83 Stockpile systems	35,082	35,082
W87 Stockpile systems	83,107	83,107
W88 Stockpile systems	180,913	180,913
Total, Stockpile systems	**619,482**	**619,482**
Weapons dismantlement and disposition		
Operations and maintenance	56,000	56,000
Stockpile services		
Production support	512,916	508,916
Program decrease		[–4,000]
Research and development support	38,129	38,129
R&D certification and safety	216,582	214,582
Program decrease		[–2,000]
Management, technology, and production	300,736	298,736
Program decrease		[–2,000]
Total, Stockpile services	**1,068,363**	**1,060,363**
Strategic materials		
Uranium sustainment	87,182	87,182
Plutonium sustainment	361,282	361,282
Tritium sustainment	205,275	205,275
Lithium sustainment	29,135	29,135
Domestic uranium enrichment	100,704	100,704
Strategic materials sustainment	218,794	218,794
Total, Strategic materials	**1,002,372**	**1,002,372**
Total, Directed stockpile work	**4,666,205**	**4,658,205**
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	57,710	57,710
Primary assessment technologies	95,057	93,057
Program decrease		[–2,000]
Dynamic materials properties	131,000	128,000
Program decrease		[–3,000]
Advanced radiography	32,544	32,544
Secondary assessment technologies	77,553	77,553
Academic alliances and partnerships	53,364	53,364
Enhanced Capabilities for Subcritical Experiments	117,632	117,632
Total, Science	**564,860**	**559,860**
Engineering		
Enhanced surety	43,226	43,226
Weapon systems engineering assessment technology	27,536	27,536
Nuclear survivability	48,230	48,230
Enhanced surveillance	58,375	58,375
Stockpile Responsiveness	34,000	40,000
Program increase		[6,000]
Total, Engineering	**211,367**	**217,367**
Inertial confinement fusion ignition and high yield		
Ignition	22,434	42,434
Maintain sustainable levels		[20,000]
Support of other stockpile programs	17,397	21,397
Maintain sustainable levels		[4,000]
Diagnostics, cryogenics and experimental support	51,453	61,453
Maintain sustainable levels		[10,000]
Pulsed power inertial confinement fusion	8,310	8,310
Facility operations and target production	319,333	334,333
Maintain sustainable levels		[15,000]
Total, Inertial confinement fusion and high yield	**418,927**	**467,927**
Advanced simulation and computing		
Advanced simulation and computing	656,401	656,401
Construction:		
18–D–670, Exascale Class Computer Cooling Equipment, LANL	24,000	24,000
18–D–620, Exascale Computing Facility Modernization Project, LLNL	23,000	23,000
Total, Construction	**47,000**	**47,000**
Total, Advanced simulation and computing	**703,401**	**703,401**
Advanced manufacturing		
Additive manufacturing	17,447	17,447
Component manufacturing development	48,477	48,477

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

Program	FY 2019 Request	House Authorized
Process technology development	30,914	30,914
Total, Advanced manufacturing	**96,838**	**96,838**
Total, RDT&E	**1,995,393**	**2,045,393**
Infrastructure and operations		
Operations of facilities	891,000	891,000
Safety and environmental operations	115,000	115,000
Maintenance and repair of facilities	365,000	404,000
Address high-priority repair needs and preventive maintenance		[39,000]
Recapitalization:		
Infrastructure and safety	431,631	498,631
Support high-priority deferred maintenance		[67,000]
Capability based investments	109,057	113,057
Program increase		[4,000]
Total, Recapitalization	**540,688**	**611,688**
Construction:		
19–D–670, 138kV Power Transmission System Replacement, NNSS	6,000	6,000
19–D–660, Lithium Production Capability, Y–12	19,000	19,000
18–D–680, Material Staging Facility, Pantex	0	24,000
18–D–650, Tritium Production Capability, SRS	27,000	27,000
17–D–710, West End Protected Area reduction Project, Y–12	0	9,000
17–D–640, U1a Complex Enhancements Project, NNSS	53,000	53,000
16–D–515, Albuquerque complex project	47,953	47,953
14–D–710, DAF Argus project, NNSS	0	2,000
06–D–141 Uranium processing facility Y–12, Oak Ridge, TN	703,000	703,000
04–D–125 Chemistry and metallurgy research facility replacement project, LANL	235,095	235,095
Total, Construction	**1,091,048**	**1,126,048**
Total, Infrastructure and operations	**3,002,736**	**3,147,736**
Secure transportation asset		
Operations and equipment	176,617	176,617
Program direction	102,022	102,022
Total, Secure transportation asset	**278,639**	**278,639**
Defense nuclear security		
Operations and maintenance	690,638	701,638
Physical security infrastructure recapitalization and CSTART		[11,000]
Total, Defense nuclear security	**690,638**	**701,638**
Information technology and cybersecurity	221,175	221,175
Legacy contractor pensions	162,292	162,292
Total, Weapons Activities	**11,017,078**	**11,215,078**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	46,339	46,339
Domestic radiological security	90,764	90,764
International radiological security	59,576	59,576
Nuclear smuggling detection and deterrence	140,429	140,429
Total, Global material security	**337,108**	**337,108**
Material management and minimization		
HEU reactor conversion	98,300	98,300
Nuclear material removal	32,925	32,925
Material disposition	200,869	200,869
Total, Material management & minimization	**332,094**	**332,094**
Nonproliferation and arms control	129,703	129,703
Defense nuclear nonproliferation R&D	456,095	468,095
Acceleration of low-yield detection experiments		[6,000]
Future nuclear proliferation challenges, including 3D printing		[6,000]
Nonproliferation Construction:		
18–D–150 Surplus Plutonium Disposition Project	59,000	59,000
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	220,000	335,000
Total, Nonproliferation construction	**279,000**	**394,000**
Total, Defense Nuclear Nonproliferation Programs	**1,534,000**	**1,661,000**
Legacy contractor pensions	28,640	28,640
Nuclear counterterrorism and incident response program	319,185	319,185
Use of prior year balances	–19,000	–19,000

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

Program	FY 2019 Request	House Authorized
Total, Defense Nuclear Nonproliferation	**1,862,825**	**1,989,825**
Naval Reactors		
Naval reactors development	514,951	514,951
Columbia-Class reactor systems development	138,000	138,000
S8G Prototype refueling	250,000	250,000
Naval reactors operations and infrastructure	525,764	525,764
Construction:		
19–D–930, KS Overhead Piping	10,994	10,994
17–D–911, BL Fire System Upgrade	13,200	13,200
14–D–901 Spent fuel handling recapitalization project, NRF	287,000	287,000
Total, Construction	**311,194**	**311,194**
Program direction	48,709	48,709
Total, Naval Reactors	**1,788,618**	**1,788,618**
Federal Salaries And Expenses		
Program direction	422,529	404,529
Program decrease		[–18,000]
Total, Office Of The Administrator	**422,529**	**404,529**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Richland:		
River corridor and other cleanup operations	89,577	89,577
Central plateau remediation	562,473	612,473
Accelerated remediation of 300–296 waste site		[50,000]
Richland community and regulatory support	5,121	5,121
Construction:		
18–D–404 WESF Modifications and Capsule Storage	1,000	1,000
Total, Construction	**1,000**	**1,000**
Total, Hanford site	**658,171**	**708,171**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	15,000	15,000
Rad liquid tank waste stabilization and disposition	677,460	677,460
Construction:		
15–D–409 Low activity waste pretreatment system, ORP	56,053	56,053
01–D–416 A-D WTP Subprojects A-D	675,000	675,000
01–D–416 E—Pretreatment Facility	15,000	15,000
Total, Construction	**746,053**	**746,053**
Total, Office of River protection	**1,438,513**	**1,438,513**
Idaho National Laboratory:		
SNF stabilization and disposition—2012	17,000	17,000
Solid waste stabilization and disposition	148,387	148,387
Radioactive liquid tank waste stabilization and disposition	137,739	137,739
Soil and water remediation—2035	42,900	42,900
Idaho community and regulatory support	3,200	3,200
Total, Idaho National Laboratory	**349,226**	**349,226**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,704	1,704
Nuclear facility D & D		
Separations Process Research Unit	15,000	15,000
Nevada	60,136	60,136
Sandia National Laboratories	2,600	2,600
Los Alamos National Laboratory	191,629	191,629
Total, NNSA sites and Nevada off-sites	**271,069**	**271,069**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR-0041—D&D - Y–12	30,214	30,214
OR-0042—D&D -ORNL	60,007	60,007
Total, OR Nuclear facility D & D	**90,221**	**90,221**
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition		
OR cleanup and disposition	67,000	67,000

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

Program	FY 2019 Request	House Authorized
Construction:		
17–D–401 On-site waste disposal facility	5,000	5,000
14–D–403 Outfall 200 Mercury Treatment Facility	11,274	11,274
Total, Construction	**16,274**	**16,274**
Total, OR cleanup and waste disposition	**83,274**	**83,274**
OR community & regulatory support	4,711	4,711
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**226,206**	**226,206**
Savannah River Sites:		
Nuclear Material Management	351,331	351,331
Environmental Cleanup		
Environmental Cleanup	166,105	166,105
Construction:		
18–D–402, Emergency Operations Center	1,259	1,259
Total, Environmental Cleanup	**167,364**	**167,364**
SR community and regulatory support	4,749	4,749
Radioactive liquid tank waste stabilization and disposition	805,686	805,686
Construction:		
18–D–401, SDU #8/9	37,450	37,450
17–D–402—Saltstone Disposal Unit #7	41,243	41,243
05–D–405 Salt waste processing facility, Savannah River Site	65,000	65,000
Total, Construction	**143,693**	**143,693**
Total, Savannah River site	**1,472,823**	**1,472,823**
Waste Isolation Pilot Plant		
Operations and maintenance	220,000	220,000
Central characterization project	19,500	19,500
Critical Infrastructure Repair/Replacement	46,695	46,695
Transportation	25,500	25,500
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	84,212	84,212
15–D–412 Exhaust shaft, WIPP	1,000	1,000
Total, Construction	**85,212**	**85,212**
Total, Waste Isolation Pilot Plant	**396,907**	**396,907**
Program direction	300,000	300,000
Program support	6,979	6,979
Minority Serving Institution Partnership	6,000	6,000
Safeguards and Security		
Oak Ridge Reservation	14,023	14,023
Paducah	15,577	15,577
Portsmouth	15,078	15,078
Richland/Hanford Site	86,686	86,686
Savannah River Site	183,357	183,357
Waste Isolation Pilot Project	6,580	6,580
West Valley	3,133	3,133
Total, Safeguards and Security	**324,434**	**324,434**
Technology development	25,000	25,000
HQEF-0040—Excess Facilities	150,000	150,000
Total, Defense Environmental Cleanup	**5,630,217**	**5,680,217**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	135,194	135,194
Program direction	70,653	70,653
Total, Environment, Health, safety and security	**205,847**	**205,847**
Independent enterprise assessments		
Independent enterprise assessments	24,068	24,068
Program direction	52,702	52,702
Total, Independent enterprise assessments	**76,770**	**76,770**
Specialized security activities	254,378	254,378
Office of Legacy Management		
Legacy management	140,575	140,575
Program direction	18,302	18,302
Total, Office of Legacy Management	**158,877**	**158,877**
Defense related administrative support		

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

Program	FY 2019 Request	House Authorized
Chief financial officer	48,484	48,484
Chief information officer	96,793	96,793
Project management oversight and Assessments	8,412	8,412
Total, Defense related administrative support	**153,689**	**153,689**
Office of hearings and appeals	5,739	5,739
Subtotal, Other defense activities	**855,300**	**855,300**
Rescission of prior year balances (OHA)	–2,000	–2,000
Total, Other Defense Activities	**853,300**	**853,300**
Defense Nuclear Waste Disposal		
Yucca mountain and interim storage	30,000	30,000
Total, Defense Nuclear Waste Disposal	**30,000**	**30,000**

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 115–698 and amendments en bloc described in section 3 of House Resolution 905.

Each further amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1845

AMENDMENT NO. 1 OFFERED BY MR. THORNBERRY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–698.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title II, add the following new section:

SEC. 2___. ESTABLISHMENT OF INNOVATORS DATABASE IN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish an innovators database within the Department of Defense in accordance with this section.

(b) MAINTENANCE OF DATABASE.—The Under Secretary of Defense for Research and Engineering shall maintain the database and ensure that it is periodically updated.

(c) ELEMENTS OF DATABASE.— The database established under subsection (a) shall—

(1) be coordinated across the Department of Defense enterprise to focus on small business innovators that receive funds under the Small Business Innovation Research program or the Small Business Technology Transfer program; and

(2) include appropriate information about each participant, including a description of—

(A) the need or requirement applicable to the participant;

(B) the participant's technology with appropriate technical detail and appropriate protections of proprietary information or data;

(C) any prior business of the participant with the Department; and

(D) whether the participant's technology was incorporated into a program of record.

(d) USE OF DATABASE.—After the database is established under subsection (a), the Secretary of Defense shall encourage program offices across the Department of Defense to consult the database before initiating a Request for Information or a Request for Proposal to determine whether an organic technology exists or is being developed currently by a an entity supported by the Department (which may include a company, academic consortium, or other entity).

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, there is widespread, bipartisan support for efforts to expand the number of small businesses that do business with the Department of Defense. I particularly want to thank Chairman CHABOT and Ranking Member VELÁZQUEZ of the Small Business Committee for their partnership in working toward that goal.

Unfortunately, I believe that a number of small businesses that may receive some initial funding to do business with the Department of Defense and develop their technologies have found that they do not continue to do business with the Department of Defense or their technologies are not taken up into a program of record so that it is a temporary, one-time infusion of cash which does not fully accomplish the goals that so many of us want to achieve.

This amendment requires the Department of Defense to set up a database of small business innovators, specifically those who receive grants through the Small Business Innovation Research program and the Small Business Technology Transfer program, so that we can track these businesses and see: Do their technologies get taken up in a program of record? Do these small businesses do further business with the Department of Defense? I think that is in doubt, but we won't know until we have this database.

That is the purpose of this amendment. I recommend its adoption, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chair, I support the gentleman's amendment. I just want to comment on a couple of aspects of it.

I think it is incredibly important that we get more small businesses involved. Sometimes the best technology, the best ideas, that is where they start, and working with the Pentagon bureaucracy can be overwhelming.

A large company like Lockheed Martin or Boeing doesn't have a problem, but maybe the best ideas come from some small garage startup. I think making affirmative efforts to make sure we reach out and get those companies involved is something that is very important and something we need to continue to do. Yes, we need to track the success of it.

Given the record of some of the programs of record, I personally would hesitate to judge them based on whether or not they made it into a program of record. I know we have done some reforms where it has worked where they don't have to get into a program of record. The Pentagon doesn't have to go through all of the processes that are involved with that. They just are able to say: I like that. We are going to buy it.

In fact, that is one of the reforms that the chairman has been a leader on doing is freeing up more opportunity, particularly when you are talking about technology, to simply buy the best product instead of having to do an RFP and a down select and going through a lengthy process. So I agree with the chairman on that.

As we are judging whether or not these small businesses are truly contributing to our national security, I would hope we would keep two things in mind. One is having a program of record may not necessarily be a measure of whether or not they are doing that; and two, not all ideas work out, but that doesn't mean that we shouldn't keep pursuing them. It is the Silicon Valley mantra that it is okay to fail. You learn something from that. You build a better technology. And with the rapid pace of technology, that is part of what we need to do as well.

I think these programs are critically important. The gentleman's amendment will help with that. I support the amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I would just say the gentleman is right. I don't mean to say that inclusion in a formal program of record is the only measure of success. I just think we need to track this to see: Do those small businesses continue to do business with the Department of Defense? Are their technologies taken up or not? That is the goal here.

Mr. Chair, I appreciate the gentleman, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. NOLAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115–698.

Mr. NOLAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title XV.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Minnesota (Mr. NOLAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. NOLAN. Mr. Chairman, my amendment would strip all funding authorizations for the overseas contingency operations fund for fiscal year 2019, saving the American taxpayers $69 billion, but that is just the tip of the iceberg.

The overseas contingency fund has been called out by many, myself included, and including Democrats and Republicans and liberals and conservatives, that this OCO budget is nothing but a slush fund for the purpose of circumventing the Budget Control Act in order to fund these endless wars of choice and the so-called nation-building that has been so costly to our country and our people in blood and in treasury.

As a result of the Cost of War Act, sponsored by our good friend JOHN LEWIS in 2016, we now have a more elaborate and adequate picture of how much these endless wars are costing us.

You will see from the chart that I have here that we are now involved in conflicts in 76 different countries all over the world. That is right. Forty-six percent of the countries in the world are involved in one kind of a conflict or another, and we have gotten ourselves involved in those.

Twenty-two of them happen to be in the Middle East, in Africa, where I have a little background to qualify myself on this. I lived in the Middle East. I have studied the language. I have got a fairly good idea what has been happening and what is going on there. So what I would like you to do is to just bear with me and look at the numbers as a result of that cost of war resolution.

Watson Institute for International and Public Affairs at Brown University estimated we spent $5.6 trillion on these so-called wars of choice, that we have an additional $7.9 trillion going forward just on the interest paying for those costly wars, and that we have $2 trillion going forward to take care of the veterans.

That is right, the men and women who stood up to serve and protect us. They suffered irreparable damage. They lost arms. They lost legs. They had irreparable damage to their bodies and minds and spirits. Twenty-three of them are committing suicide every day. This totals up to be a little over $15 trillion.

I don't have time in my 5 minutes to go through it, but I could tell you in detail how we have been on every side of every one of these conflicts at one time or another, and it is time to put an end to it. We have so many unmet domestic needs in this country.

You all know, as Members of Congress, we need more money for infrastructure. We need more money for education. We need more money for healthcare. We need more money for mental health. We need more money for this and that, and indeed we do, but the money is not there.

That is the answer all the time: No, we don't have money to spend at the National Institutes of Health or anyplace else.

Why? Well, show me your budget. Show me your budget, and I will show you your priorities. $15 trillion has gone into the endless wars of choice, making ourselves the policemen of the world, so-called nation-building of the world.

Well, let's think about it. For one of those trillion we could have graduated every kid in America from college debt free. Don't tell me we can't afford to do that.

For another one of those trillion dollars, there is another trillion for infrastructure. Don't tell me we don't have the money to do that.

For another one of those trillion dollars maybe we find a cure for cancer or diabetes or Alzheimer's or the mental health treatment that is needed throughout this country. And guess what? We would still have $12 trillion left.

Give America a tax break. Put some money down toward deficit reduction. Maybe take care of some of the other unmet human needs in this country. That is what this is all about.

Are we going to be standing here 10 years from now? We just elected two Presidents in a row that got elected because they were going to stop these wars in the Middle East, these endless wars of choice. You can quarrel with my numbers if you like, but President Trump just came out and said Afghanistan and Iraq, alone, cost $7 trillion.

It is hard to get these numbers out, but thanks to JOHN LEWIS and the Cost of War Act, we are getting a look at it.

My friends, two things: one, there are a lot of things in life you would like to do and you can't afford, and that is the case here. It is going to bankrupt this country. Two, there are things you do that create more problems than they solve, and that is the same with these endless wars of choice. It is time to put an end to it.

We hear Republicans and Democrats and liberals and conservatives all over the country. They are in unanimous agreement. Two Presidents got elected because they were going to get us out of these wars, and the wars continue. The only way we are going to stop them is to stop funding them, and that is what my amendment is all about.

Please support it, and please pass it.

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

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chair, I was interested to hear the gentleman's reasoning behind his amendment. Just to clarify for all Members, the overseas contingency account existed before the Budget Control Act existed. The reason it was created was because we live in a volatile, dynamic world, and there needed to be some accounting mechanism that would be responsive to particular kinds of conflicts so that, if we needed more people, more weapons to be successful, for example, fighting a terrorist in a particular location, you would have that flexibility. But those funds are authorized and appropriated just like every other part of the defense budget is. So the assertion that one sometimes reads that these are slush funds that can be spent as wanted by the Pentagon is, of course, absolutely not true.

Mr. Chairman, it is true that our forces are engaged in more countries

where there are conflicts going on—not that we are in all of those conflicts, but we are engaged with local militaries in more countries than we had been in the past. Part of the reason is because the terrorism problem has spread to more countries than it has in the past, and most of us think that it is better to engage terrorists over there rather than just stick our heads in the sand and wait for them to come attack us over here. So that has been part of what has happened, at least in the past 17 years, as we try to prevent terrorist attacks here at home.

I have to say thanks to our military and intelligence community and law enforcement, they have been remarkably successful.

I would just say, finally, Mr. Chairman, as I mentioned before, 15—one, five—15 percent of the Federal budget is spent to defend this country. The rest, 85 percent is spent on other things. When John Kennedy was President, it was 50 percent of the Federal budget that was spent defending the country. As Secretary Mattis says: I think we can afford survival.

So I understand the sentiment that we wish all of this conflict would go away and the world would just be a peaceful place. It hasn't quite happened yet, and until it does, it is important for the United States to be strong, to keep terrorists engaged overseas rather than here, and that is exactly what the overseas contingency account tries to help accomplish.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. SMITH), the ranking member of the Armed Services Committee.

Mr. SMITH of Washington. Mr. Chair, first, let me say I agree with Mr. NOLAN on a couple of key points.

Number one, I think the overseas contingency fund has come to be relied on too much. Yes, it was created before the Budget Control Act, but these wars have been going on long enough now that we ought to be able to incorporate it into the funds. So I agree with him on that. But completely zeroing out the overseas contingency fund, I think, is irresponsible, because while I agree in some cases the terrorism threat may be overblown, it is, nonetheless, real.

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Yemen is always the best example. We went into Afghanistan after 9/11. We dealt with that. We thought we had al-Qaida contained. And then we had the underwear bomber in Detroit and the package bombs that both almost came into the U.S. and attacked us, and they came out of Yemen. So we had to respond to that. We had to respond in our own self-defense. And that is part of what the overseas contingency fund funds.

So, if we wanted to reduce it, if we wanted to get more transparency, I am all for that. But to simply zero it out would basically be to say that we have all these wars and we really have none of them.

I am somewhere in between on that. So I can't support zeroing out the overseas contingency fund, although I do agree with some of the statements that the sponsor of the amendment made.

Mr. Chairman, because it zeros it out completely, I have to oppose the amendment.

Mr. THORNBERRY. Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. NOLAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NOLAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. GABBARD

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115–698.

Ms. GABBARD. Mr. Chairman, I rise to offer my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1225.

The Acting CHAIR. Pursuant to House Resolution 905, the gentlewoman from Hawaii (Ms. GABBARD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. GABBARD. Mr. Chairman, make no mistake: the authorization in section 1225 of the underlying bill authorizes our U.S. military to go to war with Iran.

One of the main reasons why I voted against this bill in committee was specifically because of this provision that authorizes the Secretary of Defense and the Secretary of State to ''develop and implement a strategy with foreign partners to counter the destabilizing activities of Iran.''

The provision does not define what destabilizing activities they want our troops and taxpayer dollars to counter. It does not define a clear objective or end state for our troops to achieve.

In addition, this provision shuts the American people out from this decision entirely by circumventing Congress' constitutional responsibility to declare war and giving unilateral power and unending authorization to counter Iran to this and future administrations without defining in any way, shape, or form what the objective really is.

It sidelines Congress and the American people entirely, with the only requirement being that the administration report to Congress after their plan is being implemented and only for the next 4 years, while the authorization for war has no expiration date.

It gives after-the-fact license for what is already happening in the Middle East. Since 2015, without express congressional authorization, U.S. troops have been providing direct military support to Saudi Arabia and Yemen through information sharing, logistical support, and refueling Saudi warplanes which have dropped U.S.-made bombs on Yemeni civilians.

The most recent attack was on a Yemeni wedding party, with 2 rounds of bombing killing more than 20 people and wounding dozens of others.

This Saudi-led interventionist war has created one of the worst humanitarian disasters in history, worsening a situation that has led to mass starvation, cholera outbreaks, devastation, thousands of civilian deaths, and tens of thousands of injuries.

This provision gives total authority to the administration to keep U.S. troops in Syria or any other country in the Middle East as long as they deem necessary—an intention clearly stated by members of this administration.

To name a few examples, U.N. Ambassador Nikki Haley said last month that U.S. troops would stay in Syria indefinitely until their goals are accomplished—namely, to counter Iran.

National Security Advisor John Bolton said in a 2015 op-ed entitled ''To Stop Iran's Bomb, Bomb Iran'' that ''the United States could do a thorough job of destruction, but Israel alone can do what is necessary. Such action should be combined with vigorous American support for Iran's opposition, aimed at regime change in Tehran.''

Secretary of State Mike Pompeo recently advocated that the U.S. will ''crush'' Iran with economic and military pressure unless it changes its behavior in the Middle East.

So it is clear that, if left unchecked, war hawks in the Trump administration will drag our country into more Middle East wars, leaving destruction in its wake around the world and here at home.

Trillions of taxpayer dollars have already been spent on these regime-change wars in the Middle East since 9/11. Rather than dumping more taxpayer dollars in these wars, as this provision authorizes, we should instead be investing in rebuilding our community right here at home.

For too long, the U.S. has engaged in military adventurism and interventionist wars, sending our troops overseas with no clear objective or end state. Countering Iran is not an end state that our military or diplomats can achieve. Without a clear objective, you end up in endless war.

So what is the objective of this authorization for war? Is it regime change in Iran? Regime change in Syria? More war against Iran and Syria? Yemen?

I strongly urge my colleagues to consider the serious consequences of section 1225 being enacted, because it would authorize any or all of these.

It is Congress' responsibility and constitutional role to declare war. The American people have a right to real

debate on such a declaration. I urge my colleagues to support the passage of my amendment to uphold this responsibility.

Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIR. The gentlewoman from Hawaii has 1 minute remaining.

Ms. GABBARD. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Chairman, I want to thank Representative GABBARD for offering this amendment for one simple reason: it is going to stop the march to war in Iran, another blunder like Iraq.

I don't understand our foreign policy. It seems that the qualification, in John Bolton's case, is to be wrong for the last 25 years, and then that makes you an expert—wrong about Iraq and wrong about the neoconservative philosophy that got us into this mess.

This amendment, forget all the details; we are rushing again to another historic blunder, and this Congress needs to stop that. I respect Representative GABBARD for putting this forward so we don't make another blunder in our foreign policy.

Ms. STEFANIK. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Ms. STEFANIK. Mr. Chairman, I oppose the amendment to strike section 1225, which is an important and necessary provision in the fiscal year 2019 NDAA.

Iran is a significant threat not only to Israel but to the stability of the entire region, and this provision provides an effective plan to counter their destabilizing efforts.

Iran has supported militias in Syria, provided weapons to Hezbollah in Lebanon, and helped the Houthi militia to overthrow the government in Yemen. They continue to pose a threat to Israel by building up forces near Israel's northern border and to U.S. forces in the region as well.

This provision not only emphasizes the importance of multilateral cooperation, but it encourages the Secretary of Defense to establish a framework for critical mutual investments in ISR assets, ballistic missile defense, and cybersecurity and cyber defense.

At its core, section 1225 supports the National Defense Strategy by highlighting the importance of partnerships and the responsibility of all affected nations to contribute in order to achieve shared objectives. It is only through this level of shared responsibility that the United States can expect to manage the threat from Iran, as well as those from Asia and Europe.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER. Mr. Chairman, I thank the gentlewoman for yielding.

It is a confusing amendment to me because, looking at what we want to do, I haven't talked to many people who don't think that Iran isn't a bad actor in the region. It is really almost impossible to find anybody except somebody in the Iranian regime who would say that.

This basically peacefully works with our partners to say: Let's find a strategy to counter this terrible activity, this terrible regime. Cyber defense. Working together for intelligence. What do we do to come together with our friends to make sure we can counter these destabilizing activities?

If this amendment would pass, it would hand a victory to a few people. It would hand a victory to Russia—Russia that has invested a lot in propping up the Assad regime and working with the Iranian regime to do so.

This would be a huge victory to Bashar al-Assad, who has killed half a million of his own people simply because he wants to stay in power. Fifty thousand of those are children, by the way. Many of those gasped their last breath on chemical weapons.

This would be a victory to Hezbollah, which has 150,000 rockets aimed at our best ally in the Middle East, Israel, that is worried about their future. This is the same Iran that calls Israel ''little Satan'' and the United States ''big Satan.''

And this would be, of course, a huge victory for Iran itself. This is a nation that is responsible for almost one-quarter of American deaths in Iraq that I actually operated against—one-quarter of the American deaths in Iraq. I would think it is pretty good to counter that.

So, ultimately, this makes military action less likely, because we are working with our allies to do what we can to prevent actions by this regime that will make war more likely, as we saw in the escalating situation between Israel and Iran just a week ago.

Mr. Chairman, I thank the gentlewoman for yielding the time. I urge my colleagues to resoundingly defeat this amendment.

Ms. STEFANIK. Mr. Chairman, I yield back the balance of my time.

Ms. GABBARD. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. GABBARD).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. GABBARD. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Hawaii will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. AGUILAR

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115–698.

Mr. AGUILAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 790, line 1, insert ''**AND MODIFICATION**'' after ''**EXTENSION**''.

Page 790, line 7, strike ''Section 1043(a)(1)'' and insert ''(a) EXTENSION.—Paragraph (1) of section 1043(a)''.

Page 790, after line 10, insert the following:

(b) PROJECTED FUTURE TOTAL LIFECYCLE COSTS.—Paragraph (2) of such section is amended—

(1) by redesignating subparagraph (G) as subparagraph (H); and

(2) by inserting after subparagraph (F) the following new subparagraph (G):

''(G) An estimate of the projected future total lifecycle cost of each type of nuclear weapon and delivery platform for each five-year period occurring during the period beginning on the date of the report and ending on the date that is 20 years after the date of the report.''.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Chairman, I want to thank the chairman of the full committee and the ranking member for their hard work in developing this product.

Mr. Chairman, our nuclear triad and the strategic deterrence it provides helps protect our Nation from the existential threat of nuclear war.

However, the age of its elements must give us pause. Our B–52s, of which we have over 70 in current use, are over 50 years old. Our *Ohio*-class submarines' lifespan has been extended from 30 years to 42 years, and the first Minuteman III ICBMs were deployed 40 years ago.

With the number of nuclear-related threats increasing around the globe, a credible, safe, secure, and reliable nuclear deterrent is vital to our national security. But just because the modernization is necessary does not mean that we should fail to track how much this modernization process will cost.

Over the next 30 years, we will be replacing our bombers, ICBMs, and ballistic missile submarines while also sustaining and modernizing our nuclear bombs and warheads. Additionally, the 2018 Nuclear Posture Review called for the development of low-yield nuclear weapons, a nuclear-armed sea-launched cruise missile, and continuation of the Long Range Standoff cruise missile.

Our old requirements, in combination with these new initiatives, make cost estimates even more important if we hope to balance our conventional and nuclear force investments.

My amendment would require the DOD to include a 20-year estimate of the projected lifecycle costs of each type of nuclear weapon and delivery platform in an annual report they already produce.

A CBO report released in October 2017 estimated that over a 30-year span the sustainment and modernization of our nuclear forces will cost $1.2 trillion, which, of course, didn't take into account delays, changes to the weapons systems, or understated estimates.

If Congress hopes to provide proper oversight of these modernization efforts, we must have up-to-date estimates that accurately reflect any updates and changes that impact our nuclear bombs, warheads, and delivery systems.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

This amendment is very similar to NDAA amendments that have been presented to and rejected by this House each of the last 4 years in a row. One of the reasons this amendment has failed so many times is that even the Obama administration opposed it.

A few years ago, President Obama's Assistant Secretary of Defense told us that this type of multidecade report was a bad idea. He called such a report ''burdensome,'' explaining, ''As you would expect, looking out that far, 25 years, the credibility of the numbers would be very, very suspect.''

He went on to say: ''Forecasting DOD costs over a 25-year period with any useful accuracy is extremely difficult given the challenges of predicting developments in the international security environment and ongoing technological advancements.''

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The Trump administration opposes it, too.

Here is the view of the current Department of Defense on this idea: ''Projecting out 20 years will result in even lower quality cost estimates with a higher degree of uncertainty. . . . ''

They go on to say: ''Given these and other uncertainties, cost estimates that project beyond 10 years into the future provide little value in understanding either the Department's fiscal position or its performance in managing programs.''

This amendment would not result in good, effective oversight and transparency. It would result in false, unreliable data entering the public debate.

This amendment is part of a longstanding effort to make our nuclear deterrent appear too expensive by calculating its costs over multiple decades. Regardless of the trillion-dollar figures thrown around by nuclear disarmament advocates, CBO has confirmed that our nuclear deterrent will never cost us more than 7 percent of the defense budget in coming decades. Seven percent of the defense budget to deter nuclear attack on our country is a bargain.

As Secretary Mattis said last year: ''America can afford survival.''

Mr. Chairman, I urge a ''no'' vote, and I reserve the balance of my time.

Mr. AGUILAR. Mr. Chairman, I thank my colleague for his comments. We have had this discussion a number of times. I served on his committee and have a lot of respect for him. But he called this a bad idea. He said that it is a bargain if we just continue the status quo.

Mr. Chairman, the Department of Energy asked this exact question. The Department of Energy produces a fiscal year stockpile stewardship and management plan. It is a 25-year plan with long-term costs. It is required in Federal code. We are doing this analysis in other areas. Why isn't the Department of Defense doing this?

The majority seeks to say: Why even ask the question? We have to ask ourselves, what is oversight if we don't ask hard questions?

Now, I think that there is a reason why folks like the National Taxpayers Union, who have supported this amendment and have said that they are going to score this amendment, have signed on to support it. It is because we need to ask these tough questions.

If we are going to genuinely offer oversight, we need to ask how much these programs cost, we need to plan, and we need to budget. It seems like a reasonable step to take. I appreciate my colleagues' concerns, and I would ask an ''aye'' vote of my colleagues.

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

Mr. ROGERS of Alabama. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), my friend and colleague.

Mr. LAMBORN. Mr. Chair, I thank the chairman of the subcommittee for the great work he has done and for his leadership on this issue.

I do agree with my colleague from California, yes, we need to do modernization. If you will remember, President Obama pledged to modernize our nuclear forces in return for the Senate passing the New START Treaty.

The current national posture review, which has been endorsed by security officials from several administrations going back, both Democratic and Republican, says this:

Maintaining and operating our current aging nuclear forces now requires between 2 and 3 percent of the DOD budget. The replacement program to rebuild the triad for decades of service will peak for several years at only approximately 4 percent beyond the ongoing 2 to 3 percent needed for maintenance and operations.

This 6.4 percent, just slightly under the 7 percent that the chairman mentioned, of the current DOD budget required for the long-term replacement program represents less than 1 percent of the overall Federal budget. That is a bargain.

Nuclear warfare is, God forbid it should ever happen, an existential threat. One percent of our Federal budget devoted to preventing that is truly worth investing in. The modernization needs to take place. It is well within the moneys that are going to be available to the Department of Defense in the coming years.

I agree with the chairman that projecting 20 or 30 years out contains so many potential inaccuracies, it would be kind of an unnecessary and burdensome exercise, and not very useful. We do have and will have the money. It is a vital investment.

I agree with the chairman. Let's turn this amendment down.

Mr. ROGERS of Alabama. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. AGUILAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. AGUILAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115–698.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk as the designee of the gentleman from Oregon (Mr. BLUMENAUER).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 3114—

(1) strike subsection (a) (and redesignate subsection (b) as subsection (a));

(2) in subsection (a), as so redesignated, strike ''The Secretary'' and insert ''Except as provided by subsection (b), the Secretary''; and

(3) add at the end the following new subsection:

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2019 for the W76-2 warhead modification program, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees a report—

(1) assessing the potential effects of the modification or development of a low-yield nuclear warhead for submarine-launched ballistic missiles on strategic stability; and

(2) assessing options to—

(A) reduce the risk of miscalculation associated with adversaries being unable to distinguish between a submarine-launched ballistic missile carrying a low-yield warhead and such a missile carrying several high-yield warheads; and

(B) preserve the survivability and the second-strike capability of ballistic missile submarines without increasing risk.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, this amendment deals with the new low-yield D5 or W76–2 nuclear warhead.

In the NDAA, there is the establishment of this new low-yield nuclear warhead. This amendment would fence 50 percent of the funding for the warhead until such time as the Secretary of Defense submits a report on the program's impacts on strategic stability and options to reduce the risk of miscalculation associated with the inability of adversaries to be able to distinguish between an SSBN missile carrying a single low-yield warhead and a missile carrying several high-yield nuclear warheads, and to preserve the survivability of the second-strike capability of the SSBNs. It also strikes the unnecessary provision in the mark.

People who have looked at these issues—for example, former Secretary of State George Shultz and Senator Lugar, recently wrote: ''The justification for new Trident warheads fails on many levels. It is unlikely that there is such a thing as a limited nuclear war; preparing for one is folly.''

Back in January, 2018, former Secretary of State George Shultz wrote in Congressional testimony before the Senate Armed Services Committee: ''One of the alarming things to me is this notion that we can have something called a small nuclear weapon, which I understand the Russians are doing, and that somehow that's usable,'' he told the panel.

He went on to say: ''Your mind goes to the idea that, yes, nuclear weapons become usable. And then we're really in trouble, because a big nuclear exchange can wipe out the world.''

Senator Nunn and former Secretary Moniz talked about this, saying: ''The most immediate priority should be to structure and posture U.S. and Russian nuclear forces to deter nuclear use and reduce the risk of an accidental, mistaken or unauthorized launch. Against this backdrop, the current Russian concept of 'escalate to de-escalate'—i.e., limited nuclear use designed to create a pause in the conflict and open a pathway for a negotiated settlement on Moscow's terms—and U.S. calls for more 'usable' nuclear weapons taken together make the world a vastly more dangerous place.''

So what we would like to do here is simply have a report, again, from the Secretary of Defense to lay out exactly what this is all about, why it is important, and what it means for our principal deterrent force: nuclear-armed submarines. That is what it is.

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

Mr. ROGERS of Alabama. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I strongly oppose this amendment. Three successive Secretaries of Defense—Secretary Hagel, Secretary Carter, and Secretary Mattis—have said that nuclear deterrence is DOD's ''highest priority mission.''

In its 2018 Nuclear Posture Review, Secretary Mattis conducted a clear-eyed assessment of nuclear threats. In the end, Secretary Mattis concluded: ''We must look reality in the eye and see the world as it is, not as we wish it to be.''

This stands in stark relief to the Obama administration's 2010 Nuclear Posture Review, which concluded: ''Russia is not an enemy and is increasingly a partner.''

I will not list the many, many ways that this statement from 2010 is so obviously wrong. I will just note that Russia has many thousands of low-yield nuclear weapons, including nuclear artillery shells, nuclear land mines, and nuclear torpedoes, and recently announced even more. Russia regularly exercises them with its ''escalate to de-escalate'' doctrine, which they believe will force the U.S. to surrender early in a conflict.

The NPR rightly states: ''Correcting this mistaken Russian perception is a strategic imperative.''

Russia is not a partner, but a competitor, and we must shore up our deterrence posture.

Let me briefly address the specifics of the gentleman's amendment.

First, previous NDAAs already line-item authorize funding for individual warhead programs, regardless of the yield.

Second, in an April hearing, the Navy confirmed that having a low-yield nuclear weapon does not increase risk to the submarine.

Finally, Secretary Mattis and General Hyten of STRATCOM have stated that having this low-yield weapon does not increase the risk of strategic miscalculation.

The bottom line here is that this amendment is designed simply to slow down the long-overdue modernization and improvement of our nuclear forces. Because of that, I have to urge my colleagues to vote ''no.''

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

Mr. GARAMENDI. Mr. Chair, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from California has 1¾ minutes remaining.

Mr. GARAMENDI. Mr. Chair, I yield the balance of my time to the gentleman from Washington (Mr. SMITH), the ranking member of the full committee.

Mr. SMITH of Washington. Mr. Chairman, I agree very strongly with my colleague from the Armed Services Committee, Mr. ROGERS, that we need a strong nuclear deterrent. Russia is primarily the focus of that, but not exclusively the focus of that. China has nuclear weapons, North Korea has nuclear weapons, Iran aspires to have them. Without question, we need a strong deterrent.

My argument is that we have one. We have over 4,000 nuclear weapons. We do have some low-yield nuclear weapons. We don't have them in the standoff capacity. But more than that, what we need to communicate to Russia is not that nuclear war is something of degree; that, basically, well, if you were to use a low-yield nuclear weapon, we wouldn't know what to do because we don't have one that is equally as small. I think that is the exact wrong approach.

Our approach should be that nuclear weapons are the red line to end all red lines. There is no such thing as a tactical nuclear weapon. Even these tactical nuclear weapons that the gentleman talks about Russia having, I think are some 100 times more powerful than the bomb dropped on Hiroshima.

What we need to communicate to Russia is: If you use a nuclear weapon, we will respond with nuclear weapons. So don't.

We don't need to build small nuclear weapons so that military people can start to imagine a survivable nuclear war. This is the way people used to think in the sixties and seventies when we came tiptoeing up very close on more than one occasion to stumbling in to the conflict to end all conflicts, a nuclear war.

If we start buying in to Russia's philosophy that a low-yield nuclear weapon is, like, a manageable thing that you can use in a combat situation that doesn't necessarily lead to a broader nuclear weapon, we are running the risk of creating the very thing we are trying to prevent.

We need a deterrent. We have a deterrent. We should not mince words with the Russians or anybody else. Nuclear weapons are red line. We will respond. And we will not trouble ourselves to make sure that our nuclear weapon isn't bigger than yours. We will deter them in that way, rather than running the risk.

Mr. ROGERS of Alabama. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), my friend and colleague.

□ 1930

Mr. LAMBORN. Mr. Chair, I thank the chairman of the subcommittee for the great work he is doing on this.

We all agree that we want a strong nuclear deterrent, and we all agree we want that deterrent to be as stabilizing as possible. We don't want destabilizing trends. We all agree with that.

General John Hyten, Commander of U.S. Strategic Command, testified before the House and said:

> We require a mix of yields and improved platforms to credibly deter the threats of the near future. The National Posture Review directs near-term fielding of a low-yield SLBM capability and, in the longer term, pursuit of a modern, nuclear-armed, sea-launched cruise missile.

So the commander of U.S. Strategic Command says we do need this option.

And let me also quote James Miller, Undersecretary of Defense for Policy

under the Obama administration, the principal author of President Obama's Nuclear Posture Review: ''Secretary of Defense James Mattis' 2018 Nuclear Posture Review offers continuity with past U.S. policy and plans, including those in the 2010 NPR. It deserves broad bipartisan support. Its proposal for a low-yield SLBM weapon and a new nuclear-tipped, sea-launched cruise missile are sensible responses to changed security conditions, especially Russia and North Korea.''

Well, things have changed since 2010. That is what the 2018 NPR addresses. So, from both administrations, from both sides of the aisle, we have agreement that we do need this low-yield option. That is a stabilizing influence, to have more tools in the toolbox. When you have fewer tools, you have fewer options, and that is destabilizing.

Mr. Chair, I ask for a rejection of this amendment.

Mr. GARAMENDI. Mr. Chair, I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chair, I once again urge a ''no'' vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. THORNBERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMBORN) having assumed the chair, Mr. JOHNSON of Louisiana, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

PERMISSION TO REVISE REMARKS DURING GENERAL DEBATE ON H.R. 5515

Mr. GARAMENDI. Mr. Speaker, I ask unanimous consent that I may be permitted to revise my remarks, made during general debate in the Committee of the Whole earlier today, beyond technical, grammatical, and typographical corrections.

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

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

The SPEAKER pro tempore. Pursuant to House Resolution 905 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5515.

Will the gentleman from Louisiana (Mr. JOHNSON) kindly resume the chair.

□ 1933

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. JOHNSON of Louisiana (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5 printed in House Report 115–698 offered by the gentleman from California (Mr. GARAMENDI) had been postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 905, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 printed in House Report 115–698, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 6 OFFERED BY MR. RUSSELL OF OKLAHOMA

At the end of title XI, add the following:

SEC. 11___. EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES AND POST-SECONDARY STUDENTS.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

''§ 3115. Expedited hiring authority for college graduates; competitive service

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

''(b) APPOINTMENT.—

''(1) IN GENERAL.—The head of an agency may appoint, without regard to any provision of sections 3309 through 3319 and 3330, a qualified individual to a position in the competitive service classified in a professional or administrative occupational category at the GS–11 level, or an equivalent level, or below.

''(2) RESTRICTIONS.—An appointment under paragraph (1) shall be made in accordance with regulations prescribed by the Director.

''(c) QUALIFICATIONS FOR APPOINTMENT.—The head of an agency may make an appointment under subsection (b) only if the individual being appointed—

''(1) has received a baccalaureate or graduate degree from an institution of higher education;

''(2) applies for the position—

''(A) not later than 2 years after the date on which the individual being appointed received the degree described in paragraph (1); or

''(B) in the case of an individual who has completed a period of not less than 4 years of obligated service in a uniformed service, not later than 2 years after the date of the discharge or release of the individual from that service; and

''(3) meets each minimum qualification standard prescribed by the Director for the position to which the individual is being appointed.

''(d) PUBLIC NOTICE AND ADVERTISING.—

''(1) IN GENERAL.—The head of an agency making an appointment under subsection (b) shall publicly advertise positions under this section.

''(2) REQUIREMENTS.—In carrying out paragraph (1), the head of an agency shall—

''(A) adhere to merit system principles;

''(B) advertise positions in a manner that provides for diverse and qualified applicants; and

''(C) ensure potential applicants have appropriate information relevant to the positions available.

''(e) LIMITATION ON APPOINTMENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the total number of employees that the head of an agency may appoint under this section during a fiscal year may not exceed the number equal to 15 percent of the number of individuals that the agency head appointed during the previous fiscal year to a position in the competitive service classified in a professional or administrative occupational category, at the GS–11 level, or an equivalent level, or below, under a competitive examining procedure.

''(2) EXCEPTIONS.—Under a regulation prescribed under subsection (f), the Director may establish a lower limit on the number of individuals that may be appointed under paragraph (1) of this subsection during a fiscal year based on any factor the Director considers appropriate.

''(f) REGULATIONS.—Not later than 180 days after the date of enactment of the Direct Hire of Students and Recent Graduates Act of 2017, the Director shall issue interim regulations, with an opportunity for comment, for the administration of this section.

''(g) REPORTING.—

''(1) IN GENERAL.—Not later than September 30 of each of the first 3 fiscal years beginning after the date of enactment of the Direct Hire of Students and Recent Graduates Act of 2017, the head of an agency that makes an appointment under this section shall submit to Congress a report assessing the impact of the use of the authority provided under this section during the fiscal year in which the report is submitted.

''(1) IN GENERAL.—Not later than September 30 of each of the first 3 fiscal years beginning after the date of enactment of the Direct Hire of Students and Recent Graduates Act of 2017, the head of an agency that makes an appointment under this section shall submit a report to—

''(A) Congress that assesses the impact of the use of the authority provided under this section during the fiscal year in which the report is submitted; and

''(B) the Director that contains data that the Director considers necessary for the Director to assess the impact and effectiveness of the authority described in subparagraph (A).

''(2) CONTENT.—The head of an agency shall include in each report under paragraph (1)—

''(A) the total number of individuals appointed by the agency under this section, as well as the number of such individuals who are—

''(i) minorities or members of other underrepresented groups; or

''(ii) veterans;

''(B) recruitment sources;

''(C) the total number of individuals appointed by the agency during the applicable fiscal year to a position in the competitive service classified in a professional or administrative occupational category at the GS–11 level, or an equivalent level, or below; and

''(D) any additional data specified by the Director.

''(h) SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.—

''(1) AUTHORITY.—Nothing in this section shall preclude the Secretary of Defense from exercising any authority to appoint a recent graduate under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute.

''(2) REGULATIONS.—Any regulations prescribed by the Director for the administration of this section shall not apply to the Department of Defense during the period ending on the date on which the appointment authority of the Secretary of Defense under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute, terminates.

''§ 3116. Expedited hiring authority for postsecondary students; competitive service

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Personnel Management.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

''(3) STUDENT.—The term 'student' means an individual enrolled or accepted for enrollment in an institution of higher education who is pursuing a baccalaureate or graduate degree on at least a part-time basis as determined by the institution of higher education.

''(b) APPOINTMENT.—

''(1) IN GENERAL.—The head of an agency may make a time-limited appointment of a student, without regard to any provision of sections 3309 through 3319 and 3330, to a position in the competitive service at the GS–11 level, or an equivalent level, or below for which the student is qualified.

''(2) RESTRICTIONS.—An appointment under paragraph (1) shall be made in accordance with regulations prescribed by the Director.

''(c) PUBLIC NOTICE.—

''(1) IN GENERAL.—The head of an agency making an appointment under subsection (b) shall publicly advertise positions available under this section.

''(2) REQUIREMENTS.—In carrying out paragraph (1), the head of an agency shall—

''(A) adhere to merit system principles;

''(B) advertise positions in a manner that provides for diverse and qualified applicants; and

''(C) ensure potential applicants have appropriate information relevant to the positions available.

''(d) LIMITATION ON APPOINTMENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the total number of students that the head of an agency may appoint under this section during a fiscal year may not exceed the number equal to 15 percent of the number of students that the agency head appointed during the previous fiscal year to a position in the competitive service at the GS–11 level, or an equivalent level, or below.

''(2) EXCEPTIONS.—Under a regulation prescribed under subsection (g), the Director may establish a lower limit on the number of students that may be appointed under paragraph (1) of this subsection during a fiscal year based on any factor the Director considers appropriate.

''(e) CONVERSION.—The head of an agency may, without regard to any provision of chapter 33 or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, convert a student serving in an appointment under subsection (b) to a permanent appointment in the competitive service within the agency without further competition if the student—

''(1) has completed the course of study leading to the baccalaureate or graduate degree;

''(2) has completed not less than 640 hours of current continuous employment in an appointment under subsection (b); and

''(3) meets the qualification standards for the position to which the student will be converted.

''(f) TERMINATION.—The head of an agency shall, without regard to any provision of chapter 35 or 75, terminate the appointment of a student appointed under subsection (b) upon completion of the designated academic course of study unless the student is selected for conversion under subsection (e).

''(g) REGULATIONS.—Not later than 180 days after the date of enactment of the Direct Hire of Students and Recent Graduates Act of 2017, the Director shall issue interim regulations, with an opportunity for comment, for the administration of this section.

''(h) REPORTING.—

''(1) IN GENERAL.—Not later than September 30 of each of the first 3 fiscal years beginning after the date of enactment of the Direct Hire of Students and Recent Graduates Act of 2017, the head of an agency that makes an appointment under this section shall submit a report to—

''(A) Congress that assesses the impact of the use of the authority provided under this section during the fiscal year in which the report is submitted; and

''(B) the Director that contains data that the Director considers necessary for the Director to assess the impact and effectiveness of the authority described in subparagraph (A).

''(2) CONTENT.—The head of an agency shall include in each report under paragraph (1)—

''(A) the total number of individuals appointed by the agency under this section, as well as the number of such individuals who are—

''(i) minorities or members of other underrepresented groups; or

''(ii) veterans;

''(B) recruitment sources;

''(C) the total number of individuals appointed by the agency during the applicable fiscal year to a position in the competitive service at the GS–11 level, or an equivalent level, or below; and

''(D) any additional data specified by the Director.

''(i) SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.—

''(1) AUTHORITY.—Nothing in this section shall preclude the Secretary of Defense from exercising any authority to appoint a postsecondary student under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute.

''(2) REGULATIONS.—Any regulations prescribed by the Director for the administration of this section shall not apply to the Department of Defense during the period ending on the date on which the appointment authority of the Secretary of Defense under section 1106 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any applicable successor statute, terminates.''.

(b) TABLE OF SECTIONS AMENDMENTS.—The table of sections for subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

''3115. Expedited hiring authority for college graduates; competitive service.

''3116. Expedited hiring authority for postsecondary students; competitive service.''.

AMENDMENT NO. 7 OFFERED BY MR. PEARCE OF NEW MEXICO

At the end of subtitle B of title II, add the following new section:

SEC. 2____. STRATEGIC PLAN FOR DEPARTMENT OF DEFENSE TEST AND EVALUATION RESOURCES.

Section 196(d) of title 10, United States Code, is amended—

(1) by amending paragraph (1) to read as follows: ''(1) Not less often than once every two fiscal years, the Under Secretary of Defense for Research and Engineering, in coordination with the Director of the Defense Intelligence Agency, the Secretaries of the military departments, and the heads of Defense Agencies with test and evaluation responsibilities, shall complete a strategic plan reflecting the future needs of the Department of Defense with respect to test and evaluation facilities and resources. Each strategic plan shall cover the period of thirty fiscal years beginning with the fiscal year in which the plan is submitted under paragraph (3). The strategic plan shall be based on a comprehensive review of both funded and unfunded test and evaluation requirements of the Department, future threats to national security, and the adequacy of the test and evaluation facilities and resources of the Department to meet those future requirements and threats.''; and

(2) in paragraph (2)(C), by striking ''needed to meet such requirements'' and inserting ''needed to meet current and future requirements based on current and emerging threats, including, at minimum, missile defense, cyberspace operations, direct energy, and hypersonics,''.

AMENDMENT NO. 8 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

At the end of title II, add the following new section:

SEC. 2____. INCREASE IN FUNDING FOR DIVERTOR TEST TOKAMAK RESEARCH AND DEVELOPMENT.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4701 for Department of Energy National Security Programs, as specified in the corresponding funding table in section 4701, for research, development, test, and evaluation, inertial confinement fusion ignition and high yield, is hereby increased by $3,000,000 (to be used for divertor test tokamak research and development).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4101 for procurement, as specified in the corresponding funding table in section 4101, for procurement of ammunition, Air Force, flares (Line 015) is hereby reduced by $3,000,000.

AMENDMENT NO. 9 OFFERED BY MS. SINEMA OF ARIZONA

At the end of title II, add the following new section:

SEC. 2____. BRIEFING ON INNOVATIVE MOBILE SECURITY TECHNOLOGY CAPABILITIES.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) government-owned mobile technologies remain at risk for targeting or data breaches placing at risk information that could harm national security; and

(2) further, these vulnerabilities exist because current technologies do not possess the necessary security features required to mitigate the threats of credential theft, active surveillance from microphones and cameras, and tracking of user movements and location.

(b) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on—

(1) threats posed by credential theft, active surveillance from microphones and cameras, and tracking of user movements and location;

(2) the commercial availability of technologies to mitigate these threats; and

(3) strategies and feasibilities of deploying mobile security technologies within the Department.

AMENDMENT NO. 10 OFFERED BY MR. WILSON OF SOUTH CAROLINA

At the end of subtitle C of title III, insert the following:

SEC. 3___. REPORT ON PILOT PROGRAM FOR MICRO-REACTORS.

(a) REPORT REQUIRED.—Not later than 12 months after the date of enactment of this Act, the Secretary shall develop and submit to the Committee on Armed Services and the Committee on Energy and Commerce in the House of Representatives and the Committee on Armed Services and the Committee on Energy and Natural Resources in the Senate a report describing the requirements for, and components of, a pilot program to provide resilience for critical national security infrastructure at Department of Defense and Department of Energy facilities by contracting with a commercial entity to site, construct, and operate at least one licensed micro-reactor at a facility identified under the report by December 31, 2027.

(b) CONSULTATION.—As necessary to develop the report required under subsection (a), the Secretary shall consult with—

(1) the Secretary of Defense;

(2) the Nuclear Regulatory Commission; and

(3) the Administrator of the General Services Administration.

(c) CONTENTS.—The report required under subsection (a) shall include—

(1) identification of potential locations to site, construct, and operate a micro-reactor at a Department of Defense or Department of Energy facility that contains critical national security infrastructure that the Secretary determines may not be energy resilient;

(2) assessments of different nuclear technologies to provide energy resiliency for critical national security infrastructure;

(3) a survey of potential commercial stakeholders with which to enter into a contract under the pilot program to construct and operate a licensed micro-reactor;

(4) options to enter into long-term contracting, including various financial mechanisms for such purpose;

(5) identification of requirements for micro-reactors to provide energy resilience to mission-critical functions at facilities identified under paragraph (1);

(6) an estimate of the costs of the pilot program;

(7) a timeline with milestones for the pilot program;

(8) an analysis of the existing authority of the Department of Energy and Department of Defense to permit the siting, construction, and operation of a micro-reactor; and

(9) recommendations for any legislative changes to the authorities analyzed under paragraph (8) necessary for the Department of Energy and the Department of Defense to permit the siting, construction, and operation of a micro-reactor.

(d) DEFINITIONS.—In this section:

(1) The term ''critical national security infrastructure'' means any site or installation that the Secretary of Energy or the Secretary of Defense determines supports critical mission functions of the national security enterprise.

(2) The term ''licensed'' means holding a license under section 103 or 104 of the Atomic Energy Act of 1954.

(3) The term ''micro-reactor'' means a nuclear reactor that has a power production capacity that is not greater than 50 megawatts.

(4) The term ''pilot program'' means the pilot program described in subsection (a).

(5) The term ''Secretary'' means Secretary of Energy.

(e) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified appendix.

(f) LIMITATIONS.—This Act does not authorize the Department of Energy or Department of Defense to enter into a contract with respect to the pilot program.

AMENDMENT NO. 11 OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

Page 83, line 12, strike ''and''.

Page 83, line 15, strike the period and insert ''; and''.

Page 83, after line 15, insert the following:

(E) may include the use of on-the-job training to ensure participants are able to learn the skills necessary for successful careers in additive manufacturing.

AMENDMENT NO. 12 OFFERED BY MR. CARTWRIGHT OF PENNSYLVANIA

At the end of subtitle D of title III, insert the following:

SEC. 3___. REPORT ON DEPOT-LEVEL MAINTENANCE AND REPAIR.

The Secretary of Defense, in consultation with the heads of each of the military departments and the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report on labor hours and depot maintenance, which shall include—

(1) the amount of public and private funding of depot-level maintenance and repair (as defined in section 2460 of title 10 United State Code) for the Department of Defense,, Army, Navy, Marine Corps, Air Force, Special Operations Command, and any other unified command identified by the Secretary, expressed by commodity group by percentage and actual numbers in terms of dollars and direct labor hours;

(2) within each category of depot level maintenance and repair for each entities, the amount of the subset of depot maintenance workload that meets the description under section 2464 of title 10, United States Code, that is performed in the public and private sectors by direct labor hours and by dollars;

(3) of the subset referred to in paragraph (2), the amount of depot maintenance workload performed in the public and private sector by direct labor hour and by dollars for each entity that would otherwise be considered core workload under such section 2462, but is not considered core because a weapon system or equipment has not been declared a program of record; and

(4) the projections for the upcoming future years defense program, including the distinction between the Navy and the Marine Corps for the Department of the Navy, as well as any unified command, including the Special Operations Command.

AMENDMENT NO. 13 OFFERED BY MR. RUIZ OF CALIFORNIA

At the end of subtitle E of title III, add the following new section:

SEC. 3___. STUDY ON PHASING OUT OPEN BURN PITS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a study on the feasibility of phasing out the use of open burn pits by using technology incinerators.

(b) OPEN BURN PIT DEFINED.—In this section, the term ''open burn pit'' means an area of land—

(1) that is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(2) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

AMENDMENT NO. 14 OFFERED BY MS. MENG OF NEW YORK

Page 107, line 17, strike ''while on active duty''.

AMENDMENT NO. 15 OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 116, after line 2, insert the following new section:

SEC. 515. NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

Section 509(k) of title 32, United States Code, is amended—

(1) in the heading, by striking ''REPORT'' and inserting ''REPORTS'';

(2) by striking ''Within'' and inserting ''(1) Not later than''; and

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

''(2) Not later than 120 days after the end of each fiscal year, the Secretary of Defense shall evaluate the pilot Jobs ChalleNGe Programs and submit a report of findings and recommendations to Congress.''.

AMENDMENT NO. 16 OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 116, after line 2, insert the following new section:

SEC. 515. NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

Section 509(h) of title 32, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) Equipment and facilities of the United States may be transferred to the National Guard for purposes of carrying out the Program.

''(3) Equipment and facilities of a State, county, or local government entity may be transferred to the National Guard for purposes of carrying out the Program.''.

AMENDMENT NO. 17 OFFERED BY MR. PASCRELL OF NEW JERSEY

At the end of subtitle I of title V, add the following new section:

SEC. 5___. INCLUSION OF BLAST EXPOSURE HISTORY IN SERVICE RECORDS.

The Secretary of Defense shall ensure that blast exposure history is included in the service records of members of the Armed Forces in a manner that will assist in determining whether a future illness or injury is service connected.

AMENDMENT NO. 18 OFFERED BY MR. GONZALEZ OF TEXAS

At the end of subtitle I of title V, add the following new section:

SEC. 5___. CYBERSECURITY EDUCATIONAL PROGRAMS AND AWARENESS IN JUNIOR RESERVE OFFICER TRAINING CORPS.

The Secretaries of the military departments shall encourage the Junior Reserve

Officer Training Corps to include cybersecurity educational programs and awareness in the curriculum of the Corps, including lessons on cyber defense, risks of cybersecurity vulnerabilities in the military, and pursuing studies and careers in cybersecurity and related fields within the Department of Defense.

AMENDMENT NO. 19 OFFERED BY MR. HECK OF WASHINGTON

At the end of subtitle I of title V, insert the following:

SEC. 5___. PUBLICATION OF GUIDANCE AND INFORMATION ON HOUSING MARKETS NEAR CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall develop and make publicly available guidance and information about the housing market around military installations in the continental United States. Such guidance and information shall be designed to assist members of the Armed Forces in better using their basic allowance for housing.

(b) MATTERS FOR INCLUSION.—The information and guidance under subsection (a) shall include—

(1) information on the housing market around the installation, including—

(A) information about deciding whether to rent or buy, including taking into consideration the average deployment cycle for that military installation and permanent change of station timelines;

(B) information about houses and apartments;

(C) considerations of living with a roommate; and

(D) information about working with and through a landlord;

(2) suggested bedroom and bathroom and square footage for each basic allowance for housing category;

(3) recommended zip codes in which to look for properties;

(4) information about the availability of public transportation;

(5) average commute times to military installation and wait times at nearest gate; and

(6) a list of realtors and real estate brokers who work in the area, including any complaints registered against such realtors and brokers.

(c) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report on a review of the Comptroller General of the rate setting procedure for basic allowance for housing. Such review shall cover how the Department of Defense collects basic allowance for housing data and shall include an analysis of each of the following:

(1) Whether the process in use is the most efficient process.

(2) Whether the information collected is publically available elsewhere.

(3) Whether the data collected reflects what is available through open source methods.

(4) How basic allowance for housing rates and cost of living adjustments are interrelated.

(5) Whether members of the Armed Forces about whom data is collected are receiving loan protections on interest rates pursuant to the Servicemembers Civil Relief Act.

(6) Whether such members of the Armed Forces experience issues when they need to break leases for a deployment or permanent change of station.

AMENDMENT NO. 20 OFFERED BY MR. WELCH OF VERMONT

In title V, at the end of subtitle I add the following:

SEC. _____. ASSISTANCE OF STATES FOR DEPLOYMENT-RELATED SUPPORT OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT AND THEIR FAMILIES BEYOND THE YELLOW RIBBON REINTEGRATION PROGRAM.

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is amended—

(1) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively; and

(2) by inserting after subsection (j) the following new subsection (k):

''(k) SUPPORT BEYOND PROGRAM.—The Secretary of Defense shall provide funding to States to carry out programs that provide deployment cycle information, services, and referrals to members of the Armed Forces, including members of the regular components and members of the reserve components, and the families of such members, throughout the deployment cycle. Such programs may include the provision of access to outreach services, including the following:

''(1) Employment counseling.

''(2) Behavioral health counseling.

''(3) Suicide prevention.

''(4) Housing advocacy.

''(5) Financial counseling.

''(6) Referrals for the receipt of other related services.''.

AMENDMENT NO. 21 OFFERED BY MR. SOTO OF FLORIDA

Page 133, line 7, insert, after ''review.'', the following: ''The Secretary of the Army shall ensure that all records of any request, determination, or action under this subsection remains confidential.''.

Page 134, line 9, insert, after ''review.'', the following: ''The Secretary of the Navy shall ensure that all records of any request, determination, or action under this subsection remains confidential.''.

Page 135, line 10, insert, after ''review.'', the following: ''The Secretary of the Air Force shall ensure that all records of any request, determination, or action under this subsection remains confidential.''.

AMENDMENT NO. 22 OFFERED BY MS. ETSY OF CONNECTICUT

At the end of subtitle E of title V, insert the following new section:

SEC. 547. DEFINITION OF MILITARY SEXUAL TRAUMA.

(a) IN GENERAL.—The Secretaries of Defense and Veterans Affairs shall establish a joint definition of ''military sexual trauma'' for their respective Departments to use in all aspects of delivering care and benefits to members of the Armed Forces and veterans who have suffered that crime.

(b) REPORT.—The Secretaries shall submit to Congress a report on their efforts under subsection (a), including legislative recommendations, not later than 180 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chair, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Chair, I rise today to support the National Defense Authorization Act and thank the chairman of the committee for this bipartisan legislation which supports our troops, enhances military readiness, and provides for the defense of our Nation.

I also encourage my colleagues to support my amendments, Nos. 43 and 48, to the NDAA. My amendments seek to improve the mental health services provided by the Department of Defense so our troops receive only the best treatment.

It comes as no surprise that the high levels of violence and trauma our servicemembers experience is cause for negative impacts on their mental health. Our soldiers suffer from major depression at a rate five times higher than the civilian population rate. Additionally, their diagnosis of post-traumatic stress disorder was approximately 15 times greater than the general population.

Congress can help. Currently, there is a serious shortage of mental health providers at the DOD. Our troops are paying the price, but they don't have to. One of my amendments would help identify the scope of the workforce problem at DOD and ensure that an effective strategy is in place so our Nation's troops have full access to qualified mental health providers.

My other amendment would require the DOD to establish a monitoring program carried out by each branch of the armed services to conduct periodic reviews of the medication prescribing practices of its own providers to treat PTSD. This monitoring program will help ensure that every military branch is regularly monitoring the medications prescribed to treat PTSD to ensure that our troops are getting the proper treatment.

Some of the greatest wounds inflicted upon our brave servicemen and -women are unseen. We should be doing everything possible to ensure that we are treating these wounds as we would any other.

I urge my colleagues to support my amendments on behalf of the servicemembers and military families that we represent.

Mr. SMITH of Washington. Mr. Chair, I am pleased to yield 1½ minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Chair, open-air burn pits pose serious health risks to our troops; yet, still to this day, our military uses them to dispose of waste and equipment—like human waste, plastics, computers, and jet fuel—on the battlefield.

I am a board certified emergency physician and a public health expert, and in public health and in the medical field, we know that, if there is a high enough suspicion with a severe enough illness, which we have with veterans developing rare and permanently severely disabling pulmonary autoimmune diseases and dying of cancer, then we need to act on that suspicion.

We can start to do that by doing these three things: one, stop our troops' exposure to dangerous burn pits out on the battlefield; two, conduct public health education for doctors and veterans to train them to recognize subtle changes in their health, help to catch cancer at an early stage when it

can still be treated, and save lives; and third, get our veterans and servicemembers the medical treatment they need quickly and ensure it is covered by the VA or the DOD.

My amendment will help accomplish this first step by directing the Department of Defense to conduct a feasibility study on ending the use of dangerous burn pits by using incinerators or other technology. I thank the committee leadership for their support of this amendment and on this emerging health crisis for our veterans. I urge a ''yes'' vote to help save our veterans' and men and women in uniforms' lives.

Mr. THORNBERRY. Mr. Chair, I reserve the balance of my time on this amendment.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Chair, Iran's destabilizing activities in the Middle East are not a new phenomenon. However, of late, their malign influence has dramatically expanded and intensified in Yemen, in Iraq, in Lebanon, and, perhaps of greatest immediate concern, the establishment of a potentially permanent foothold in Syria.

Such a presence enables Iran's increasing support for Hezbollah, including not only weapons transfers, but also assistance in building an indigenous rocket-producing capacity. I therefore appreciate the work of the House Armed Services Committee in including a provision authorizing the Secretaries of Defense and State to develop and implement a strategy with foreign partners to counter Iran's destabilizing activities.

My first amendment would ensure the strategy includes specific countries in which Iran is operating, an assessment of their destabilizing activities, and the implications thereof.

My second amendment would require a report on Iran's support for proxy forces in Syria and Lebanon and an assessment of the threat posed to Israel, other regional allies, and U.S. interests. It is important to know where Iran is operating, what exactly they are doing, who they are backing, and how this impacts the United States and our allies.

Mr. Chair, I thank the chairman and ranking member for their support for my bipartisan amendments.

Mr. THORNBERRY. Mr. Chair, I am pleased to yield 1 minute to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Chair, I rise in support of the bloc of amendments, and amendment 41, for the Department of Defense to gather the data necessary to successfully extend the TRICARE Prime healthcare benefit to Puerto Rico to meet the needs of our retired military families on the same basis as in the mainland.

More than 200,000 Puerto Ricans have served in all branches to date, and the VA has registered almost 100,000 veterans residing in Puerto Rico, yet they face disparity in benefits. TRICARE treats Puerto Rico as an overseas location, with fees and copays higher than what they would be for Prime. Dependents of retired veterans in Puerto Rico either get fewer benefits or pay more.

Puerto Rican veterans have fought, bled, and died side by side with their comrades in arms from the whole Nation. The information required through this amendment will support the decision to finally do justice for our servicemembers and veterans.

Mr. Chair, I support this amendment.

Mr. SMITH of Washington. Mr. Chair, I yield 1½ minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Chair, I want to thank the ranking member and the chairman for their support of my efforts to help veterans and servicemembers who have been exposed to burn pits.

We have a responsibility to protect the health of our men and women in uniform and veterans from the harmful health effects of exposure to burn pits, and we can start to do so by, first, stopping our troops' exposure to these dangerous burn pits out on the battlefield; second, conducting education and public health outreach to veterans and their doctors; and third, getting our veterans and servicemembers the medical treatment they need quickly and ensuring it is covered by the VA or the DOD.

Earlier, we discussed my amendment that will address step one and finally put an end to the use of dangerous burn pits on the battlefield.

My second amendment will tackle step two, requiring the Department of Defense to conduct an annual education and outreach campaign to veterans exposed to burn pits and who are qualified to enroll in the burn pits registry. This will improve our understanding of the different health effects of exposure to burn pits and help raise awareness for our veterans to be on the lookout for subtle changes in their health that could be early signs of cancer.

Mr. Chair, again, I thank the committee for their support of this amendment.

Mr. THORNBERRY. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Mr. Chair, we are still uncovering more troubling evidence of the breadth, depth, and reach of Russia's interference in our most recent election, so I am pleased that the NDAA includes a provision requiring a National Intelligence Estimate of interference by Russia and China in democracies around the world, including our own.

While understanding this threat is an important first step, we also need to take action to ensure we are doing everything possible to secure our own elections and defend the integrity of our democracy.

My amendment would add a requirement that, following the submission of the NIE, the Secretary of Defense shall report to Congress on the specific efforts by the Department of Defense to deter such interference both at home and abroad.

Protecting our elections, the foundation of our democracy, and those of our allies from outside influence by malign foreign actors is of paramount importance.

Mr. Chair, I thank the chairman and the ranking member for including my amendment in this en bloc passage.

Mr. THORNBERRY. Mr. Chair, I continue to reserve the balance of my time.

Mr. SMITH of Washington. We have no further speakers on en bloc No. 1.

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

Mr. THORNBERRY. I also urge support for en bloc No. 1.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

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AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 905, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38 printed in House Report 115–698, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 23 OFFERED BY MR. SOTO OF FLORIDA

Page 153, line 6, insert ''(including resources regarding military sexual trauma)'' after ''resources''.

AMENDMENT NO. 24 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle G of title V, insert the following:

SEC. ____. FLEXIBLE MATERNITY AND PARENTAL LEAVE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall establish and implement policies and procedures that permit a military parent to take, if requested by the military parent, flexible and non-continuous—

(1) maternity leave; and

(2) parental leave.

AMENDMENT NO. 25 OFFERED BY MR. POCAN OF WISCONSIN

At the end of subtitle G of title V, insert the following new section:

SEC. 566. REPORT ON WAGE DETERMINATION FOR CERTAIN PROGRAMS.

(a) WAGE DETERMINATION.—The Secretary of Defense, acting through the National Guard Bureau, shall coordinate with the Secretary of Labor to obtain a wage determination under section 6703(1) of title 41, United States Code, for all contract workers under the following programs:

(1) Family Assistance Centers.

(2) Family Readiness and Support.

(3) Yellow Ribbon Reintegration Program.
(4) Recruit Sustainment Program.
(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the congressional defense committees regarding the wage determinations described in subsection (a). The report shall include a cost estimate of transferring all of the programs named in subsection (a) to direct Federal management.

AMENDMENT NO. 26 OFFERED BY MR. SCHRADER OF OREGON

At the appropriate place in title V, insert the following:

SEC. 5___. EXEMPTION FROM REPAYMENT OF VOLUNTARY SEPARATION PAY.

Section 1175a(j) of title 10, United States Code, is amended—
(1) in paragraph (1) by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)'';
(2) by redesignating paragraph (4) as paragraph (5); and
(3) by inserting after paragraph (3) the following new paragraph:
''(4) This subsection shall not apply to a member who—
''(A) is involuntarily recalled to active duty or full-time National Guard duty; and
''(B) in the course of such duty, incurs a service-connected disability rating of total under section 1155 of title 38.''.

AMENDMENT NO. 27 OFFERED BY MR. PEARCE OF NEW MEXICO

At the appropriate place in title V, insert the following new section:

SECTION 5___. SERVICE OF WOUNDED WARRIORS AS REMOTELY PILOTED AIRCRAFT PILOTS OR REMOTELY PILOTED AIRCRAFT SENSOR OPERATORS IN THE AIR FORCE.

(a) PROGRAM REQUIRED.—The Secretary of the Air Force shall establish a program under which a qualified wounded warrior who faces retirement or separation from the Armed Forces for physical disability may continue, in lieu of such retirement or separation, to serve in the Armed Forces as a remotely piloted aircraft pilot or remotely piloted aircraft sensor operator in the Air Force.
(b) ELIGIBILITY QUALIFICATIONS.—
(1) MODIFICATION OF PHYSICAL REQUIREMENTS.—In the case of wounded warriors only, the Secretary of the Air Force shall modify the physical fitness requirements applicable to a wounded warrior who is seeking to serve, or is serving, as a remotely piloted aircraft pilot or remotely piloted aircraft sensor operator if the wounded warrior is incapable of meeting such requirements, such as completing an annual physical training test, due to the service-related disability, but otherwise satisfies the remotely piloted aircraft medical standard.
(2) MEDICAL WAIVERS.—The restriction on medical waivers contained in section 6.4.5.1 of Air Force Instruction 48–123 shall not apply to the program required by this section.
(3) CONTINUED APPLICABILITY OF OTHER REQUIREMENTS.—To serve as a remotely piloted aircraft pilot or remotely piloted aircraft sensor operator, a wounded warrior applicant would still have to pass—
(A) the applicable Air Force Officer Qualifying Test or Armed Services Vocational Aptitude Battery; and
(B) the applicable security and mental health requirements.
(4) AUTOMATIC DISQUALIFICATION.—A wounded warrior may not be selected to serve, or continue to serve, as a remotely piloted aircraft pilot or remotely piloted aircraft sensor operator if the Secretary of the Air Force determines that—
(A) the wounded warrior presents a hazard to flying safety or mission completion;
(B) performance of the duty would be hazardous to the health of the wounded warrior; or
(C) the wounded warrior is diagnosed with post-traumatic stress disorder, traumatic brain injury, or any other mental disorder that could hinder mission performance.
(c) PRIORITY FOR CERTAIN WOUNDED WARRIORS.—In selecting wounded warriors to serve as a remotely piloted aircraft pilot or remotely piloted aircraft sensor operator, the Secretary of the Air Force shall give priority to wounded warriors whose disability was incurred—
(1) in the line of duty in a combat zone designated by the Secretary of Defense; or
(2) during the performance of duty in combat-related operations as designated by the Secretary of Defense.
(d) TRANSFER AUTHORITY.—In the case of a wounded warrior who is not a member of the Air Force, the Secretary of the Air Force shall cooperate with the Secretary concerned having jurisdiction over the wounded warrior to transfer the wounded warrior from the other Armed Force to the Air Force to permit the wounded warrior to be selected for the program under this section.
(e) WOUNDED WARRIOR DEFINED.—In this section, the term ''wounded warrior'' means a member of the Armed Forces who—
(1) is unfit to perform the duties of the member's office, grade, rank, or rating because of physical disability incurred in the line of duty; and
(2) is under consideration for retirement or separation under chapter 61 of title 10, United States Code, or has been placed on the temporary disability retired list.

AMENDMENT NO. 28 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

At the appropriate place in title V, insert the following:

SEC. 5___. TRANSPORTATION OF REMAINS OF CASUALTIES; TRAVEL EXPENSES FOR NEXT OF KIN.

(a) TRANSPORTATION FOR REMAINS OF A MEMBER WHO DIES NOT IN A THEATER OF COMBAT OPERATIONS.—Section 562 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 1482 note) is amended—
(1) in the heading, by striking ''**DYING IN A THEATER OF COMBAT OPERATIONS**''; and
(2) in subsection (a), by striking ''in a combat theater of operations'' and inserting ''outside of the United States''.
(b) TRANSPORTATION FOR FAMILY.—The Secretary of Defense shall revise Department of Defense Instruction 1300.18 to extend travel privileges via Invitational Travel Authorization to family members of members of the Armed Forces who die outside of the United States and whose remains are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware.

AMENDMENT NO. 29 OFFERED BY MS. DELBENE OF WASHINGTON

At the appropriate place in title V, insert the following new section:

SEC. 5___. GARNISHMENT TO SATISFY JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.

Section 1408 of title 10, United States Code, is amended—
(1) in subsection (e)—
(A) in paragraph (1), by striking ''The'' and inserting ''Subject to subsection (l)(2), the''; and
(B) in paragraph (4)(B), by striking ''other provision of law'' and inserting ''provision of law except subsection (l)(2)''; and
(2) in subsection (l)(2), by striking the second sentence and inserting ''The limitations on the amount of disposable retired pay available for payments under paragraphs (1) and (4)(B) of subsection (e) do not apply to a child abuse garnishment order.''.

AMENDMENT NO. 30 OFFERED BY MR. JONES OF NORTH CAROLINA

Page 171, after line 4, insert the following new section:

SEC. 566. EDUCATION FOR DEPENDENTS OF CERTAIN RETIRED MEMBERS OF THE ARMED FORCES.

Section 2164(a) of title 10, United States Code, is amended—
(1) in paragraph (1), by adding at the end ''If the Secretary determines that appropriate educational programs are not available through a local educational agency for dependents of retirees residing on a military installation in the United States, the Secretary may enter into arrangements to provide for the elementary or secondary education of the dependents of such retirees.''; and
(2) by adding at the end the following new paragraph:
''(4) For purposes of this subsection, the term 'retiree' means a member or former member of the armed forces who is entitled to retired or retainer pay under this title, or who, but for age, would be eligible for retired or retainer pay under chapter 1223 of this title.''.

AMENDMENT NO. 31 OFFERED BY MR. HUDSON OF NORTH CAROLINA

Page 190, after line 10, insert the following new section:

SEC. 606. REPORT ON IMMINENT DANGER PAY AND HOSTILE FIRE PAY.

(a) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report examining the current processes for awarding imminent danger pay and hostile fire pay to members of the Armed Forces.
(b) ELEMENTS.—This report under this section shall include the following:
(1) An analysis of difficulties in implementing the current system.
(2) An explanation of how geographic regions are selected to be eligible for such pay and the criteria used to define these regions.
(3) An examination of whether the current geographic model is the most appropriate way to award such pay, including the following:
(A) A discussion of whether the current model most accurately reflects the realities of modern warfare and is responsive enough to the needs of members.
(B) Whether the Secretary believes it would be appropriate to tie such pay to specific authorizations for deployments (including deployments of special operations forces) in addition to geographic criteria.
(C) A description of any change the Secretary would consider to update such pay to reflect the current operational environment.
(D) How the Secretary would implement each change under subparagraph (C).
(E) Recommendations of the Secretary for related regulations or legislative action.

AMENDMENT NO. 32 OFFERED BY MR. COFFMAN OF COLORADO

At the end of subtitle A of title VI, insert the following new section:

SEC. 606. SENSE OF CONGRESS REGARDING THE WIDOWS' TAX.

It is the sense of Congress that—
(1) section 621 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) amended section 1450(m) of title 10, United States Code, to make permanent the special survivor indemnity allowance;
(2) under the special survivor indemnity allowance, surviving spouses and dependent

children of members who die of a service-connected cause will not be subject to a full offset of survivor benefit plan payments by dependency and indemnity compensation, commonly referred to as the ''widows' tax''; and

(3) while the special survivor indemnity allowance alleviates the gap in benefits, the whole Congress must work together to find a way to eliminate the widows' tax entirely.

AMENDMENT NO. 33 OFFERED BY MR. DONOVAN OF NEW YORK

At the end of subtitle A of title VI, insert the following new section:

SEC. 606. REEVALUATION OF BAH FOR THE MILITARY HOUSING AREA INCLUDING STATEN ISLAND.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, using the most recent data available to the Secretary, shall reevaluate the basic housing allowance prescribed under section 403(b) of title 37, United States Code, for the military housing area that includes Staten Island, New York

AMENDMENT NO. 34 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

In title VI, at the end of subtitle A add the following:

SEC. ___. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) COMPENSATION.—Section 206(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; or''; and

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

''(4) for each of 6 days in connection with the taking by the member of a period of maternity leave.''.

(b) CREDIT FOR RETIRED PAY PURPOSES.—

(1) IN GENERAL.—The period of maternity leave taken by a member of the reserve components of the Armed Forces in connection with the birth of a child shall count toward the member's entitlement to retired pay, and in connection with the years of service used in computing retired pay, under chapter 1223 of title 10, United States Code, as 12 points.

(2) SEPARATE CREDIT FOR EACH PERIOD OF LEAVE.—Separate crediting of points shall accrue to a member pursuant to this subsection for each period of maternity leave taken by the member in connection with a childbirth event.

(3) WHEN CREDITED.—Points credited a member for a period of maternity leave pursuant to this subsection shall be credited in the year in which the period of maternity leave concerned commences.

(4) CONTRIBUTION OF LEAVE TOWARD ENTITLEMENT TO RETIRED PAY.—Section 12732(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (E) the following new subparagraph:

''(F) Points at the rate of 12 a year for the taking of maternity leave.''.

(5) COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.—Section 12733 of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph (5):

''(5) One day for each point credited to the person under subparagraph (F) of section 12732(a)(2) of this title.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to periods of maternity leave that commence on or after that date.

AMENDMENT NO. 35 OFFERED BY MR. ROUZER OF NORTH CAROLINA

At the end of subtitle C of title VI, insert the following new section:

SEC. 626. DESIGNATION OF NEW BENEFICIARY UNDER THE SURVIVOR BENEFIT PLAN.

Section 1448(b)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph (H):

''(H) ELECTION OF NEW BENEFICIARY BY TERMINALLY ILL PARTICIPANT.—

''(i) AUTHORITY FOR ELECTION.—A participant in the Plan may elect a new beneficiary if the Secretary concerned determines that the participant is terminally ill. Any such beneficiary must be a natural person with an insurable interest in the participant.

''(ii) PROCEDURES.—Such an election shall be in writing, signed by the participant, and made in such form and manner as the Secretary concerned may prescribe. Such an election shall be effective the first day of the first month following the month in which the election is received by the Secretary.''.

AMENDMENT NO. 36 OFFERED BY MR. GRAVES OF LOUISIANA

Page 201, after line 11, insert the following new section:

SEC. 626. REPORT REGARDING MANAGEMENT OF MILITARY COMMISSARIES AND EXCHANGES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding management practices of military commissaries and exchanges.

(b) ELEMENTS.—The report required under this section shall include a cost-benefit analysis with the goals of—

(1) reducing the costs of operating military commissaries and exchanges by $2,000,000,000 during fiscal years 2019 through 2023; and

(2) not raising costs for patrons of military commissaries and exchanges.

AMENDMENT NO. 37 OFFERED BY MR. SOTO OF FLORIDA

Page 210, line 21, insert '', universities,'' after ''organizations''.

AMENDMENT NO. 38 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle A of title VII, add the following new section:

SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

Section 1074m(a)(1)(B) of title 10, United States Code, is amended by striking ''Until January 1, 2019, once'' and inserting ''Once''.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chairman, North Carolina's Seventh Congressional District is fortunate to have more than 63,000 veterans call it home.

Unfortunately, many of these brave heroes encounter a variety of problems that require congressional action, whether through casework or legislation, as is the case with my amendment tonight.

Recently, a veteran battling Parkinson's disease contacted my office in a desperate attempt to modify the beneficiary for his survivor benefits plan. In this particular case, the veteran is fighting for his life, and because one currently can only make changes during open season, he is unable to change the beneficiary of his plan. My amendment will provide flexibility, via waiver, to veterans such as this gentleman who desire to change beneficiaries.

I appreciate my colleagues' support for this amendment so that terminally ill veterans are given the ability to update their survivor benefit plan as they wish, when they wish.

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

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, last August, 10 U.S. Navy sailors were killed when the USS *John S. McCain* collided with a commercial tanker off the coast of Singapore. One of those sailors was Petty Officer Logan Palmer of Harristown, Illinois.

Logan's death was the first casualty from my district since I became a Member of Congress, and let me tell you, it is an experience no one prepares you for, and I pray no other family will have to go through it.

While there is little we can do to lesson the grief of these families, we can ensure they don't have to navigate a complicated bureaucracy. I was a little miffed to learn that, if the body of a servicemember who dies during noncombat operations is flown to Dover Air Force Base, we do not automatically arrange and cover the travel costs for their family like we would if that servicemember died in combat.

This amendment requires the DOD to automatically arrange and cover travel for family of noncombat service deaths just as they do for combat operations, instead of making them get a waiver.

An outside organization covered the cost for the Palmer family, but I think we can make this process easier and ensure these families are taken care of by including this amendment.

Mr. SMITH of Washington. Mr. Chairman, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I have no further speakers on this en bloc package, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 905, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54 printed in House Report 115–698, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 39 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

At the end of subtitle A of title VII, insert the following:

SEC. 704. COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND CHRONIC PAIN MANAGEMENT SERVICES FOR MEMBERS WHO SEPARATE FROM THE ARMED FORCES.

Section 1145(a)(6)(B)(i) of title 10, United States Code, is amended—

(1) in subclause (I)—

(A) by inserting ‘‘, substance use disorder,’’ after ‘‘post-traumatic stress disorder’’; and

(B) by striking ‘‘and’’ at the end;

(2) by redesignating subclause (II) as subclause (III); and

(3) by inserting after subclause (I) the following:

‘‘(II) chronic pain management services, including counseling and treatment of co-occurring mental health disorders and alternatives to opioid analgesics; and’’.

AMENDMENT NO. 40 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle B of title VII, add the following:

SEC. _____. BURN PATIENT TRANSFER SYSTEM.

The Secretary of Defense may develop a burn patient transfer system, including any required hardware and software, that would provide a platform for reporting immediate and surge bed availability and that would electronically match patient acuity with open beds at other military and civilian burn centers.

AMENDMENT NO. 41 OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO RICO

Add at the end of subtitle C of title VII the following new section:

SEC. 7___. STUDY ON THE TREATMENT OF TRICARE BENEFICIARIES WHO ARE RESIDENTS OF PUERTO RICO.

(a) STUDY.—The Secretary of Defense, and with respect to members of the Coast Guard, in coordination with the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Navy, shall conduct a study on the feasibility and effect of extending the eligibility to enroll in, and the coverage of, TRICARE Prime to members of the Armed Forces and covered beneficiaries who reside in Puerto Rico to the same degree that a covered beneficiary who resides in any of the several States may enroll in TRICARE Prime.

(b) ELEMENTS.—The study under subsection (a) shall address the following:

(1) The requirements, as of the date of the study, for a covered beneficiary to be eligible to enroll in the TRICARE program in Puerto Rico.

(2) The number of—

(A) covered beneficiaries who are enrolled in the TRICARE program who reside in Puerto Rico; and

(B) such covered beneficiaries who would potentially enroll in TRICARE Prime if the Secretary extends TRICARE Prime as described in subsection (a).

(3) The demographic distribution of covered beneficiaries who reside in Puerto Rico.

(4) The access of such covered beneficiaries to health care networks, including trauma care centers, as of the date of the study.

(5) The quality of such health care networks.

(6) The costs and timeline requirements for extending TRICARE Prime as described in subsection (a).

(7) The feasibility of using medical resources of the Department of Defense to cover gaps in service availability in Puerto Rico if such extension does not occur.

(c) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study under subsection (a).

(d) DEFINITIONS.—In this section, the terms ‘‘covered beneficiary’’, ‘‘TRICARE Prime’’, and ‘‘TRICARE program’’ have the meanings given those terms in section 1072 of title 10, United States Code.

AMENDMENT NO. 42 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. STUDY ON HEALTH EFFECTS RELATING TO ACTIVITY OF THE ARMED FORCES ON VIEQUES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report containing a study of the health effects of the live-fire training at Vieques Naval Training Range conducted by the Navy before 2002 and other activities of the Armed Forces on the island of Vieques, Puerto Rico. The study shall include a comprehensive analysis of the following:

(1) The immediate health effects of such training and activity on the residents of Vieques.

(2) The long-term health effects of such training and activity on the residents of Vieques.

(3) The potential ongoing health effects caused by any contamination relating to such training and activity.

AMENDMENT NO. 43 OFFERED BY MR. SMUCKER OF PENNSYLVANIA

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. STRATEGY TO RECRUIT AND RETAIN MENTAL HEALTH PROVIDERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that—

(1) describes the shortage of mental health providers of the Department of Defense;

(2) explains the reasons for such shortage;

(3) explains the effect of such shortage on members of the Armed Forces; and

(4) contains a strategy to better recruit and retain mental health providers, including with respect to psychiatrists, psychologists, mental health nurse practitioners, licensed social workers, and other licensed providers of the military health system.

AMENDMENT NO. 44 OFFERED BY MR. JONES OF NORTH CAROLINA

Add at the end of subtitle C of title VII the following new section:

SEC. 7_____. STUDY ON EARNING BY SPECIAL OPERATIONS FORCES MEDICS OF CREDITS TOWARDS A PHYSICIAN ASSISTANT DEGREE.

(a) STUDY.—The Secretary of Defense shall conduct a study to assess the feasibility and advisability of establishing partnerships between special operations forces and institutions of higher education, and health care systems if determined appropriate by the Secretary, through which special operations forces medics earn credit toward the master's degree of physician assistant for military operational work and training performed by the medics.

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

(1) The feasibility with respect to establishing partnerships described in subsection (a) that permit medics to conduct clinical training at medical facilities of the Department of Defense and the civilian sector in order to meet the increasing demand for highly trained health care providers at such facilities.

(2) How partnerships described in subsection (a) will ensure that the evaluation of work and training performed by medics for which credits are earned comply with civilian clinical evaluation standards applicable to the awarding of master's degrees of physician assistant.

(3) How the Secretary can leverage the physician assistant program at the Uniformed Services University to coordinate such partnerships and assist with credits.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a report on the study under subsection (a).

AMENDMENT NO. 45 OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

At the end of subtitle C of title VII, add the following new section:

SEC. 730. STUDY OF DRUG SHORTAGES AND IMPACT ON MEMBERS OF THE ARMED FORCES.

(a) CONGRESSIONAL FINDINGS.—The Congress finds the following:

(1) Shortages of critical medical drugs used for surgery and emergency care have increased significantly during 2017 and 2018.

(2) Reports from physicians have identified critical drugs such as dilaudid, bupivacaine, morphine, and epinephrine as important commonly needed drugs in shortage.

(3) Health care providers for the Armed Forces use the same drugs as civilian health care providers and are experiencing similar shortages in surgical facilities.

(4) Such shortages could compromise the quality of care available to members of the Armed Forces.

(b) STUDY.—The Secretary of Defense shall conduct a study of shortages of drugs used in the surgical and emergency settings of military facilities—

(1) to determine if the quality or safety of military health care has been compromised by such shortages;

(2) to identify and examine supply chain issues related to the availability of drugs used for surgery and emergency care; and

(3) to identify and examine the impact of shortages on care for military patients.

(c) CONSULTATION.—In conducting the study under subsection (b), the Secretary shall consult with the Commissioner of Food and Drugs, the Administrator of the Drug Enforcement Administration, and such other stakeholders as the Secretary considers relevant to the study, including physician organizations and drug manufacturers.

(d) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Secretary shall submit a report to the Congress describing the study under this section and setting forth any conclusions and recommendations resulting from the study.

AMENDMENT NO. 46 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. PROVISION OF INFORMATION TO DEPARTMENT OF VETERANS AFFAIRS REGARDING MHS GENESIS ELECTRONIC HEALTH RECORD SYSTEM.

The Secretary of Defense shall transmit to the Secretary of Veterans Affairs a report detailing lessons learned by the Secretary of Defense with respect to successfully remediating concerns found during the initial operational testing and evaluation of the electronic health record system known as MHS Genesis.

AMENDMENT NO. 47 OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

In subtitle C of title VII, insert the following section:

SEC. _____. REPORT REGARDING OPIOID PREVENTION AND TREATMENT FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall prepare and submit a report to congressional defense committees regarding the actions the Department of Defense is taking to prevent and treat opioid use among the dependents of members of the Armed Forces. Such report shall include how information is shared between military medical treatment facilities across the country, what counseling services are available to dependents and how such services are publicized, and a plan for intervention strategies to prevent opioid use and abuse.

AMENDMENT NO. 48 OFFERED BY MR. SMUCKER OF PENNSYLVANIA

At the end of subtitle C of title VII, add the following:

SEC. ___. MONITORING MEDICATION PRESCRIBING PRACTICES FOR THE TREATMENT OF POST-TRAUMATIC STRESS DISORDER.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and Senate a report on the practices for prescribing medication during the period beginning January 1, 2012, and ending December 31, 2017, that were inconsistent with the post-traumatic stress disorder medication guidelines developed by the Department of Defense and the Veterans Health Administration.

(2) CONTENTS.—The report under this subsection shall include the following:

(A) A summary of the Army's, the Navy's, and the Air Force's practices for prescribing medication during the period referred to in paragraph (1) that were inconsistent with the post-traumatic stress disorder medication guidelines developed by the Department of Defense and the Veterans Health Administration.

(B) Identification of medical centers serving members of the Armed Forces found to having higher than average incidences of prescribing medication during the period referred to in paragraph (1) that were inconsistent with the post-traumatic stress disorder guidelines.

(C) A plan for such medical centers to reduce the prescribing of medications that are inconsistent with the post-traumatic stress disorder guidelines.

(D) A plan for ongoing monitoring of medical centers found to have higher than average incidences of prescribing medication that were inconsistent with the post-traumatic stress disorder guidelines by the Department of Defense and the Veterans Health Administration.

(b) MONITORING PROGRAM.—Based on the findings of the report under subsection (a), the Secretaries of the Army, the Navy, and the Air Force shall each establish a monitoring program carried out with respect to such branch of the Armed Forces shall provide as follows:

(1) The monitoring program shall provide for the conduct of periodic reviews, beginning October 1, 2019, of medication prescribing practices of its own providers.

(2) The monitoring program shall provide for regular reports, beginning October 1, 2020, to the Department of Defense and the Veterans Health Administration, of the results of the periodic reviews pursuant to paragraph (1) of this subsection.

(3) The monitoring program shall establish internal procedures, not later than October 1, 2020, to address practices for prescribing medication that are inconsistent with the post-traumatic stress disorder medication guidelines developed Department of Defense and the Veterans Health Administration.

AMENDMENT NO. 49 OFFERED BY MR. BANKS OF INDIANA

In section 811, add at the end the following:

(m) SUBMISSION OF NOTICE AND PLAN TO CONGRESS.—Not later than 30 days before reorganizing, restructuring, or eliminating any position or office specified in this section, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of such reorganization, restructuring, or elimination together with a plan to ensure that mission requirements are met and appropriate oversight is conducted in carrying out such reorganization, restructuring, or elimination. Such plan shall address how user needs will be met and how associated roles and responsibilities will be accomplished for each position or office that the Secretary determines requiring reorganization, restructuring, or elimination.

AMENDMENT NO. 50 OFFERED BY MR. MITCHELL OF MICHIGAN

At the end of subtitle C of title VIII (page 355, after line 2) add the following new section:

SEC. 835. REVIEW OF FEDERAL ACQUISITION REGULATIONS ON COMMERCIAL PRODUCTS, COMMERCIAL SERVICES, AND COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS.

(a) REVIEW OF DETERMINATIONS NOT TO EXEMPT CONTRACTS FOR COMMERCIAL PRODUCTS, COMMERCIAL SERVICES, AND COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS FROM CERTAIN LAWS AND REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall—

(1) review each determination of the Federal Acquisition Regulatory Council pursuant to section 1906(b)(2), section 1906(c)(3), or section 1907(a)(2) of title 41, United States Code, not to exempt contracts or subcontracts from laws which such contracts and subcontracts would otherwise be exempt from under section 1906(d) of title 41, United States Code; and

(2) propose revisions to the Federal Acquisition Regulation to provide an exemption from each law subject to such determination unless the Council determines that there is a specific reason not to provide the exemptions pursuant to section 1906 of such title or the Administrator for Federal Procurement Policy determines there is a specific reason not to provide the exemption pursuant to section 1907 of such title.

(b) REVIEW OF CERTAIN CONTRACT CLAUSE REQUIREMENTS APPLICABLE TO COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES CONTRACTS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall—

(1) review the Federal Acquisition Regulation to assess all regulations that require a specific contract clause for a contract using commercial product or commercial services acquisition procedures under part 12 of the Federal Acquisition Regulation, except for regulations required by law or Executive order; and

(2) propose revisions to the Federal Acquisition Regulation to eliminate regulations reviewed under paragraph (1) unless the Federal Acquisition Regulatory Council determines on a case-by-case basis that there is a specific reason not to eliminate the regulation.

(c) ELIMINATION OF CERTAIN CONTRACT CLAUSE REGULATIONS APPLICABLE TO COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEM SUBCONTRACTS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall—

(1) review the Federal Acquisition Regulation to assess all regulations that require a prime contractor to include a specific contract clause in a subcontract for commercially available off-the-shelf items unless the inclusion of such clause is required by law or Executive order; and

(2) propose revisions to the Federal Acquisition Regulation to eliminate regulations reviewed under paragraph (1) unless the Federal Acquisition Regulatory Council determines on a case-by-case basis that there is a specific reason not to eliminate the regulation.

At the end of title VIII (page 404, after line 21), add the following new sections:

SEC. 881. PROMOTION OF THE USE OF GOVERNMENT-WIDE AND OTHER INTERAGENCY CONTRACTS.

Section 865(b)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 31 U.S.C. 1535 note) is amended—

(1) by striking ''that all interagency acquisitions—'' and inserting ''that—'';

(2) in subparagraph (A)—

(A) by inserting ''all interagency assisted acquisitions'' before ''include''; and

(B) by inserting ''and'' after the semicolon;

(3) by striking subparagraph (B); and

(4) by redesignating subparagraph (C) as subparagraph (B), and in that subparagraph by inserting ''all interagency assisted acquisitions'' before ''include''.

SEC. 882. INCREASING COMPETITION AT THE TASK ORDER LEVEL.

Section 3306(c) of title 41, United States Code, is amended—

(1) in paragraph (1), by inserting ''except as provided in paragraph (3),'' in subparagraphs (B) and (C) after the subparagraph designation; and

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

''(3) EXCEPTIONS FOR CERTAIN INDEFINITE DELIVERY, INDEFINITE QUANTITY MULTIPLE-AWARD CONTRACTS AND CERTAIN FEDERAL SUPPLY SCHEDULE CONTRACTS FOR SERVICES ACQUIRED ON AN HOURLY RATE.—If an executive agency issues a solicitation for one or more contracts for services to be acquired on an hourly rate basis under the authority of sections 4103 and 4106 of this title or section 152(3) of this title and section 501(b) of title 40 and the executive agency intends to make a contract award to each qualifying offeror and the contract or contracts will feature individually competed task or delivery orders based on hourly rates—

''(A) the contracting officer need not consider price as an evaluation factor for contract award; and

''(B) if, pursuant to subparagraph (A), price is not considered as an evaluation factor for contract award—

''(i) the disclosure requirement of subparagraph (C) of paragraph (1) shall not apply; and

''(ii) cost or price to the Federal Government shall be considered in conjunction with the issuance pursuant to sections 4106(c) and 152(3) of this title of any task or delivery order under any contract resulting from the solicitation.

''(4) DEFINITION.—In paragraph (3), the term 'qualifying offeror' means an offeror that—

''(A) is determined to be a responsible source;

''(B) submits a proposal that conforms to the requirements of the solicitation;

''(C) meets all technical requirements; and

''(D) is otherwise eligible for award.''.

AMENDMENT NO. 51 OFFERED BY MR. GRAVES OF LOUISIANA

At the end of subtitle F of title VIII, insert the following:

SEC. 8___. INDIVIDUAL ACQUISITION FOR COMMERCIAL LEASING SERVICES.

(a) IN GENERAL.—For the purpose of section 863 of Public Law 110–417, an individual acquisition for commercial leasing services shall not be construed as a purchase of property or services if such individual acquisition is made on a no cost basis and pursuant to a multiple award contract awarded in accordance with requirements for full and open competition.

(b) AUDIT.—The Comptroller General of the United States shall—

(1) conduct biennial audits of the General Services Administration National Broker Contract to determine—

(A) whether brokers selected under the program provide lower lease rental rates than rates negotiated by General Services Administration staff; and

(B) the impact of the program on the length of time of lease procurements;

(2) conduct a review of whether the application of section 863 of Public Law 110–417 to acquisitions for commercial leasing services resulted in rental cost savings for the Government during the years in which such section was applicable prior to the date of enactment of this section; and

(3) not later than September 30, 2019, and September 30, 2021, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that—

(A) summarizes the results of the audit and review required by paragraphs (1) and (2);

(B) includes an assessment of whether the National Broker Contract provides greater efficiencies and savings than the use of General Services Administration staff; and

(C) includes recommendations for improving General Services Administration lease procurements.

(c) TERMINATION.—This section shall terminate on December 31, 2022.

AMENDMENT NO. 52 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 381, after line 9, insert the following:

SEC. 861. SCORE.

(a) SCORE REAUTHORIZATION.—Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following:

''(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized by section 8(b)(1) such sums as are necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed $10,500,000 in each of fiscal years 2018 and 2019.''.

(b) SCORE PROGRAM.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), by striking ''a Service Corps of Retired Executives (SCORE)'' and inserting ''the SCORE program described in subsection (c)''; and

(2) by striking subsection (c) and inserting the following:

''(c) SCORE PROGRAM.—

''(1) DEFINITION.—In this subsection:

''(A) SCORE ASSOCIATION.—The term 'SCORE Association' means the Service Corps of Retired Executives Association or any successor or other organization who receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A).

''(B) SCORE PROGRAM.—The term 'SCORE program' means the SCORE program authorized by subsection (b)(1)(B).

''(2) MANAGEMENT AND VOLUNTEERS.—

''(A) IN GENERAL.—The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

''(B) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

''(i) based on the business experience and knowledge of the volunteer—

''(I) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

''(II) facilitate low-cost education workshops for individuals who own, or aspire to own, small business concerns; and

''(ii) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.

''(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

''(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

''(A) the number of individuals counseled or trained under the SCORE program;

''(B) the number of hours of counseling provided under the SCORE program; and

''(C) to the extent possible—

''(i) the number of small business concerns formed with assistance from the SCORE program;

''(ii) the number of small business concerns expanded with assistance from the SCORE program; and

''(iii) the number of jobs created with assistance from the SCORE program.

''(5) PRIVACY REQUIREMENTS.—

''(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

''(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

''(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

''(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—

''(i) restrict the access of the Administrator to program activity data; or

''(ii) prevent the Administrator from using client information to conduct client surveys.

''(C) STANDARDS.—

''(i) IN GENERAL.—The Administrator shall, after the opportunity for notice and comment, establish standards for—

''(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

''(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

''(ii) MAXIMUM PRIVACY PROTECTION.—The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.''.

(c) ONLINE COMPONENT.—

(1) IN GENERAL.—Section 8(c) of the Small Business Act (15 U.S.C. 637(c)), as amended by subsection (b), is further amended by adding at the end the following:

''(6) ONLINE COMPONENT.—In carrying out this subsection, the SCORE Association shall make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs.''.

(2) ONLINE COMPONENT REPORT.—

(A) IN GENERAL.—At the end of fiscal year 2018, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the effectiveness of the online counseling and webinars required as part of the SCORE program, including—

(i) how the SCORE Association determines electronic mentoring and webinar needs, develops training for electronic mentoring, establishes webinar criteria curricula, and evaluates webinar and electronic mentoring results;

(ii) describing the internal controls that are used and a summary of the topics covered by the webinars; and

(iii) performance metrics, including the number of small business concerns counseled by, the number of small business concerns created by, the number of jobs created and retained by, and the funding amounts directed towards such online counseling and webinars.

(B) DEFINITIONS.—For purposes of this subsection, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

(d) STUDY AND REPORT ON THE FUTURE ROLE OF THE SCORE PROGRAM.—

(1) STUDY.—The SCORE Association shall carry out a study on the future role of the SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns and potential future small business concerns over the course of the 5 years following the date of enactment of this Act, with markers and specific objectives for year 1, year 3, and year 5.

(2) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing—

(A) all findings and determination made in carrying out the study required under paragraph (1);

(B) the strategic plan developed under paragraph (1);

(C) an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.

(3) DEFINITIONS.—For purposes of this section, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 7(m)(3)(A)(i)(VIII) (15 U.S.C. 636(m)(3)(A)(i)(VIII)), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(B) in section 22 (15 U.S.C. 649)—

(i) in subsection (b)—

(I) in paragraph (1), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(II) in paragraph (3), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(ii) in subsection (c)(12), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(2) OTHER LAWS.—

(A) CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009.—Section 621 of the Children's Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(i) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) the term 'SCORE program' means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));''; and

(ii) in subsection (b)(4)(A)(iv), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(B) ENERGY POLICY AND CONSERVATION ACT.—Section 337(d)(2)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is amended by striking ''Service Corps of Retired Executives (SCORE)'' and inserting ''SCORE program''.

AMENDMENT NO. 53 OFFERED BY MR. ESPAILLAT OF NEW YORK

Page 381, after line 9, insert the following:

SEC. 861. PROCUREMENT TECHNICAL ASSISTANCE CENTERS.

(a) AUTHORIZATION TO FORM ASSOCIATION.—Procurement Technical Assistance Centers are authorized to form an association to pursue matters of common concern.

(b) RECOGNITION BY SECRETARY OF DEFENSE.—If more than half of the Procurement Technical Assistance Centers which are operating pursuant to agreements with the Department of Defense are members of such an association, the Secretary of Defense shall—

(1) recognize the existence and activities of such an association; and

(2) consult with it and develop documents—

(A) announcing the annual scope of activities pursuant to this section,

(B) requesting proposals to deliver assistance as provided in this section, and

(C) governing the general operations and administration of the Procurement Technical Assistance Program, specifically including the development of regulations and a uniform negotiated cooperative agreement for use on an annual basis when entering into individual negotiated agreements with Procurement Technical Assistance Centers.

AMENDMENT NO. 54 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of title VIII (page 404, after line 21), add the following new section:

SEC. 8___. PROCUREMENT ADMINISTRATIVE LEAD TIME DEFINITION AND PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall develop, make available for public comment, and finalize—

(1) a definition of the term ''Procurement administrative lead time'' or ''PALT'', to be applied Government-wide, that describes the amount of time from the date on which a solicitation for a contract or task order is issued to the date of an initial award of the contract or task order; and

(2) a plan for measuring and publicly reporting data on PALT for Federal Government contracts and task orders in amounts greater than the simplified acquisition threshold.

(b) REQUIREMENT FOR DEFINITION.—Unless the Administrator determines otherwise, the amount of time in the definition of PALT developed under subsection (a) shall—

(1) begin on the date on which an initial solicitation is issued by a Federal department or agency for a contract or task order; and

(2) end on the date of the award of the contract or task order.

(c) COORDINATION.—In developing the definition of PALT, the Administrator shall coordinate with—

(1) the senior procurement executives of Federal agencies;

(2) the Secretary of Defense; and

(3) the Administrator of the General Services Administration on modifying the existing data system of the Federal Government to determine the date on which the initial solicitation is issued.

(d) USE OF EXISTING PROCUREMENT DATA SYSTEM.—In developing the plan for measuring and publicly reporting data on PALT required by subsection (a), the Administrator shall, to the maximum extent practicable, rely on the information contained in the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code, including any modifications to that system.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I have no requests for time. I urge adoption of this en bloc package, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, we have no speakers. I urge adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 905, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70 printed in House Report 115–698, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 55 OFFERED BY MR. CONAWAY OF TEXAS

In section 1004, strike ''financial system'' and insert ''business system that contributes to financial information''.

AMENDMENT NO. 57 OFFERED BY MR. BURGESS OF TEXAS

At the end of subtitle A of title X, add the following new section:

SEC. 1005. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

AMENDMENT NO. 58 OFFERED BY MR. RUIZ OF CALIFORNIA

At the end of subtitle E of title X, add the following new section:

SEC. 10___. AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.

(a) EDUCATION CAMPAIGN.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Defense shall carry out an annual education campaign to inform individuals who may be eligible to enroll in the Airborne Hazards and Open Burn Pit Registry of such eligibility. Each such campaign shall include at least one electronic method and one physical mailing method to provide such information.

(b) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY DEFINED.—In this section, the term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

AMENDMENT NO. 59 OFFERED BY MS. ESTY OF CONNECTICUT

At the end of subtitle F of title X, insert the following:

SEC. 10___. BRIEFING ON UNMANNED AIRCRAFT IN ARLINGTON NATIONAL CEMETERY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Federal Aviation Administration and the Secretary of Defense should coordinate to—

(1) prevent the flight of unmanned aircraft over Arlington National Cemetery, to the maximum amount practical, in order to preserve the sacred atmosphere of the cemetery as a national shrine; and

(2) restrict all flights of unmanned aircraft over Arlington National Cemetery during the execution of funeral services, except in emergency situations, the execution of national security operations, and unmanned aircraft flown at the request of the family participating in funeral services.

(b) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the Federal Aviation Administration shall jointly provide to the Committees on Armed Services, Transportation and Infrastructure, and Veterans' Affairs of the House of Representatives and the Committees on Armed Services, Commerce, Science, and Transportation, and Veterans' Affairs of the Senate a briefing on whether legislative action is required to prevent low flying unmanned aircraft from disrupting funerals at Arlington National Cemetery.

(c) UNMANNED AIRCRAFT DEFINED.—In this section, the term ''unmanned aircraft'' has the meaning given such term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95).

AMENDMENT NO. 60 OFFERED BY MR. YOUNG OF ALASKA

Add at the end of subtitle F of title X the following:

SEC. 1062. REPORT ON AN UPDATED ARCTIC STRATEGY.

(a) REPORT ON AN UPDATED STRATEGY.—Not later than June 1, 2019, the Secretary of Defense, in consultation with the Secretary of the Department in which the Coast Guard is operating with respect to Coast Guard operations and navigation issues, shall submit to

the congressional defense committees a report on an updated Arctic Strategy to improve and enhance joint operations. The report shall also include an assessment of Russia's aggressive buildup of military assets and infrastructure in the Arctic, as well as China's efforts to influence Arctic policy.

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

(1) A description of a joint Arctic strategy for sea operations, including all military and Coast Guard vessels available for Arctic operations.

(2) A description of a joint Arctic strategy for air operations, which will include all rotor and fixed wing military aircraft platforms available for Arctic operations.

(3) A description of a joint Arctic strategy for ground operations, which will include all military ground forces available for Arctic operations.

(4) An assessment of Russia's continued aggressive buildup of military assets and infrastructure in the Arctic.

(5) An assessment of China's efforts to influence global Arctic policy.

AMENDMENT NO. 61 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle F of title X, insert the following:

SEC. 10___. REPORT ON DESALINIZATION TECHNOLOGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on desalinization technology's application for defense and national security purposes to provide drought relief to areas impacted by sharp declines in water resources.

AMENDMENT NO. 62 OFFERED BY MR. YOUNG OF ALASKA

At the end of subtitle G of title X, insert the following:

SEC. 10___. COMPLIANCE WITH REQUIREMENTS RELATING TO RECIPROCITY OF SECURITY CLEARANCE AND ACCESS DETERMINATIONS.

The Secretary of Defense shall take such steps as may be necessary to ensure the expedited compliance of the Department of Defense with section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (108–458; 50 U.S.C. 3341(d)).

AMENDMENT NO. 63 OFFERED BY MR. GOSAR OF ARIZONA

At the end of subtitle G of title X, add the following new section:

SEC. 10___. ASSESSMENT REGARDING ELIGIBILITY FOR COMPENSATION FOR COMPENSABLE DISEASES UNDER THE RADIATION EXPOSURE COMPENSATION ACT.

(a) ASSESSMENT.—The National Cancer Institute and the Centers for Disease Control and Prevention shall assess the application of probability of causation/assigned share (in this section referred to as ''PC/AS'') to determine eligibility for compensation for compensable diseases under the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) in downwind populations in the continental United States, Alaska, Hawaii, and the possessions and territories of the United States. To carry out the assessment, the National Cancer Institute and the Centers for Disease Control and Prevention shall, at a minimum—

(1) complete the work begun in the late 1990s to develop dose estimates for downwind populations in such locations from fallout from nuclear weapons testing by the United States; and

(2) estimate the portions of these downwind populations that could become eligible for compensation compensable diseases under such Act for each of the following PC/AS criteria:

(A) Median PC/AS > 0.5.

(B) PC/AS > 0.5 at the 80 percent credibility limit.

(C) PC/AS > 0.5 at the 99 percent credibility limit.

(b) PROVISION OF INFORMATION.—Not later than 60 days after the date of the enactment of this Act, the National Cancer Institute and the Centers for Disease Control and Prevention shall inform Congress of the time and resources required to carry out the assessment under subsection (a).

AMENDMENT NO. 64 OFFERED BY MR. DENHAM OF CALIFORNIA

Add at the end of subtitle G of title X the following:

SEC. 10___. USE OF GI BENEFITS FOR AGRICULTURE-RELATED EDUCATION PROGRAMS.

The Secretary, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, shall provide guidance and resources for individuals interested in using educational benefits under chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code, or chapter 1606 or 1607 of title 10, United States Code, for agriculture-related education programs.

AMENDMENT NO. 65 OFFERED BY MR. YOUNG OF ALASKA

At the end of title X add the following:

SEC. ___. ARCTIC SURVIVAL TRAINING.

The Secretary of Defense shall ensure that in developing any Arctic survival curriculum, the Department of Defense shall engage with local indigenous communities for their traditional knowledge.

AMENDMENT NO. 66 OFFERED BY MR. YODER OF KANSAS

At the end of title X, add the following new section:

SEC. 10___. PRIVACY PROTECTIONS FOR ELECTRONIC COMMUNICATIONS INFORMATION THAT IS STORED BY THIRD-PARTY SERVICE PROVIDERS .

(a) VOLUNTARY DISCLOSURE CORRECTIONS.—

(1) IN GENERAL.—Section 2702 of title 18, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''divulge'' and inserting ''disclose''; and

(II) by striking ''while in electronic storage by that service'' and inserting ''that is in electronic storage with or otherwise stored, held, or maintained by that service'';

(ii) in paragraph (2)—

(I) by striking ''to the public'';

(II) by striking ''divulge'' and inserting ''disclose''; and

(III) by striking ''which is carried or maintained on that service'' and inserting ''that is stored, held, or maintained by that service''; and

(iii) in paragraph (3)—

(I) by striking ''divulge'' and inserting ''disclose''; and

(II) by striking ''a provider of'' and inserting ''a person or entity providing'';

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by inserting ''wire or electronic'' before ''communication'';

(ii) by amending paragraph (1) to read as follows:

''(1) to an originator, addressee, or intended recipient of such communication, to the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication, or to an agent of such addressee, intended recipient, subscriber, or customer;''; and

(iii) by amending paragraph (3) to read as follows:

''(3) with the lawful consent of the originator, addressee, or intended recipient of such communication, or of the subscriber or customer on whose behalf the provider stores, holds, or maintains such communication;'';

(C) in subsection (c) by inserting ''wire or electronic'' before ''communications'';

(D) in each of subsections (b) and (c), by striking ''divulge'' and inserting ''disclose''; and

(E) in subsection (c), by amending paragraph (2) to read as follows:

''(2) with the lawful consent of the subscriber or customer;''.

(b) AMENDMENTS TO REQUIRED DISCLOSURE SECTION.—Section 2703 of title 18, United States Code, is amended—

(1) by striking subsections (a) through (c) and inserting the following:

''(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN ELECTRONIC STORAGE.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held, or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

''(1) is issued by a court of competent jurisdiction; and

''(2) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

''(b) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN A REMOTE COMPUTING SERVICE.—

''(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of remote computing service of the contents of a wire or electronic communication that is stored, held, or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

''(A) is issued by a court of competent jurisdiction; and

''(B) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

''(2) APPLICABILITY.—Paragraph (1) is applicable with respect to any wire or electronic communication that is stored, held, or maintained by the provider—

''(A) on behalf of, and received by means of electronic transmission from (or created by means of computer processing of communication received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

''(B) solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

''(c) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE.—

''(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service or remote computing service of a record or other information pertaining to a subscriber to or customer of such service (not including the contents of wire or electronic communications), only—

''(A) if a governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

''(i) is issued by a court of competent jurisdiction directing the disclosure; and

''(ii) may indicate the date by which the provider must make the disclosure to the governmental entity;

''(B) if a governmental entity obtains a court order directing the disclosure under subsection (d);

''(C) with the lawful consent of the subscriber or customer; or

''(D) as otherwise authorized in paragraph (2).

''(2) SUBSCRIBER OR CUSTOMER INFORMATION.—A provider of electronic communication service or remote computing service shall, in response to an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or any means available under paragraph (1), disclose to a governmental entity the—

''(A) name;

''(B) address;

''(C) local and long distance telephone connection records, or records of session times and durations;

''(D) length of service (including start date) and types of service used;

''(E) telephone or instrument number or other subscriber or customer number or identity, including any temporarily assigned network address; and

''(F) means and source of payment for such service (including any credit card or bank account number),

of a subscriber or customer of such service.

''(3) NOTICE NOT REQUIRED.—A governmental entity that receives records or information under this subsection is not required to provide notice to a subscriber or customer.'';

(2) in subsection (d)—

(A) by striking ''(b) or'';

(B) by striking ''the contents of a wire or electronic communication, or'';

(C) by striking ''sought,'' and inserting ''sought''; and

(D) by striking ''section'' and inserting ''subsection''; and

(3) by adding at the end the following:

''(h) NOTICE.—Except as provided in section 2705, a provider of electronic communication service or remote computing service may notify a subscriber or customer of a receipt of a warrant, court order, subpoena, or request under subsection (a), (b), (c), or (d) of this section.

''(i) RULE OF CONSTRUCTION RELATED TO LEGAL PROCESS.—Nothing in this section or in section 2702 shall limit the authority of a governmental entity to use an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction to—

''(1) require an originator, addressee, or intended recipient of a wire or electronic communication to disclose a wire or electronic communication (including the contents of that communication) to the governmental entity;

''(2) require a person or entity that provides an electronic communication service to the officers, directors, employees, or agents of the person or entity (for the purpose of carrying out their duties) to disclose a wire or electronic communication (including the contents of that communication) to or from the person or entity itself or to or from an officer, director, employee, or agent of the entity to a governmental entity, if the wire or electronic communication is stored, held, or maintained on an electronic communications system owned, operated, or controlled by the person or entity; or

''(3) require a person or entity that provides a remote computing service or electronic communication service to disclose a wire or electronic communication (including the contents of that communication) that advertises or promotes a product or service and that has been made readily accessible to the general public.

''(j) RULE OF CONSTRUCTION RELATED TO CONGRESSIONAL SUBPOENAS.—Nothing in this section or in section 2702 shall limit the power of inquiry vested in the Congress by article I of the Constitution of the United States, including the authority to compel the production of a wire or electronic communication (including the contents of a wire or electronic communication) that is stored, held, or maintained by a person or entity that provides remote computing service or electronic communication service.''.

(c) DELAYED NOTICE.—Section 2705 of title 18, United States Code, is amended to read as follows:

''§ 2705. Delayed notice

''(a) IN GENERAL.—A governmental entity acting under section 2703 may apply to a court for an order directing a provider of electronic communication service or remote computing service to which a warrant, order, subpoena, or other directive under section 2703 is directed not to notify any other person of the existence of the warrant, order, subpoena, or other directive.

''(b) DETERMINATION.—A court shall grant a request for an order made under subsection (a) for delayed notification of up to 180 days if the court determines that there is reason to believe that notification of the existence of the warrant, order, subpoena, or other directive will likely result in—

''(1) endangering the life or physical safety of an individual;

''(2) flight from prosecution;

''(3) destruction of or tampering with evidence;

''(4) intimidation of potential witnesses; or

''(5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

''(c) EXTENSION.—Upon request by a governmental entity, a court may grant one or more extensions, for periods of up to 180 days each, of an order granted in accordance with subsection (b).''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to preclude the acquisition by the United States Government of—

(1) the contents of a wire or electronic communication pursuant to other lawful authorities, including the authorities under chapter 119 of title 18 (commonly known as the ''Wiretap Act''), the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), or any other provision of Federal law not specifically amended by this section; or

(2) records or other information relating to a subscriber or customer of any electronic communication service or remote computing service (not including the content of such communications) pursuant to the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), chapter 119 of title 18 (commonly known as the ''Wiretap Act''), or any other provision of Federal law not specifically amended by this section.

AMENDMENT NO. 67 OFFERED BY MRS. LAWRENCE OF MICHIGAN

Page 543, after line 5, insert the following:

SEC. 1086. LESSONS LEARNED AND BEST PRACTICES ON PROGRESS OF GENDER INTEGRATION IMPLEMENTATION IN THE ARMED FORCES.

The Secretary of Defense shall direct each component of the Armed Forces to share lessons learned and best practices on the progress of their gender integration implementation plans and to communicate strategically that progress with other components of the Armed Forces as well as the general public, as recommended by the Defense Advisory Committee on Women in the Services.

AMENDMENT NO. 68 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 543, insert after line 5 the following:

SEC. 1086. REPORT ON READINESS OF NATIONAL GUARD TO RESPOND TO NATURAL DISASTERS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report analyzing the readiness of the National Guard and Reserve to respond to natural disasters.

AMENDMENT NO. 69 OFFERED BY MR. POE OF TEXAS

Page 579, line 11, strike ''$350,000,000'' and insert ''$200,000,000''.

AMENDMENT NO. 70 OFFERED BY MR. ABRAHAM OF LOUISIANA

At the end of section 1221, add the following new subsection:

(c) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Peshmerga forces of the Kurdistan Region of Iraq have made, and continue to make, significant contributions to the United States-led campaign to degrade, dismantle, and ultimately defeat the Islamic State of Iraq and Syria (ISIS) in Iraq;

(2) a lasting defeat of ISIS is critical to maintaining a stable and tolerant Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq; and

(3) in support of counter-ISIS operations and in conjunction with the Central Government of Iraq, the United States should provide the Ministry of Peshmerga forces of the Kurdistan Region of Iraq $290,000,000 in operational sustainment, so that the Peshmerga forces can more effectively partner with the Iraqi Security Forces, the United States, and other international Coalition members to consolidate gains, hold territory, and protect infrastructure from ISIS and its affiliates in an effort to deal a lasting defeat to ISIS and prevent its reemergence in Iraq.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

MODIFICATION TO AMENDMENT NO. 55 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, I ask unanimous consent that amendment No. 55 in House Report 115–698 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 55 offered by Mr. CONAWAY of Texas:

The amendment as modified is as follows:

Page 441, line 13, strike ''financial system'' and insert ''business system that contributes to financial information''.

Mr. THORNBERRY (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I have no requests for time for this en bloc package. I urge its adoption, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I, too, have no requests for time, urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments, as modified, were agreed to.

The Acting CHAIR. The Chair understands that amendment No. 56 will not be offered.

AMENDMENTS EN BLOC NO. 5 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 905, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, and 86 printed in House Report 115–698, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 71 OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of section 1221, add the following:

(c) QUARTERLY PROGRESS REPORT.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and the Senate a progress report under section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015, which shall be provided in unclassified form with a classified annex if necessary. Such progress report shall, based on the most recent quarterly information, include an assessment of the following:

(A) The incorporation of violent extremist organizations and organizations with association to the Iran's Revolutionary Guard Corps (IRGC) into the Iraq military.

(B) The level of access violent extremist organizations and organizations with association to the IRGC have to United States-provided equipment and training.

(C) United States-provided equipment that is controlled by unauthorized end users, determined by vetting required in subsection (e) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015, or is not accounted for by the Government of Iraq, including a detailed inventory of each equipment type provided to the Government of Iraq.

(D) Actions taken by the Government of Iraq to repossess United States-provided equipment from unauthorized end users.

(2) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 72 OFFERED BY MR. SCHNEIDER OF ILLINOIS

Page 587, after line 17, insert the following:

(A) should identify specific countries in which Iran and Iranian-backed entities are operating;

Page 587, line 18, strike ''(A)'' and insert ''(B)''.

Page 588, line 6, strike ''and''.

Page 588, after line 9, insert the following:

(viii) assessing Iran's destabilizing activities in the countries identified under subparagraph (A) and the implications thereof; and

Page 588, line 10, strike ''(B)'' and insert ''(C)''.

Page 588, line 15, strike ''(A)'' and insert ''(B)''.

AMENDMENT NO. 73 OFFERED BY MR. SCHNEIDER OF ILLINOIS

At the end of subtitle C of title XII, add the following new section:

SEC. 12__. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report that describes Iranian support of proxy forces in Syria and Lebanon and assesses the increased threat posed to Israel, other United States regional allies, and other specified interests of the United States as a result of such support.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include, at a minimum, information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related material transferred by Iran to Hizballah since March 2011, including the number of such arms or related material and whether such transfer was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iranian-controlled personnel, including Hizballah, Shiite militias, and Iran's Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah's operational lessons learned based on its recent experiences in Syria.

(4) A description of the threat posed to Israel and other United States partners in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

(c) DEFINITION.—In this section, the term ''arms or related material'' means—

(1) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;

(2) ballistic or cruise missile weapons or materials or components of such weapons;

(3) destabilizing numbers and types of advanced conventional weapons;

(4) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2794);

(5) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403); or

(6) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

AMENDMENT NO. 74 OFFERED BY MR. ELLISON OF MINNESOTA

At the end of subtitle C of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS ON THE LACK OF AUTHORIZATION FOR THE USE OF THE ARMED FORCES AGAINST IRAN.

It is the sense of Congress that the use of the Armed Forces against Iran is not authorized by this Act or any other Act.

AMENDMENT NO. 75 OFFERED BY MR. ELLISON OF MINNESOTA

At the end of subtitle C of title XII, add the following:

SEC. 12___. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to authorize the use of the Armed Forces of the United States against Iran.

AMENDMENT NO. 76 OFFERED BY MS. LEE OF CALIFORNIA

At the end of subtitle C of title XII, add the following:

SEC. 12___. AFGHANISTAN SECURITY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and by January 15 of every year thereafter through 2020, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate a report on the progress made by the Government of Afghanistan in achieving the security-sector benchmarks as outlined by the United States-Afghan Compact, otherwise known as the Kabul Compact.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 77 OFFERED BY MR. ROSKAM OF ILLINOIS

At the end of subtitle C of title XII, add the following new section:

SEC. 12__. SENSE OF CONGRESS ON BALLISTIC MISSILE PROGRAM OF IRAN.

It is the sense of Congress that—

(1) the ballistic missile program of Iran represents a serious threat to allies of the United States in the Middle East and Europe, members of the Armed Forces deployed in the those regions, and ultimately the United States;

(2) the testing and production by Iran of ballistic missiles capable of carrying a nuclear device is a clear violation of multiple United Nations Security Council resolutions, which were unanimously adopted by the international community;

(3) Iran currently maintains the largest inventory of ballistic missiles in the Middle East;

(4) according to the Director of National Intelligence, Dan Coats, Iran's ballistic missiles are inherently capable of delivering weapons of mass destruction and the Office of the Director of National Intelligence judges they would be used as Iran's ''preferred method of delivering nuclear weapons, if it builds them'';

(5) Director of National Intelligence Coats additionally asserts ''Tehran's desire to deter the United States might drive it to field an intercontinental ballistic missile (ICBM)'' and ''progress on Iran's space program could shorten a pathway to an ICBM because space launch vehicles use similar technologies''; and

(6) the Government of the United States should impose tough primary and secondary sanctions against any sector of the economy of Iran or any Iranian person that directly or indirectly supports the ballistic missile program of Iran as well as any foreign person or financial institution that engages in transactions or trade that support that program.

AMENDMENT NO. 78 OFFERED BY MR. YOHO OF FLORIDA

At the end of subtitle E of title XII, add the following new section:

SEC. 12___. REINSTATEMENT OF REPORTING REQUIREMENTS WITH RESPECT TO UNITED STATES-HONG KONG RELATIONS.

Section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''Not later than'' and inserting ''(a) IN GENERAL.— Not later than'';

(B) by striking ''March 31, 1993'' and all that follows through ''March 31, 2006'' and inserting ''March 31, 2019, and annually thereafter through 2024''; and

(C) by striking ''the Speaker of the House of Representatives'' and inserting ''the chair of the Committee on Foreign Affairs of the House of Representatives''; and

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

''(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form and shall be published on a publicly available website of the Department of State.''.

AMENDMENT NO. 79 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle E of title XII, add the following new section:

SEC. 12___. REPORT ON NORTH KOREA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees a report that includes a description of any ongoing or planned efforts of the Department of State with respect to each of the following:

(1) Resuming the repatriation from North Korea of members of the United States Armed Forces missing or unaccounted for during the Korean War.

(2) Reuniting Korean Americans with their relatives in North Korea.

(3) Assessing the security risks posed by travel to North Korea for United States citizens.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 80 OFFERED BY MS. LEE OF CALIFORNIA

Add at the end of subtitle E of title XII the following new section:

SEC. _____. RULE OF CONSTRUCTION REGARDING USE OF FORCE AGAINST NORTH KOREA.

Nothing in this Act may be construed as authorizing the use of force against North Korea.

AMENDMENT NO. 81 OFFERED BY MR. KHANNA OF CALIFORNIA

At the end of subtitle F of title XII, add the following new section:

SEC. 12__. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against North Korea.

AMENDMENT NO. 82 OFFERED BY MR. YOHO OF FLORIDA

At the end of subtitle F of title XII, add the following new section:

SEC. 12___. MODIFICATION OF FREEDOM OF NAVIGATION REPORTING REQUIREMENTS.

Subsection (a) of section 1275 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2540), as amended by section 1262(a)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1689), is further amended by striking ''the Committees on Armed Services of the Senate and the House of Representatives'' and inserting ''the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives''.

AMENDMENT NO. 83 OFFERED BY MS. FRANKEL OF FLORIDA

At the end of subtitle F of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS REGARDING THE ROLE OF THE UNITED STATES IN THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of Congress that continued United States leadership in the North Atlantic Treaty Organization is critical to the national security of the United States.

AMENDMENT NO. 84 OFFERED BY MR. DELANEY OF MARYLAND

At the end of subtitle F of title XII, add the following new section:

SEC. 12. SENSE OF CONGRESS AND REAFFIRMING THE COMMITMENT OF THE UNITED STATES TO THE NORTH ATLANTIC TREATY ORGANIZATION (NATO).

(a) FINDINGS.—Congress finds the following:

(1) On April 4, 1949, the North Atlantic Treaty Organization (NATO) was founded with the ideals of democracy, individual liberty, and the desire for peaceful resolutions of disputes.

(2) For over six decades, NATO has been a successful intergovernmental political and military alliance.

(3) NATO's collective defense acts as a deterrent to aggression where the alliance defends its Allied countries against external security threats.

(4) NATO strengthens the security of the United States by utilizing an integrated military coalition.

(5) While Russia has continued to threaten the sovereignty of countries in Europe and exhibit threatening behavior toward our own military assets, NATO sends a clear collective message that the Alliance will not tolerate Russia's provocation.

(6) In respect to the changing threats against Europe and the United States since the end of the Cold War, NATO has evolved to take on new dangers including terrorism, the spread of weapons of mass destruction, and cyber attacks.

(7) After the September 11, 2001, terrorist attacks on the United States, NATO invoked Article 5 of the North Atlantic Treaty for the first time in NATO's history to deploy military resources to Afghanistan in support of the United States mission to combat a dangerous terrorist threat.

(8) NATO aided the United States military by leading the International Security Assistance Force in Afghanistan from August 2003 to 2014, working with Afghan authorities to respond to the terrorist insurgency and to provide effective security across the country.

(9) NATO continues a civilian-led presence in Afghanistan to strengthen Afghan security forces and institutions to ensure the country can rebuild its security operations and end safe haven for terrorists.

(10) In November 2002 at the Prague Summit, NATO leaders adopted a Prague package to adapt NATO to the challenge of combating terrorism which included a Military Concept for Defense against Terrorism, a Partnership Action Plan against Terrorism, missile defense, cyber defense, and enhanced intelligence sharing.

(11) In November 2006 at the Riga Summit, NATO declared that ''terrorism, increasingly global in scope and lethal in results, and the spread of weapons of mass destruction are likely to be the principal threats to the Alliance over the next 10 to 15 years''.

(12) In July 2016 at the Warsaw Summit, NATO leaders agreed to strengthen the Alliance's military presence in Eastern Europe, declared Initial Operational Capability of NATO's Ballistic Missile Defense to strengthen the defense of Allied countries against ballistic missiles, and recognized cyberspace as a new operational domain.

(13) The attacks in Paris, France; Berlin, Germany; Istanbul, Turkey; Manchester, England; Barcelona, Spain; and Brussels, Belgium, home of the NATO Headquarters, shows the importance of an international alliance to combat terrorist groups.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States reaffirms its commitment to the North Atlantic Treaty Organization (NATO) as the foundation of transatlantic security and defense;

(2) NATO serves as a critical coalition in preserving peace and stability in the transatlantic region;

(3) NATO's continued effort to develop new capabilities and technologies to combat terrorism and a changing international security environment are crucial to enhancing national security and strengthening the United States ability to combat evolving security threats; and

(4) the United States encourages each NATO member country to meet or exceed the commitment to spend two percent of its Gross Domestic Product (GDP) on defense.

AMENDMENT NO. 85 OFFERED BY MR. BISHOP OF MICHIGAN

At the end of subtitle F of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS RELATING TO INCREASES IN DEFENSE CAPABILITIES OF UNITED STATES ALLIES.

It is the sense of Congress that the President, in furtherance of increased unity, equitable sharing of the common defense burden, and international stability, should—

(1) encourage all member countries of the North Atlantic Treaty Organization (''NATO allies'') to fulfill their commitments to levels and composition of defense expenditures as agreed upon at the NATO 2014 Wales Summit and NATO 2016 Warsaw Summit;

(2) call on NATO allies to finance, equip, and train their armed forces to fulfill their national and regional security interests; and

(3) recognize NATO allies that are meeting their defense spending commitments or otherwise providing adequately for their national and regional security interests.

AMENDMENT NO. 86 OFFERED BY MR. GOHMERT OF TEXAS

Add at the end of subtitle F of title XII the following:

SEC. 12___. REPORT ON THREATS BY THE MUSLIM BROTHERHOOD.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Muslim Brotherhood is a threat to the United States.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the President and the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that contains an assessment of the threats posed to the United States by the Muslim Brotherhood.

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include the following:

(A) A description of the origins of the Muslim Brotherhood.

(B) A description of the strategic aims of the Muslim Brotherhood.

(C) A description of the tactical methods of the Muslim Brotherhood.

(D) A description of the funding sources of the Muslim Brotherhood.

(E) A description of the leadership structures of the Muslim Brotherhood.

(F) Any other matters the President and Secretary of Defense consider appropriate.

(3) FORM.—The required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of this en bloc package, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I have no speakers. I urge adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 905, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 6 consisting of amendment Nos. 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, and 103 printed in House Report 115–698, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 87 OFFERED BY MR. WALZ OF MINNESOTA

At the end of subtitle F of title XII, add the following:

SEC. 12___. REPORT BY DEFENSE INTELLIGENCE AGENCY ON CERTAIN MILITARY CAPABILITIES OF CHINA AND RUSSIA.

(a) REPORT.—The Director of the Defense Intelligence Agency shall submit to the Secretary of Defense and the appropriate congressional committees a report on the military capabilities of the People's Republic of China and the Russian Federation.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, with respect to the military of China and the military of Russia, the following:

(1) An update on the presence, status, and capability of the military with respect to any national training centers similar to the Combat Training Center Program of the United States.

(2) An analysis of a readiness deployment cycle of the military, including—

(A) as compared to such a cycle of the United States; and

(B) an identification of metrics used in the national training centers of that military.

(3) A comprehensive investigation into the capability and readiness of the mechanized logistics of the army of the military, including—

(A) an analysis of field maintenance, sustainment maintenance, movement control, intermodal operations, and supply; and

(B) how such functions under subparagraph (A) interact with specific echelons of that military.

(4) An assessment of the future of mechanized army logistics of that military.

(c) NONDUPLICATION OF EFFORTS.—The Defense Intelligence Agency may make use of or add to any existing reports completed by the Agency in order to respond to the reporting requirement.

(d) FORM.—The report under subsection (a) may be submitted in classified form.

(e) BRIEFING.—The Director shall provide a briefing to the Secretary and the committees specified in subsection (a) on the report under such subsection.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 88 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle F of title XII, add the following:

SEC. 12___. REPORT ON EFFORTS TO COMBAT BOKO HARAM IN NIGERIA AND THE LAKE CHAD BASIN.

(a) SENSE OF CONGRESS.—Congress—

(1) strongly condemns the ongoing violence and the systematic gross human rights violations against the people of Nigeria and the Lake Chad Basin carried out by Boko Haram;

(2) expresses its support for the people of Nigeria and the Lake Chad Basin who wish to live in a peaceful, economically prosperous, and democratic region; and

(3) calls on the President to support Nigerian, Lake Chad Basin, and international community efforts to ensure accountability for crimes against humanity committed by Boko Haram against the people of Nigeria and the Lake Chad Basin, particularly the young girls kidnapped from Chibok and other internally displaced persons affected by the actions of Boko Haram.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, and the Attorney General shall jointly submit to Congress a report on efforts to combat Boko Haram in Nigeria and the Lake Chad Basin.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of initiatives undertaken by the Department of Defense to assist the Government of Nigeria and countries in the Lake Chad Basin to develop capacities to deploy special forces to combat Boko Haram.

(B) A description of United States activities to enhance the capacity of Nigeria and countries in the Lake Chad Basin to investigate and prosecute human rights violations perpetrated against the people of Nigeria and the Lake Chad Basin by Boko Haram, al-Qaeda affiliates, and other terrorist organizations, in order to promote respect for rule of law in Nigeria and the Lake Chad Basin.

AMENDMENT NO. 89 OFFERED BY MR. TED LIEU OF CALIFORNIA

At the end of subtitle F of title XII, add the following new section:

SEC. 12___. REPORT ON INTERFERENCE IN LIBYA BY MILITARY AND SECURITY FORCES OF OTHER FOREIGN NATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 2 years, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on the military activities of external actors in Libya, including Russia, Egypt, and the United Arab Emirates.

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

(1) An assessment of military, security, and influence activities by foreign countries in Libya, including—

(A) actions that violate or seek to violate the United Nations arms embargo on Libya imposed pursuant to United Nations Security Council Resolution 1970 (2011);

(B) actions outside the scope of such Resolution that seek to increase the relative strength of either the eastern or western coalition in Libya, including through financing, policy coordination, or political support;

(C) the extent to which the actions described in subparagraph (A) and (B) involve United States-origin equipment and violate contractual conditions of acceptable use of such equipment;

(2) An assessment of whether the actions described in subparagraphs (A) and (B) of paragraph (1) have undermined the United Nations-led and United States-supported negotiations or the objective of political reconciliation and stabilization in Libya.

(3) An assessment of Russian influence in Libya and Egypt, including:

(A) Russian efforts to provide logistical, material or political assistance to Libyan parties, establish a military presence, and expand political influence in Libya, and any facilitation by Egyptian officers or officials for such activities;

(B) whether the presence and activities of Russian personnel and equipment in Libya and Egypt, and Russian requests to establish bases in Egypt, pose or could pose a future challenge to the United States' ability to operate in Egypt, Libya, or the southern Mediterranean broadly, including overflight privileges; and

(C) whether Egypt is facilitating Russian influence and materiel-provision in Libya and the extent to which such facilitation undermines United States policy, involves

United States-origin equipment, and violates contractual conditions of acceptable use of such equipment.

(4) Any other matters the Secretary of Defense and the Secretary of State determine to be relevant.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 90 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

Add at the end of subtitle F of title XII the following:

SEC. 12___. SENSE OF CONGRESS REGARDING BUILDING AN INTERNATIONAL COALITION TO COUNTER HYBRID THREATS.

It is the sense of Congress that—

(1) the United States is stronger and more effective when we work with our partners and allies abroad;

(2) the United States should lead an international effort of like-minded democracies to build awareness of and resilience to the Kremlin's malign influence operations.

AMENDMENT NO. 91 OFFERED BY MR. CASTRO OF TEXAS

At the appropriate place in title XII, insert the following new section:

SEC. 12___. MODIFICATION TO ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Paragraph (22) of section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), as most recently amended by section 1261 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1688), is further amended by striking ''activities in the South China Sea'' and inserting the following: ''activities—

''(A) in the South China Sea;

''(B) in the East China Sea, including in the vicinity of the Senkaku islands; and

''(C) in the Indian Ocean region.''.

AMENDMENT NO. 92 OFFERED BY MR. SCHNEIDER OF ILLINOIS

In section 1685, add at the end the following: ''Not later than 60 days after the submission of the National Intelligence Estimate required under this section, the Secretary of Defense shall report to Congress on efforts of the Department of Defense to deter such interference. Such report shall describe and assess any actions taken by the Department, including cooperation with other Federal agencies and other countries to deter such interference.''.

AMENDMENT NO. 93 OFFERED BY MR. PEARCE OF NEW MEXICO

At the end of subtitle A of title XVI, add the following new section:

SEC. 16___. INDEPENDENT STUDY ON SPACE LAUNCH LOCATIONS.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on space launch locations, including with respect to the development and capacity of existing and new locations, and the vulnerabilities of the use of existing coastal locations and new locations. The study shall, at a minimum—

(1) identify how additional locations affect the capability of the Department of Defense to rapidly reconstitute and improve resilience for defense satellite system launches;

(2) identify the capacities and vulnerabilities of current and new space launch locations, in light of the rapid increase in using commercial space services to support national security space missions and military requirements;

(3) identify partnerships within State government-owned and -operated spaceports that should be developed to increase launch capacities and enhance the space resiliency of the United States;

(4) provide recommendations on strategic placement for future space launch sites to mitigate vulnerabilities presented by coastal launch sites; and

(5) identify costs associated with additional locations and whether such costs should be borne by the Department of Defense, State governments, or private entities.

(b) SELECTION.—The Secretary may not enter into the contract under subsection (a) with a federally funded research and development center for which the Air Force Space Command or the Launch Centers of the National Aeronautical and Space Administration is a sponsor.

(c) SUBMISSION TO DOD.—Not later than 240 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the Secretary a report containing the study conducted under subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the report under subsection (a), without change.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives.

(3) The Committee on Commerce, Science, and Transportation of the Senate.

AMENDMENT NO. 94 OFFERED BY MR. SOTO OF FLORIDA

At the end of subtitle C of title XVI, add the following new section:

SEC. 16___. INCLUSION OF COMPUTER PROGRAMMING AND CYBERSECURITY IN CURRICULUM OF JUNIOR RESERVE OFFICERS' TRAINING CORPS.

Section 2031(c) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

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

''(4) subject to the authority, direction, and control of the Secretary of Defense, determine the curriculum of the program, which shall include, at minimum, instruction in the subjects of cybersecurity and computer programming.''.

AMENDMENT NO. 95 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle C of title XVI, add the following new section:

SEC. 16___. DEPARTMENT OF DEFENSE CYBER SCHOLARSHIP PROGRAM SCHOLARSHIPS AND GRANTS.

(a) ADDITIONAL CONSIDERATIONS.—Section 2200c of title 10, United States Code, is amended—

(1) by inserting before ''In the selection'' the following:

''(a) CENTERS OF ACADEMIC EXCELLENCE IN CYBER EDUCATION.—''; and

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

''(b) CERTAIN INSTITUTIONS OF HIGHER EDUCATION.—In the selection of a recipient for the award of a scholarship or grant under this chapter, consideration shall be given to whether—

''(1) in the case of a scholarship, the institution of higher education at which the recipient pursues a degree is an institution described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)); and

''(2) in the case of a grant, the recipient is an institution described in such section.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 2200c of title 10, United States Code, is amended to read as follows:

''§ 2200c. Special considerations in awarding scholarships and grants''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 112 of title 10, United States Code, is amended by striking the item relating to section 2200c and inserting the following new item:

''2200c. Special considerations in awarding scholarships and grants.''.

AMENDMENT NO. 96 OFFERED BY MRS. COMSTOCK OF VIRGINIA

At the end of subtitle C of title XVI, add the following:

SEC. 16___. REPORT ON TRANSITION OF SHARKSEER PROGRAM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that assesses the transition of base operations of the SharkSeer program to the Defense Information Systems Agency, including with respect to staffing, acquisition, contracts, sensor management, and the ability to conduct cyber threat analyses and advanced malware. The report shall include a spending roadmap and areas that need increased funding.

AMENDMENT NO. 97 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle C of title XVI, add the following new section:

SEC. 16___. REPORT ON CYBERSECURITY APPRENTICE PROGRAM.

Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of establishing a Cybersecurity Apprentice Program to support on-the-job training for certain cybersecurity positions and facilitate the acquisition of cybersecurity certifications.

AMENDMENT NO. 98 OFFERED BY MR. THOMPSON OF CALIFORNIA

Page 877, insert after line 9 the following new section (and redesignate the succeeding provisions accordingly):

SEC. 2822. ENVIRONMENTAL RESTORATION AND FUTURE CONVEYANCE OF PORTION OF FORMER MARE ISLAND FIRING RANGE, VALLEJO, CALIFORNIA.

(a) RESTORATION REQUIRED AS RESULT OF PREVIOUS REMEDIATION.—As soon as practicable, the Secretary of the Navy shall take such steps as may be required to fill in depressions in the Mare Island property which resulted from environmental remediation carried out by the Department of the Navy prior to the date of the enactment of this section.

(b) MITIGATION OF WETLANDS.—

(1) METHOD OF MITIGATION.—If the refilling of wetlands on the Mare Island property requires mitigation, the Secretary of the Navy shall conduct such mitigation in accordance with relevant Federal, State and local environmental laws.

(2) COORDINATION OVER CERTAIN PORTION OF PROPERTY.—To the extent that the refilling

of wetlands on the Mare Island property requires mitigation on any portion of such property which is subject to a reversionary interest of the State of California, the Secretary shall coordinate with the California State Lands Commission to determine how to best meet the regulatory requirements applicable to the mitigation of such wetlands.

(c) REPORT ON COMPLIANCE AND FUTURE CONVEYANCE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report describing the process by which the Secretary plans to meet the requirements of subsections (a) and (b), as well as a proposal by the Secretary to convey the Mare Island property (or some portion thereof) to the State of California or units of local government in the State of California.

(d) DEFINITION.—In this section, the ''Mare Island property'' is the parcel of real property consisting of approximately 48 acres located within the former Mare Island Naval Shipyard which was formerly used as a firing range by the Department of the Navy.

AMENDMENT NO. 99 OFFERED BY MR. KINZINGER OF ILLINOIS

Page 882, insert after line 22 the following new section (and redesignate the succeeding provisions accordingly):

SEC. 2823. MODIFICATION OF CONDITIONS ON LAND CONVEYANCE, JOLIET ARMY AMMUNITION PLANT, ILLINOIS.

Section 2922(c) of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 605), as amended by section 2842 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 863) and section 2838 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3710), is amended—

(1) by striking ''(1) The conveyance'' and inserting ''The conveyance''; and

(2) by striking paragraph (2).

AMENDMENT NO. 100 OFFERED BY MR. CULBERSON OF TEXAS

Page 937, insert after line 12 the following new section:

SEC. 2845. BATTLESHIP PRESERVATION GRANT PROGRAM.

(a) ESTABLISHMENT.—There is hereby established within the Department of the Interior a grant program for the preservation of our nation's most historic battleships.

(b) USE OF GRANTS.—Amounts received through grants under this section shall be used for the preservation of our nation's most historic battleships in a manner that is self-sustaining and has an educational component.

(c) CRITERIA FOR ELIGIBILITY.—To be eligible for a grant under this section, an entity shall—

(1) submit an application under procedures prescribed by the Secretary;

(2) match the amount of the grant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the grant;

(B) the total cost of the project for which the grant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds; and

(4) provide access to the Secretary for the purposes of any required audit and examination of any books, documents, papers, and records of the entity.

(d) MOST HISTORIC BATTLESHIP DEFINED.—In this section, the term ''most historic battleship'' means a battleship that is—

(1) between 75 and 115 years old;

(2) listed on the National Register of Historic Places; and

(3) located within the State for which it was named.

(e) SAVINGS PROVISION.—The authorities contained in this section shall be in addition to, and shall not be construed to supercede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470–470x-6).

(f) PRIVATE PROPERTY PROTECTION.—

(1) IN GENERAL.—No Federal funds made available to carry out this section may be used to acquire any real property, or any interest in any real property, without the written consent of the owner (or owners) of that property or interest in property.

(2) NO DESIGNATION.—The authority granted by this section shall not constitute a Federal designation or have any effect on private property ownership.

(g) SUNSET.—The authority to make grants under this section expires on September 30, 2025.

AMENDMENT NO. 101 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of subtitle C of title XXXI, add the following:

SEC. ___. SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War.

AMENDMENT NO. 102 OFFERED BY MR. TIPTON OF COLORADO

After section 3401, insert the following:

SECTION 3402. EXCLUSION OF CERTAIN PAYMENTS FROM CALCULATION FOR FISCAL YEAR 2019 PILT PAYMENTS.

(a) DEFINITIONS.—In this section:

(1) COVERED PAYMENT.—The term ''covered payment'' means a payment to a unit of general local government for fiscal year 2018 from amounts deposited in the Treasury during the period of time beginning on November 18, 1997, and ending on August 7, 2008, from a lease issued under section 7439(b)(1) of title 10, United States Code, and distributed to the unit of general local government in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(2) PAYMENT LAW.—The term ''payment law'' has the meaning given the term in section 6903(a)(1) of title 31, United States Code.

(3) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ''unit of general local government'' has the meaning given the term in section 6901 of title 31, United States Code.

(b) CALCULATION OF PILT PAYMENT AMOUNT.—Notwithstanding any other provision of law, in calculating the amount of a payment to be made to a unit of general local government for fiscal year 2019 under chapter 69 of title 31, United States Code, the Secretary of the Interior shall not consider a covered payment to be an amount received by the unit of general local government in the prior fiscal year under a payment law for purposes of section 6903(b)(1)(A) of that title.

AMENDMENT NO. 103 OFFERED BY MR. PEARCE OF NEW MEXICO

At the appropriate place in the bill, insert the following new section:

SEC. ___. MODIFICATION OF BOUNDARIES OF WHITE SANDS NATIONAL MONUMENT AND WHITE SANDS MISSILE RANGE.

(a) DEFINITIONS.—In this section:

(1) MISSILE RANGE.—The term ''missile range'' means the White Sands Missile Range, New Mexico, administered by the Secretary of the Army.

(2) MONUMENT.—The term ''monument'' means the White Sands National Monument, New Mexico, established by Presidential Proclamation No. 2025 (16 U.S.C. 431 note), dated January 18, 1933, and administered by the Secretary.

(3) PUBLIC LAND ORDER.—The term ''Public Land Order'' means Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) MILITARY MUNITIONS.—The term ''military munitions'' has the meaning given the term in section 101(e)(4) of title 10, United States Code.

(6) MUNITIONS DEBRIS.—The term ''munitions debris'' means remnants of military munitions remaining after munitions use, demilitarization, or disposal.

(b) TRANSFERS OF ADMINISTRATIVE JURISDICTION.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE SECRETARY.—

(A) IN GENERAL.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary of the Army to the Secretary.

(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) is the land generally depicted as ''Transfer DOA to NPS (National Park Service)'' on the map titled ''White Sands National Monument (WHSA) & White Sands Missile Range (WSMR) New Proposed White Sands National Monument Boundary'', created April 20, 2018, comprising—

(i) approximately 2,826 acres of land within the monument that is under the jurisdiction of the Secretary of the Army; and

(ii) approximately 5,766 acres of land within the missile range that is abutting the monument.

(2) TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE SECRETARY OF THE ARMY.—

(A) IN GENERAL.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary to the Secretary of the Army.

(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) is the approximately 3,737 acres of land within the monument abutting the missile range, as generally depicted on the map described in paragraph (1)(B) as ''Transfer NPS to DOA (Department of the Army)''.

(c) BOUNDARY MODIFICATIONS.—

(1) MONUMENT.—

(A) IN GENERAL.—Following transfers in subsection (b), the boundary of the monument is modified as generally depicted as ''New Proposed WHSA Boundary'' on the map described in subsection (b)(1)(B).

(B) MAP.—

(i) IN GENERAL.—The Secretary, in coordination with the Secretary of the Army, shall prepare and keep on file for public inspection a map and legal description depicting the revised boundary of the monument.

(ii) EFFECT.—The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the legal description and map.

(2) MISSILE RANGE.—The Public Land Order is modified to exclude the land transferred to the Secretary under subsection (b)(1) and to include the land transferred to the Secretary of the Army under subsection (b)(1).

(3) CONFORMING AMENDMENT.—Section 2854 of Public Law 104–201 (54 U.S.C. 320301 note) is repealed.

(d) ADMINISTRATION.—

(1) MONUMENT.—The Secretary shall administer the land transferred under subsection (b)(1) in accordance with laws (including regulations) applicable to the monument.

(2) MISSILE RANGE.—Subject to paragraph (3), the Secretary of the Army shall administer the land transferred to the Secretary of the Army under subsection (b)(2) as part of the missile range.

(3) FENCE.—

(A) IN GENERAL.—The Secretary of the Army shall continue to allow the Secretary to maintain the fence shown on the map described in subsection (b)(1)(B) until such time as the Secretary determines that the fence is unnecessary for the management of the monument.

(B) REMOVAL.—If the Secretary determines that the fence is unnecessary for the management of the monument under subparagraph (A), the Secretary shall promptly remove the fence at the expense of the Department of the Interior.

(4) MILITARY MUNITIONS AND MUNITIONS DEBRIS.—

(A) RESPONSE ACTION.—With respect to any Federal liability, the Secretary of the Army shall remain responsible for any response action addressing military munitions or munitions debris on the land transferred under subsection (b)(1) to the same extent as on the day before the date of enactment of this Act.

(B) ACCESS.—At the request of the Secretary and subject to available appropriations, the Secretary of the Army shall have access to the land transferred under subsection (b)(1) for the purposes of conducting investigations of military munitions or munitions debris on the transferred land.

(C) APPLICABLE LAW.—Any activities undertaken under this subsection shall be carried out in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

The Acting CHAIR. Pursuant to House Resolution 905, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I have no speakers for this en bloc package. I urge its adoption, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I, too, urge adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

Mr. THORNBERRY. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KUSTOFF of Tennessee) having assumed the chair, Mr. JOHNSON of Louisiana, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

NATIONAL MARITIME DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I thank you for the opportunity to take a few minutes here on the floor to discuss, really, something that follows along from the last couple of hours where we have been discussing national defense issues.

The $708 billion that is going to be spent in the National Defense Authorization Act by the Department of Defense is extremely important, and there are many parts of that National Defense Authorization Act that are worthy of discussion.

One thing that was not discussed here on the floor but was taken up in committee over the last several hearings was the ability of the military to actually be able to deliver materiel, supplies, in the case of a major conflict. Do we have the ability to deliver the follow-on equipment necessary should a major conflict break out somewhere in the world?

The answer is, no, we don't. And the reason is that the American maritime industry has dwindled over the last several decades.

In the 1980s, we had about 240 American-built and American flagships with mariners, captains, engineers and seamen and -women on those ships capable of providing the necessary support for the military sealift command. Today, we have about 80 American-flagged ships with American seamen on those ships.

□ 2000

The mariners are in short supply. TRANSCOM, responsible for moving the personnel as well as the equipment that the military needs somewhere in the world, estimates—as well as the MARAD indicate that we are some 1,800 mariners short of the minimum necessary to man and personnel the ships to move the equipment somewhere in the world.

This is a major national defense issue not really taken up and discussed in the NDAA.

So what are we going to do about it? Can our shipyards actually produce the necessary ships for the American military? The answer is: not now, but they need to.

In the National Defense Authorization Act, there is a section that calls for the construction of the ships—actually, construction by foreign shipyards.

It seems strange that we would find what was once one of the great maritime nations, the United States, in such a quandary that we do not have the personnel or the ships to be able to move our national defense.

There is something we can do about this, and it is not directly in the area of the Department of Defense, although it is tangential and, therefore, important to our national defense.

It seems that over the last decade we have become an energy-producing Nation. With the fracking and other techniques, we are now actually an exporter of oil and natural gas. This is part of the energy revolution that is taking place in the United States.

That oil and natural gas is a strategic national asset, as is the United States Department of Defense—the Navy, the Army, the Air Force, the Marines, and the Coast Guard.

If we are to maintain our ability to defend this Nation and to conduct military operations anywhere in the world, we have to have a strong maritime industry.

If we consider for a moment the combination of that strategic necessity of the maritime industry, the strategic benefit that comes from the production of natural gas and oil, and the economic value of exporting natural gas and oil, we can come to what we call a solution.

The solution is to take a very small percentage of the production or the export of natural gas, LNG, and oil and require that it be exported, transported, on American-built ships, American flagged, with American mariners.

We call this the Energizing American Shipbuilding Act. It was introduced yesterday, and we announced it in a press conference earlier today.

Joining me at that press conference was Senator ROGER WICKER, who will be carrying the bill on the Senate side; the chairman of the Subcommittee on Coast Guard and Maritime Transportation of the House Committee on Transportation and Infrastructure, DUNCAN HUNTER; a member of the Committee on Armed Services, DONALD NORCROSS; and a member of the Committee on Transportation and Infrastructure's Subcommittee on Coast Guard and Maritime Transportation, ALAN LOWENTHAL; together with members of the industry: the Shipbuilders Council, VT Halter Marine out of Mississippi, the representatives of the maritime unions that work on the ships and unions that work in the shipyards.

We are prepared to move this bill. Let me tell you what it will do if we are successful in passing the Energizing American Shipbuilding Act.

What we will do and what America will do is build ships once again. It is anticipated that, if we start with 1 percent of the LNG that is exported, over the next 15 to 20 years we will build some 23 LNG ships. If we ramp that up to a full 15 percent, we will be building those LNG carriers.

Similarly, if we begin at a very small percentage of the oil that is exported, we will build another 30 LNG tankers.

In the course of some 15 to 20 years, we will be able to build some 50 ships in American shipyards, providing thousands of jobs not only in the shipyards but in the supply of engines, pumps, pipes, electronic equipment, and fittings of all kinds.

And, of course, the steel industry that would be providing the steel for

these ships would also be playing a major part.

Now, do keep in mind that this is a very, very small part of the total number of LNG vessels that are going to be needed. It is anticipated that just to supply the necessary transport for American LNG some 225 LNG vessels would be built. We would be looking at a very small percentage of those that would be built here in the United States. Nonetheless, that would represent a major part and a major opportunity for the American shipbuilding industry.

Similarly, for the export of oil, that would similarly build ships here throughout the shipyards of the United States. Exactly how many? Well, we will have to figure that out as it goes on. If we really ramp up the amount of oil and natural gas that we export, perhaps we will build more than 50.

But it also means that the mariners will be able to work on these ships. As they work on these particular ships, the LNG and the oil tankers will be developing the skills necessary to transfer over to provide the personnel necessary for the military on the cargo ships, the roll-on and roll-offs, as well as the oil tankers that the military will need as it transports the personnel and the equipment around the world.

So this is what we are trying to do. We are trying to energize the American shipbuilding industry by requiring that a small percentage of the LNG that will be exported from the United States and the oil that will be exported will be on American-built ships with American mariners. That is our goal.

I believe that we will be able to accomplish this in the days ahead, as we move this thing through the process and get it under way. We have very strong, bipartisan support, both Democrats and Republicans supporting the bill.

We also have very strong bicameral support, with the bill being introduced in the Senate by Senator ROGER WICKER and here in the House by myself and by Chairman DUNCAN HUNTER.

So I bring this to the attention of the Congress and the American public, that it is our goal to make it in America, that there is a better deal for America if we pass a law that requires that this strategic national asset, oil and natural gas, be on an equally strategic important asset, American ships, and that those ships be manned by American sailors and officers. That is our goal.

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

RECESS

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

Accordingly (at 8 o'clock and 9 minutes p.m.), the House stood in recess.

□ 2326

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 11 o'clock and 26 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5515, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 25, 2018, THROUGH JUNE 4, 2018

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 115–702) on the resolution (H. Res. 908) providing for further consideration of the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and providing for proceedings during the period from May 25, 2018, through June 4, 2018, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STIVERS (at the request of Mr. MCCARTHY) for today and the balance of the week on account of his service with the Ohio Army National Guard.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 21, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 3562. To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes.

H.R. 4009. To authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a central parking facility on National Zoological Park property in the District of Columbia.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 23, 2018, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2018, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, THOMAS ANDREWS, EXPENDED BETWEEN APR. 3 AND APR. 8, 2018

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Thomas Andrews	4/3	4/6	Australia		1,538.00		[3]				1,538.00
	4/7	4/8	New Zealand		431.00		[3]				431.00
Committee total					1,969.00						1,969.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

MR. THOMAS ANDREWS, May 15, 2018.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2018 *

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Eliot Engel	2/17	2/19	Kosovo		298.10		12,829.71		* 2,807.08		15,934.89
	2/19	2/20	Austria		158.32				* 469.73		628.05
Jason Steinbaum	2/17	2/19	Kosovo		298.10		6,660.11				6,958.21
	2/19	2/20	Austria		158.32						158.32
Committee total					912.84		19,489.82		* 3,276.81		23,679.47

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
* Indicates delegation costs.

HON. EDWARD R. ROYCE, Chairman, May 14, 2018.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4962. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — VSTA Records and Reports Specific to International Standards for Pharmacovigilance [Docket No.: APIS-2014-0063] (RIN: 0579-AE11) received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4963. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Pennsylvania: Catharine, Township of, Blair County, et al.) [Docket ID: FEMA-2018-0002] [Internal Agency Docket No.: FEMA-8527] received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4964. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clopyralid; Pesticide Tolerances [EPA-HQ-OPP-2017-0035; FRL-9977-13] received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4965. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; California Mobile Source Regulations [EPA-R09-OAR-2017-0620; FRL-9978-19-Region 9] received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4966. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Jersey; Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 Nitrogen Dioxide, 2010 Sulfur Dioxide, 2011 Carbon Monoxide, 2006 PM10, 2012 PM2.5, 1997 Ozone, and the 1997 and 2006 PM2.5 National Ambient Air Quality Standards [EPA-R02-OAR-2016-0625; FRL-9978-24-Region 2] received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4967. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Regional Haze Progress Report [EPA-R10-OAR-2017-0482; FRL-9978-16-OAR] received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4968. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Hematology and Pathology Devices; Classification of Blood Establishment Computer Software and Accessories [Docket No.: FDA-2016-N-0406] received May 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4969. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Report to Congress on the Extension of Jackson-Vanik Waiver Authority for Turkmenistan, pursuant to 19 U.S.C. 2432(d)(1); Public Law 93-618, Sec. 402(d)(1); (88 Stat. 2056) and 19 U.S.C. 2439(b); Public Law 93-618, Sec. 409(b); (88 Stat. 2064); to the Committee on Ways and Means.

4970. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Department of the Treasury Acquisition Regulations; Tax Check Requirements received May 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 5682. A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes; with an amendment (Rept. 115–699). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4689. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska (Rept. 115–700). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 113. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 115–701). Referred to the House Calendar.

Mr. BYRNE: Committee on Rules. H. Res. 908. A resolution providing for further consideration of the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and providing for proceedings during the period from May 25, 2018, through June 4, 2018 (Rept. 115–702). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Missouri (for himself, Mr. BLUM, Mrs. HANDEL, Ms. TENNEY, Mr. MAST, Mr. BARR, Mrs. LOVE, Mr. HURD, Mr. TAYLOR, Mr. VALADAO, Mr. BUDD, Mr. BISHOP of Michigan, and Mr. CURBELO of Florida):

H.R. 5903. A bill to amend the Internal Revenue Code of 1986 to make permanent certain changes made by Public Law 115-97 to the child tax credit; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. CICILLINE, Mr. GOODLATTE, Mr. NADLER, Mr. MARINO, and Mrs. HANDEL):

H.R. 5904. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. WEBER of Texas (for himself, Ms. LOFGREN, Mr. SMITH of Texas, Mr. LUCAS, Mr. KNIGHT, Mr. HULTGREN, Mr. DUNN, Mr. NORMAN, Mr. BABIN, Mr. MARSHALL, Mr. HIGGINS of Louisiana, and Mrs. LESKO):

H.R. 5905. A bill to authorize basic research programs in the Department of Energy Office of Science for fiscal years 2018 and 2019; to the Committee on Science, Space, and Technology.

By Mr. LUCAS (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. WEBER of Texas, Mr. KNIGHT, Mr. DUNN, Mr. NORMAN, Mr. BABIN, Mr. HIGGINS of Louisiana, and Mrs. LESKO):

H.R. 5906. A bill to amend the America COMPETES Act to establish Department of Energy policy for Advanced Research Projects Agency-Energy, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HULTGREN (for himself, Mr. PERLMUTTER, Mr. SMITH of Texas, Mr. LUCAS, Mr. WEBER of Texas, Mr. KNIGHT, Mr. DUNN, Mr. NORMAN, Mr. BABIN, Mr. HIGGINS of Louisiana, Mrs. LESKO, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 5907. A bill to provide directors of the National Laboratories signature authority for certain agreements, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. JUDY CHU of California (for herself, Mr. SCOTT of Virginia, Ms.

LOFGREN, Ms. ROYBAL-ALLARD, Mr. ESPAILLAT, Mr. CICILLINE, and Ms. NORTON):

H.R. 5908. A bill to protect victims of crime or serious labor violations from removal during Department of Homeland Security enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Ms. DELAURO:

H.R. 5909. A bill to enhance reciprocal market access for United States domestic producers in the negotiating process of bilateral, regional, and multilateral trade agreements; to the Committee on Ways and Means.

By Mrs. DEMINGS (for herself, Mr. TED LIEU of California, and Ms. STEFANIK):

H.R. 5910. A bill to strengthen the United States response to Russian interference, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Intelligence (Permanent Select), Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Mr. GRIJALVA, Mr. GALLEGO, Mr. LOWENTHAL, and Mr. MCEACHIN):

H.R. 5911. A bill to amend Public Law 115-97 (commonly known as the Tax Cuts and Jobs Act) to repeal the Arctic National Wildlife Refuge oil and gas program, and for other purposes; to the Committee on Natural Resources.

By Mr. LANGEVIN (for himself, Ms. DEGETTE, Mr. YOUNG of Alaska, and Mr. STIVERS):

H.R. 5912. A bill to amend title XIX of the Social Security Act to delay the reduction in Federal medical assistance percentage for Medicaid personal care services and home health services furnished without an electronic visit verification system, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MACARTHUR (for himself and Mr. FITZPATRICK):

H.R. 5913. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the state and local tax deduction for married individuals, and for other purposes; to the Committee on Ways and Means.

By Mr. MEADOWS:

H.R. 5914. A bill to require a study and report on policy and regulatory changes that may have contributed to the opioid epidemic; to the Committee on Energy and Commerce.

By Mr. MITCHELL:

H.R. 5915. A bill to amend the TRIO programs to require priority to be given to homeless children and youth, and students in foster care; to the Committee on Education and the Workforce.

By Mr. REED:

H.R. 5916. A bill to amend the Internal Revenue Code of 1986 to impose a tax on institutions of higher education that fail to use 33 percent of the growth in endowment value for grants for working-family students each year, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD:

H.R. 5917. A bill to authorize the Secretary of Health and Human Services to award grants for career support for skilled, internationally educated health professionals, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SHEA-PORTER (for herself, Mr. LOBIONDO, Mr. NORCROSS, Mr. WALZ, and Mr. JONES):

H.R. 5918. A bill to direct the Secretary of Defense to carry out a program on service dog training for members of the Armed Forces with post-traumatic stress disorder or other post-deployment mental health conditions; to the Committee on Armed Services.

By Ms. SHEA-PORTER:

H.R. 5919. A bill to establish the position of Senior Anticorruption Officer at the Department of State, the United States Agency for International Development, and the Department of Defense, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 5920. A bill to direct the Secretary of Veterans Affairs and the Secretary of Defense to submit to Congress an annual report on open burn pits, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER (for herself and Mr. FITZPATRICK):

H.R. 5921. A bill to direct the Secretary of Veterans Affairs to establish a registry to ensure that members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances on military installations receive information regarding such exposure, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself and Mr. RYAN of Ohio):

H.R. 5922. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to increase access to hepatitis C testing for Vietnam-era veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WESTERMAN:

H.R. 5923. A bill to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. ZELDIN (for himself, Mr. GOSAR, Mr. GAETZ, Mr. PERRY, Mr. DESANTIS, Mr. MOONEY of West Virginia, Mr. DESJARLAIS, Ms. TENNEY, Mr. MEADOWS, Mr. JODY B. HICE of Georgia, Mr. GOHMERT, Mr. ROTHFUS, Mr. JORDAN, Mr. BUDD, Mr. ROUZER, Mr. YOHO, Mr. BRAT, Mr. ROKITA, Mr. BIGGS, Mr. POE of Texas, Mr. WILLIAMS, Mr. DUNCAN of South Carolina, Mr. GIBBS, Mrs. BLACK, and Mr. ISSA):

H. Res. 907. A resolution expressing the sense of Congress that the Attorney General of the United States should appoint a Special Counsel to investigate misconduct at the Department of Justice and Federal Bureau of Investigation, including an investigation of abuse of the FISA warrant process, how and why the Hillary Clinton probe ended, and how and why the Donald Trump-Russia probe began; to the Committee on the Judiciary.

By Mr. JOYCE of Ohio (for himself, Ms. SPEIER, Mr. DONOVAN, Ms. KUSTER of New Hampshire, Mrs. MIMI WALTERS of California, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. WASSERMAN SCHULTZ):

H. Res. 909. A resolution expressing the sense of the House of Representatives regarding the need for State legislatures to pass comprehensive sexual assault kit reforms by 2020; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Missouri:

H.R. 5903.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. CHABOT:

H.R. 5904.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (''The Congress shall have power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'')

By Mr. WEBER of Texas:

H.R. 5905.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LUCAS:

H.R. 5906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HULTGREN:

H.R. 5907.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. JUDY CHU of California:

H.R. 5908.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section XIII of the Constitution

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States;

By Ms. DELAURO:

H.R. 5909.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. DEMINGS:

H.R. 5910.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. HUFFMAN:
H.R. 5911.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States
By Mr. LANGEVIN:
H.R. 5912.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. MACARTHUR:
H.R. 5913.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. MEADOWS:
H.R. 5914.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18
By Mr. MITCHELL:
H.R. 5915.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.
By Mr. REED:
H.R. 5916.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution of the United States of America
By Ms. ROYBAL-ALLARD:
H.R. 5917.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
By Ms. SHEA-PORTER:
H.R. 5918.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Ms. SHEA-PORTER:
H.R. 5919.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Ms. SHEA-PORTER:
H.R. 5920.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8
By Ms. SHEA-PORTER:
H.R. 5921.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 8
By Ms. STEFANIK:
H.R. 5922.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.
By Mr. WESTERMAN:
H.R. 5923.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 233: Ms. DELAURO and Mr. SCHIFF.
H.R. 237: Miss GONZÁLEZ-COLÓN of Puerto Rico and Mrs. DINGELL.
H.R. 350: Mr. BIGGS.
H.R. 365: Ms. CLARKE of New York.
H.R. 449: Mr. BOST and Mr. WALDEN.
H.R. 545: Mr. POLIQUIN.
H.R. 737: Ms. ADAMS.
H.R. 750: Mr. COLLINS of New York.
H.R. 959: Mr. O'ROURKE.
H.R. 1054: Ms. MCCOLLUM.
H.R. 1144: Mr. RUSH.
H.R. 1163: Mr. KIND.
H.R. 1171: Mr. TIPTON and Ms. NORTON.
H.R. 1320: Mr. GENE GREEN of Texas.
H.R. 1374: Ms. DELAURO, Mr. DESAULNIER, Mr. BRADY of Pennsylvania, Mr. HUFFMAN, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. TAKANO, and Ms. WILSON of Florida.
H.R. 1409: Mr. POLIQUIN and Miss RICE of New York.
H.R. 1421: Mr. KHANNA.
H.R. 1444: Mr. FRANCIS ROONEY of Florida.
H.R. 1447: Ms. ESTY of Connecticut and Mr. POCAN.
H.R. 1553: Mrs. DINGELL.
H.R. 1584: Ms. JAYAPAL.
H.R. 1676: Mr. STEWART.
H.R. 1710: Mr. PERLMUTTER and Ms. KUSTER of New Hampshire.
H.R. 1784: Ms. JAYAPAL.
H.R. 1818: Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Georgia, Mr. NOLAN, Mr. GALLEGO, Ms. BLUNT ROCHESTER, Mr. GRIJALVA, and Mr. FRANCIS ROONEY of Florida.
H.R. 2101: Mr. MOONEY of West Virginia.
H.R. 2358: Mr. KIND, Mr. CROWLEY, Ms. MATSUI, and Mr. GARAMENDI.
H.R. 2401: Mr. GOTTHEIMER and Mr. GALLEGO.
H.R. 2587: Mr. RUPPERSBERGER.
H.R. 2598: Mrs. MURPHY of Florida and Mr. LYNCH.
H.R. 2687: Mr. O'ROURKE.
H.R. 2946: Ms. STEFANIK.
H.R. 2969: Ms. KUSTER of New Hampshire.
H.R. 3010: Mr. KHANNA.
H.R. 3026: Mr. WELCH.
H.R. 3174: Ms. KUSTER of New Hampshire.
H.R. 3378: Mr. FASO and Mr. AGUILAR.
H.R. 3395: Mr. KING of New York and Ms. KUSTER of New Hampshire.
H.R. 3530: Mr. LEWIS of Minnesota and Mr. HOLDING.
H.R. 3867: Mr. LANCE and Mr. ROUZER.
H.R. 3918: Mr. KEATING.
H.R. 3984: Mr. MEEKS.
H.R. 4022: Mr. PANETTA, Mr. TONKO, and Mr. CARSON of Indiana.
H.R. 4143: Mr. ROUZER and Ms. MOORE.
H.R. 4186: Mr. MEEKS.
H.R. 4284: Mr. WALDEN.
H.R. 4379: Ms. ROSEN.
H.R. 4420: Mr. CARTWRIGHT.
H.R. 4483: Mr. WILLIAMS.
H.R. 4729: Ms. ESTY of Connecticut.
H.R. 4732: Ms. KUSTER of New Hampshire, Mrs. MURPHY of Florida, and Mr. FERGUSON.
H.R. 4819: Ms. TITUS, Ms. FRANKEL of Florida, Mr. POLIQUIN, Mr. TED LIEU of California, Mr. KEATING, and Mr. RUTHERFORD.
H.R. 4912: Mrs. DAVIS of California.
H.R. 4967: Mr. GALLEGO.
H.R. 4973: Mr. KHANNA and Mr. POLIQUIN.
H.R. 5009: Mr. WALDEN.
H.R. 5034: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SHERMAN, Mrs. DEMINGS, and Mr. BRADY of Pennsylvania.
H.R. 5041: Mr. WALDEN and Mr. STEWART.
H.R. 5102: Mr. PALLONE and Mr. WALDEN.
H.R. 5167: Mr. MEADOWS.
H.R. 5187: Mr. DEUTCH.
H.R. 5197: Mr. FITZPATRICK.
H.R. 5202: Mr. WALDEN.
H.R. 5226: Mrs. DEMINGS.
H.R. 5227: Mr. MCCAUL.
H.R. 5233: Mr. RUSSELL and Ms. BASS.
H.R. 5306: Miss RICE of New York.
H.R. 5327: Mr. WALDEN.
H.R. 5357: Mr. CICILLINE.
H.R. 5385: Mr. CARTER of Georgia, Mr. GIBBS, Mrs. DINGELL, Mrs. BLACKBURN, Mr. TURNER, and Mr. ENGEL.
H.R. 5402: Ms. ROSEN.
H.R. 5414: Ms. NORTON, Mr. KHANNA, and Ms. BONAMICI.
H.R. 5427: Mr. MACARTHUR.
H.R. 5431: Mrs. DEMINGS.
H.R. 5454: Mrs. BEATTY and Mr. THOMPSON of Mississippi.
H.R. 5457: Mr. KHANNA.
H.R. 5476: Mr. LARSON of Connecticut and Mr. VARGAS.
H.R. 5485: Ms. BONAMICI, Mr. BEN RAY LUJÁN of New Mexico, Mr. GROTHMAN, Mr. WELCH, and Ms. GABBARD.
H.R. 5516: Ms. KUSTER of New Hampshire.
H.R. 5588: Mr. DESAULNIER and Mr. PANETTA.
H.R. 5610: Mr. HUNTER.
H.R. 5613: Ms. JENKINS of Kansas.
H.R. 5647: Mr. GOSAR.
H.R. 5653: Mr. SAM JOHNSON of Texas.
H.R. 5689: Mr. JODY B. HICE of Georgia.
H.R. 5701: Mr. NOLAN.
H.R. 5713: Mr. GROTHMAN and Mr. ROUZER.
H.R. 5715: Mr. WALDEN and Mrs. COMSTOCK.
H.R. 5716: Mrs. BLACKBURN.
H.R. 5718: Ms. ESTY of Connecticut.
H.R. 5731: Mr. CUELLAR.
H.R. 5747: Mr. WOMACK.
H.R. 5800: Mrs. BLACKBURN.
H.R. 5814: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5849: Mr. CICILLINE and Mr. RASKIN.
H.R. 5888: Mr. THOMPSON of California and Ms. DELBENE.
H.R. 5896: Mr. O'ROURKE.
H. Con. Res. 10: Mr. POLIS.
H. Con. Res. 72: Ms. MATSUI.
H. Con. Res. 119: Mr. DUNCAN of South Carolina, Mr. LATTA, Mr. GIBBS, Mr. WEBER of Texas, and Mr. COLE.
H. Res. 15: Mr. GROTHMAN, Mr. KINZINGER, and Mr. CRAMER.
H. Res. 28: Mr. POLIS.
H. Res. 31: Mr. KINZINGER.
H. Res. 69: Ms. LOFGREN.
H. Res. 274: Mr. JODY B. HICE of Georgia, Mr. NORMAN, Mr. GUTIÉRREZ, and Mr. HIMES.
H. Res. 318: Mr. BIGGS.
H. Res. 785: Mr. RUTHERFORD, Mr. ROUZER, and Mr. MARCHANT.
H. Res. 812: Ms. NORTON.
H. Res. 825: Ms. TSONGAS.
H. Res. 869: Mr. PASCRELL and Mrs. DEMINGS.
H. Res. 871: Mr. WITTMAN, Mr. COLLINS of New York, and Mr. GROTHMAN.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, TUESDAY, MAY 22, 2018 *No. 84*

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Almighty God, our faithful Father and Friend, take and use our lawmakers for Your glory. Fill them with Your wisdom, enabling them to make the tough decisions with complete confidence in Your guidance. Keep their lives unstained by any word or action that is unworthy of their best. Lord, give them clarity and understanding so that their labor will be acceptable to You. May they maintain the fidelity of those to whom much has been given and from whom much will be required.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

VA MISSION BILL

Mr. MCCONNELL. Madam President, today the Senate will begin considering the VA MISSION Act. It marks a major step forward for the VA system and the millions of heroes who rely on it for services.

The bipartisan reform legislation before us builds on the earlier progress of the Veterans Choice Act of 2014 and reaffirms a clear message: Delays at the VA cannot stand between veterans and the medical care they need. The shortcomings of a Federal bureaucracy do not free our Nation from its promises to our All-Volunteer Armed Forces. Veterans deserve prompt, thorough care, period.

In the few short years since the creation of VA Choice, the program has seen important success. More than 2 million veterans have taken the opportunity to see private providers when the VA system couldn't meet their needs. In Kentucky, it helped more than 23,000 veterans in 2017 alone.

Thanks to the leadership of Chairman ISAKSON, this new legislation builds on this significant progress, continues it, and improves it in ways that will help veterans even more.

The VA MISSION Act will clear the path for veterans to receive greater healthcare choices. It will eliminate the wait time and distance requirements that keep veterans out of the driver's seat and empower them, in consultation with their respective physicians, to take charge of their own care. It will help prioritize and speed improvements to existing VA facilities. It will direct $5.2 billion to fund the Veterans Choice Program, and it will establish more streamlined delivery of care through the veterans community care program.

The bill before us passed the House by an overwhelming bipartisan margin. It carries the support of the President and 38 veterans advocacy organizations. It is based on a simple idea: Promises made to those who sacrifice for our freedoms must be promises kept. Let's make good on these promises this week.

AMERICA'S WATER INFRASTRUCTURE ACT

Mr. MCCONNELL. Madam President, on another matter, this morning, the Environment and Public Works Committee is concluding its work on America's Water Infrastructure Act of 2018.

Chairman BARRASSO has led an open, bipartisan process that has generated a strong proposal. It builds on President Trump's infrastructure approach, encouraging local control over local priorities and leveraging Federal resources to ensure that each dollar spent goes to major water infrastructure improvements. It cuts redtape and empowers the U.S. Army Corps of Engineers to break through bureaucratic backlogs.

Thanks to Senator BOOZMAN, it enhances the investments in our Nation's failing drinking water and waste water infrastructure.

My State of Kentucky contains more than 1,900 miles of navigable inland waterways. Our water resources support more than 13,000 jobs in the maritime industry. Paducah, KY, serves as the heart of America's inland waterways system, and Western Kentucky is also home to major water civil works projects like the Olmsted Locks and Dam and Kentucky Lock.

This bipartisan legislation is good news for communities throughout the Commonwealth. One provision, the Freedom to Fish Act, will help safeguard an important part of Kentucky's cultural heritage. Generations of Kentuckians have fished the Cumberland River and the tailwaters of the Barkley and Wolf Creek Dams.

I remember my dad and his friend taking us to fish there at a young age. They were experienced fishermen. The last thing they needed was advice from Federal bureaucrats on where to cast their lines, but, in 2012, in a typical display of Obama administration overreach, the Army Corps threatened to restrict access to these cherished waters. I didn't know anyone in Kentucky who thought it was a good idea. The farmers didn't, the anglers didn't, the area businesses relying on fishing tourism didn't. The Kentucky Department of Fish and Wildlife certainly didn't. So I worked with community leaders like my friend Lyon County

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

judge executive Wade White and my colleagues in the Kentucky and Tennessee congressional delegations to put a stop to this government interference. We introduced legislation to prevent the Army Corps from robbing our fishers and anglers of this beloved pastime and damaging this key component of the local economy. The measure passed with overwhelming support and was signed into law. It has been successful, but its provisions are set to expire soon.

That is why I worked with Chairman BARRASSO, Ranking Member CARPER, and the committee to secure a new 5-year extension of the Freedom to Fish Act in this year's water infrastructure bill. It is just another achievement among the many victories this bill will deliver for communities across the country.

I am grateful to the supporters of this legislation, such as the National League of Cities and the National Rural Water Association, and the bipartisan coalition of Senators who worked to craft it. I look forward to the committee's vote today and to supporting this bill once it reaches the Senate floor.

JOB GROWTH

Mr. MCCONNELL. Now, Madam President, one final matter. This week, survey data showed that more Americans say it is a good time to find a quality job than at any point in the last 17 years.

Let me say that again. More Americans say it is a good time to find a quality job than at any point in the last 17 years.

Under President Obama, this number got as low as 8 percent. It never broke 50 percent during his administration, but today 67 percent of Americans say it is a good time to find a quality job.

Optimism has taken off for all groups since this President was elected and the Republican Congress was sworn in, but the injection of new hope has been felt the most among working-class Americans. This is a major distinction between the economic policies Democrats spent years putting in place and the new approach this Republican government has taken.

For nearly a decade, Democrats followed the standard liberal playbook: tax more, regulate more, and pile up more money and power right here in Washington. They cracked down on American businesses, imposed one new regulation after another, and looked to the Federal Government to pick winners and losers.

It is a familiar, old set of ideas. Here is what it produces: an economy that works very well for a few but leaves many more behind.

The Obama era was just fine for our Nation's biggest coastal cities. Roughly, three-quarters of all the new jobs created between 2010 and 2016 poured into the country's largest metropolitan areas, but outside of these places, taxes and regulations created an anti-business climate that hurt American manufacturing, American coal communities, and small- and medium-sized businesses throughout our country.

So Republicans charted a new course. We understand that middle-class families know how to spend their own money better than the government; that American workers thrive when American job creators are expanding, hiring, and raising wages. We passed once-in-a-generation tax relief for American families and small businesses and are working at every turn to roll back runaway regulations. The result is an economic comeback that is reaching all kinds of communities, not just a favored few.

A record-high percentage of American manufacturers have said they have a positive economic outlook for their enterprises. Rural communities outpaced everywhere else in relative job creation last year. The total amount spent on employee compensation grew faster in 2017 than in any calendar year under President Obama.

This is what happens when Republicans implement a pro-growth, pro-opportunity agenda that gets Washington out of the way. Everyone shares in the prosperity.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2017.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

SANTA FE HIGH SCHOOL SHOOTING

Mr. DURBIN. Madam President, last Friday, America watched in horror as the news story broke of yet another school shooting, this time at Santa Fe High School in Texas.

Eight students and two teachers were fatally shot. Thirteen victims were wounded in another devastating tragedy. The alleged gunman was a student who came into the school with his parents' shotgun and handgun and used them to commit mass murder.

Of course, we grieve for the families and victims in Santa Fe, and, of course, we are grateful for first responders who ran toward the sound of gunfire. But let's be honest—the shooting in Santa Fe High was, by one count, the 22nd school shooting in America this year. We are in the 21st week of this year. We have had more than one school shooting a week in the United States of America. America's schoolchildren, sadly, now go to school expecting that there will be a shooter on the premises.

After the Santa Fe High School shooting, a reporter interviewed a student named Paige Curry at the school. The reporter asked: ''Was there a part of you that was like, this isn't real, this could not happen at my school?''

Paige Curry replied: ''There wasn't.''

When the reporter asked why so, she said: ''It's been happening everywhere. I've always felt it would eventually happen here too.''

Can you imagine we have reached this point in America if that is how many of our Nation's high schoolers think? Sadly, in Paige Curry's case, she was right. Her school was the target last week.

On Sunday, the New York Times posted an article titled ''New Reality for High School Students: Calculating the Risk of Getting Shot.''

The article discussed how students across America, from Iowa to Oklahoma, from Illinois to Mississippi, from Seattle to New York, are now forced to go through their day planning what they would do if the shooting starts in their school.

The article quotes one student, a sophomore in a New York high school, describing how vulnerable her desks were in each class where she sat.

She started making mental calculations about when the gunman came to the door whether she would be in the line of fire. She said her English class is the safest class for her each day because it is down a hallway, and it makes it hard for the shooter to find it, but her math class makes her particularly vulnerable because she said she sits in the second desk in the second row in a direct path from the door. The student, whose name is Emily Rubenstein, said:

> It's like the front lines of a war. Being seated in front of the classroom could be what makes you live and what makes you die.

It is not just high schoolers who think this way; my 6-year-old granddaughter came home and told her mom recently that she had been warned that if there is a shooter in the school—she is a first-grader—if there is a shooter in the school, stay away from the windows and get down on the floor as quickly as possible.

Is there any sane person in America who thinks our kids should be going

through this? Is there any sane person in America who believes this is expected by the Second Amendment to our Bill of Rights?

Let's be clear. Addressing our Nation's epidemic of gun violence and school shootings should be a top priority. About 300 Americans are shot every day, a third of them fatally. Gun violence is a public health crisis. It is traumatizing an entire generation of America's kids.

In recent weeks, students across the country have marched in the streets, walked out of their classrooms to call on us—elected leaders—to step up and do something to reduce gun violence. The students are having an impact. At least 15 States have passed legislation to close gaps in their State gun laws since February 14, which was the date of the Parkland shooting in Florida. Four States—Maryland, Florida, Vermont, and Washington—have passed bills to ban bump stocks. Congress has not. Seven States have passed bills to make it harder for domestic violence abusers to get guns—Kansas, New York, Ohio, Oregon, Utah, Vermont, and Washington. Congress has not. Three States have passed red flag laws to temporarily remove guns from people who pose extreme risks—Florida, Maryland, and Vermont.

These State-level reforms are significant, and they are even happening in States such as Florida and Kansas, which have a reputation of being friendly to the gun lobby. I hope my State of Illinois will soon join the ranks of the States that have passed meaningful State-level gun measures this year. We came close in Illinois when the General Assembly passed a landmark, bipartisan bill to provide more accountability for gun dealers' sales. Governor Bruce Rauner unfortunately vetoed that bill, but the General Assembly is working hard to put a revised bill back on his desk.

In addition to these State law reforms, the student movement has brought major changes in corporate behavior. Major gun retailers, such as Dick's Sporting Goods and Walmart, have voluntarily changed their sales practices. Companies such as Delta, United, Hertz, and Avis ended affinity relationships with the National Rifle Association. Institutional investors and financial companies are now pressuring the gun industry to change its behavior. These businesses understand that inaction is not an option. The student movement for gun safety has helped them realize this.

Unfortunately, it is extremely unlikely that this Congress will take any meaningful action this year to reduce gun violence in America. Why? Because President Trump and the Republican majority in Congress still won't push for any gun reforms that the gun lobby opposes. They are letting the gun lobby dictate Federal policy. That is a mistake. It is disgraceful. The gun lobby cares about one thing above all else: selling guns. They are not going to support any reforms that might reduce their sales.

On Sunday, the incoming president of the National Rifle Association, Oliver North—you may remember him from the Iran-Contra controversy—blamed everything from video games to Ritalin for our epidemic of school shootings. He blamed everything except guns.

In fact, rather than support efforts to strengthen our gun laws, the gun lobby is gearing up for their last big push this year to urge Congress to weaken our gun laws even further. On April 16, the Washington Examiner reported that longtime NRA board member Grover Norquist ''said he has received assurance from the Republican leadership'' that Congress will put the NRA's concealed carry reciprocity bill on the agenda this year before the August recess.

Make no mistake—as appropriations bills and the Defense authorization bill move through Congress, the gun lobby and their allies are looking to weaken the gun laws on the books even more than they already have. America, keep your eye on Congress.

To all the students and young people across America who are asking for leadership when it comes to reducing gun violence, many of us hear you loud and clear, and we are not giving up. Congress may not get the job done this year when it comes to closing the enormous gaps in our gun laws, but this movement of young people is making incredible things happen in statehouses across America. They are rapidly becoming a major force for change in corporate behavior, and they are soon-to-be voters. This movement is getting results, and Congress is going to have to choose whom it will listen to—the students who are spending their class time thinking about whether their desks are in the line of fire or the gun lobbyists who want to further weaken gun laws on the books so they can make more gun sales.

I know where I stand. I am going to keep doing everything I can to put the safety of my granddaughter, my grandson, and kids in our neighborhoods across America ahead of the gun lobby's agenda of selling more guns. We may not be able to stop every shooting in our schools and in our streets, but if Congress takes meaningful action to close the gaps in our gun laws, we will save lives.

FOR-PROFIT COLLEGES

Madam President, I would like to bring the Senate's attention to an article that appeared recently in the New York Times entitled ''Education Department Unwinds Unit Investigating Fraud at For-Profits.'' That is right. Even while tens of thousands of students are still waiting for the Federal student loan discharges to which they are entitled under law because they were defrauded by for-profit colleges, such as Corinthian and ITT Tech, the Secretary of Education, Betsy DeVos, is dismantling the enforcement unit that was set up to prevent future fraud.

Corinthian and ITT Tech have become the most infamous examples of for-profit college predatory practices, but they are hardly unique in the industry. I have often said on the floor of the Senate—and the numbers have changed slightly over the years—that you can tell the story of for-profit colleges and universities if you know two numbers. This will be on the final. The first number: 9 percent of all post-secondary students go to for-profit colleges and universities—University of Phoenix, DeVry, Kaplan, similar universities. Nine percent go to for-profit colleges and universities, and 33 percent of all the federal student loan defaults are students from for-profit colleges and universities. Nine percent. Thirty-three percent. Why? Why is there such a dramatic difference between the percentage of students going to these schools and those who default on student debt, 33 percent of whom went to the same schools? There are two reasons. For-profit colleges and universities overcharge the students and produce a diploma that is virtually worthless when it comes to finding a job and paying off their student loan debt. That is the reality.

In the last 5 years, nearly every major for-profit college has been investigated or sued by more than one State attorney general and Federal agency for unfair, deceptive, and abusive practices. Thanks to Secretary DeVos, they don't need to worry about the Department of Education anymore. The writing has been on the wall for some time.

Last summer, Secretary DeVos hired former DeVry dean Julian Schmoke to be chief enforcement officer, where he would oversee the enforcement unit. I noted at the time that this was a particularly troubling decision given the enforcement unit's reported ongoing investigation into DeVry. The Times story confirmed my fears. They note that members of the enforcement unit have been marginalized, reassigned, and instructed to focus on other matters. What had expanded under President Obama to include around a dozen lawyers and investigators has now been reduced to three employees. According to the New York Times, the downsizing effectively killed investigations into several large for-profit colleges, including—you guessed it—DeVry.

In 2016, DeVry, which is based out of Chicago, agreed to pay $100 million to settle a lawsuit with the Federal Trade Commission related to misleading advertising when it came to college students. Around the same time, DeVry agreed to a limited settlement with the Department of Education, but an enforcement unit investigation continued. According to the Times, the investigation became a point of contention between the Department staff and the new Trump administration.

DeVry isn't the only former employer of a top DeVos adviser to escape Department scrutiny. The Times article also reports that the enforcement

unit investigations of Bridgepoint Education and Career Education Corporation have gone dark. The cops are being taken off the beat.

Bridgepoint—owner of the notorious Ashford University—has a long record of abuse. Last year, the Consumer Financial Protection Bureau ordered the company to pay $30 million for deceptive acts and practices, including lying to students about their obligations under student loans. Bridgepoint is currently being sued by the California attorney general for defrauding and deceiving students. It is also facing investigations by State attorneys general in Iowa, Massachusetts, New York, North Carolina, and by the U.S. Securities and Exchange Commission and the U.S. Department of Justice. The U.S. Department of Veterans Affairs has also taken action to withdraw Ashford's eligibility to participate in the GI Bill because of its failure to comply with VA regulations. But, as the New York Times article points out, Bridgepoint has friends in high places when it comes to the Trump administration. A former consultant for Bridgepoint is now the Director of Strategic Communications at the White House.

Then there is Robert Eitel, who was hired by Secretary DeVos in February 2017 as a special assistant. For the first 9 weeks of his Department of Education tenure, Eitel was actually on an unpaid leave of absence from Bridgepoint. You heard that right—he was an employee of the Department of Education and continued as an employee of one of the most predatory for-profit colleges in this country at the same time. ABC News reports Eitel had a hand in dismantling the Department's borrower defense rule, which would have helped students who were defrauded by for-profit colleges like Ashford. How is that for a fox guarding the henhouse?

But we are not done yet. Don't forget about Career Education Corporation, which reports that it is currently under investigation by 23 States attorneys general, including Lisa Madigan of Illinois. In 2013, Career Education Corporation agreed to pay $10.25 million in a settlement with the New York attorney general over job placement rate inflation, an act of fraud. The company has been investigated by the FTC and the SEC. The Department of Education even placed one of its schools, American Intercontinental University, on heightened cash monitoring for concerns related to its administrative capability. But the enforcement unit's investigation into fraud by the company has come to a screeching halt, according to the New York Times. Who at the Department of Education is connected to Career Education Corporation? Well, in addition to working for Bridgepoint, Mr. Eitel was previously a top lawyer for that company, Career Education Corporation.

Then there is Diane Auer Jones, who was previously a senior vice president for Career Education Corporation and was hired by Secretary DeVos to be her senior adviser on postsecondary education. Also, the Department's recently confirmed general counsel, Carlos Muniz, previously provided consulting services to the same company.

The DeVos-orchestrated takeover of the Department of Education by the for-profit college industry is an embarrassment. It is an affront to students, their families, and to taxpayers. The Trump administration and Secretary DeVos are more concerned with protecting their rich buddies in the for-profit college industry than protecting America's students and their families. They don't seem to care that taxpayer dollars are being wasted as long as those dollars are going into their friends' pockets. It is shameful. It is scandalous. It has become routine in the U.S. Department of Education.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. JOHNSON). The Democratic leader is recognized.

FOR-PROFIT COLLEGES

Mr. SCHUMER. Mr. President, first let me thank my friend from Georgia for being able to go first and also thank my friend from Illinois, who has been passionate, strong, and effective when it comes to these for-profit colleges. He laid out a strong case.

Let me just make one more point which sometimes my colleagues on the other side of the aisle and the Trump administration and Ms. DeVos seem to forget. Who loses money when these for-profits take advantage of the kids? The Federal taxpayers do because the vast majority, the overwhelming percentage of funds that go to these for-profit colleges are from Federal student loans. So this is a waste of taxpayer money. Somehow our Republican colleagues—not all but some—and the Trump administration are willing to have the Treasury basically, in certain ways, be looted. They shrug their shoulders and let the for-profits keep doing it. It is an amazing contradiction. So I thank my colleague Senator DURBIN.

ZTE

Now, on the issues that I came to speak about here, Mr. President, it was reported by the Wall Street Journal that the Trump administration has agreed to relax sanctions on the Chinese telecom giant ZTE and remove the ban on ZTE from selling components and software in the United States. Instead, ZTE will be required to pay a fine and reorganize its board. It appears that, in exchange, China will lift some tariffs on U.S. agricultural products.

First, let me say this. I said this repeatedly, but I will say it again. I feel much closer in my views on China and how they treat us in terms of economic issues to President Trump and his views than I was to President Obama and President Bush and their views, who I don't think did enough. I had public arguments with both President Obama and President Bush on this issue.

When Donald Trump started talking about going after China and making them play fair, I felt that was a good thing. When his administration fined ZTE and then put sanctions on them so they couldn't get American components, I said: Finally, we are doing something tough on China.

You can imagine my disappointment with the reports last night that President Trump, being advised so wrongly by people like Treasury Secretary Mnuchin, is backing off on this toughness and just giving them a slap on the wrist, a fine. If the reports are true, the Trump administration will have suffered a great defeat. The fines and board changes do absolutely nothing to protect American national or economic security.

It is my view that China proposed this because they know it doesn't do the real job. When President Trump shows weakness and backs off on the area where he has been toughest with China, it signals to them that they can roll over us issue after issue, where they have been rapacious in terms of how they deal with our economy, our intellectual property, and the ability of great American companies not to sell things in China.

The April 2018 commerce order penalizing ZTE says plainly that past fines have not and will not deter ZTE because they are financially backed by China's government and putting in place board changes doesn't coerce a company that takes its orders from China's Government.

The proposed solution is like a wet noodle. It is outrageous. I hope that Democrats and Republicans will join together in making sure, as House Republicans did in the Appropriations subcommittee, that the proposed sanctions against ZTE of not letting them buy American products and not letting them sell here will stick, but I don't think they will. All the handwriting is on the wall.

I will not divulge anything, but I did have a half-hour conversation with President Trump about this on Friday and with some of his advisers. So I am truly worried.

The penalties that are proposed by Secretary Mnuchin are penalties in name only. They are a diversion from the fact that it seems President Xi has outmaneuvered President Trump and Secretary Mnuchin. It should be President Xi who writes the book ''The Art of the Deal'' because he has taken us to the cleaners on ZTE.

Let me explain why this is such a bad deal. ZTE was sanctioned in 2016 for violating U.S. sanctions against North Korea and Iran. The company was further sanctioned when the Commerce Department discovered that ZTE had lied to the United States about its plans to rectify the violations. President Trump and Secretary Mnuchin, according to reports, have inexplicably

excused ZTE of these inexcusable violations.

What the President and Secretary Mnuchin are doing sends a dangerous signal to businesses around the world that the United States is willing to forgive sanction violations or reduce penalties. It emboldens foreign companies to play fast and loose with U.S. sanctions when we should be putting the fear of God into these companies, especially one that is as brazen as ZTE. If we don't uniformly enforce sanctions—a critical diplomatic tool used by administrations of both parties to pressure our adversaries—then, they will be far less effective. None other than Secretary of State Pompeo and Interior Secretary Zinke wrote a letter to President Obama in 2016 making this point, urging him to crack down on ZTE for this reason.

Imagine if Obama were President today and doing this? You can be sure that our Republican colleagues would be hollering. You can be sure that President Trump—he wouldn't be President then—would be hollering.

Even more important are the national security implications of removing the ban on U.S. companies selling ZTE components and software. This is the No. 1 reason that I am opposed to any change in the sanctions against ZTE. Allowing ZTE to make deals with U.S. companies to sell its products here would allow a foreign, state-backed firm access to our telecommunications network, prying open the door for ZTE to steal American data, hack our networks, and even conduct espionage, both economic and national security.

Don't take it from me. Here are what some of our leading Republicans have said in the administration.

The Republican-led FCC has said that allowing ZTE into the United States would pose a national security threat, saying it would give state-backed Chinese companies ''hidden backdoors to our networks'' that would allow them to ''inject viruses and other malware, steal Americans' private data, spy on U.S. businesses, and more.''

We all know that China is involved in stealing our intellectual property. There is no better way to do it than through ZTE, and we are going to let them be here and slap them on the wrist with a fine? That is a dereliction of our duty here in the Congress and the President's duty to protect us.

The Pentagon has banned ZTE phones, saying in a statement that ''ZTE devices may pose an unacceptable risk to the Department's personnel, information, and mission.'' If our Defense Department is banning these phones, why are we allowing them to come into our country to do industrial espionage and steal our intellectual property from our companies?

Here is what FBI Director Chris Wray, appointed by President Trump, told the Senate Intelligence Committee in February. He was saying that we shouldn't use ZTE products or services, period. Here is what he said:

> We're deeply concerned about the risks of allowing any company or entity that is beholden to foreign governments that don't share our values to gain positions of power inside our telecommunication networks. That provides the capacity to exert pressure or control over our telecommunications infrastructure. It provides the capacity to maliciously modify or steal information. And it provides the capacity to conduct undetected espionage.

The head of the FBI says letting ZTE in here will provide ''the capacity to conduct undetected espionage.''

After all those statements and so many more, every American should be alarmed by the reports that President Trump may allow ZTE into American markets. Putting our national security at risk for minor trade concessions is the very definition of shortsighted. Frankly, it would be a capitulation on the part of the Trump administration.

President Trump's instincts are to be tough on China. He should not let Secretary Mnuchin lead him astray, or others in the administration who may be urging it. I know that there are some—Mr. Lighthizer and Mr. Navarro—who understand the dangers here, and they are in the administration too. From press reports, they are arguing on the other side.

President Trump ought to come to his senses and stick with being tough on ZTE, stick with his instinct.

That is what I say to you, Mr. President. Please stick to your instincts and be tough on ZTE. Don't let these other members of your Cabinet lead you astray for short-term reasons that will hurt America dramatically in the long run.

The deal President Trump seems to be making is exactly the kind of deal that Donald Trump, before he was President Trump, would call weak or the worst deal ever. I hope these reports aren't true, but if they are, Democrats and Republicans must do something about it.

I know there are Members on the other side—I saw Senator RUBIO's tweets this morning—who are concerned about the national security of the United States with respect to ZTE. I will be reaching out to my Republican colleagues and to Members of my caucus and to anyone who is willing to turn this ship around to see what we can do legislatively.

The Chinese are worried about their security. It is a different type of security. They don't want their citizens to get information. So they exclude our best companies, our Googles, and our Facebooks. Now they are raising a fuss when we want to exclude ZTE, which has violated our sanctions and would allow the Chinese Government to spy on us—what hypocrisy. Are we going to go along with that? I hope not.

RUSSIA INVESTIGATION

Mr. President, over the past few days, the White House has put extraordinary, unusual, and inappropriate pressure on the Department of Justice and the investigation into Russian meddling in the 2016 election.

On Sunday the President demanded a counterinvestigation of the Russia investigation, breaking longstanding and critical norms against political interference in law enforcement matters. Then, yesterday the President summoned the leaders of the Russia probe to the White House to pressure them into releasing sensitive and classified documents pertaining to the investigation by congressional Republicans. The White House planned to arrange a meeting where ''highly classified and other information'' will be shared with Members of Congress. It is highly irregular, inappropriate, and unprecedented. The President and his staff should not be involved in the reviewing or the dissemination of sensitive investigatory information involving any open investigation, let alone one about the activities of his own campaign. It is amazing. It is what you hear happening in third world countries. The leader says: No, I am above the law, and interferes with the process of law.

Congress has a right to oversight and to know what is going on after an investigation is complete. While an investigation is open and active, demands for oversight are tantamount to interference, especially when the folks demanding the information are the most biased, irresponsible actors. A man like DEVIN NUNES—I hear privately from my Republican colleagues that they think he is off the deep end—is going to get hold of this? We think that is fair, unbiased oversight?

Give me a break. If such a meeting occurs—and I don't believe it should, but if it occurs—it must be bipartisan to serve as a check on the disturbing tendency of the President's allies to distort facts and undermine the investigation and people conducting them.

Democratic Members of the House and Senate, the analogs of the Republicans selected to be in the room, should be in the room as well. So if DEVIN NUNES is there, ADAM SCHIFF should be there. To me, it is just amazing that it is happening.

One further point on this, again, the contradictory statements and opinions—the virtual hypocrisy of President Trump on these issues—are just mind-boggling.

President Trump, for instance, has been peddling the myth that a deep-state bias against his Presidency has animated the Russia probe. Of course, the idea is ridiculous. If there was such a deep state aligned against President Trump, why then was the active investigation into his campaign communications with Russian intelligence kept secret during the campaign? The deep state could have killed him in the election. If there was such a conspiracy against Donald Trump, why was the FBI investigation of his campaign under wraps, while at the same time, the FBI investigation into his opponent was in full view of the public eye? Whether or not you agree, Secretary of State and Presidential nominee Clinton believes that those comments by

the FBI about that investigation hurt her chances to win the Presidency. You may agree or you may disagree, but one fact is incontrovertible: The FBI talked publicly about the Clinton investigation and was silent about the Trump investigation. Yet the President says the deep state is out to kill him. It is not fair. It is not right. It is contradictory.

The truth is that the President and his allies only concoct these conspiracies—totally contradicted by well-known facts—to kick up dust, to obscure and obfuscate, to distort and distract, and when that is not enough, the President and his team directly interfere with the Russia investigation by asking its leaders to turn over documents to the most irresponsible actors in Congress—his ardent political allies. It ought to stop. It ought to stop.

The Justice Department doesn't take demands from the President. The special counsel's investigation must continue in search of the truth, the whole truth, and nothing but the truth.

TEACHERS

Mr. President, finally, for the better part of the 20th century, being a teacher in America meant being a part of the middle class. You worked hard, and you received decent pay and benefits—enough to afford a home, a car, a vacation, and to raise a family. But for the past 20 years, teachers' pay has been falling behind.

A 2016 report from the Economic Policy Institute found that teachers take home weekly wages that are 17 percent lower than comparable workers. That is why thousands of teachers across the country have organized and staged walkouts to demand fair pay, adequate resources, and better working conditions.

I have always felt that teaching is a vital profession. I know how my teachers at P.S. 197, Cunningham Junior High School, and James Madison High School affected me in such a positive way. They are great. So I believe that in the 21st century, teaching should be an exalted profession, sort of like a doctor or lawyer was in the 20th century. It is that important to the future of America, to the future of our children, and to the future of our grandchildren. But the pay sure doesn't reflect that.

That teachers' pay has fallen so far behind matters a great deal not just to teachers but to all of us. Education is the catalyst for economic mobility. It puts rungs on the ladders of opportunity. We need great teachers in every classroom so that our children have every opportunity to succeed.

As I said, in my view, teaching should be an exalted profession in the 21st century the way medicine and law were in the 20th century, and teachers' pay should more closely reflect their value to society.

Today, Democrats in the House and Senate will come together to announce our plan to offer our Nation's teachers a better deal.

I yield the floor.

I again thank my dear friend from Georgia for waiting and for listening to me.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I say to the Democratic leader, it is a pleasure.

VA MISSION BILL

Mr. President, I rise today to talk about a vote we will take in the Senate sometime later today, after 12 o'clock. It will be a cloture vote on the VA MISSION Act. After we adopt cloture, later this week, hopefully, it will lead us to the final vote to adopt the VA MISSION Act, which will be the final mosaic in the picture that was put together by the Senate Veterans' Affairs Committee, the House Veterans' Affairs Committee, and the administration and both the House and the Senate to address the VA benefits program for all of our veterans. We all know we have had the challenge to do better, and I submit that this is us doing our very best for those who have given everything for us.

Next week, on Monday, we will celebrate Memorial Day, where we honor those who have sacrificed their lives so that we can all be here today—you, Mr. President, as the Presiding Officer of this body and I as a representative of the people of Georgia. If it weren't for our veterans, we might be speaking Japanese or German today. We are speaking English today because we won those wars because our best and brightest volunteered their lives and sacrificed so that Americans can survive and be here. There is nothing less that we need to ask of ourselves than to see to it that they have the healthcare benefits we have promised them for so long.

The VA MISSION Act is an act that puts together and answers all of those questions that have been long on the front page of the newspapers for the last 2 or 3 years.

I thank JOHN MCCAIN. JOHN MCCAIN was really the inspiration for the Veterans Choice bill, which we started 4 years ago when I was on the committee. We finally passed a part of that program, and it has been in operation until now, but it has had a need for reform, a need to be fixed, and a need to be funded. With the passage of this legislation, we will do all of those things and make it even better.

I thank JON TESTER, the Senator from Montana, my ranking member on the committee, who has done everything one could ask. He was a team player who saw to it that we got through all of the minefields and sticky wickets you have to go through in the legislative process to get there. Senator TESTER has been an invaluable partner in putting together the VA MISSION Act and in making the VA a better organization.

I thank my staff, his staff, and my members of the committee from the Republican Party and his members from the Democratic Party. This is as close to a unanimous effort as any effort we have done in the committee for some time. I thank them for their hard work and their effort.

I thank in advance the Members of the House and Senate for being with us on this venture today. I ask for your vote for cloture, and later in the week, I will ask for your vote for final passage.

Briefly, let me tell you what we are doing because what we are doing is critical.

One, we are making choice better for our veterans by repealing the 40-mile rule and the 30-day rule, which we passed 4 years ago. People will remember that veterans were waiting in some cases years to get their appointments with the VA, so we passed a rule that said: You can go to the private sector if you can't get an appointment within 30 days or if you live more than 40 miles away from the VA center that provided that service. But it became cumbersome and difficult. We had a number of problems with the third-party contractors we dealt with who were making the clearances and opening the gates for the veterans to go. Although we improved service and access for our veterans, we didn't make it everything it should be.

The MISSION Act does that because it makes the choice the veteran's choice in concert with the veteran's primary care doctor at the VA. If a veteran, because of quality, timeliness, distance, urgency, or need, needs to go to the private sector or wants to exercise that choice rather than go to a VA doctor, if there is one—or if there isn't one, go to the private sector because that is the only choice they have—they will be able to do so in concert with their VA primary care doctor.

So Choice is truly the veteran's choice. The VA continues to have the responsibility of keeping up with the veteran. The veteran has the choice he or she needs to make to see to it that they get timely, professional, and quality care. That is a huge step forward for us. That is a great step forward. Although the 30-day rule and the 40-mile rule were great starts, this is a great improvement for access for our veterans.

I am a Vietnam-era veteran. Vietnam-era veterans are now mostly in their late sixties or early to midseventies. They served our country a long time ago. The signature injuries of the Vietnam war were some of the most tragic in warfare that were survived for the first time ever because of our healthcare. There are a lot of those veterans living today who can't take care of the basic functions of life. They need assistance with eating, making their bed, getting up and down stairs, getting anywhere they need to go.

We have veteran programs for caregivers for almost every veteran around but not for the Vietnam-era veterans. This bill, the MISSION Act, applies the VA caregiver benefits to all veterans. So if a veteran needs that assistance,

that same incentive to help with the stipend for that service is available to that veteran. That is a giant step forward for all of us.

It is also very important to recognize that we consolidate the VA's seven community care funding sources into one single community care source. For the first time in 3 years, the VA will no longer announce every 3 months that they are running out of money. A lot of times, they use that little trick on us because they run out of money in one department, but there are six others that are loaded. So we merged them all together to see to it that all the funds are available and accessible all of the time for the veterans who have the need for the benefit—no more crying fire in a crowded theater, no more scaring us all by saying that we are not funding our veterans, but instead seeing to it that our veterans have access when it is timely and when they need it. That is a very important change, and that is a move forward we have needed to make for a long time.

It makes sense for us to make sure that our veterans have their choice based on quality, access, and timeliness. It makes sense that we make that a key part of the veterans' benefits to all veterans. It makes sense that we see to it that caregiver benefits are available to Vietnam-era veterans, as well as many others. It makes sense that we do all of the other things we have done in all of the VA acts to come together to totally reform the Veterans' Administration for our veterans who have served us. How many people is that? There are 22½ million people in America today who have served us at one time or another. There are 6½ million people who are served by the VA health services. That is a lot of people, but it is a small handful of people compared to the 350 million people in our country. Think about this: Less than 1 percent of our population served and defended us all and risked their lives.

So when you go to vote on this bill today, think about the veteran in your State, the VA service in your State, and the people in your State. Think about what you remember about World Wars I and II, what you remember about Vietnam, and what you remember about Iraqi Freedom in Afghanistan. Think about what you think you owe to those who signed on the bottom line. They weren't constricted. They weren't mandated. They volunteered. They went, they fought, and they died.

I want to leave you with a thought on two of those veterans because they are the two faces I see every day as the chairman of this committee I am working for.

One of them is Noah Harris. Noah was a cheerleader at the University of Georgia on 9/11/2001 when he watched, as you and I did, al-Qaida and the evils of that era take down the Twin Towers, and we had the first battle of the ultimate war between good and evil.

We fought that battle. We are still winning it. We are still fighting it, and we will fight it for a long time. We have lost over 6,000 lives, individuals who sacrificed their lives in Iraq or Afghanistan or other places in the Middle East, and there will be others to come. They sacrificed so you and I can do what we are doing here today—the First Amendment protections of speaking our minds, as I am doing; the right to assemble, as our constituents do; and the right to defend ourselves and be safe. All those God-given rights we have were written on paper, but they were given life and protection for all of us by the veterans who volunteered and fought and died.

I remember Noah Harris because he was a cheerleader one day at the University of Georgia, and on 9/12/2001—the day after 9/11—he went down to the armory, signed up for OCS, went into the Army, and became an officer. Two years later, almost to the day, he died in Baghdad, the victim of an IED. He died defending the country he loved so much. He cheered for the football team, but he fought and sacrificed his life for the country.

I want Lucy and Rick—his mom and dad, in Ellijay, GA—to know that I haven't forgotten Noah and what he did for us. I sign most of my notes the same way Noah signed his note to me: ''IDWIC, Noah Harris.'' ''IDWIC'' stands for ''I do what I can.'' I want to have a chance to do what I can today. I want to vote for this bill for all the right reasons but principally for Noah Harris.

The other one is a veteran whose name is Roy C. Irwin. Roy died in the Battle of the Bulge in the Netherlands in 1944. When I went to the cemetery in Margraten, Netherlands, to visit the grave sites there and to check on the American battle monument, I walked with my wife down the rows of crosses and Stars of David just to pause for a second and give thanks for what the over 800 soldiers there in that cemetery did in the Battle of the Bulge to make our lives possible and to make it possible for me to enjoy the benefits I have enjoyed. We got to the end of row 23. I looked down, and there was a cross. It said: ''Roy C. Irwin, New Jersey, private, December 28, 1944, KIA''—killed in action. I froze at that because I was born on December 28, 1944. The day Roy C. Irwin from New Jersey died in the Battle of the Bulge, my mother delivered me in Piedmont Hospital. I am almost 74 years old. I have had 74 wonderful years, including the opportunity to serve in the U.S. Senate, because a guy I never knew, when he was 18 years old, volunteered to go fight in the Battle of the Bulge in the Army for the United States of America. He paid the ultimate sacrifice, and because he did, I got the ultimate benefit.

When you think about your vote on this bill today, you think about all of those veterans who did the same for you, who have the same birthday or the same killed-in-action date as your birthday, and recognize that every one of us stands on the shoulders of our veterans. We live, work, and pray on the shoulders of our veterans. I, for one, am going to vote for our veterans when we pass this bill so that the VA MISSION Act becomes the final mosaic in the beautiful patchwork of benefits for those who have sacrificed the most for all of us.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, I very much thank Chairman ISAKSON for his work on this bill. As a veteran, as the spouse of a veteran, as the mother of a young lady who will enter into the service this summer, and as the grandmother to a young man who will begin his enlistment this fall, I thank him for the work he has done. I appreciate your service as well. Thank you so much.

Mr. President, ''We can and we must do better for our veterans.''

I spoke those words during my first speech given here on the Senate floor just over 3 years ago. I also spoke about the need to fulfill the promises made to our veterans who have sacrificed everything for our country. At that time, the average wait for a mental health appointment at the VA was 36 days. There were, on average, 22 veteran suicides every single day in the United States. It underscored the troubles within the VA and the urgency to act immediately to help our veterans get the quality and the timely care that they have earned and that they deserve.

That is why I introduced on that very day my first bill, the Prioritizing Veterans' Access to Mental Healthcare Act. My bill would have eliminated the distance and the wait time requirements for veterans seeking mental healthcare under the current Choice Program. Every veteran should have the choice to receive care in the community, but they should not be burdened by bureaucratic redtape or strict guidelines that serve as roadblocks to receiving this type of care.

To illustrate how burdensome and sometimes ridiculous these guidelines are, I want to share a letter I received from a veteran in Ames, IA. The veteran wrote:

> I am a disabled veteran who currently receives healthcare at the De Moines VA Hospital. I live 39.7 miles from the De Moines VA Hospital, which means I do not meet the 40-mile VA Choice criteria. While I have not had a bad experience at the De Moines VA, it is burdensome to travel approximately 40 miles when I have had surgeries that require a family member to transport me. I am unable to utilize a nonVA facility in my own backyard.

The frustration evident in this veteran's letter has been present in hundreds of letters and stories, and I have received many of those over the years.

I am frustrated too. Those who are willing to lay down their lives for our country shouldn't have to jump through hoops to receive the care they have earned.

I am thrilled that this week the Senate has the opportunity to do better for

our veterans. Just last week, the House passed the VA MISSION Act, which improves how veterans access community care. Under the VA MISSION Act, the VA remains the coordinator of a veteran's care. The VA would still be in charge of scheduling those appointments, ensuring that a veteran is going to followup visits, as well as ensuring that no veteran experiences a delay or a gap in their care.

The VA MISSION Act also makes significant improvements to accessing community care. A veteran will no longer be bound by strict distance and wait time requirements, just as I expressed from that veteran who lives in Ames, IA. Instead, that decision rests with the veteran and their provider. If a veteran and their provider determine that it is in the veteran's best medical interest, the VA will be required to offer access to community care. The VA MISSION Act ensures that veterans have a say and a choice in their care.

This legislation also includes my bipartisan Veterans E-Health and Telemedicine Support Act, also known as the VETS Act, which I introduced with Senator MAZIE HIRONO of Hawaii. VA providers will now be able to practice across State lines, expanding telehealth services, which can include critical mental healthcare and care desperately needed to veterans in rural and underserved areas.

The VETS act will also expand VA caregiver benefits to pre-9/11 veterans, create a commission to evaluate how to modernize VA facilities, increase resources to hire more providers, which is very important, and ensure prompt payment to community providers.

I am also pleased to report that this bill has bipartisan support and the support of over 30 veteran service organizations.

Funding for the Choice Program is expected to run out at the end of May—in a matter of weeks. The men and women who have put their lives on the line for the freedom of every American deserve better than the status quo. Again, I say that we can and we must do better for our veterans.

The VA MISSION Act is a positive step forward toward getting veterans the care they need. That is why I will be voting in support of it. I urge my colleagues to do the same and cast their vote in favor of the VA MISSION Act.

Thank you.

I yield the floor.

Mr. SHELBY. Mr. President, I ask unanimous consent to enter into a colloquy with Senator LEAHY, Senator ISAKSON, and Senator TESTER.

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

Mr. SHELBY. We rise today to speak about the VA MISSION Act, bipartisan legislation that would make much needed reforms to the VA Choice and VA Community Care programs. Among these reforms, the existing VA Choice program, funded as a mandatory program, will merge with a streamlined Medical Community Care program, funded with discretionary dollars. I commend my colleagues for a job well done.

As chairman of the Appropriations Committee, however, I want to express my concern that this legislation authorizes significant discretionary spending for the VA without providing any way to pay for it under the spending caps imposed by the Budget Control Act, BCA. The Congressional Budget Office estimates this bill will cost $49 billion over the next 5 years—roughly $10 billion per year. Without relief from the caps plus an anticipated return to sequestration levels in 2020, this $49 billion could come at the expense of existing programs, including those at the VA.

I am also concerned that the underlying bill only provides funding for the VA Choice program through May of 2019, with no funding plan for the new program which is expected to come online in fiscal year 2019. These problems are not insurmountable. They do, however, require funding above and beyond what was contemplated in both the caps deal and the BCA. Fortunately, there is existing law and ample precedent for adjusting spending caps to reflect changes resulting from a shift in mandatory spending to discretionary spending.

I want to ask Senator ISAKSON and Senator TESTER if it is also their understanding that this funding deficiency could imperil other VA funding and, if so, whether they will commit to assisting Senator LEAHY and me in enacting a solution when the Military Construction and Veterans Affairs Appropriations bill comes to the floor that will provide adequate resources for the programs authorized in this bill without doing harm to existing programs?

Mr. LEAHY. Mr. President, as vice chairman of the Appropriations Committee, I want to associate myself with Chairman SHELBY's remarks. Since the inception of the Choice Program in 2014, it has been riddled with delays, programmatic problems, and fiscal instability. In many areas of the country, the networks that were established left providers unhappy about the speed of reimbursement and veterans often trying to navigate a cumbersome system. Congress has had to provide $4.2 billion within the last year alone, just to keep the program afloat. That is why I am pleased that Senators ISAKSON and TESTER worked in a bipartisan way to try and fix Choice by establishing a streamlined and consolidated program that will make non-VA care more efficient. However, to truly address these problems and provide the care that our veterans deserve, we need to not only fix the policy, but we must also provide the funding to enact that policy. This bill does not do that.

The MISSION Act appropriates $5.2 billion in mandatory spending, $1.3 billion of which will merely fill the fiscal year 18 shortfall in the current Choice program. The remaining balance of $3.9 billion will provide enough funding for Choice through May 2019, but leaves the program short between $1 and $1.5 billion for the rest of the fiscal year when the new program shifts to the discretionary side. According to CBO the cost only goes up in the out-years, with the major components of the new Community Care program costing another $8.67 billion in fiscal year 20 and more than $9.5 billion in fiscal year 21. This is unsustainable under the BCA non-defense discretionary caps, which are set in law and were negotiated prior to the passage of this bill and without accounting for these costs. We do our veterans no favors by promising care without backing it up with resources.

I will not stand in the way of the new policy created in this bill, as I do believe it creates a better Community Care program, but Chairman SHELBY and I have a proposal that will help us fulfill our promise to our veterans by allowing for an adjustment to the caps to help us pay for this program. We intend to address this issue when the Senate MilCon/VA appropriations bill comes to the floor by offering an amendment that keeps the promises we are making today, and I would like to ask both Senator ISAKSON and Senator TESTER for their full support with this effort.

Mr. ISAKSON. Mr. President, I want to thank Senator SHELBY and Senator LEAHY for their leadership on this issue and for their strong support of the VA MISSION Act. I understand their concerns regarding funding, and agree that the important reforms included in this bill require resources. I am committed to working with you to find an appropriate solution as the Military Construction and Veterans Affairs bill moves to the Senate floor. Our veterans deserve no less.

Mr. TESTER. Mr. President, as ranking member of the Committee on Veterans Affairs I continue to fight hard on behalf of new policies that will allow VA to better serve our Nation's veterans. As a former ranking member of the Appropriations Subcommittee on Military Construction and VA, I am also very mindful of the need to secure the resources necessary for VA to properly carry out those policies.

The Choice program has been a disaster in Montana, and I am proud that the VA MISSION Act streamlines VA community care in a manner that makes more sense for veterans and their doctors and for community providers, but as we provide the tools and authorities necessary for veterans to get the care they need, I agree that we also need to secure the resources necessary to achieve the goals of this legislation without short-changing other domestic priorities. I am therefore strongly supportive of including language in an upcoming appropriations bill that provides veterans with the certainty they deserve, and I remain committed to working with the chairman and vice chairman on this effort.

Mrs. ERNST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, the Consumer Product Safety Commission is a small agency with a major mission. Its goal is to protect the public from the threats of injury or death associated with defective and dangerous products. That mission is more important today than ever before because consumers face dangers from fire, electrical, chemical, or mechanical hazards—not only consumers but their children and families.

The agency is already resource-starved. It is already depleted in terms of the support that it needs in Congress, and already it needs zealous and relentless advocacy.

The individuals who are members of that board should be dedicated to that mission and to the safety and well-being of consumers above all. That is their mission.

So, today, when we consider the nomination of Dana Baiocco, we should keep in mind that no matter how able and skilled and experienced a litigator she is, the question is whether she will devote those skills, ability, and experience to the mission of this agency.

Unfortunately, every sign that she has given indicates that her goal will be contrary to the agency's mission. I say that, first of all, because of her experience. She has participated in cases that are of extraordinary concern to Americans.

In 2007 she represented Mattel as a member of their litigation team when lead was discovered in the paint of 83 different Mattel toy products; I think nearly 1 million toys. In 2007, when she represented Mattel, I was the attorney general of the State of Connecticut. I remember that well because it was known as the Year of the Recall because of the frequency and the number of recalls involving unsafe products. In 2007, there were more than four recalls, on average, each week, and more than half of them were for children's products. It was a time when our Nation was facing this crisis in dangerous toys. Mattel ultimately was fined $2.3 million for violating the Consumer Product Safety Act and knowingly selling children's toys with contaminated paint or surface coatings.

This decision was an important win for consumers and children. The Consumer Product Safety Commission did its job. Ms. Baiocco was on the wrong side of consumer safety in that case.

Similarly, in representing the Yamaha Motor Company, a manufacturer of off-road vehicles, she was on the wrong side, standing with the industry that violated basic safety standards, causing multiple injuries and lawsuits when consumers were seriously maimed, injured, and harmed in operating Yamaha Rhino off-road vehicles. Those injuries occurred while the CPSC was conducting a campaign on ATV safety. Ms. Baiocco's defense of Yamaha put her on the wrong side of that issue at a time when there were more than 330 ATV-related fatalities and 101,000 ATV-related emergency department-treated injuries in the United States.

Another area that I know well where she was clearly on the wrong side related to Big Tobacco. Ms. Baiocco represented R.J. Reynolds in the early part of this century—2007—in a class action lawsuit in Florida brought by injured smokers who were seeking to recover the damages they suffered as a consequence of Big Tobacco deliberately and purposefully addicting them, leading to lives of disease and addiction. She was on the wrong side of that issue as well—on the side of injury and industry against consumers. She was instrumental in those lawsuits, and R.J. Reynolds has been instrumental in lobbying to encourage the extensive use of flame-retardant chemicals in upholstered furniture to deflect pressure on cigarette makers to make a fire-safe cigarette. That issue is squarely within the CPSC's jurisdiction.

She lacks that dedication to this agency's mission that is critical for any Member to have. She may have skill, ability, and experience, but if it is devoted to the industry's well-being rather than consumers, she should be working for a different agency or continuing to work for a law firm that represents these industries.

In fact, she has worked for a very large law firm that represents many of those clients and industries, but she has refused to provide a full list of the clients and companies she has represented. The only way we have gained full knowledge of these clients is to go to the law firm's website—where, by the way, her profile cites as follows: ''She is known for strategic business advice and high-intensity trials involving mass torts, consumer and industrial products, and medical devices in federal, state, and international courts.'' The clients are then listed in her profile.

Mr. President, I ask unanimous consent that this profile be printed in the RECORD.

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

[From Jones Day]

PROFILE—DANA BAIOCCO, PARTNER

Clients describe Dana Baiocco as a ''very smart and tough'' litigator, who is ''very responsive and thorough'' and ''provides efficient and effective legal counsel relative to some very difficult situations.'' She is known for strategic business advice and high-intensity trials involving mass torts, consumer and industrial products, and medical devices in federal, state, and international courts. Dana counsels clients on minimizing risks, regulatory and reporting obligations, warranties, and CPSC product recalls.

Dana is go-to counsel for the Boston Red Sox. She led Vibram USA's defense in Bezdek v. Vibram, et al., a putative class action based on allegations of false and misleading advertising regarding Vibram's extremely popular FiveFingers minimalist shoes, and she was the first chair trial lawyer winning a victory for Honeywell Safety Products and Bacou-Dalloz in New York state respirator litigation (Wiacek v. 3M, et al.) and for Parker Hannifin in aviation component part litigation (Brewer v. Dodson [aff'd, 9th Cir.]). She defended Yamaha in its Rhino product liability litigation nationwide and in a French tribunal. Dana is on Jones Day's Product Recall & Accident Response Team, a multidisciplinary legal group prepared to respond in recall or crisis situations.

Dana is a member of Brimmer and May School's Annual Fund Committee and the Carousel Ball Committee for Children's Hospital of Philadelphia. She is a former officer of the Pennsylvania Bar Association and the MDL Steering Committee for the Boston Bar Association.

EXPERIENCE

Fenway Sports Group defends personal injury action—Jones Day is representing Fenway Sport Group, parent company of the Boston Red Sox Baseball Club, in a personal injury action.

Electrolux attempts acquisition of GE appliances business—Jones Day represented Swedish appliance maker AB Electrolux as antitrust and labor counsel in its attempted $3.3 billion acquisition of the appliances business of General Electric.

Honeywell legacy subsidiaries obtain dismissal of lawsuit alleging defectively designed products—On January 8, Jones Day obtained a compelling victory in a New York appellate court for Jones Day clients Willson Safety Products; Bacou-Dalloz Safety, Inc.; Bacou-Dalloz USA Safety, Inc.; and Dalloz Safety, Inc. (all owned by Honeywell International).

Vibram obtains First Circuit affirmation of class action settlement agreement related to its advertising—On December 31, 2015, the United States Court of Appeals for the First Circuit affirmed a $3.75 million class action settlement involving Jones Day clients, Vibram USA, Inc. and Vibram FiveFingers LLC, makers of the popular FiveFingers shoes.

Goodman defeats class certification in putative consumer class actions alleging sale of failure-prone air conditioner components—Jones Day represents Goodman Global, Inc. and its affiliates, the manufacturers of central air conditioning and heating systems sold under the Goodman, Amana, and Daikin brands, in a series of putative consumer class actions.

ColdCypress acquired by division of Konica Minolta Business Solutions U.S.A.—Jones Day advised ColdCypress LLC in its acquisition by All Covered, a division of Konica Minolta Business Solutions U.S.A.

Yamaha wins Frye motion rejecting computer model of accident—Jones Day represented Yamaha Motor Co., Ltd. (''Yamaha'') in a high-visibility case in Philadelphia where counsel from two of the lead national plaintiff's firms were seeking significant compensatory and punitive damages against Yamaha, the manufacturer of an off-road vehicle, the ''Rhino.''

Yamaha successfully defends nationwide litigation of product liability cases and claims involving the Rhino side-by-side (''SxS'') vehicle—Jones Day leads Yamaha's defense of Rhino cases and claims pending in the United States.

Mattel settles voluntary toy recall litigation—Jones Day represented Mattel, Inc. (''Mattel'') in connection with a number of U.S. federal and state and foreign lawsuits and regulatory actions arising out of voluntary recalls of certain Mattel and Fisher-Price toys.

GE defends against putative nationwide class action alleging discrimination against women in executive pay and promotions—Jones Day represented General Electric Company in a nationwide putative class action, alleging discrimination against women in the executive band in pay and promotions.

Parker Hannifin wins Ninth Circuit dismissal of wrongful death claims involving single-engine plane crash—Wrongful death claims were filed against Jones Day client, Parker Hannifin Corporation, and others resulting from the crash of a single-engine Beech Bonanza that claimed the lives of the pilot, his wife, and two minor children.

U.K. corporate jet owner succeeds in coverage arbitration against London Aviation Insurance Market—Jones Day represented a U.K. private property company, owners of a Raytheon Premier 1 jet aircraft, in an arbitration against the London Aviation Insurance Market challenging declinature of a claim following constructive total loss.

Parker Hannifin obtains non-suit with prejudice in wrongful death action stemming from single-engine Cessna crash—Wrongful death claims were filed, but later voluntarily dismissed, in two separate actions in Hidalgo County, Texas (near the Mexico border) against Jones Day client Parker Hannifin Corporation and others as a result of a single-engine Cessna crash in which three individuals perished.

Safelite Glass wins summary judgment in unfair competition action against call center operations—Jones Day represented Safelite Glass (now Belron US Inc.) in an unfair competition lawsuit filed in 2002 by Safelite's competitor, Diamond Triumph Auto Glass, attacking its call center operations and seeking tens of millions of dollars.

UAG defends against Tennessee and Mississippi class action involving ''dealer reserve'' revenues relating to automobile financing—Jones Day represented United Auto Group, Inc. in a multijurisdictional (Tennessee and Mississippi) class action settlement involving ''dealer reserve'' revenues relating to dealer-assisted automobile financing.

Forgital successfully defends against age discrimination claim—Jones Day advised Forgital USA, Inc. in an action brought by a former employee who claimed that his changes in job duties were a pretext for age discrimination.

SSB Maschinenbau defends against wrongful death and product liability litigation arising out of industrial machine accident—Jones Day defended German manufacturer SSB Maschinenbau GmbH in a wrongful death and product liability case arising out of an industrial machine accident in Erie, Pennsylvania.

Temple Inland defends against six wrongful death and personal injury actions arising out of explosion at particleboard manufacturing plant—Jones Day served as defense counsel to Temple Inland, Inc. in six wrongful death, personal injury actions in state and federal court arising out of an explosion at a particleboard manufacturing plant.

Textron obtains dismissals in silica exposure cases—Jones Day represented Textron, Inc. in 88 individual personal injury claims against more than 80 different defendants.

Parker Hannifin settles during appeal claims filed in wake of SilkAir crash—Parker Hannifin Corporation retained Jones Day to handle post-trial motions, damages trials, and appeals following an adverse verdict in cases arising out of the December 1997 crash of SilkAir 185.

PUBLICATIONS

November 2012

No Summer Vacation for Device Regulators: An Overview of Recent Legislation and FDA Activity, Part II

November 2012

No Summer Vacation for Device Regulators: An Overview of Recent Legislation and FDA Activity, Part I

Winter 2012

Aviation Crisis Management: Are You Really Ready?, Practice Perspectives: Product Liability & Tort Litigation

Summer 2007

The Americanization of Aviation Claims, Practice Perspectives: Product Liability & Tort Litigation

December 2006

Runway Safety and Airport Operations: Are You Responsible, The Public Record

March 2, 2006

Learning ''Plane'' English Can Help Lawyers in Aviation Litigation, Pittsburgh Business Times

2004

Implementing the Montreal Accord: Practical Implications of the Aviation Liability Treaty, Airline Business Report White Paper 2004: Charting a Course to Meet Today's Market Challenges

July 2004

The Significance of Other Accidents in Aviation Trials, Aviation Litigation Quarterly

Spring 2003

Excluding NTSB Final Aircraft Accident Reports and FAA Airworthiness Directives at Trial, Air and Space Lawyer

SPEAKING ENGAGEMENTS

February 13, 2012

The Commonwealth Institute's Strategies for Success Program, keynote speaker—Boston, Massachusetts

June 22–23, 2011

American Conference Institute's 3rd Annual Forum on Defending and Managing Aviation Litigation—Boston, Massachusetts

May 11, 2011, May 20, 2011

Pennsylvania Bar Institute presents: The Preparation and Trial of the Products Liability Case—Pittsburgh, Philadelphia, Pennsylvania

November 11, 2010

PBI Fundamentals of Products Liability Law—Pittsburgh, Pennsylvania

June 22–23, 2010

American Conference Institute's 2nd Annual Forum on Defending and Managing Aviation Litigation—Boston, Massachusetts

May 23–24, 2007

The Changing Legal Climate Surrounding Ownership Structuring, Use, and Operation of Corporate Jets—Cleveland and Columbus, Ohio

February 14, 2007

The Americanization of Aviation Claims, IATA Legal Symposium 2007—Istanbul, Turkey

February 13, 2007

Global Environmental Initiatives—Where We Are Today, Where We Are Going Tomorrow, IATA Legal Symposium 2007—Istanbul, Turkey

January 31, 2007

Proven Strategies for Successfully Managing the Demands of a Law Practice and Personal Life, Pennsylvania Bar Institute CLE program—Pittsburgh, Pennsylvania

September 14, 2006

Participant on a panel which discussed litigation and insurance issues arising out of fixed base operator negligence, 26th Annual Pennsylvania Aviation Conference—Wilkes-Barre, Pennsylvania

June 6, 2006

The Changing Legal Climate Surrounding Ownership Structuring, Use And Operation Of Corporate Jets—Pittsburgh, Pennsylvania

EDUCATION

Duquesne University (J.D. 1997, cum laude; Justice Louis Mandarino Honor Society for Achievement in Trial and Appellate Advocacy; Order of Barristers); Ohio University (B.S. in Journalism 1988)

BAR ADMISSIONS

Massachusetts, Pennsylvania, U.S. District Courts for the District of Massachusetts and Eastern and Western Districts of Pennsylvania, and U.S. Courts of Appeal for the First, Third, and Ninth Circuits

CLERKSHIPS

Law Clerk to Judge Gustave Diamond, U.S. District Court, Western District of Pennsylvania (1996–1998)

EXPERIENCE HIGHLIGHTS

Fenway Sports Group defends personal injury action

Electrolux attempts acquisition of GE appliances business

Honeywell legacy subsidiaries obtain dismissal of lawsuit alleging defectively designed products

AREAS OF FOCUS

Business & Tort Litigation
Product Liability Litigation
Airlines & Aviation
Class Action & Multidistrict Litigation
Toxic Tort Litigation

HONORS & DISTINCTIONS

Legal 500—leading lawyer or recommended in litigation for product liability and mass tort defense: consumer products (including tobacco) (2013–2014), toxic tort (2014–2016), automotive/transport (2015–2016), and aerospace/aviation (2007, 2009–2011, and 2014)

Selected by American Lawyer Media as one of 35 Pennsylvania lawyers as a ''2005 Lawyer on the Fast Track''

Named a ''Pennsylvania Super Lawyer, Rising Star'' by Philadelphia Magazine and Law & Politics (2005–2007)

Mr. BLUMENTHAL. I take this extraordinary step because she has failed to provide it in response to a specific question I asked in the written inquiries we submitted after her testimony. She said, in effect, she was ''duty bound to maintain the confidential nature of legal advice sought by or provided to any client.''

This claim of attorney-client privilege is absolutely bogus and ought to insult this body because there is no reason for the name of the client to be kept confidential or that attorney-client privilege to be sustained.

I think invocation of attorney-client privilege in this way speaks volumes to the kind of member of this Commission she would be. In fact, she has refused to reveal her full list of consumer product clients, other than the ones like Mattel and Yamaha, which are available through court filings and other public records. I have entered many of those other clients into the RECORD, but we

have no assurance that we know that full list.

She has also refused to recuse herself from matters involving her current firm, Jones Day, or its clients for more than 1 year. The Office of Government Ethics requires 1 year of recusal from the time she last represented that client, but no more than that length of time, and she has committed no more than the bare minimum requirement by law. In addition, her husband has represented IKEA in a major product liability suit involving furniture tipovers. She has refused to recuse herself from matters involving IKEA.

We are in a perilous time, when the norms concerning conflicts of interest have been reduced, almost eviscerated. We have an obligation to protect consumer interests at the Consumer Product Safety Commission. That responsibility is to make sure serious defects, dangerous products, problems, and hazards that will face consumers as a result of deadly or defective products are prevented from reaching the market. Consumers may have no knowledge of how they are deadly or dangerous. The Consumer Product Safety Commission has the mission to protect consumers.

For someone who has the ability, skills, and expertise to represent wrongdoers which threaten consumers is the responsibility of admirable and able law firms, like Jones Day, and those skills and experience enable lawyers who work there. It is not the job of a Commissioner of the Consumer Product Safety Commission.

So it is really not about her personal ability, it is about the mission of this agency and who is qualified to serve on it and whether they have told us everything we need to know to hold them accountable if they are confirmed.

On all those scores, this nominee is lacking. Therefore, I urge my colleagues to vote no today on her nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The assistant majority leader.

ACCOMPLISHMENTS OF THE REPUBLICAN-LED CONGRESS

Mr. CORNYN. Mr. President, I am sure I am not unique in the fact that when I go home, my constituents ask: What in the heck is going on up there?

The truth is, amid the polarization, the misinformation, the arguments, the disagreements we naturally will have—because we represent different parties, different regions, and different points of view—it is really important to occasionally reflect on what it is we have actually done because, as I learned a long time ago as a journalism student, good news is not news.

What makes news is when there is conflict and disagreement. That is what people pay attention to. That is what reporters write about, that is what the cable TV channels run because they know people will watch it. They can sell advertising. That is sort of the way the system works.

Good news needs to be told and needs to be spread. So what I would like to do is just reflect for a few minutes on the last 17 months and what has been accomplished during that year and a half by a Republican-led Congress and by the Trump administration working together.

I think, perhaps, the single biggest accomplishment that has benefited the most people broadly across this great land of ours is the new energized state of our economy. During the last administration, following the great recession of 2008, we had this ahistorical idea that slow economic growth was the new norm; that sub-2 percent economic growth each year—which isn't fast enough to create enough jobs to keep people employed—was something we were just going to have to live with. The fact is, since World War II, the economy has not grown at 2 percent or less; it has grown at about 3.2 percent.

What we are beginning to see is the slumbering giant of the American economy wake up and grow. People have confidence again and optimism in the future, which is a good thing. Unemployment fell to 3.9 percent recently, which is the lowest in 17 years, and 14 States hit record-low unemployment as well.

As I said, consumer confidence is high. As a matter of fact, it is at an 18-year high, and the tax reform package we passed last December has been the biggest, single game-changer. Although, I want to talk about regulations in a minute, the tax reform package got America back in the game. It made us more competitive globally as a place where people who want to invest money and create a business or grow their business—it is attractive, finally. We aren't chasing people off, having to move offshore in order to compete globally. They now see America as a favorable place to invest, and that benefits all of us.

Nearly 800,000 jobs have been created, 164,000 in April alone. To me, one of the most encouraging statistics is, in February, we saw more than 800,000 people rejoin the workforce. Unemployment statistics, as the Presiding Officer knows, can be a little bit misleading because sometimes when people quit looking for work, they are not reflected in the unemployment statistics, even though they are obviously unemployed.

The fact that 800,000-plus Americans decided to rejoin the workforce because they thought there was a real chance they could get a good-paying job ought to be enormously encouraging to all of us. It is to me.

In addition to the new jobs, in addition to more people joining the workforce, we have seen people who are working receive pay raises, more take-home pay. The retirement contribution their employers made to their 401(k) plan went up in hundreds of different cases.

We have also seen people see a reduction in their utility rates—the amount of money they pay for electricity—because the for-profit utilities saw a cut in their taxable revenue, and because they are utilities they had to lower the rates in order to meet the requirements of the regulators. We have seen bonuses being paid by large companies, like AT&T in Texas, and commitments made to invest in more infrastructure. We have seen benefits across the board. The National Association of Manufacturers says that 77 percent of manufacturers in America intend to increase hiring, and 93 percent of them have a positive outlook for their companies. That is the kind of optimism I feel and hear when I travel back home.

In visits to Amarillo, College Station, Austin, and elsewhere, I have had the chance and taken the opportunity to sit down and talk to my constituents in those places and ask: How is it going? How are we doing? How are you doing? What I hear from small business owners regularly is the benefits they are seeing from the Tax Cuts and Jobs Act.

I have also had constituents write to my office, explaining how the boost in their monthly paychecks is making a big difference when it comes to making ends meet, buying groceries, paying their bills, or affording health insurance.

I alluded to this a moment ago, but one recent piece of news had the Southwestern Electric Power Company announce it had requested its utility rates be lower. Actually, it probably didn't request it be lowered, but they were lowered as a result of their lower overhead as a result of their tax bill going down.

Southwestern has more than 180,000 Texas customers and attributed the rate decreases directly to the Tax Cuts and Jobs Act. I would say that is a good thing. When seniors and people on fixed incomes actually see their utility rates go down, it helps them make ends meet. Entergy Texas, another electric utility, has similar plans to return tax savings to customers and support continued investment. Those two companies are just the tip of the iceberg.

The economy is booming, so much so that employers tell me it is hard to find qualified workers. We need to double down on our commitment to make sure we provide people access to the education and training they need to qualify for the new, high-paying jobs that exist. But, simply, those jobs can't always be filled because there are not enough trained workers to perform them.

It is not just the economy that deserves our mention. One of the most significant things that the Trump administration has done is nominate and see the Senate confirm a record number of judges—judges who, by the way, are committed to faithfully interpreting the Constitution and not legislating from the bench because of their personal preferences.

If you want to pursue a personal agenda or political agenda, you ought to run for Congress, not seek the Federal bench. We expect and demand

something different out of judges, which is faithful adherence to the law, not imposing their personal policy preferences. That is what President Trump has prioritized in his nominees and the nominees we have confirmed.

Twenty-one circuit court judges have been confirmed so far. That is roughly one-eighth of the appeals court judges in the United States. These circuit courts hear appeals from Federal district courts, trial courts, and, as the Presiding Officer knows, set binding precedent on a wide range of issues. I like to say that for all practical purposes, the circuit courts are the Supreme Court because the Supreme Court of the United States hears roughly 80 cases a year. They obviously set the precedent, but there are a lot of cases that never reach the Supreme Court, and their final court of last resort is the circuit court. That means the men and women presiding over those courts—the way they approach their judicial decision making—is making a real difference.

As I said, with the help of the Senate, President Trump has secured confirmation for 21 circuit court nominees. It is worth pointing out that President Obama's 21st circuit court nominee was not confirmed until he was in office for 33 months. It is not just that we are confirming good judges; it is that we are doing so at a good clip, comparatively speaking.

These judges include people like Don Willett, former justice of the Texas Supreme Court; Jim Ho, the former Texas solicitor general; and soon, Andy Oldham, the general counsel to Governor Greg Abbott, who has been nominated to the Fifth Circuit Court of Appeals.

That is not to mention the very talented district court judges we have confirmed as well. Two of them, Karen Scholer and David Counts, are Texans, and both my State and the entire Federal judiciary are lucky to have them.

The third thing I want to mention in terms of the economy is regulations because of what we have been able to do, working with the President when it comes to the regulatory state—the bureaucracy, the nameless, faceless entities that make life either easier or more difficult for small businesses. We have had a big impact. Specifically, we have repealed burdensome Obama-era regulations through the Congressional Review Act. It has been said before—and I will say it again—that in all of Senate history, it had been used only one time before; that is, to repeal the ergonomics rule. We have used it 16 times to eliminate agency rules that had found their way into law during the waning hours of the previous administration.

This effort—the Congressional Review Act effort—has been spearheaded by people like the junior Senator from Pennsylvania, among others. It has eliminated rules like coal mining regulation that would have put more than 100,000 jobs at risk and another one enacted by the Department of Education that undermined local control of schools and directly violated a Federal statute at least 7 times.

Our use of the Congressional Review Act has been referred to as a ''regulatory wrecking ball'' and the ''most ambitious regulatory rollback since [President Ronald] Reagan.''

I don't agree it has been a wrecking ball. I think it has been more of a surgical operation. It has provided a signal to businesses, as well as real regulatory relief in those 16 specific cases. I think that is another reason for optimism in the sense that the Federal Government is no longer tying one hand behind the backs of our job creators.

Another important development has been finally rolling back some of the overregulation of Dodd-Frank. You will recall this was legislation that passed following the great meltdown recession of 2008. Like most things that happen in Washington, DC, the pendulum swung way too far.

I tell my community bankers and the credit unions in Texas: You weren't the target, but you were the collateral damage. They didn't cause the great recession of 2008, the subprime mortgage lending crisis; that was the big boys on Wall Street.

Thanks to Senator CRAPO and the Banking Committee and a bipartisan effort in the Senate, we finally pulled back some of the overregulation. If small community banks were going to be able to stay in business, they were required to hire people just to fill out the paperwork—not to make more loans but to fill out the paperwork. Many of them couldn't survive at all, so they had to merge or just go away. The people who got hurt the most were the people who needed access to credit—again, our small businesses.

Thankfully, this bill is now expected to pass the House this week, and it will be a big win for smaller financial institutions and make it easier for them to serve their communities by providing mortgages, providing credit, and lending to small businesses.

That is the past. Let's take a peek forward to this next week. This week, we will keep our commitment to our veterans—people who have worn the uniform of the U.S. military and who have served us so well and to whom we have a moral obligation, I believe, to keep our commitments to them—the promises we made to them when they were on Active Duty that when they left Active Duty, we would keep our commitments. We will do that when we vote on the VA MISSION Act this week.

This is a bipartisan, bicameral bill that will make significant reforms to the Department of Veterans Affairs. It will strengthen the healthcare and community care options that are available to America's veterans. It will provide $5.2 billion to the much needed Choice funding program to prevent interruption of access to needed care for veterans.

In other words, we have said: If you are a veteran and can't get to a designated VA healthcare facility—a hospital or clinic—you can get treated in your community by a hospital or other healthcare provider, and we will pay the fee. If you have to wait too long in line, if you have to drive too far, you will have healthcare options. That is why funding the $5.2 billion for the Choice Program is so important.

This bill will also provide caregiver assistance and consolidates the VA's seven community care programs into one streamlined program and will allow veterans, as I said, to seek care when and where it makes the most sense for them.

On the caregiver program, I can't help but remember when I visited Walter Reed, visiting some of our warriors injured in the line of duty in places like Afghanistan and Iraq. Frequently, the spouse of a wounded warrior has to quit his or her job to care for their loved one. It is an important aspect of the continuum of care necessary for them to recover and get back on their feet. We are going to provide greater access to caregiver assistance so that spouses and family members can do exactly that. It is the right thing for us to do.

Our VA MISSION bill also authorizes access to walk-in community clinics, removes bureaucratic redtape by authorizing local provider agreements, and eliminates barriers for VA healthcare professionals to practice telemedicine. In this new technological age, it makes no sense to have restrictions on the ability of people to get access to care through telemedicine, when and where appropriate.

I want to conclude by saying that I appreciate Chairman ISAKSON, Senator MORAN, and others working with the President and Acting Director Wilkie to get this done before funding runs out. I appreciate all of our colleagues who have worked on this on a bipartisan basis.

Last week, the House passed the bill, so now it is our turn. What a great sign of appreciation to our veterans it will be to get this bill passed and to the President's desk and have it signed before Memorial Day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

HEALTHCARE

Mr. JONES. Mr. President, I come to the floor today and rise to speak on a challenge that our rural health communities face both in Alabama and across the country. People living in rural areas often face difficulty in finding healthcare providers. The challenges of consistent, quality healthcare for rural America are exponentially more difficult than in any other area in the country. These persistent gaps in healthcare inevitably lead to poor health outcomes.

As a result, life expectancy for rural Alabamans is approximately 6 months lower than for those who reside in

urban areas and 3½ years lower than for people living in the rest of the country. In some parts of my State, the outlook is even worse. In Wilcox County, for example, life expectancy is 9 years lower than the national average. That is unacceptable. The county of your birth or where you choose to live should not dictate the quality of your life, much less your life expectancy.

Despite the prosperity some pockets of the country feel today, outcomes don't seem to be improving in many areas in rural America. Alabama's rural hospitals are at risk, and many are in immediate danger of closing. Sadly, some already have. Just last week, yet another hospital—this one in Jacksonville, AL—announced that they would close; it is about the 12th, I think, since 2011. It has become an all-too-familiar pattern in Alabama and in other rural areas in America. That means the quality and number of treatment options in these rural areas and in Alabama continue to decline. Fifty-two of Alabama's rural counties are facing primary care shortages, and those numbers get worse for specialty practitioners like dentistry and obstetrics.

Having spent nearly my entire life in Alabama—the only exception being 1 year in Washington, DC, working for this body on the Senate Judiciary Committee—I am acutely aware of the unique difficulties we face in keeping folks healthy. As I have traveled across Alabama over the last year, I have heard from folks who struggle to access medical care. I have heard from expectant mothers who didn't know if they would be able to make it to a hospital in time for delivery because the closest one was more than an hour away. I have heard from people who are impacted by the growing opioid epidemic and the lack of substance abuse and mental health treatment options in their communities.

When I came to the Senate, I knew I needed and wanted to make increasing access to quality, affordable healthcare one of my first priorities. I also knew that finding the Holy Grail of true healthcare reform in today's world of partisan politics is a difficult and complex task. I am proud to say that we have made some progress since I got here in January. For instance, through bipartisan efforts, the expired Children's Health Insurance Program, CHIP, which provides coverage to 150,000 Alabama kids as well as community health centers that serve 350,000 Alabamans, was funded for an additional 10 years in the future. I am proud that we secured an additional 3 years of funding for community health centers in that bill, which provides the primary source of healthcare in many underserved communities.

I was also a cosponsor of the Training the Next Generation of Primary Care Doctors Act, which was signed into law as part of the bipartisan budget deal. That legislation is critical for folks in my State, both in the training it provides to doctors in community health centers and in rural health clinics, but also because it ensures that talented individuals who choose to stay in the healthcare professions stay and practice in their community.

Bipartisan legislation like that bill is one of the many ways that we can improve how folks receive healthcare in the United States. There is, of course, another option, which leaders in Alabama have failed to take, and that is to expand Medicaid. By failing to expand Medicaid, many of Alabama's most vulnerable citizens have been denied access to basic care, and we turned away literally billions of our own taxpayer dollars in the process. That decision just doesn't make sense. While I remain hopeful that my State's leadership will reconsider the shortsighted decision made solely for political reasons, I am going to continue to work to find ways to help. For example, I will continue to advocate for changes in the Medicaid wage index, which has been unfairly hurting Alabama healthcare providers and has been doing so for years.

For my part, today, taking one additional step, I am proud to say that my very first piece of original legislation will focus on improving rural healthcare through making government more efficient. Today, along with my colleagues Senators MIKE ROUNDS and TINA SMITH, I am introducing the Rural Health Liaison Act. I wish to thank and acknowledge Congresswoman CHERI BUSTOS for her leadership on this issue in the House and her offer to partner in this important effort.

The bipartisan Rural Health Liaison Act will streamline Federal investment in rural healthcare and improve coordination between Federal agencies and other healthcare stakeholders by creating a Rural Health Liaison within the U.S. Department of Agriculture.

I believe the USDA is an appropriate spot for such a position because the Department plays a major role in rural development efforts. For instance, the USDA has the capability to finance the construction of hospitals, to implement telemedicine programs, and to carry out health education initiatives. We want to make sure that these efforts are fully coordinated and leveraged with the U.S. Department of Health and Human Services and other Federal agencies, as well as other important healthcare stakeholders.

Among other things, the Rural Health Liaison would consult with HHS on rural health issues and improve communication with all Federal agencies. It will provide expertise on rural healthcare issues. It will lead and coordinate strategic planning on rural health activities within the USDA, and it would advocate on behalf of the healthcare and relevant infrastructure needs in rural areas.

I thank Senators ROUNDS and SMITH for their support on this important legislation, and I look forward to working together with them and other colleagues to move this bill forward. This is a great example of how Senators from both sides of the aisle can come together to propose commonsense legislation to make government work better and more efficiently. It is exactly the kind of work that I hoped to do when I arrived here just a few months ago.

But this is just another step in a very complicated process. In the months ahead, I hope to have the opportunity to continue to work with colleagues on both sides of the aisle in this body to lower healthcare costs, to increase access to quality healthcare, and to improve the health and well-being of people living in rural Alabama, in rural America, and, in fact, for people all across this great Nation.

Thank you, Mr. President.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. JONES. Absolutely, yes.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. This Senator from Florida wants to thank his neighbor and colleague for his comments and to say how true it is that there is an underserved part in healthcare that is not only the underserved in the inner city but, clearly, also in rural America. This Senator wants to thank the Senator from Alabama for coming forward with that piece of legislation. I look forward to discussing it with him.

I also wish to thank the Senator for his comments about how shortsighted it is that the government, as he stated, in his State of Alabama, and, certainly, the government in my State of Florida, refuses to expand Medicaid and has so for almost 7 years, when, in fact, in the State of Florida, there is almost $5 billion a year that is sitting on the shelf that is Florida taxpayer money that is going elsewhere if not accessed, and it has not been accessed in my State of Florida. That is 800,000 people—almost 1 million people—poor people and disabled folks who would be getting healthcare, and they otherwise are not getting healthcare.

Would the Senator believe that when they don't get healthcare through Medicaid, for which they are eligible under the law, when they get sick, what do they do? They end up going to the emergency room. By not having any preventive care, it is now an emergency. Of course, when treated at the emergency room, it is the most expensive place at the worst time. Lo and behold, it is uncompensated care, and the hospital can't eat all of that uncompensated care. So what happens? All the rest of us pay through increases in our premiums.

I thank the Senator for his statement about what is happening in my neighboring State of Alabama.

Mr. JONES. I say thank you to Senator NELSON. I appreciate that. Although our numbers are not as staggering in our State of Alabama, they are still significant for the State of

Alabama with regard to Medicaid. So I will state that I appreciate the Senators comments very much, and I look forward to working with him on this bill and helping to move it forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I rise today regarding the nomination of Dana Baiocco to serve as a Commissioner on the Consumer Product Safety Commission, or, as we refer to it, the CPSC. It is a small, safety-focused agency. It has about 500 employees, but it has a critically important mission to keep Americans safe from potential defects in thousands of consumer products, many of which are imported from China.

We have seen the need to have a strong cop on the beat, and we have seen that many times over the years. For example, back in 2007, we saw what was referred to as a summer of recalls, when a number of children's toys were recalled for high levels of lead and other toxic substances.

In response to that summer of recalls in 2007, Congress almost unanimously passed a law, the Consumer Product Safety Improvement Act of 2008, to address the safety of toys and other children's products. But there is still a lot more to do.

Last summer, another tragedy played out in Florida, involving portable generators. People go and buy these portable generators in anticipation that they are going to lose electricity in their home, as is so often the case with a hurricane. In the wake of Hurricane Irma last year, 12 Floridians died and a number of others were injured by the use of portable generators because carbon monoxide poisoning is emitted from these portable generators. In many cases, the victims were just trying to clean up debris or provide power to their families after the storm, unaware that these generators give off large amounts of carbon monoxide, which is colorless, odorless, and deadly.

For years we have been calling on the CPSC to ensure that portable generators are equipped with mechanisms that limit carbon monoxide emissions and automatically shut off the generators when the carbon monoxide level reaches a high, dangerous lethal level in an enclosed area that could cause death. It is a small modification to generators that would not affect the performance but definitely would save lives.

This happens after every hurricane. People get generators because it is a number of days or weeks without electricity, and they still want to have electricity, and, of course, there are untold deaths. In the case of Florida, in the aftermath of Hurricane Irma, there were 12 deaths. If small modifications had been in place last summer, it is very likely that some of those Floridians who lost their lives would still be with us.

That brings me to Ms. Baiocco's nomination. She certainly has a distinguished legal career. She has been a partner of a major law firm, and I congratulate her on that.

When she was in front of our Commerce Committee, she was asked whether she would support a mandatory standard requiring that generators have mechanisms that limit carbon monoxide emissions or other devices that switch the generators off when the carbon monoxide level rises to dangerous levels. Her response was that we should defer to a voluntary industry standard.

I ask the Presiding Officer: Do you think the industry is going to voluntarily put on these shutoff mechanisms? Isn't the CPSC there for the purpose of protecting the public?

When the next hurricane hits—perhaps in the Presiding Officer's State—do we want another dozen deaths as has occurred in Florida? I don't think so. I think that is the role of the CPSC, and yet Ms. Baiocco said she wants it to be voluntary with the industry. Well, that is exactly what we have been doing for years, and we just keep seeing more deaths and more injuries because the industry doesn't change it. In some cases, whole families have been wiped out. That is not a pleasant thought.

Hurricane season starts June 1, and every day that the CPSC fails to act on portable generators, more Americans will die, especially where hurricanes hit. The place called ''hurricane highway'' is not only the peninsula of Florida but also the Gulf States and the gulf coast, which includes the Presiding Officer's State. The fact that Ms. Baiocco cannot recognize the need for a mandatory standard in this area makes me wonder if she is going to do anything about other hazards that impact our families.

Mr. President, I ask for 60 more seconds.

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

Mr. NELSON. Mr. President, this is serious. There are things like potentially toxic flame-retardant chemicals in children's products. Remember all of those Chinese toys that were defective? Or what about recycled crumb rubber that is used in playgrounds that have high levels of toxic substances?

Sadly, it seems that with the administration's recent appointments to the CPSC, the Commission could soon become known as the ''commission to protect shareholders and companies.''

This Senator believes that the people appointed to protect us have to display a desire to protect the consumers first. The stakes are just too high. Unfortunately, this Senator, a member of the Commerce Committee, has concluded that Ms. Baiocco does not meet this standard. Therefore, I must oppose her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent to be able to conclude my remarks regarding this upcoming vote prior to the vote.

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

Mr. THUNE. Mr. President, I rise today to voice my strong support for the nomination of Dana Baiocco to be a Commissioner at the Consumer Product Safety Commission. Ms. Baiocco has dedicated her career to product safety and liability matters, and it is my firm belief that her depth of experience and familiarity with consumer product safety issues will bring an important perspective to the Commission once she is confirmed.

Born and raised in Yorkville, OH, Ms. Baiocco attended the Duquesne University School of Law, graduating cum laude in 1997. While still in law school, Ms. Baiocco served as a law clerk for the U.S. District Court for the Western District of Pennsylvania. In 1998, she joined the law firm of Jones Day and became a partner in 2007, where she has dedicated her legal career to counseling clients on product safety and liability issues. In 2011, she became one of the founding partners of Jones Day's Boston office, which opened that same year.

Currently, the CPSC retains a 3-to-1 Democratic majority. While the Commerce Committee has favorably reported Ms. Baiocco's nomination, as well as Acting Chairman Anne Marie Buerkle's nomination twice this Congress, both have been unfairly held up by some on the other side. The CPSC deserves a fully constituted Commission of Senate-confirmed leaders. Ms. Baiocco's confirmation is a crucial measure of good governance to restore balance to the Commission.

To date, I have not heard a single argument against Ms. Baiocco's abilities. Notwithstanding her extensive qualifications to be an effective Commissioner at the CPSC, however, some of our colleagues on the other side have voiced concerns about her nomination on the grounds that her career representing business clients in the consumer product and liability space may impact her impartiality when considering issues before the Commission. A few have also raised concerns about her impartiality on the basis of her spouse's career as a litigator and partner at the law firm of White and Williams.

Well, to my colleagues who harbor such concerns, I would note that the Senate routinely confirms nominees who are lawyers with private practice backgrounds, and we expect such officeholders to advocate for the public interest just as zealously as they once advocated for their clients.

I would also remind our colleagues of the role the Office of Government Ethics plays in ensuring that nominees have resolved any actual or apparent conflict of interests before they are even considered by the Senate. The Office of Government Ethics has closely scrutinized Ms. Baiocco's financial disclosures to ensure compliance with all requirements and evaluated Ms. Baiocco's finances and background for conflicts of interest.

Further, Ms. Baiocco has formerly pledged in her ethics agreement that she would recuse herself from matters involving her firm, Jones Day, or its clients unless issued a waiver. She also specifically stated in her ethics agreement that she will not ''participate personally or substantially in any particular matter involving specific parties in which [she knows] a client of her spouse is a party or represents a party'' unless authorized. Additionally, she has complied with all matters concerning the management of her financial assets in the future.

It is my firm belief that Ms. Baiocco's experience will afford a unique perspective as a commissioner and serve the CPSC well. There is no legitimate reason to delay her confirmation any further. I, therefore, urge my colleagues to support her nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). All time has expired.

The question is, Will the Senate advise and consent to the Baiocco nomination?

Mr. THUNE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Colorado (Mr. GARDNER) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Colorado (Mr. GARDNER) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Maryland (Mr. CARDIN), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—50

Alexander	Flake	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Capito	Hoeven	Rounds
Cassidy	Hyde-Smith	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NAYS—45

Baldwin	Casey	Gillibrand
Blumenthal	Coons	Harris
Booker	Cortez Masto	Hassan
Brown	Donnelly	Heinrich
Cantwell	Durbin	Heitkamp
Carper	Feinstein	Hirono
Jones	Murphy	Smith
Kaine	Murray	Stabenow
King	Nelson	Tester
Klobuchar	Peters	Udall
Leahy	Reed	Van Hollen
Markey	Sanders	Warner
McCaskill	Schatz	Warren
Menendez	Schumer	Whitehouse
Merkley	Shaheen	Wyden

NOT VOTING—5

Bennet	Duckworth	McCain
Cardin	Gardner	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

Johnny Isakson, Roger F. Wicker, John Thune, John Cornyn, Richard Burr, Mike Crapo, Tom Cotton, John Boozman, Thom Tillis, Jerry Moran, Joni Ernst, David Perdue, Roy Blunt, John Hoeven, Bill Cassidy, Dan Sullivan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Colorado (Mr. GARDNER) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Colorado (Mr. GARDNER) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Maryland (Mr. CARDIN), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The yeas and nays resulted—yeas 91, nays 4, as follows:

[Rollcall Vote No. 104 Leg.]

YEAS—91

Alexander	Graham	Paul
Baldwin	Grassley	Perdue
Barrasso	Harris	Peters
Blumenthal	Hassan	Portman
Blunt	Hatch	Reed
Booker	Heinrich	Risch
Boozman	Heitkamp	Roberts
Brown	Heller	Rubio
Burr	Hirono	Sasse
Cantwell	Hoeven	Schatz
Capito	Hyde-Smith	Schumer
Carper	Inhofe	Scott
Casey	Isakson	Shaheen
Cassidy	Johnson	Shelby
Collins	Jones	Smith
Coons	Kaine	Stabenow
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cortez Masto	Klobuchar	Thune
Cotton	Lankford	Tillis
Crapo	Leahy	Toomey
Cruz	Manchin	Udall
Daines	Markey	Van Hollen
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	Young
Flake	Murray	
Gillibrand	Nelson	

NAYS—4

Lee	Rounds
Merkley	Sanders

NOT VOTING—5

Bennet	Duckworth	McCain
Cardin	Gardner	

The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 4.

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

RECESS

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

Thereupon, the Senate, at 1:03 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

VETERANS CEMETERY BENEFIT CORRECTION ACT

The PRESIDING OFFICER. Cloture having been invoked, the clerk will report the House message to accompany S. 2372.

The senior assistant legislative clerk read as follows:

House message to accompany S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell amendment No. 2246 (to the House amendment to the bill), to change the enactment date.

McConnell amendment No. 2247 (to amendment No. 2246), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Veterans Affairs', with instructions, McConnell amendment No. 2248, to change the enactment date.

McConnell amendment No. 2249 (to (the instructions) amendment No. 2248), of a perfecting nature.

McConnell amendment No. 2250 (to amendment No. 2249), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, we have all seen the headlines across the Nation about the VA Choice Program and how it has failed our veterans. I wish to share some of those headlines from my home State of Montana.

From Montana Public Radio, the headline was: ''Montana Hospitals: New VA Program Fails To Pay.''

From NBC Montana, the headline was: ''New problems for Veterans Choice in Montana.''

From the Billings Gazette, the headline read: ''Painful truth about Montana VA.''

As I travel around the State, as I hear from veterans who come back to Washington, DC, I personally have heard from them, from countless healthcare professionals, from our hospitals regarding payment delays, long waiting times, and elusive runaround on the most basic services.

Under the Choice Program, our veterans did not receive the healthcare they deserved. However, the bipartisan MISSION Act will follow through on the promises that were made to our veterans. Rural veterans will get greater, easier, quicker access to the care they need. Whether a veteran lives 20, 30, or 40 miles from a VA clinic, they can go elsewhere if the VA does provide them with the services they need. It brings VA care into the 21st century by encouraging telemedicine and strengthens oversight of opioid prescriptions. Veterans will have more access to doctors because there will be measures holding companies accountable—companies like Health Net—for how they manage the new program. It provides scholarships to encourage medical and dental students to serve in the VA, and it creates a new loan repayment program for medical students who are training in specialties that are currently lacking in the VA.

This is one of the big problems we have. We can't fill the slots with medical professionals in the VA. It is about time we take meaningful steps toward fully delivering on the promises we have made to our veterans.

On this Memorial Day week, I wish to share that we have passed my bill to name VA clinics in Missoula and Billings after Montana veterans David Thatcher, Dr. Joseph Medicine Crow, and Benjamin Steele. My bill has been sent to President Trump's desk for his signature. With the passage of the MISSION Act, these three clinics will be delivering new and improved care and will also display the names of three Montana World War II heroes. I urge my colleagues in the Senate to join me in supporting the VA MISSION Act.

I yield back my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to bring attention to a particular provision of the bill now before the Senate—a provision that would do so much to help our country fulfill its promise to our veterans—and that is to expand and strengthen the VA's caregiver program.

This program may not be well known outside of military family circles, but, make no mistake, the caregiver program could be a game changer for the estimated 5.5 million people across this country who put their lives on hold to care for a loved one who returned from service with illness or injury.

I met one of those caregivers not too long ago in my home State of Washington. Tiffany Smiley wears many hats. She is a mother, a wife, a nurse, and a veteran caregiver. She and her husband Scotty first met back in junior high, and years later they were married. He signed up to serve our country and Tiffany became a military spouse. Then, in 2005, she got the call every military family fears. Scotty had been severely injured in a suicide bombing in Iraq. He was alive, but he lost his eyesight permanently.

As Tiffany describes it, her world was shaken to its core, and their lives were never the same again. But Tiffany, like so many other military spouses, didn't think twice about whether she would care for her husband and their growing family. It was just a matter of how she could do it. To this day, Tiffany is an amazing advocate for the caregiver program and what it has meant to her and to her family.

She describes both the good days and the bad days, so those of us not in her shoes can understand some of the challenges they face. She does it because she knows she is not alone. She knows that sharing her experience is making a difference to educate the rest of the country about what it means to be a veteran's caregiver.

It is so true. I heard from countless people who, when their loved one came home from service with an injury or illness, made big life changes by quitting a job, scaling back their hours, or taking leave from college. They put big purchases, retirements, and dream vacations on hold or they took on more parenting responsibilities. You name it. They sprang into action and did what they needed to do, because that is just what you do when it is someone you love.

We know that the care military caregivers provide comes at a cost. Several years ago, the Dole Foundation commissioned the largest ever study of its kind to examine the sacrifice of military caregivers. It showed that some caregivers spend more than 40 hours a week caring for veterans. That is the equivalent of a full-time job, and that takes a toll. The study showed that caregivers have significantly worse health than noncaregivers. They run a higher risk of depression because they put their own physical and mental well-being on hold. The stress of providing care can strain relationships and increase divorce rates. So caregivers—or, as they are often called, our hidden heroes—don't necessarily wear a uniform or go overseas, but they sacrifice a whole lot and they serve our country in ways most people find unimaginable.

That is why expanding the caregiver program to veterans of all eras is so important, because the program provides resources and support, including training and counseling, a stipend, access to healthcare, respite, and more.

This bill expands the support services for caregivers to address their still unmet needs. That includes offering financial and legal advice to deal with the many complex and difficult challenges that arise that are unique to being a caregiver.

Not only does the caregiver program recognize the sacrifice of caregivers, but it also puts decisions about care into the hands of the veterans and their loved ones. They can decide to be at home with onsite care or on their own terms and as independent as possible. That is really important. The fact that we are so close to getting this program expansion across the finish line goes to show how far we have moved this conversation. That is also why we have to keep pushing it forward—so veterans and military caregivers never feel like they have to face these problems alone, because the reality is that if a servicemember is hurt while fighting for our country, the responsibility of care should never fall to only one family. It is the responsibility and the duty of our entire Nation to have their backs and give them what they need.

We can't stop until we get this done. We can't stop until every veteran and military caregiver knows that their country is there for them on their terms, no matter what. I am so proud that the caregivers program expansion is front and center in the VA MISSION Act now before the Senate. On behalf of Tiffany and Scotty and all of the other military families out there, I urge my colleagues to express their support for this critically important program.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Cloture having been invoked, the motion to refer and the amendments pending thereto fall.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Alaska.

TRIBUTE TO RICH OWENS

Mr. SULLIVAN. Mr. President, as my colleagues know, one of the best times of the week for me is when I get to come down to the floor and talk about some of my great constituents back home in Alaska, somebody or a group of Alaskans I refer to as the ''Alaskan of the Week.''

We all think we come from great States, but what I really enjoy about talking about the Alaskan of the week is not just talking about Alaska and how beautiful and big and majestic it is but also about the people who make it such a great place. In this ''Alaskan of the Week'' presentation, I want to talk about not just Rich Owens, whom I am going to talk a lot about this afternoon, but also small businesses in Alaska—in this case, in Anchorage, my hometown. As you know, the owners of these businesses really make a positive impact on communities like Anchorage or States like Alaska or really the whole country.

When you think of Alaska, you think of food. Particularly right now, as spring is in full swing, you think of our delicious salmon. I have good news for all the salmon lovers out there: Copper River salmon season opened last week. It is some of the best wild salmon on the planet. You might also think about our halibut and black cod, king crab, shrimp, and oysters. We actually serve that to our fellow Senators here when we have lunch. I know the Presiding Officer loves Alaskan seafood.

I want people to actually realize that some of our food is ice cream. I know that sounds strange—ice cream in Alaska. In fact, it is said that Alaskans consume more ice cream per capita than any other State in the country. Go figure on that one. That doesn't surprise Rich Owens, our Alaskan of the week, who is the owner of the bustling Tastee Freez on the corner of Jewel Lake and Raspberry Road in Anchorage. That Tastee Freez, which opened in Anchorage at a slightly different location 60 years ago, is one of the oldest Tastee Freezes in the country, and it sells more ice cream than any other Tastee Freez in America. That is remarkable. Rich also claims the largest menu of any Tastee Freez in the United States.

Like so many of our great small businesses, it is much more than just an ice cream store. To those who live in Anchorage and many who live across the State, Rich's Tastee Freez is an institution. It is a bulwark for the community, thanks largely to Rich's ownership. Since he bought the business in 1994, he has made giving back to his community his top priority in so many different ways beyond running that great small business.

Rich was raised in a small town in Montana. His father was a pharmacist, and his parents owned a drugstore. Giving back to the community was something he saw his parents do every single day. ''It was not the exception,'' Rich said, ''it was the rule.''

Rich came to Alaska in the 1980s to work at what is now the Millennium Hotel—another great business in Alaska. In 1994, he bought the Tastee Freez. Since that time, Rich has donated his time and energy and, importantly, his philanthropy to our great State and our community. Let me provide a few examples.

Rich is a huge champion for our schools. That can mean delivering up to 400 sundaes to elementary schools when they have a family reading or math night. He helps fund school trips for students who need help. Every year, each elementary school that he works with stages a Tastee Freez takeover. School staff members work shifts behind the counter, and Tastee Freez employees wear school T-shirts. Those takeovers are widely advertised and popular, and Tastee Freez donates a portion of that day's take to the school. He is very focused on community.

Rich has also formed a work-study partnership with high schools. He guesses that the average age of his 28 employees is 17 years old—about the age of our pages right here listening so intently. For so many Alaskans, it was their first and some say their best job ever, working in that Tastee Freez Rich owns. He has donated his time, energy, and talents to successful summer camps that teach young Alaskans about the outdoors and important values. One of his assistant managers began to work at the shop when she was 15 years old. She is 31 years old, and she met her husband at the shop. This is a great community small business.

Rich is also a huge supporter of our military, our veterans, and the National Guard. As we are approaching Memorial Day weekend and as we are literally debating a very important Veterans Affairs' bill on the Senate floor right now, it is important to remember the thousands of Alaskans and the literally millions of Americans who are veterans and those like Rich, who are supporting our veterans day in and day out.

For example, Rich has been part of the Alaska National Guard's Operation Santa Claus each Christmas holiday, which flies Santa Claus and a bag of presents, toys, school supplies, and fresh fruit to some of the most remote, far-flung Alaska villages each year during the holidays. These kids and these communities love it. Of course, Santa and his helpers also bring Rich's ice cream. Thanks to Rich, the kids get ice cream in the winter. Every year, he serves thousands of 5-ounce sundaes to these young kids in our villages—some who have never seen sprinkles or caramel toppings on their ice cream. For his efforts, Rich is known in my State as the commander of the Alaska National Guard Ice Cream Support Squadron.

Just a few weeks ago, the Tastee Freez in Anchorage—Rich's great small business—celebrated 60 years of service to the community. In case you want to know whether this is a popular small business in our community, over 1,000 people showed up at this celebration. They served 1,644 small ice cream cones, not including the dipped cones and sundaes that day—all free of charge.

I was there for that great celebration. Senator MURKOWSKI was there. Congressman YOUNG was there. Our Governor was there. Tastee Freez corporate officers from the lower 48 flew up to Alaska for this big event. They had never seen anything like it. This is the No. 1 Tastee Freez in the country. But what most excited Rich that day was all the people there he had served throughout the years, including the hundreds of people who used to work at the shop, who met their spouses at Tastee Freez and then had children, and those children now go there, and some even work there.

That is what a small business with heart can do for a community. It can provide young people with their first real job. It can bring us together. It can provide a sense of community. It can serve the community. And, of course, it can be a delicious place of memories for families. That is what the Tastee Freez in Anchorage has done, and that is why we want to congratulate Rich on being our Alaskan of the week and thank him again for all the great things he has done for our State and community.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MORAN. Mr. President, I am pleased to be back on the Senate floor this afternoon in support of the VA MISSION Act. I was here last Thursday, and, in part, I paid tribute to Senator MCCAIN. We greatly miss him here on the Senate floor. I personally—and I know my colleagues also—wish he were here to help us determine a path forward and to find the solutions to problems. Senator MCCAIN is an expert in caring for those who have served us in the military and taking care of our military retirees and our veterans. So, again, I use this moment on the Senate floor to pay tribute to my colleague Senator MCCAIN and to thank him for his service to our Nation and his willingness to work side by side with me as we develop legislation that deals with the issue of community care for veterans across the country.

I highlighted last Thursday that challenges at the VA have caused Congress to respond, and that response involves Choice, legislation that now exists in which, under certain circumstances, veterans have the ability to find and be provided care within their communities. They can see their hometown physician and be admitted to their hometown hospital under certain circumstances.

The Choice Program has worked well for many veterans, just as the VA itself internally works well for many veterans. But I know from my own experience as a Member of the U.S. Senate

that Kansans have experienced significant challenges with VA programs, especially with the Choice Program, in which the bureaucracy seems to inhibit the ability of the VA to provide the care that veterans across Kansas are seeking.

I indicated last week that currently within our office, we have 80 cases in which we are dealing with veterans who are facing challenges from something they need from the VA and are not receiving. I looked at the numbers prior to that since I have been a Member of the U.S. Senate. There have been 2,650 occasions in which a veteran sought help from their U.S. Senator for something we would expect them to be entitled to based upon their service to our Nation. We are grateful to those veterans, and we want to make sure they are honored and esteemed. At the same time, we want to make sure the promises that were made to those who have served our Nation are kept.

The legislation before us that has been approved by the House of Representatives and is now in front of the Senate has been entitled the VA MISSION Act. We were actually successful in honoring Senator MCCAIN by including his name in the title. Again, I appreciate his willingness to help create the Choice Program and now to reform and extend it.

One of the challenges I have taken upon myself is to make certain we don't simply—nothing is simple around here—just extend the current Choice Program. We have worked to reform it and improve it and make it more likely that the challenges of those 80 veterans who are seeking help from my staff or those 2,650 who have sought help from my staff are a lot less.

So I judge the efforts in this legislation with this challenge: What are we doing to reduce the problems veterans encounter in seeking the help they are entitled to? In a conversation with my staff, I asked them to give me the top 10 reasons why this legislation is a good thing; tell me what are the top 10 reasons a Member of the U.S. Senate should vote for this legislation.

Incidentally, when we pass it, it will be forwarded to the President. President Trump has indicated his strong support for this legislation, so there is every indication the President will, of course, since he supports the legislation, sign it into law and will do so prior to Memorial Day, a time in which we again pay respect to those who have served our Nation.

My top 10 list became 12, and I would guess that if given more time and greater ability to spend time on the floor, that list of 12 could be expanded to a much longer list, but let me share with my colleagues reasons that I think it is important for this legislation to be approved and to be sent to the President.

Again, I was a skeptic early on. I wanted to make certain that we did something significant and not just extend the Choice Program into the future but make significant changes. The challenge has been trying to make certain the VA does things we want them to do, that they follow the letter of the law of legislation we pass, and they follow the intent of Members of Congress. In regard to the Choice Act that passed now 3 years or so ago, it was hard sometimes to see that the VA was implementing that legislation the way it was written or the way it was intended.

No. 1 of the top 12 reasons this legislation should be approved is that this legislation makes certain the VA executes the law consistent with the intent of Congress. It mandates coordination with Congress as it develops rules and regulations under this new legislation.

The goal I expect to be successful in achieving is to prevent the VA's ability to narrow or limit the program's opportunity to serve veterans as was intended by this law and, more importantly, as they deserve.

No. 2, this legislation consolidates community care programs. There are seven different community care programs within the VA in which a veteran can access care away from the hospital—the big brick buildings that most of us have in our States; usually in the most populated areas of our States—and those seven community care programs are consolidated into one community care. That will reduce the bureaucracy at the VA but will also make it more understandable for our veterans and for the providers, including doctors, hospitals, and others who provide care to veterans today, in those community care programs—one program, not seven.

No. 3, we want to improve care coordination. By that we mean the quality of the relationship that a veteran has with the VA and what that relationship means in terms of them accessing care today and tomorrow and care related to their circumstances. This legislation requires the VA to provide a coordinator of care for veterans utilizing care in the community to ensure continuity of care and service in a timely manner. This will make it an easier task for a veteran to receive what they need, and it ensures it is done in a timely way. It also prevents lapses in care by increasing the communications between the veteran and the VA community provider.

No. 4, the legislation reforms eligibility. This is an important one. They are all important, but this one is especially important to me.

Under the Choice Act under which we operate today, the VA was instructed to allow a veteran who lives more than 40 miles from a VA facility or it takes more than 30 days for that veteran to receive his or her care at the VA—to provide, under Veterans Choice, that care in a community setting. Eligibility was defined by a narrow circumstance. However, having said that, it was never clear whether a veteran would qualify.

That 30-day, 40-mile criteria empowered the VA to make decisions that often left a veteran who seemingly should be eligible, ineligible for care in the community. This legislation removes the 30-day, 40-mile requirement and replaces it with the criteria of what is in the best interest of the veteran. That is pretty important and pretty basic. One would expect that always to be the circumstance, but the criteria is changed now to what is in the best interest of the veteran, and the VA must meet clearly defined, routinely reviewed criteria as to whether that veteran is eligible to have community care if he or she desires it. So we are reducing the discretion. The decision is still made between the veteran and the VA, but we have narrowed the amount of discretion the Department of Veterans Affairs has and left the opportunity for the veteran, when it is in his or her best interest, access to care in the community.

So it is clearly defined, and the criteria is routinely reviewed to make sure access is available and that quality standards are met.

No. 5, if it turns out that the veteran disagrees with the decision made by the Department of Veterans Affairs as to whether he or she is eligible for care in the community—whether or not it is in his or her best interest—then there is an appeal to the hospital director in that person's area. In Kansas, this would be an appeal to the hospital director at the Colmery-O'Neil Hospital, at the Dwight Eisenhower Hospital in Leavenworth, or the Dole VA Hospital in Wichita.

Today, when a veteran is denied access to care in a community, their only recourse is to call their Congressman or to call their U.S. Senator to complain and have us go to bat. While we are all willing and we welcome the opportunity to serve those who have served us, the reality is, no one—and certainly no veteran—should have to call their U.S. Senator in order to get the VA to provide care that is in their best interests.

So this now gives a different route and hopefully a much more convenient route for veterans. We wouldn't have had the 2,650 cases if we had this provision. The veteran could have the opportunity to have their decision about their care—what is in their best interests—determined by the VA at home. So there is recourse for a veteran who is dissatisfied with the outcome.

No. 6, this provides full access for episodes of care. What our veterans have faced in using the Choice Act to date is, they will get a referral to a physician, but then the physician decides the veteran needs lab work or an x-ray. Unfortunately, that meant the veteran had to return to the VA to seek additional approval for the lab work and additional approval for the x-ray.

So we have redefined what it is the referral involves, which is they are referred for an episode of care. That means the lab work and the entire episode of care is treated in completion in

the community. No longer is the veteran required to re-call, re-request the VA to give them additional reauthorization.

No. 7, the legislation also mandates regular market assessments to determine what care is available in the community and where the Department of Veterans Affairs excels. We know the Department of Veterans Affairs has many medical programs, care, and treatments that veterans want and need, in which they excel. This gives us a better understanding—the veteran, the Department of Veterans Affairs, and us as Members of Congress in our oversight responsibilities—to know what is available within the VA and what is available in the community, and that lends itself to the determination of what is in the best interests of the veteran.

No. 8 of the list of 12 is something that is important to us as Members of Congress who have veterans who come from rural areas. We have 127 hospitals in Kansas; 88 of them are designed as critical access hospitals. It is a designation under Medicare, and it provides a cost-based reimbursement for that healthcare provider. It means our smallest hospitals in our smallest communities have a Medicare reimbursement rate that is designed to keep them in business, to keep their doors open.

Unfortunately, the Choice Act, in its current form, only requires the VA to reimburse at Medicare rates. That Medicare rate was never interpreted by the VA to be the rate that hospital received for Medicare patients, only a more standard Medicare rate. This legislation requires that the care be paid for at that critical access hospital designation rate. The same, I hope, is true for our rural health clinics, so physicians and hospitals receive the amount of money they would receive if they were treating a Medicare patient.

Why is this important? It is important because it encourages our hospitals to accept veterans into the community care program. The amount of reimbursement they would receive would be the same or similar to what they receive in caring for a Medicare patient, and our hospitals, in that circumstance, are hanging on financially by a thread anyway. It is a challenge to keep hospital doors open in our smallest communities. This gives them a reimbursement rate that increases the chance that the revenue is sufficient to cover the cost. It will encourage more hospitals to accept Choice community care patients, and it will increase the chance of those patients being alive and well into the future.

No. 9, this bill allows for access to walk-in care. Something that is changing in our delivery healthcare system is the ability to go to a pharmacy and have your blood pressure taken or get an inoculation, a vaccine. So access to walk-in care is becoming more common across our State and around the country. This allows our veterans to receive, under this community care program, care from local walk-in clinics, convenient care clinics, and federally funded health centers, giving veterans the same access to nonemergent convenience care that people other than veterans now receive.

Allowing walk-in care at your local clinic is a much more convenient and a much more cost-effective way of addressing the issue of access to care across the State of Kansas and around the country.

No. 10, this legislation provides additional funds to maintain the Veterans Choice Program during its development and implementation. One of the challenges we faced is the inability of the Department of Veterans Affairs to determine actually how much money is required to keep the Choice Program going. This legislation keeps the program in place while we transition.

I serve as a member of the Appropriations Committee, and I have chaired the subcommittee that funds the Department of Veterans Affairs. We have been worried that every time there is a shortfall in the money available for Choice, we will see the VA reduce the number of veterans who qualify for care and therefore starve the program, and the networks that have been built up with healthcare providers in the community will disappear. So this is stabilizing. It is a process issue, but it is important because it allows for care to continue during the interim as we move to this new legislation.

No. 11, it increases access to telemedicine. The VA is known as a high-quality provider of telemedicine, but this is an opportunity to expand that, especially for rural veterans or specialty care, where it is expensive for that care to be provided—and we don't have providers in every VA setting—or if where a veteran lives is so remote that getting to the Department of Veterans Affairs hospital is a challenge. The State of Kansas has lots of rural communities and long distances—it can be a 4- or 5-hour drive.

I have been joined on the floor by the Senator from Montana, the ranking member on the Veterans' Affairs Committee on which I serve. The Senator from Montana understands very well the challenges rural veterans face in getting access to care when it is a distance away.

Finally, No. 12, we are going to work hard to foster innovation within the Department of Veterans Affairs. This legislation creates the VA Center for Innovation for Care and Payment, allowing the VA to more efficiently develop and carry out pilot programs to test and check out innovative solutions and approaches to improving the care for veterans, improving access to care, improving the cost associated with that care, and trying to find ways we can better assist our veterans in a more cost-effective way.

I again reiterate my support for the VA MISSION Act and honor Senator MCCAIN, for whom this legislation is named. I look forward to its passage. I am encouraged by the vote that occurred as we moved forward with this bill. I think there were 94 Senators who voted in favor of it. It has broad support.

It was my pleasure to work with my colleagues on the Veterans' Affairs Committee.

I now yield the floor to the Senator from Montana, Mr. TESTER.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank Senator MORAN for his kind comments.

I want to begin my comments by acknowledging the chairman of the Senate Veterans' Affairs Committee. We would not be here today taking up the VA MISSION Act without the leadership of Senator JOHNNY ISAKSON of the majority. He is a fierce advocate for veterans, and he has been an incredible pleasure for me to work with. The bipartisanship and collaboration on our Senate Veterans' Affairs Committee happens because we leave politics at the door. That is possible because of JOHNNY's personality and leadership style, as well as his commitment to the veterans of this Nation.

I would also like to thank the many veterans service organizations that have weighed in and provided positive feedback on the VA MISSION Act. Thirty-eight veterans organizations representing millions of veterans and service men and women nationwide support the VA MISSION Act. They have been asking for Choice reform and responsible investment in the VA, and this bill gets it done.

I also thank the House Veterans' Affairs Committee for working with us in getting a bill drafted that we can all be proud of.

At the beginning of this Congress, we set out to draft a bill that reforms community care and also strengthens the VA. As Senator MORAN pointed out, coming from a State like Montana—a rural State, 147,000 square miles—I know we cannot have a VA clinic in every community, but veterans cannot always drive 2 hours to the nearest VA clinic, and they certainly can't afford to wait months for an appointment. That is why we need private healthcare to fill in the gaps when the VA cannot deliver that healthcare.

I also know how much veterans need the services they get from a VA clinic. In my dozens and dozens of face-to-face listening sessions with veterans, they have told me that the kind of care they get from the VA is important. They are surrounded by their peers, many of whom have experienced the mental and physical implications of being in combat. VA doctors and nurses know how to treat PTSD, toxic exposure, and other wounds unique to their service.

The best defense against any effort to privatize the VA or send veterans wholesale to the private sector is to make sure the VA is living up to our promise to veterans. The VA MISSION Act recognizes that there is a balance

between VA care and community care and invests in medical and clinical staff to serve veterans at the VA. It builds capacity within the VA, and it uses the private sector to fill in the gaps where the VA falls short.

It takes the bill that JOHNNY and I wrote, the Caring for Our Veterans Act, and adds a few things, but the foundation of this legislation is something Senator ISAKSON and I have written over the course of the last year with veterans groups. So I am incredibly proud to be standing here today to hopefully push this bill to the President's desk.

The Choice Program was created with an important mission: to make it easier and faster for veterans to get healthcare. It hasn't worked like that for many veterans—veterans like Tom, a retired U.S. Navy commander of the Vietnam war, a Montanan. In his 24 years as a Navy pilot, Tom spent a lot of time yelling to be heard over the roar of an engine. That took a toll on his ability to hear. Three years ago, he began the process of getting hearing aids from the VA. He got his hearing test done, but when it came time to order the hearing aids, Tom was told that he wasn't authorized.

The nearest VA facility to Tom was almost 3 hours away, so he and his wife decided to drive to the closest civilian clinic, which was about 45 miles away in Sandpoint, ID, just across the line from his home in Noxon, MT. There, he hit another snag. After weeks of back-and-forth visits, the authorization was again denied because he was not a resident of Idaho. So he returned to square one. He drove 5 hours to Fort Harrison in Helena, 250 miles away.

With assistance from my office, he got the authorization for those hearing aids. Tom had to drive two 5-hour roundtrips to a Choice provider in Kalispell, but a few months later, he finally received his hearing aids.

All in all, Tom drove nearly 20 hours to get those hearing aids, and I am here to tell you that it shouldn't be that hard for a veteran to get the healthcare they have earned from the VA. Do you know what the worst part is? There was an audiologist in Tom's hometown the entire time who could have helped him if the VA had just realized how important it was to access that audiologist instead of driving 20 hours down the road.

Unfortunately, Tom is not the only veteran with a story like this. I could tell you about a veteran in Lake County who had several appointments scheduled through the Choice Program, and then he was told he wasn't eligible for Choice at all—after his appointment. When he caught pneumonia, my office stepped in and got him the care he needed through the Choice Program. I could tell you about Bruce, a veteran in Billings who couldn't get a followup appointment through the Choice Program after his hip surgery. He was told he wouldn't wait more than 5 days, and then he couldn't get anybody on the phone. We were able to help him get the followup care he needed. Terry, in Butte, got a procedure done through the Choice Program. It was approved, completed, and then he was told he didn't qualify for the Choice Program. Again, this U.S. Senator had to step in so Terry didn't have to foot the bill for his healthcare.

I could go on and on. Veterans across the State of Montana have called my office for help since the Choice Program was started. Their frustrations over issues like scheduling, reimbursements, or traveling long distances for care are a sorry way to say thank you to those folks who have served this country.

It shouldn't take a Senate office stepping in to make sure the government lives up to its promises to America's veterans, so Chairman ISAKSON and I wrote a bill that reforms the entire system. We negotiated with the House, the White House, veterans, and advocates to move our bill forward.

The Caring for Our Veterans Act was a giant step forward. Thanks to the leadership of the House Veterans Affairs Committee and our effort, the Caring for Our Veterans Act is included in the VA MISSION Act.

Our bill gets rid of seven different community care programs, including Choice, and replaces them with one community healthcare system with a streamlined set of rules for veterans, local providers, and VA staff. It will be much easier to understand.

Under the MISSION Act, if a veteran wants to get care in their community, they can have a discussion with their doctor and decide what is best. VA doctors and nurses won't have to spend time figuring out which program to refer a veteran to.

Local providers who see veterans won't be waiting months for payments from the VA. A new, streamlined payment system will make sure they are getting paid in a timely manner.

Our bill holds the VA accountable and requires them to create a business plan to tell us exactly how the agency will spend taxpayer dollars if and when they ask for additional funding.

Our bill brings more providers to work at the VA, especially in rural and Tribal areas and vet centers.

The bill breaks down barriers along State lines that prevent veterans from accessing mental health care closer to home.

The bill expands the VA Caregiver Support Program to veterans of all eras and their caregivers. This was a provision Senator MURRAY worked on very hard. It was the right thing to do, and Senator ISAKSON made it a priority of his.

The VA and community care are equally important parts of the VA healthcare system. It will either starve the VA to death and empower rural community hospitals or, as this bill does, strike a balance—the right balance—between investing in the VA's ability to provide care for our veterans and cutting the bureaucracy when it makes sense for a veteran to go to a local doctor.

The VA MISSION Act is a bold, bipartisan product of working together that puts healthcare decisions in the hands of veterans and breaks down barriers to healthcare wherever it makes the most sense for a veteran to get the care they need.

This Nation owes our veterans much more than a thank-you. Veterans deserve a healthcare system that works for them regardless of where they live, what medical condition they are struggling with, or their means. Our bill gets rid of a one-size-fits-all system and creates a more efficient and easier to navigate system for veterans.

I urge the Senate to pass the VA MISSION Act to send the message that saying thank you isn't enough for those who put their lives on the line for our Nation. We are going to deliver them a healthcare system that is worthy of their service.

Mr. President, I turn the floor over to Senator JOHNNY ISAKSON, chairman of the Senate Veterans' Affairs Committee.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, before the Senator from Montana leaves, I wish to thank him for 3 years of dedicated service and the last 2 in particular as we put together the pieces of shrapnel—which was the original attempt to make Choice work—to be a streamlined program that is going to work for all of our veterans.

JON TESTER has been a magnificent ranking member and a magnificent leader. I appreciate very much the kind things he had to say about me, and I say ditto to you.

I also thank Chairman PHIL ROE, of Tennessee, in the House of Representatives. He has been a stalwart.

The reason we are able to act today and tomorrow—as the House did last week—and pass a bill before Memorial Day is because both bodies have worked together, and the votes have been overwhelming. Our motion to invoke cloture this morning was 91 to 4. The House passed this 3 to 1 when they passed it in final passage. So obviously there was a lot of unanimity, but that should not be a disguise for the effort it took. It took a lot of effort to get to where we are and a lot of people doing that effort—a lot of Republicans, a lot of Democrats, a lot of staff. There was a tremendous amount of staff time. We went from doing the art of the impossible to making the art of the possible, with everybody working together, leaving our political weapons at the door, and putting our good heads together to make the Veterans' Administration system better for our veterans.

My speech is not going to be long because Senator MORAN and Senator TESTER have covered the types of examples the new Choice Program brings for all our veterans—a real choice, a real opportunity to make the private

sector a force multiplier for access to healthcare for our veterans but also make our healthcare system for our veterans accountable—accountable to the most important people of all, and that is our veterans.

It does a few other things too. It creates a caregiver program for the Vietnam-era veterans. That hasn't been talked about much on the floor, but PATTY MURRAY on our committee and SUSAN COLLINS from the Republican caucus in the Senate have for years tried to get caregiver benefits for Vietnam-era veterans and veterans of other wars which were not covered previously. With the passage of this bill, they will be covered for those basic essentials of life and necessities. They will have that covered for them, and we will get it done.

Those veterans who came home from a terrible war in Vietnam with many injuries we had never seen people survive before also need care we never thought we would have to pay for before, but we are doing it now with caregivers for that generation, which is my generation. I am proud to say that we are finally looking after them and are seeing to it that they are included and are working hard on doing so.

We have also made Choice accountable to the veterans, working for our veterans and making our VA better at a lower cost to the taxpayers than it would have been otherwise, were we providing that service solely by the VA. You get choices, you get quality, you get better service, and you get a better VA for our veterans.

There have been a lot of people who have made this happen. Senator JOHN MCCAIN originally introduced the idea of Choice 4 years ago. He founded it, and that is why his name is a part of the title of this bill. We could not have done this without John. He is a great American hero, a great colleague, and through our prayers and our blessings, we wish for him to recover as he is in Arizona.

I want to thank Joan Carr, my chief of staff; Trey Kilpatrick, my deputy chief; Jay Sulzman; Amanda Maddox; Ryan Evans; Sal Ortega; and Kristine Nichols. My staff has been phenomenal. They have done a great job. They put up with a lot. They have worked hard, and we got here because of them.

Also, I thank the other unsung heroes of the Committee on Veterans' Affairs who have helped JON TESTER and me and all our members to see to it that we covered every item, dotted every i, and crossed every t: Bob Henke, our staff director; Adam Reece, who deserves a special shout-out and who, the last couple of weeks, has done double duty and done a great job to get us to where we are today; Leslie Campbell; Maureen O'Neill; Jillian Workman; David Shearman; Camlin Moore; Thomas Coleman; John Ashley; Mitchell Sylvest; Heather Vachon; and Pauline Schmitt. We could not have done our job as elected officials were it not for those people who tirelessly worked long hours to see to it that we got it done.

Here we are in the U.S. Senate. I am speaking with my First Amendment rights. You are gathered in the Gallery today and watching this at home on C–SPAN because of the First Amendment, gathering because of the amendment that allows us to freely assemble without fear of retribution by the government. Our Bill of Rights are the rights we operate under, and we wouldn't have them at all were it not for our veterans.

Next Monday we will celebrate Memorial Day. We will give thanks for every veteran who sacrificed their life and gave the ultimate sacrifice for you and for me. It is not unreasonable to think back and say: You know, had our soldiers not done what they did in World War I and World War II, we might be speaking German or Japanese today rather than English. Because they fought for us in the two great World Wars, they secured and preserved our liberty and freedom, and we speak today as free Americans, and we enjoy the freedom that only democracy could give. That is what we owe our veterans. We owe them everything. Without them, we wouldn't have the protections we have today.

As Memorial Day approaches, I love to tell my favorite story about the great reminder I have of what Memorial Day is all about. It is all about a veteran, Roy C. Irwin, from the State of New Jersey. I have never met Roy; I never knew him. When I was in Margraten in the Netherlands at the U.S. cemetery where over 8,000 Americans are buried from the Battle of the Bulge, my wife and I spent an afternoon paying tribute and respect at the graves of our veterans and our soldiers. We walked down the road to look at the Stars of David and the crosses, paused for a minute at each headstone, and gave a prayer of thanks for the veterans who had sacrificed everything so that we could be there.

Then something happened to me that I have never forgotten, and it could happen to any one of you if you ever go to one of those cemeteries and visit. I came upon a headstone, a cross, and I stopped and read it. It said: Roy C. Irwin, New Jersey, private, died, killed in action 12/28/44. I froze in place; 12/28/44 was not just the day that Roy C. Irwin died in the Battle of the Bulge fighting for us. It was the day I was given birth by my mother in Piedmont Atlanta Hospital in GA.

There I was, standing at the foot of someone who had died on the day I was born. He gave his life so that I could enjoy mine.

Since that time, I have had 73½ years in which I have been able to be a free citizen of the United States of America, all because of lots of things but nothing more important than Roy C. Irwin and thousands like him who volunteered to fight for our country, to call on the forces of evil wherever they might be. They won our freedom, maintained our independence, and saw to it that you and I could be here today. I have always stopped to give thanks every Memorial Day for all of those who pledged and gave the ultimate sacrifice so that I could be here to make a sacrifice for you.

I look at our pages in the room today, and I think about my children and my grandchildren. I am so happy they had the opportunity to grow up in the United States of America and so happy you have the ability to serve here today in the United States of America. Remember this: You and I are both here because of one thing. This is a country full of brave volunteers who, when the bell tolls, answer the bell and go fight for America, fight for our freedom, fight for our peace, and fight for our liberty.

So strike one for liberty when we vote on the final passage of the VA MISSION Act. Vote for better healthcare for our veterans, the choices of our veterans, caregivers for our veterans who haven't had them in the past. Give thanks. And with your vote for that bill here, we will have to continue to pay our debt to those who sacrificed or offered to sacrifice the maximum sacrifice for us.

This is a great country for lots of reasons. You will never find anyone trying to break out of the United States of America. You always find them trying to break in. There is one big difference over any other; that is, those who have fought and died so that we could be free and American citizens forever.

May God bless our soldiers, may God bless our country, and may God bless the United States of America.

I yield back my time.

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

GUN VIOLENCE

Mr. MURPHY. Mr. President, 2 days before the tragic shooting in Santa Fe, which has rightly dominated the news for the last several days, Texas experienced another mass shooting when a man killed his three children, his ex-wife's boyfriend, and himself. Mass shootings are generally characterized as incidents where four or more people are shot at one time. It is a catastrophic event for a community to have four people shot in one instance. That shooting 2 days before the Santa Fe school shooting was the 100th mass shooting in the United States of America in 2018. We average about a mass shooting every single day in this country.

In the 3 days following the Santa Fe High School shooting, there were around 88 gun deaths and 222 gun injuries in this country. That is a big number. It is the most in any 72-hour span so far in 2018.

Rightly, our attention has been directed toward the community of Santa Fe as they try to recover from the unrecoverable—another targeting of children in a school in this country. It is important to remind ourselves that no

matter whether the shooting happens on a street corner, in a school, in a movie theater, or in one's home, the devastation for those who lose their brother or their sister or their husband or their wife is no less or no greater, whatever the circumstances may be.

In the 3 days after Santa Fe, as the country could have been deluded into thinking that was the only shooting of any consequence in the country, 88 people lost their lives from guns, and 222 others were shot and survived—part of the 33,000 a year, 2,800 a month, and 93 on average a day who are killed by guns in this country. It is a mix of suicides and accidental shootings, domestic violence incidents, mass shootings, and homicides, but there is no other country in the world in which the number is this big.

There have been 5,531 deaths from gun violence in 2018 alone. That is according to Gun Violence Archive. Twelve hundred kids have been killed or injured, and we are not even halfway through the year.

Our rate of gun violence in this country is 20 times higher than that of all our other competitor OECD nations. It is not because our schools are less safe. It is not because we have more instances of mental illness. It is not because we have more troubled young men. It is not because we spend less money on law enforcement. You control all of the other factors that people claim to be the reason for these crimes, and it cannot—it does not—explain why this epidemic is happening here and nowhere else.

What is different about the United States is that we have the loosest, laxest gun laws of the OECD nations. What is different about the United States is that in shooting after shooting, killing after killing, we do nothing. We do nothing of substance or significance to condemn or change this trajectory of violence.

I argue to you that would-be shooters who are contemplating acts of mass violence—who clearly have had something go wrong in their mind to consider such a thing—see our silence as a green light. Of course, we don't mean it that way, but when we refuse to do anything other than make minor tweaks to Federal gun laws year after year, young men who are contemplating doing something like this, seeing no substantial condemnation or change in law, pervert that silence into permission.

I think that is what is happening today. That is why I argue that we have become complicit in these murders, whether we think we are or not. We are grieving hard for Santa Fe, but we are grieving hard for all of the other victims.

I sat with the President at the White House a few months ago as he told us he was going to fix this problem. He was lying. He wasn't telling the truth. He had no intention of fixing the problem. The President had the gun lobby in the next day, and all of a sudden the discussion evaporated. He talked a lot in that meeting about school safety and arming teachers, but it is important to note that Santa Fe High had adopted really aggressive measures to prevent a school shooting. They had resource officers who were armed, two of them. They had approved a plan to arm teachers, though they had not started to do so. They had gone through a very successful lockdown. They had won an award for that response. In this school they thought they were ready, and they weren't.

This has to be about a conversation rooted in data. The data will tell you that more guns will not solve this problem and that for every time a gun you own is used in self-defense, there are four times that a privately owned gun is used in an unintentional shooting, seven times that a privately owned gun is used in an assault or murder, and 11 times that a gun is used in a suicide. The data doesn't back up the fact that more guns are going to solve this problem.

Beyond the data, there are these faces, there are these people, there are these lives that were cut short. I want to spend the remaining few minutes telling you a few of their stories. I have tried to do that over the years—to come and put a hole in the data and let you know who these people are whom we have lost.

On average, psychiatrists and mental health professionals tell us that when one person is killed by a gun, there are 20 other people who experience trauma or some level of trauma.

In Santa Fe, we think a lot today about Cynthia Tisdale. She was 63. She was a substitute teacher for children with special needs. She got married when she was 17 years old, and she took care of her ailing husband. He was very sick for 47 years. He said:

She was a good woman. She watched out for me.

Her son said:

She loved to help children. She didn't have to do it. She did it because she loved it.

Cynthia Tisdale is gone at 63.

Sabika Sheikh was 17 years old. Unlike the others who were killed in that school, she didn't have any family in the United States. Santa Fe was her adopted community. She was staying with a family. The family she left behind, her adoptive family in Texas, said: ''We loved her and she loved us,'' adding that the ''root of our issues is love because when people love each other, these kinds of things don't happen.'' Sabika dreamed one day of being a diplomat and working to empower women. She died at age 17.

Christopher Jake Stone was 17 as well. He was the youngest of three siblings in Santa Fe. He and his siblings were known as the ''three Stones.'' His sister said:

Being a brother was his best job. He was always there if someone needed someone to listen to or some cheering up. Definitely the life of the party, and one of the most understanding, open-minded kids I know.

She said in a Facebook message: ''He had a lot of heart.''

Two days later, to give you a sense of the scope of this, Kimberly Phillips was in a parking lot at a Shell gas station in Chattanooga, TN, when her exhusband found her, shot her, and then killed himself afterward. It was a murder-suicide, one of the thousands partner-on-partner incidents of domestic violence that happen in this country.

One of her coworkers at the senior living community where she worked said:

Today I lost one of the most caring, loving caregivers I have ever had on my team. . . . She loved her residents and took their care very seriously.

She was 48 years old.

The day before that, Sherrell Wheatley was walking home from feeding one of her neighbor's dogs in Dayton, OH. Her neighbor said that she did this all the time. She cooked a lot, and she would cook all the scraps and take them to feed the neighbor's dog. She was walking home, and she was shot as a bystander in a driveby shooting. She was a mom, grandma, aunt, an active member of her local community, a volunteer in the local elementary school, and a pillar of kindness.

Her son, a quadriplegic who relied on her care, said:

That was my mom—

She was helping people, even at the moment she died.

I loved her. She was my angel, she was my everything, and somebody snatched that away from me.

Those are just 5 of the victims who died over a 2- or 3-day period of time—32,000 a year, 2,200 a month, 93 a day—and we are doing nothing.

I appreciate some of my colleagues working on a minor adjustment to our background check laws earlier this year. I am not saying that is totally inconsequential, but it doesn't match up to the moment.

What is wild is, we are the only ones who don't think we should do anything. Americans have woken up to what is happening, and they are desperate for us to change the laws. In fact, 97 percent of Americans think we should pass universal background checks. By a 2-to-1 margin, people think we should get these assault weapons and military-style killing machines off the streets. People support things like what we did in Connecticut, requiring people to get local police permits for carrying a handgun. These are not controversial outside of the U.S. Senate.

Increasingly, Americans have come to realize that no one is safe. In that heartbreaking video, a young woman, I think just hours after the shooting, was asked by a newscaster whether she found it hard to fathom that the school shooting had happened at her school. To paraphrase her answer, she said: No, I wasn't surprised. It happens everywhere, and I just figured it was a matter of time before it happened here.

Nicole Hockley, who lost her son at Sandy Hook, says all the time that she

never, ever expected to be one of these parents grieving the loss of a child. She reminds everyone she talks to that you don't imagine you will be in that situation either, but if you don't do something about it, if you don't stand up and speak truth to power, it might be you too.

I will continue to come to the floor and tell these stories—these voices of the victims who have been silenced through gun violence. Hopefully, at some point, we will wake up to the need for change.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

TAX REFORM

Mr. THUNE. Madam President, tax reform is working. The results of two surveys released last week show that tax reform is doing exactly what it is supposed to be doing for American workers.

Our goal with tax reform was simple: make life better for American workers. So we took action to put more money into Americans' pockets right away. We cut tax rates across the board, nearly doubled the standard deduction, and doubled the child tax credit. Americans are already seeing this relief in their paychecks.

We knew that tax cuts, as essential as they were, were not enough. In order to make life better for American workers, we also needed to make sure Americans had access to good jobs, good wages, and good opportunities, the kinds of jobs and opportunities that would set them up for security and prosperity in the long term. Since jobs and opportunities are created by businesses, that meant reforming our Tax Code to improve the playing field for businesses so that they could improve the playing field for workers, and that is what we did.

I am proud to report that it is working. Last week, the National Association of Manufacturers released the results of its recent tax reform survey, and here is what the survey showed: 77 percent of manufacturers planned increased hiring as a result of tax reform, 72 percent planned to increase wages or benefits, and 86 percent report they plan to increase investments, which means new jobs and opportunities for workers. These are tremendous results, and they are exactly what we were looking for with tax reform.

Government can make sure it isn't taking too much out of Americans' pockets, but it can't create the jobs and opportunities Americans need for long-term economic security and prosperity. Only businesses can do that. But government can make sure that businesses are free to create jobs by making sure they are not weighed down with burdensome taxes and regulations, and that is exactly what we set out to do with tax reform.

Before the Tax Cuts and Jobs Act, the government was not helping businesses to create jobs. In fact, it was doing the opposite. That had real consequences for American workers. A small business owner struggling to afford the hefty annual tax bill for her business was highly unlikely to be able to hire a new worker or to raise wages. A larger business struggling to stay competitive in the global marketplace while paying a substantially higher tax rate than its foreign competitors too often had limited funds to expand or increase investment in the United States.

When it came time for tax reform, we set out to improve the playing field for American workers by improving the playing field for businesses as well. To accomplish that, we lowered tax rates across the board for owners of small and medium-sized businesses, farms, and ranches. We lowered our Nation's massive corporate tax rate, which up until January 1 was the highest corporate tax rate in the developed world. We expanded business owners' ability to recover investments that they make in their businesses, which frees up cash that they can reinvest in their operations and their workers. We brought the U.S. international tax system into the 21st century by replacing our outdated worldwide system with a modernized territorial tax system so that American businesses are not operating at a disadvantage next to their foreign competitors.

Now we are seeing the results. I will say it again. Seventy-seven percent of manufacturers are planning to increase hiring, 72 percent are planning to increase wages or benefits, and 86 percent are planning to increase investments, which creates new jobs and new opportunities for American workers.

I haven't even mentioned last week's other survey on small businesses. The National Federation of Independent Business released a survey last week that shows that 75 percent of small business owners think that the Tax Cuts and Jobs Act will have a positive effect on their business. The survey also showed that among small business owners who expect to pay less in taxes next year, 44 percent plan to increase employee compensation, and more than a quarter plan to hire new employees.

Those numbers may get even better. As the survey shows, small businesses are just starting to explore all the benefits of the new tax law since small businesses, unlike large businesses, don't have full-time tax departments to plan for and take into account the new tax changes. Most small businesses spend the first part of each year focused on preparing and filing their taxes from the prior year, not to mention running their businesses, which means, with tax day now behind them, they are just now having the chance to explore the benefits of the Tax Cuts and Jobs Act. In addition, their tax advisers—many of whom are often small businesses themselves—have also wrapped up most of their filing season responsibilities, so now they can help their small business clients with factoring the new tax changes into their business plans.

American workers had a tough time during the last administration. Wages stagnated, and jobs and opportunities were often few and far between. But thanks to the Tax Cuts and Jobs Act and other Republican initiatives, our economy is turning around. Unemployment is at its lowest level in more than 17 years. Economists have upped their projections for economic growth. And the good news for American workers just keeps piling up—more jobs, more opportunities, higher wages, and better benefits. The American dream is roaring back, and the future is looking bright.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 2906

Mr. MANCHIN. Madam President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to the immediate consideration of S. 2906, which is at the desk; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Madam President, reserving the right to object, I want to thank my friend Senator MANCHIN. He and I serve on the VA Committee. I know he is absolutely committed to trying to do the best we possibly can for our veterans. We may have a disagreement on what he has in mind for this particular unanimous consent request, but I don't think there is any daylight between us in terms of what we are trying to do for veterans.

I look forward to working with the chair to get to a good place and to address in the Senate committee some of the concerns he has. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MANCHIN. Madam President, I would like the right to proceed.

I thank my good friend from North Carolina, Senator TILLIS. He is always willing to work in a bipartisan way. I thank him very much.

We have concerns about the VA and all of our veterans. He is in a State that has a tremendous population, and

I am in a State with a tremendous population of veterans. I am disappointed there is an objection to my bill.

I rise to speak to my frustration that the Asset and Infrastructure Review, or the so-called AIR Act, provision is being included in what is otherwise a very good package. I thank Chairman ISAKSON, Ranking Member TESTER, and Senator TILLIS for all their hard work on the overall MISSION Act.

The MISSION Act is going to do so many good things. It is going to streamline how we provide non-VA care. It is finally expanding caregivers for veterans of all eras, and it will make it easier for the VA to hire high-quality providers.

I am against adding the AIR, which is the Asset and Infrastructure Review Act, or I like to call it the VA BRAC. This bill could be detrimental to rural veterans.

The AIR Act provision was supposedly added by House Republicans to the MISSION Act because the Senate insisted the caregivers bill be included. I am a proud cosponsor of the caregivers bill because it does not make sense to give a benefit to one era of veterans and not give it to them all.

I thank my colleague Senator MURRAY for the year she has dedicated to the caregivers issue. The AIR Act was never voted on or discussed in the Senate Veterans' Affairs Committee. The House Caregivers companion bill is bipartisan and has 90 cosponsors. We could pass this bill without the AIR Act in a heartbeat.

While I am generally supportive of efforts to cut waste, the AIR Act will not come close to paying for this bill. Instead, it puts rural hospitals and facilities like those in West Virginia in the crosshairs of the VA bureaucrats and technocrats who do not know my veterans and what they need.

The last time there was an asset review—the CARES Commission—was in the early 2000s. It recommended closing the acute inpatient hospital beds and contracting for acute care in the community for the Beckley VA Medical Center. Only after stakeholders yelled and screamed did the Secretary not follow their recommendations.

Today, those 25 acute care beds and 5 ICU beds are vitally important, not just to our Southern West Virginia veteran community but the entire community. Administrators at the surrounding hospitals have told me they could not absorb the Beckley VA patient load. We were lucky then to have vocal stakeholders holler and scream and a Secretary who listened, but will we be so lucky in the future? Furthermore, should veterans have to endure the uncertainty their VA hospital or CBOC may not always be there for them?

My veteran population is nearly 40 percent Vietnam veterans. In the last 10 years, there was a nearly 20-percent decrease in my veteran population because our World War II and Korean veterans are dying, and our Vietnam veterans are not getting any younger.

If we send this Commission in and they do the analysis, my fear is, resources and funding will be realigned away from our patriotic West Virginia veterans—Phoenix gets picked over Clarksburg; Los Angeles over Beckley; Washington, DC, over Martinsburg; and Orlando over Huntington.

I feel sure the VA will follow the law, hold their public hearings, and read statements put in the Federal Register, but they will still have the power to close or downsize West Virginia facilities. Just because you are a veteran living in a rural area does not mean you don't deserve the same quality and access of care that you would receive in an urban area.

Is this truly about taking evaluation of waste or is this the slow filing away of the VA infrastructure as we know it?

I am aware the MISSION Act just passed out of the House 347 to 70. I have a lot of good friends on both sides of the aisle who want the overall bill. It has the support of the national veterans service organizations, and the effects of this bill will not likely come into being until 2025. I will not be serving in the Senate then. Yet, for the sake of the veteran population in West Virginia, I have to say something publicly.

The AIR Act could have detrimental second and third order effects in our communities. If this bill passes with the AIR Act in it, the powers that wish to downsize the level of care we give to veterans will see it as a victory, but they should be prepared for robust and exhaustive oversight by me and my colleagues on the committee. If we don't have the market assessments, access to other population data, and if the central office doesn't start filling some of the healthcare provider vacancies in West Virginia VA medical centers, I will reluctantly put a hold on some nominees for this Commission. I am going to encourage my colleagues from rural States who represent rural areas to do the same.

Thank you.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, there are a million reasons why I love North Carolina, but one of them is, it is a State of 10 million people. Half those people live in urban areas. The other half live in rural areas. One in ten people in the State are veterans—a State that proudly claims having one of the fastest growing veteran populations in the country.

When I go into the VA Committee and I look at what we have to do, I don't look at it as coming from an urban State. I don't look at it as coming from a rural State. In many respects, I think North Carolina is a microcosm of the Nation as a whole.

When we look at some of the changes we want to make, what I hope we get out of this review is what to do with the 430 empty buildings that are as much as 90 years old that are owned by the VA. We may have to do basic maintenance on them, but they are properties that may have a historic value. Maybe we can convey them to the States and sell them and use the resources to plow back into quality care for the veterans.

I can tell my friend from West Virginia that we share a mountain range together. We share a lot of cultures out in the western part of our State with West Virginia. There is no way on Earth that I would allow the VA to move forward on something I felt was going further away from providing quality care to any veterans anywhere in West Virginia, North Carolina, or any other rural area.

On the one hand, we continue to say we don't have enough money for veterans. On the other hand, we say we have to find some of those additional resources by taking steps to make the VA more efficient and shed the assets that are no longer providing value to the veterans. I, for one, believe we can do it on a balanced basis.

As this process goes through, it is actually an authority the VA has today. They haven't acted on it. We are trying to put more pressure on them to make some concise decisions. The Senator from West Virginia has my commitment that any instance where we see a decision being made by the VA that is something that is going to take veterans further away from care, I will be the first one to join him in making sure we don't allow that to happen.

Thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. I agree with my colleague from North Carolina.

We don't want to continue if there are areas and assets that can be done away with for efficiencies. I understand that can be done without this.

I don't know the underlying reasons for it. The AIR Act was never even discussed in our committee. We never had the bill in front of us at all. That is all I was saying. How did this all of a sudden get thrown in?

I understand—because of what we put in, the expansion of how we were going to take care of caregivers to all populations of veterans—they were upset on the House side. This was put in retribution to that. I objected to how it was put in being what the intent was.

I believe the VA can dispose of excess properties that have been closed, vacant, and not in utilization. I am concerned they are going to come back and say: In the rural areas, we are going to close this CBOC and consolidate. We have more need right now and a greater need with some of our population base, especially with the conflicts we have around the world now.

I never talked to a veteran who did not want veterans care if there was any way they could get to a veterans hospital or clinic. They were the people who knew them best and knew how to take care of their concerns. That is all I am trying to preserve.

I don't know what the intentions are of this. That is why I wanted to have

that removed, and maybe we can discuss it in our Senate VA Committee and have a better way of reviewing the excess properties and properties not being utilized.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Madam President, I rise today to discuss the legislation before us, known as the VA MISSION Act of 2018—a significant change for the healthcare delivery system at the Department of Veterans Affairs.

The VA MISSION Act passed the House of Representatives last week and is scheduled to be voted on in the Senate in the coming days. The bill is a result of months of negotiations and discussions between stakeholders, the administration, and the House and Senate Veterans' Affairs Committees, of which I am a member.

While I appreciate the hard work of those involved, unfortunately, the final legislation is not something that I am able to support. Before I get into my concerns about the bill and what I believe to be its fatal flaws, I want to acknowledge that there is a host of good provisions in here that I do support.

The one on the forefront of many minds is the caregivers program expansion. The caregivers program, a program that gives support and assistance to certain veterans so they can receive home healthcare by a family member, has always been limited to post-9/11 veterans. However, there are many pre-9/11 veterans' family members who do the same work as a caregiver recipient but are not compensated for that work. This program is more cost effective over the long term than an alternative long-term care accommodation. It is due time for this expansion to occur for all families.

I also support section 101, paragraph (a), which expands extended care services, such as nursing home care, through the community care program. It is similar to a bill I introduced with the senior Senator from North Dakota, the Veterans Access to Long Term Care and Health Services Act. This provision will allow long-term care services to more easily work with the VA in serving veterans.

Further, section 101, paragraph (k) of the VA MISSION Act establishes in law that a veteran shall not pay a greater amount for receiving care or services outside of the VA, compared to receiving care at a VA facility. It is similar to the Veterans Equal Cost for Care Act, which I introduced in Congress last year. This section makes certain that veterans will know that VA policy will not change in this regard and that the VA will not place additional financial barriers for veterans to access care outside of the VA at a private provider in an effort to incentivize in-house VA care.

Last, section 101, paragraph (d)(1)(D) of this bill, along with section 104, requires the VA to develop appropriate access standards when seeking healthcare. However, I remain concerned that the VA will not implement it properly.

If the VA implements access standards similar to TRICARE, which is the health program at the Department of Defense, then, these sections could be good for veterans.

Let me get into my concerns with the bill. This bill makes significant changes to the 40-mile rule under the Choice Program, and I am concerned that it puts our rural veterans in jeopardy.

The Choice Act, which Congress passed in 2014, before I took office, allowed all veterans who live 40 or more miles from a VA facility to receive care at a local, private hospital or clinic. Under the VA MISSION Act, this provision will end for all veterans except those in the top five rural States after 2 years.

When the Choice Act was first enacted, giving rural veterans the option to receive care in their communities, rather than at a VA facility, they overwhelmingly chose to stay close to home and receive private care. They voted with their feet.

Because of the law, many are getting better local, private care. I believe veterans who use this type of eligibility successfully today ought to be able to use this program in the future, no matter which State he or she is from.

In fact, these concerns were addressed when the original legislation was crafted in the Senate Veterans' Affairs Committee, and all veterans who use the Choice Program today were grandfathered into being able to use the 40-mile rule in perpetuity. Unfortunately, the proposal agreed to in committee is not the one in front of us today.

I understand that the number crunchers did the math and concluded that the bill discussed in committee was too expensive and they didn't want to pay this much for the care of our veterans. So the provision I offered was cut down significantly to be limited to the top five rural States, including my own State of South Dakota.

While South Dakota was fortunate to be a part of the top five States, this country has many rural States and many rural veterans who rely on the Choice Program's 40-mile eligibility to get their healthcare.

There are roughly 750,000 eligible 40-mile veterans across the United States. Of this portion, a little less than half, or 330,000 veterans, have used this eligibility to receive healthcare.

In just 2 years, many of these veterans will no longer be eligible to receive care outside the VA system based on the 40-mile rule alone, as they do today. Instead, more veterans will have to work through more gatekeepers and review processes to get their community care request granted, if it is granted at all.

Just as important is the way in which 40-mile-eligible veterans receive community care. Currently, when a rural, 40-mile veteran wants community care, they get community care. There are little, if any, barriers to access community care today. The VA can't decide for the veteran where he or she should get the care. The veteran is in total control of their care. There are no reviews, gatekeepers, or consultations. The veteran just goes.

Under the VA MISSION Act, as it stands today, a VA clinician acts as a gatekeeper for the veteran. Section 101, paragraph (d)(2) states that a VA employee must consider certain criteria, some of which are peculiar to a rural veteran, when consulting with a veteran on where the veteran should go for healthcare. ''Consider'' is not a very tough or obligatory word, and it leaves a lot of leeway for our Washington bureaucrats to write rules in a way that may not put the care of our veterans above all else.

My concern here is that when this bill is signed into law, rules are going to start to be written, and the number crunchers are going to influence every rule to meet the bare minimum of the required language.

Just in case anyone is interested in an example, let me briefly remind the Chamber that the original Choice Act intended to provide community care to veterans who live 40 miles or more from a VA facility. How was that rule initially written? Community care was based on 40 miles as the crow flies. That is right—as the crow flies. It took intense pressure from the veterans organizations and Congress to amend that rule to be based on driving distance, or better known as the way almost every veteran travels to a VA facility.

Why was that rule written to determine community care as the crow flies? Cost. Cost and nothing more. The VA wrote the rule in a manner that complied with the bare minimum requirements of the law but not with the spirit of the law. The VA did not write the rule in a way that was in line with the way a normal veteran would access community care. By writing the rule this way, the VA was able to restrict community care access to veterans to control cost.

With so much ambiguity in the language as it is currently written, my fear is that the same cost-first mentality will be used once this bill is signed into law. We believe veterans should be in full control of their healthcare, not a bureaucrat.

Additionally, under the Choice Act, the access standards have been clear when it comes to the 30-day rule. It states that if you wait longer than 30 days, you can use a private provider, period. Under the VA MISSION Act, the standards are fluid, and the cut-and-dry 30-day standard goes away. We know that this has been a widely used metric for veterans' eligibility to receive care outside the VA. In fact, since the Choice Act began in November of 2014, there has been roughly 1.4

million instances in which a veteran has been authorized for care outside of the VA based on the 30-day rule.

Under the VA MISSION Act, there will be a new review process for veterans who request to receive care outside the VA system, based on meeting an access standard which has yet to be written. Again, if the VA implements these access standards like TRICARE, this could be good for veterans. But whether that happens is subject to rulemaking and cost constraints.

Finally, I am concerned about title II of this bill, which is the asset and infrastructure review provision that paves the way for what is essentially a VA BRAC that could close out some of our most vulnerable VA facilities, particularly in rural areas. I know that my friend and colleague from West Virginia was just expressing some of the same concerns. Of particular concern is a provision that would seek to neutralize appropriations language that prohibits the VA from reducing services in the Veterans Integrated Services Network 23 unless a series of important criteria are made.

For years, the VA has incrementally sought to close the Hot Springs campus in my home State of South Dakota. The VA has not conducted its due diligence in deliberating over the future of the Hot Springs campus, which provides veterans from three States and Indian Country healthcare. This is a pocket of rural America where few healthcare options exist.

This VA BRAC provision puts VA facilities like the one we have in Hot Springs in jeopardy. The Hot Springs VA facility has consistently been named one of the top VA facilities in the entire United States. If we are truly putting the care of our veterans before all else, we should be propping up facilities that have a track record of delivering timely, high-quality care to our veterans.

With the asset and infrastructure review provision in this bill, I worry about the future of rural VA facilities such as Hot Springs. More importantly, I am concerned about our rural veterans' access to adequate care, including mental health services, should these vital facilities be closed in the future.

Some have been saying that even though the provision is in there, the VA has provided assurances that places like Hot Springs are not in jeopardy, despite the law allowing the agency to review and eventually close facilities across the Nation if it determines it is necessary.

While the VA has some great employees, including its leadership, I am reluctant to consent to the BRAC process because the appropriations language requirements are what I view as due diligence by the VA before any decision is made on the closing of campuses like those in Hot Springs. In this particular case, the asset and infrastructure review language intends to neutralize that appropriations language, and I will not support that path forward.

At the end of the day, all we can count on is what we have enacted through legislation, and this bill clearly allows for the VA BRAC to occur.

My decision to oppose the VA MISSION Act is not one that I have made lightly. I recognize the many good provisions in this bill that would go a long way toward improving care for our Nation's veterans. I also want to recognize the hard work that went into the final package. I particularly want to thank Chairman ISAKSON, our Senate Veterans' Affairs chairman, for making a truly honest effort to address the ideas and concerns of all the committee members, including my concerns, which were reflected when we passed our bill out of committee earlier this year. Unfortunately, those concerns were not included in the final package. That said, the fight is not over.

Even though we expect the VA MISSION Act to pass the Senate and be signed into law before Memorial Day, there will be plenty of work to do as the law is being implemented. I will continue working with my colleagues, the administration, veterans groups across the State, and other stakeholders to keep a close watch on the VA's implementation of the VA MISSION Act to make certain the agency is putting the proper care of our veterans above all else.

Now, this is something that you never hear in this body, but this is an instance in which I would be happy to be wrong in my assessment. In fact, I challenge the VA to prove me wrong. We were close to having a really good bill with the VA MISSION Act by expanding the caregivers program to pre-9/11 veterans, by expanding community care to include community services, and in providing payment protections to rural vets so they will not pay a greater amount for using community care than they would for care at a VA facility, just to name a few.

I would have happily voted for any of these provisions as separate measures, and I am grateful that our veterans will greatly benefit from them.

I had hoped to get a place in the final bill where my concerns would be able to be fixed, but at the end of the day, my concerns outweigh the good, and I have to vote no.

I have the privilege of serving on both the Senate Veterans' Affairs Committee and the Senate Armed Services Committee, and I cannot tell my colleagues what an honor it is to fight every day to make sure that our servicemembers and veterans receive the tools and the care they so clearly deserve. They make incredible sacrifices so that we can be free. We have a responsibility to take care of them when their service is complete. I look forward to continuing to work to fulfill that responsibility.

Thank you, Madam President.

I yield the floor.

Mr. WYDEN. Madam President, with Memorial Day coming up this weekend, I want to offer a few thoughts on this package of legislative reforms for the Department of Veterans Affairs, known as the VA MISSION Act of 2018, being considered by the U.S. Senate.

I want to start by commending Senator JON TESTER of Montana, the senior Democrat on the Senate Veterans' Affairs Committee, for negotiating based on what I call principled bipartisanship: taking ideas from both parties without sacrificing core values.

Montanans have every reason to be proud of Senator TESTER for spending months at the negotiating table with Chairman ISAKSON, the House of Representatives, and the White House.

Make no mistake, the bill before the Senate will make some important reforms to the way the VA does business.

It will consolidate the VA's multiple community care programs, including the Veterans Choice program, into one permanent framework to allow veterans to seek care in their communities. Streamlining these programs was something sought by the Obama administration as well and will help make it easier for veterans to understand their options and access the care they need.

It will also expand a VA program that provides benefits to in-home caregivers, an effort I have supported for years. The program is currently open to veterans wounded after the terrorist attacks of September 11, 2001. The VA MISSION Act will open the program to veterans from all eras.

It will provide more incentives and inducements to help attract medical providers to the VA and keep them there. In particular, the bill will provide more recruitment, retention, and relocation bonuses, it will raise the cap on student loan reimbursement, and it will establish a new loan repayment program for specialties where the VA is experiencing a shortage.

As important as these provisions are, I want to express my reservations about the VA MISSION Act as well.

I voted for the Choice Act in 2014 because I said it was unacceptable for veterans in Oregon and across the country to be waiting months or driving long hours for a VA appointment. I will be the first to say the same thing today, but I fear this bill will give broad authority to VA leadership to send more veterans out of the VA system.

Given the relentless push by special interest groups to send an ever greater number of veterans into the private sector, I am concerned about the Trump administration giving into those folks and turning the VA over to ideologues or privatization partisans.

I am also disappointed to see the asset review provisions included in this bill. If the VA has unnecessary infrastructure, it should be able to make the case to Congress to close or consolidate those facilities just like any other agency without being required to set up a whole new bureaucracy.

Taken together, these provisions strike me as essentially asking Senators to put more trust in VA leadership and Donald J. Trump, the same Donald Trump who publicly attacked the parents of a Muslim soldier killed in action and the same Donald Trump who nominated his wholly unqualified personal physician to run the VA. Unfortunately, this administration has already proven it can't be trusted to take care of our veterans.

I had hoped Senators would be given an opportunity to debate this bill and offer amendments that might have addressed the bill's shortcomings. The Senate majority has prevented that from happening.

So the choice before me and every other Senator this week is to oppose this bill and the good it will do or to support it with significant reservations.

After hearing from many Oregonians and from the 38 veterans and military service organizations and seven former VA Secretaries who support this bill, I have chosen the second option and will support the bill despite my concerns.

Mark my words: The ultimate success or failure of this bill will depend on whether Donald Trump and his team at the VA choose to work with Congress and put our veterans first or whether they sell out to the privatization partisans.

I hope my fears about this bill prove to be unwarranted, but as the saying goes, hope is not a strategy, After Donald Trump signs this bill into law, I will redouble my efforts to work with Senator TESTER and others to support and sustain a robust VA worthy of the millions of veterans it serves.

If the Trump administration implements any of these provisions in a way that threatens to privatize or undermine the VA as a healthcare system, I will pull out all the stops and fight it like hell.

Mr. SANDERS. Madam President, there are parts of the VA MISSION Act that I strongly support. The expansion of the Caregivers program to veterans of all generations will help support family members who have made enormous sacrifices for their loved ones wounded in war. Raising the limits on the Education Debt Reduction Program, an effort that I helped lead, will make it easier for the VA to attract the doctors and other medical personnel they need.

I am concerned, however, that despite some very good provisions in this bill, it continues a trend toward the slow, steady privatization of the VA. No one disagrees that veterans should be able to seek private care in cases where the VA cannot provide the specialized care they require or when wait times for appointments are too long or when veterans might have to travel long distances for that care.

The way to reduce wait times is not to direct resources outside the VA, as this bill does, but to strengthen the VA by recruiting and retaining the best healthcare professionals to care for the brave women and men who rely on VA healthcare. The way to reduce wait times is to make sure that the VA is able to fill the more than 30,000 vacancies it currently has. This bill provides $5 billion for the Choice program. It provides nothing to fill the vacancies at the VA. That is wrong. My fear is that this bill will open the door to the draining, year after year, of much needed resources from the VA.

Further, I am disappointed that the legislative process did not allow for votes on amendments that could have made this a stronger bill. The amendments I filed, but was prevented from offering, would have provided equal funding for the Veterans Health Administration and the Choice program, provided real money and a meaningful expansion of the Caregivers program, and established a pilot program for VA dental care in rural areas. In addition, I authored an amendment that would have struck the AIR Act provisions that could result in the closure of VA facilities and language clarifying that veterans may not be held financially liable for errors made by the VA.

It is my sincere belief that these amendments would have gone a long way to addressing the deficiencies in the bill and providing the care and benefits our veterans have earned and deserved. I hope that my colleagues on the Senate Veterans Affairs Committee will work with me to make these necessary improvements in future legislation. We must do a better job in standing together against the effort to privatize the VA.

I acknowledge the work done by some of my colleagues to improve this bill, but I believe it moves us too far in the direction of privatization. That is why I will vote against it.

Mr. ROUNDS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 840, 841, 842, and 843.

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

The clerk will report the nominations en bloc.

The assistant bill clerk read the nominations of Cheryl A. Lydon, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years; Sonya K. Chavez, of New Mexico, to be United States Marshal for the District of New Mexico for the term of four years; Scott E. Kracl, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years; and J. C. Raffety, of West Virginia, to be United States Marshal for the Northern District of West Virginia for the term of four years.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Lydon, Chavez, Kracl, and Raffety nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO JOHN H. KLETTE, JR.

Mr. MCCONNELL. Madam President, as our Nation pauses on Memorial Day to remember those who made the ultimate sacrifice to keep our Nation safe and to protect the liberties we hold dear, I would like to join the residents of Park Hills in recognizing one distinguished Kentuckian. John H. Klette, Jr., a centenarian veteran of the Second World War, will be honored as the grand marshal in the community's Memorial Day parade.

Soon after the United States entered World War II, Klette enlisted at the age of 24 to help defeat Nazi Germany. A practicing attorney and a licensed pilot, he chose to join the Army Air Corps—the precursor of the Air Force—and passed the necessary exams that same day. After months of training, he was assigned as a pilot in the 32nd Bombardment Squadron of the 301st Bombardment Group and was sent to southern Italy. Klette's first mission to Bucharest, Romania, saw significant enemy resistance, and his aircraft suffered serious damage. That fight would

not be the last time Klette saw danger in the line of duty.

To this day, he remembers what he calls the worst mission of his career. Overcome by dozens of persistent enemy craft, Klette's plane was in a dire state. With low oxygen and fires onboard, the crew resisted wave after wave of enemy fighters destroying or damaging several of the enemy craft. Showing tremendous courage in the face of incredible danger, Klette and his team completed their mission and returned to their base.

In recognition of their intrepid actions, the entire crew was awarded the Silver Star, the third highest combat decoration awarded by the Armed Forces. Klette was only 25 at the time. Throughout World War II, Klette flew 51 missions, finishing his last on Thanksgiving Day in 1944.

As a member of the Greatest Generation determined to serve his Nation, Klette entered the Reserves after World War II. He was called back to Active Duty and served for nearly 2 years in Korea. Flying 50 combat missions in that conflict, Klette totaled more than 100 missions during his military career.

After officially leaving military service in 1952, Klette returned to northern Kentucky to practice law with his father in Covington. Still practicing law to this day—now with his daughter as a partner—Klette has been an active member of his community, serving on the board of multiple civic organizations.

As the grand marshal of the Park Hills Memorial day parade, Klette will receive the recognition and gratitude that he deserves. Because of his years of dedication to our Nation in uniform, I am proud to join with the Park Hills community to honor his gallant service and sacrifice. I urge all of my colleagues in the Senate to help me thank John Klette.

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 103 on the confirmation of Executive Calendar No. 608, the nomination of Dana Baiocco to be a Commissioner of the Consumer Product Safety Commission for a term of 7 years from October 27, 2017. On vote No. 103, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 608.

I was also necessarily absent for vote No. 104 on the motion to invoke cloture on the motion to concur in the House amendment to S. 2372, the VA MISSION Act of 2018. On vote No. 104, had I been present, I would have voted yea on the motion to invoke cloture on the motion to concur in the House amendment to S. 2372.●

75TH ANNIVERSARY OF THE BATTLE OF ATTU

Mr. SULLIVAN. Madam President, as we approach Memorial Day to remember the men and women who sacrificed their lives in devotion to the causes of liberty, freedom, and democracy, I would like to take the opportunity to speak about one event in our Nation's history that had a profound impact on my great State. The Battle of Attu was the only land battle fought in North America during the Second World War.

Commonly referred to as the Forgotten Battle or Forgotten War, the campaign began in 1942 with the bombing of Dutch Harbor and subsequent invasions of Adak, Kiska, and Attu by the navy of Imperial Japan. On June 7, 1942, close to 3,000 Japanese soldiers invaded Attu, exactly 6 months to the day after the bombing of Pearl Harbor. As the only land battle during World War II, it was costly. In May of 1943, over 15,000 American soldiers stormed this small island in the Aleutians, and over the course of the engagement, the United States suffered 549 casualties and sustained more than 1,200 injuries. Many more were taken out of action due to disease and nonbattle injuries. Of the over 2,400 Japanese soldiers present at the battle, only 28 survived the battle by capture.

In addition to these often forgotten sacrifices is the impact on those residents who lived on Attu. During the Japanese invasion, all 47 residents of the island were detained, captured, and taken to Japan as prisoners, where 22 would later perish. Those who did survive were not able to return home; there were too few people to rebuild the community after being destroyed by war.

Today, before the Senate, I would like to take a moment to honor the brave servicemembers and the Alaska Territorial Guard members who fought and, in many cases, gave the ultimate sacrifice to defend the territories of the United States and the memory and lives of those Aleut evacuees and Attuan prisoners of war whose communities, culture, and languages were forever effected.

From May 17 to May 19, a memorial ceremony took place in Alaska to honor and acknowledge those who were affected by the Battle of Attu—the Aleut evacuees, their descendants and veterans of this Forgotten War, both living and deceased.

ADDITIONAL STATEMENTS

REMEMBERING JEFFREY HOLT

● Mr. DONNELLY. Madam President, today I wish to recognize and honor the extraordinary service and sacrifice of Jeffrey Holt, a firefighter from Brownsburg who served in the Lawrence Fire Department. Selflessness, caring for others, and service to his community were defining traits of Jeff's life.

On the morning of April 30, 2018, Jeff was participating in an annual physical assessment training when he collapsed and suffered an apparent heart attack. He passed away at Indiana Heart Hospital. Jeff's death left his fellow firefighters without one of their leaders, and he will be sorely missed by his fellow firefighters and loved ones.

Jeff was a graduate of Indiana's Benton Central High School. After finishing high school, he worked at the Otterbein Fire Department in Otterbein, IN, as a firefighter and then as an EMT and subsequently joined the Purdue Fire Department in 1985. In 1994, Jeff began training to be a paramedic and, while training, met his future wife, Lindi. In 1996, he began his service in the Lawrence Fire Department as a firefighter and paramedic. Over the course of his career with the Lawrence Fire Department, Jeff served as an engineer, lieutenant, division chief of training, and deputy chief of operations.

Outside of work, Jeff pursued his passion for music and was the lead singer in several bands. He shared this love of music and rescuing special needs animals with Lindi, his wife of nearly 20 years.

He is survived and deeply missed by his wife, Dr. Lindi Holt, stepdaughters Jennifer and Rachael Kempfer, parents Dr. Donald and Marilyn Holt, brothers Dr. Steve Holt and Bill Holt, sister Kathy Stichnoth, as well as nieces, nephews, and a great-nephew.

Jeff represented the best of Hoosier values. He put his life on the line day-in, day-out, serving his community and working to keep his fellow citizens safe. Those who knew Jeff described him as well-liked and respected, compassionate, dedicated, and loyal. Jeff set a strong example for others, and let us remember and emulate the example this selfless man set for us and honor his commitment to serving his community.

On behalf of Hoosiers, we mourn with Jeff's family, the men and women he served with, and the Lawrence community. His legacy will live on and his memory will not be soon forgotten.●

TRIBUTE TO MAKENZIE SHEEHAN

● Ms. HASSAN. Madam President, I am proud to recognize second grader MaKenzie Sheehan of Monroe, NH, as the May Granite Stater of the Month for her bravery and quick thinking that helped save her family when their house caught on fire recently.

On the night of the fire, MaKenzie woke to a crash in her bedroom, and when she saw a wall of fire, she quickly acted to wake her sister. Remembering from her fire education at school that the door would be hot, she knew not to touch it and began screaming for help. Her cries alerted the rest of the family, and they were able to make it out just in time.

Her family is very proud and grateful for MaKenzie's grace under pressure and considers her their hero.

I am honored to recognize MaKenzie as the May Granite Stater of the Month. MaKenzie represents the strength of character that defines the Granite State, and her actions are an excellent reminder that, no matter our age, it is critical that we are equipped with the knowledge of what to do in case of an emergency.●

TRIBUTE TO GEORGE KING

● Mrs. HYDE-SMITH. Madam President, I am pleased to commend George King of Washington County, MS, for his service and contributions to the State of Mississippi while serving as the 82nd president of the Delta Council.

Founded in 1935, Delta Council is a widely-respected economic development organization representing business, professional, and agricultural leaders in the Delta region of Mississippi. I commend Delta Council for its continuous role in improving the quality of life in this unique part our country.

George King's tenure as council president began in May 2017. The Delta Council under Mr. King's leadership has benefited from this extensive experience as a strong voice for the region on farm policy. He is an important private-sector leader in water resource developments, which are vitally important to this highly productive agricultural region of Mississippi.

Mr. King graduated from Leland High School and earned an agronomy degree from Mississippi State University. He is a partner in Nelson-King Farms, a diversified row-crop farming operation. In addition to his leadership in Delta Council and farm production activities, Mr. King has served as Director of the National Cotton Council, and Cotton, Incorporated. He is also past president of the Southern Cotton Ginners Association, and a former Chairman of the USDA-Farm Service Agency County Committee.

I am pleased to offer congratulations to George King and to share this appreciation with his wife, Lisa, and their four children, Walt, Caroline, Caitlin, and Nelson, as the 83rd annual meeting of the membership of Delta Council convenes on June 1 at Delta State University.●

TRIBUTE TO UTAH'S SERVICE ACADEMY NOMINEES

● Mr. LEE. Madam President, I come before you today to recognize seven exemplary young men and women from the great State of Utah who have answered the call of service to our country. It is a great privilege to represent these exceptional Utahns in the U.S. Senate, who will attend the U.S. Air Force Academy, the U.S. Military Academy, and the U.S. Naval Academy.

Each year Members of Congress, under title 10 of the U.S. Code, are authorized to nominate a number of young men and women from their district or State to attend the country's service academies. I am proud to honor these Utahns as they undertake this calling.

Each of these students is of sound mind and body, which will serve them well in Colorado Springs, West Point, and Annapolis, but to succeed, they will need more than this.

In addition to mental and physical aptitude, the journey upon which these young men and women will soon embark demands strong moral character: leadership, courage, honesty, prudence, and self-discipline. It calls for a commitment to service and love of country.

These students have already displayed these qualities of character and standards of excellence upon which America's service academies are built. Today, I would like to recognize and congratulate these dedicated and generous young men and women.

Delia Margene Cheney will be attending the Air Force Academy after graduating from the Utah Military Academy, where she served as commander of the largest Air Force JROTC program in the western United States. She was captain of both her school's academic team and volleyball team and served as a member of their State champion drill team. Delia was also a delegate to Girls State and served as an intern for two sessions of the Utah State Senate. She stayed active in her community through service with the National Honor Society, as well as her choir and church youth group.

Daniel Scott Dwyer, from Bingham High School, accepted an appointment to the U.S. Naval Academy. Daniel serves in the Boy Scouts as a senior patrol leader and earned the rank of Eagle Scout with a project that entailed sending care packages to marines serving in the Middle East. He ran with both the Bingham Miners' track and cross-country teams and was a member of the JROTC. He also served his peers as a volunteer with special needs youth, all while taking rigorous classes and maintaining a high GPA.

Talmage Cragun Gaisford will be attending the U.S. Military Academy. As a graduate of Orem High School, Talmage was a member of the National Honor Society and received high honor roll awards. He earned the rank of Eagle Scout in the Boy Scouts and served as a volunteer in Accra, Ghana, where he worked to build an orphanage. In addition to serving as a leader in his church's youth organization, he served on the Orem City Youth Council and is an avid mountain biker and hiker.

Gage Geoffrey Maki attended the New Mexico Military Institute after graduating from Park City High School. He worked hard and earned an appointment to the U.S. Air Force Academy. Gage, whose parents are both graduates of the U.S. Air Force Academy, was a leader in both the Air Force JROTC and the Civil Air Patrol. He attended Boys State and earned the rank of Eagle Scout, where his ambitious project led to the replanting of hundreds of trees in an area devasted by a forest fire. Gage has trained as a skeleton athlete with the Junior Development USA Bobsled/Skeleton Team.

Malachi Kay Ruf will be joining his brother at the Air Force Academy. Malachi graduated from North Summit High School and has been attending Utah Valley University. He served as drumline bass captain and the congress debate captain, as well as vice president of the debate team and the Leos. He was honored to attend Boys State and was a member of his school's State champion swim team. Malachi sought opportunities to serve others as a volunteer for Primary Children's Festival of Trees, collecting prescription glasses with the Lions Club, volunteering for local triathlons and races, and playing cello at church and community events.

Tasia Stevens accepted an appointment to the U.S. Military Academy at West Point. She graduated from Murray High School where she was captain of both the soccer team and basketball team, where she was named MVP. A model student-athlete, Tasia maintained a 4.0 GPA while excelling in sports and volunteering hundreds of hours at the Loveland Living Planet Aquarium. She provided additional community service with the National Honor Society and was a member of high school German club.

Sariah Kim Watchalotone will be attending the Air Force Academy. A graduate of West High School, Sariah was president of both the DECA and horticultural clubs and vice president of Panther Pals. She captained both her high school volleyball team and the High Country Volleyball National Team. Sariah volunteered with the Rescue Mission of Salt Lake City, Community Animal Welfare Society, and with University of Utah Health Care. Her grandfather, who served in the South Korean Army, has instilled in her a love of country, and inspired her to enter the military and live a life of service.

It has been my distinct honor to speak to and nominate each of these admirable young men and women. These Utahns give me great hope for the future of our great Nation and the future of our Armed Services.

To these seven students and to all their future classmates from around the country, I commend your achievements. I urge you to remember the foundation of your success thus far: hard work and sacrifice.

Strive to continue on the path of strong moral character and to keep love of country as a guiding principle. If you stay this course, your future will hold great things in store. I wish you all the best as you embark on this journey.

Thank you.●

RECOGNIZING THE ALWAYS FREE HONOR FLIGHT NETWORK

• Mr. MANCHIN. Mr. President, today I am incredibly honored to rise and recognize a group of 23 heroic military veterans who will travel from West Virginia this week to visit our Nation's Capital as part of the ninth Always Free Honor Flight. On the occasion of their visit, in which they will see for the first time the monuments built in their honor, I want to express my utmost gratitude to these special men and women for their extraordinary bravery and patriotism and for their noble sacrifice to help keep our country free.

I have said this time and time again: West Virginia is one of the most patriotic States in this great Nation. With one of our country's highest per capita rates of military servicemembers and veterans, West Virginia is undoubtedly one of our Nation's most patriotic States. According to the Department of Defense, West Virginia had the highest casualty rate in the nation during the Vietnam war, and I am so proud that the Honor Flight will allow these West Virginia veterans to pay homage to their brethren at the Vietnam Wall. The 23 veterans participating in this week's Always Free Honor Flight truly embody the Mountain State's history and contributions to the safeguard of our American freedoms.

Our special West Virginians visiting this week represent warriors from 50 to 94 years old and have traveled from all parts of our great State, from Buckhannon to Bluefield, Princeton to Beckley, and many places in between. In addition to our Mountain State veterans, one veteran from North Carolina and two veterans from Virginia will be accompanying their West Virginia neighbors on the daylong adventure. Of the patriots attending, four served in World War II, two served in both the Korean war and the Vietnam war, 17 served in the Vietnam war, two served in the Cold War, one served in the Gulf War, and two served stateside.

I would especially like to recognize our World War II Veterans who will be on this Honor Flight. Ninety-four-year-old Sergeant Wetzel Ray Sanders from Midkiff joined the Army in Princeton in 1941. He was a gunner and rifleman stationed in Hawaii and is a Pearl Harbor survivor. Former Seaman Samuel Helmandollar will also be coming to Washington, DC. The Princeton native and 91-year-old joined the Navy in 1944 in Huntington and was a gunner. We will also be joined by 93-year-old Sergeant Rudolph Dillon Jennings from Bluefield. He joined the Army Air Corps in 1943 in Princeton and was stationed in England and served in the European Theater. John Howard Winfrey, a 93-year-old from Lindside joined the Navy and Air Force in 1942. He served aboard ships in the Atlantic and Pacific as a torpedoman 2nd class during World War II.

These men represent our Nation's Greatest Generation, and their sacrifices and valor embody American patriotism. They fought in such a pivotal war, in an era that threatened our existence as a nation. Unfortunately, as the years go by, we are losing so many of our World War II veterans, and we must show them our utmost gratitude each and every day.

As I mentioned, we will also be joined by veterans of the Korean, Vietnam, Cold, and Gulf wars. They engaged in combat all over the world. They were pilots, helicopter gunners, and radio operators.

One of these veterans, Curtis Ray Vest of Bluefield, joined the Marine Corps in 1952 in Freeman and served in both Korea and Vietnam. In Korea, he served as a Field Observer for Field Artillery and was stationed in Incheon and Puson. In Vietnam, he was part of the American rescue mission of the French from Vietnam to safety in Japan.

Another of these Veterans is Sergeant Marshall Glenn Mann who joined Air Force in 1968 in Falls Church. On March 4, 1971 during combat at Khe Sanh, the Republic of Vietnam air lift urgently needed to get ammunition to Khe Sanh in to support operation Lam Son719. The objective of this mission was to destroy supply dumps and sever the Ho Chi Minh Trail, which was the corridor running through eastern Laos from North Vietnam to Cambodia and into South Vietnam. Because of the Cooper-Church Amendment passed by Congress in late 1970s, US ground troops and advisers were prohibited from entering Laos. However, U.S. helicopters supported the operation and U.S. fighter bombers, and B–52 bombers provided air cover. Sergeant Mann received the Distinguished Flying Cross for extraordinary achievement while participating in aerial flight for this operation.

Another Vietnam Veteran joining us is Staff Sergeant Danny Lewis Meadows, who joined the Air Force in 1966 in Beckley. Staff Sergeant Meadows was a mechanic on KC–135 Air Refueling Tanker for two years and refueled B–52 bombers and F–4 fighters in Southeast Asia. During his last two years of service, Staff Sergeant Meadows was a crew chief on a C–130 cargo aircraft in the Philippines and Vietnam. He flew to Saigon and Cam Ranh Bay Vietnam for fifteen to twenty-one days each month. He flew from several bases in Vietnam into the jungle to perform assault landings. He was working on his aircraft and was attacked with rockets and fell off the wing, broke his hip and wrist and with four months remaining on his enlistment and was shipped back to the U.S. to recover.

We will also have two Veterans that served in the Cold War One of them, Jackson P. Thompson served as a Recon Specialist from 1971–76. He was stationed at Fulda Gap in Germany, which was near the area between the Inner German Border of East and West Germany that contained two corridors of lowlands subjected to a potential invasion by Warsaw Pact forces.

Showing our appreciation to those who have served is something that we should do each and every day, but today is a special day to pay tribute and thank those who have volunteered to put their lives on the line for our freedoms. The memorials our Honor Flight participants will visit today serve as an important reminder to us all that our freedoms and liberties come at a steep cost. However, I know our veterans will find special meaning and potentially long-lost emotions when they tour such touching sites.

The brave West Virginia heroes today have all served this country in a variety of ways, working both at home and abroad. They have engaged in combat on U.S. soil in Pearl Harbor and all over the world, at the Panama Canal, working on the docks of Saigon, protecting the border of West Germany and serving in Desert Shield and Desert Storm. One of our visiting Vietnam veterans, Sergeant Dean Fluharty, who joined the Marine Corps in Parkersburg, earned a Purple Heart, Silver Star, Vietnamese Cross of Gallantry and a Good Conduct Medal. But regardless of their rank or duty, each and every one of these veterans answered our nation's call and has served with incredible pride and valor.

This week's 'Honor Flight' and the continued support of our Veterans would not be possible without the dedication of so many volunteers and caregivers. I would like to thank the four JROTC Cadets from Montcalm, Bluefield and Princeton High Schools as well as the military spouses serving as the guardians on this year's 'Honor Flight.' These guardians have selflessly given their time to travel alongside our veterans all the way from Princeton, West Virginia to Washington, D.C. to share this very special journey with them

I also commend those in the 'Always Free Honor Flight' Network for their dedication to providing our Veterans with such a unique and meaningful experience. Without the diligence and passion of Dreama Denver, President of 'Always Free Honor Flight' Network and owner of Princeton, West Virginia's Little Buddy Radio, as well as Pam Coulbourne, the coordinator of these flights, many of our Veterans would never have the opportunity to travel to Washington and pay homage to the men and women they fought beside. Dreama and Pam launched the 'Always Free Honor Flight' in 2012 and every year, they continue to make this dream a reality for many of our West Virginia Veterans.

I'd also like to recognize Sergeant First Class Paul Dorsey, Vice President of Always Free Honor Flight and Official Photographer Steve Coleman, who have done a tremendous job of ensuring that our Veterans receive the recognition they deserve. Dreama, Pam, and Steve have also dedicated themselves to the Denver Foundation, serving as incredible examples of how individuals can give back to their communities.

I am filled with pride every time I meet the patriots who have served our country, and I am so pleased to welcome West Virginia's most courageous veterans, who are all heroes, to Washington, D.C. I encourage all of my colleagues to join me in saluting them. They truly inspire us all as we are reminded of their selfless service. It is because of their bravery that all Americans enjoy the greatest liberties and freedoms in the world.

God bless all our servicemembers and veterans, God bless the great State of West Virginia, and God bless the United States of America.●

RECOGNIZING SUNDANCE CONSULTING, INC.

● Mr. RISCH. Madam President, Idaho is known for its rolling foothills, crystal clear rivers and streams, and of course some exquisite mountains. Idahoans embrace these treasures across our State and are committed to keeping these natural resources pristine for the next generation. This commitment to maintaining our public lands contributes to an abundance of innovation and creativity in the natural resources space in my home State. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my distinct pleasure to recognize Sundance Consulting, Inc., as the Small Business of the Month for May 2018. Sundance Consulting, Inc.'s work on important environmental and natural resource-related issues exemplifies Idaho's entrepreneurial spirit and stewardship of our environment.

After 19 years of working for the Native American Lands Environmental Mitigation Program as a consultant focused on addressing environmental problems related to previous Department of Defense activities, September Myres founded Sundance Consulting, Inc., in 2005. She founded Sundance with a vision to provide solutions to the environmental challenges faced by Native Americans and Native Alaskans alike. Raised on the Fort Hall Indian Reservation in Idaho, Ms. Myres has a keen understanding of the unique environmental issues that tribes face. With her background and experience in Tribal lands, Ms. Myres is uniquely positioned to implement innovative solutions to ongoing environmental problems in these communities. Among the solutions that September provides are general consulting services, environmental site assessments, site investigations, radioactive waste retrieval, process optimization, and soil and water sampling, all of which help clients understand the environment they are working in and ways to mitigate any potentially harmful activities.

Under Ms. Myres' exceptional leadership, Sundance Consulting has grown from a sole proprietorship to a firm of more than 50 employees. The company is headquartered in Pocatello, ID, with eight satellite offices across the Nation. From 2011 to 2016, Sundance increased their revenue by $10 million and hired an additional 50 employees. The firm's continued growth has been a product of its growing client base. From its original focus on tribal clients to today's diverse portfolio of Federal, State, and commercial clients, Sundance prides itself on delivering quality advice and planning services on-time and under budget, while protecting the environment. Over time, the company has expanded its offerings to include public outreach and liaison services that help to build consensus and increase public participation in the planning of client projects. Over its 13 years in business Sundance has earned a reputation of excellence in their field by bringing diverse organizations together to create environmental solutions.

In 2008, Sundance began utilizing the SBA 8(a) Business Development Program, a 9-year certification program that helps small, disadvantaged businesses compete for government contracts. The program provided Ms. Myres with the tools and knowledge required to grow her business. Sundance's success has allowed the company to give back to their local community in Idaho. Every year, the company provides school supplies and backpacks to children in need, through a charity drive in Chubbuck, ID. Additionally, Sundance provides scholarships to Native American students going in to the science, technology, engineering, or mathematics fields.

The company's high standards and good reputation have led to recognition from the environmental and small business communities. The Environmental Business Journal noted Sundance's incredible growth and economic success in environmental consulting. In 2016, the Journal awarded Sundance the 19th Annual Small Firms Award for Achievement. Due to her success as an entrepreneur and her commitment to environmental preservation, the Small Business Administration honored Ms. Myres as the 2018 Idaho Small Business Person of the Year during National Small Business Week for demonstrating growth, innovation, and perseverance in the face of adversity.

Innovation, growth, and commitment to quality are the hallmarks of Sundance Consulting's success. The company's continual commitment to helping communities exemplifies how small businesses are in a unique position to make a profit and make a difference. Sundance is a true inspiration to innovators and small businesses across the Nation for their incredible success. I would like to extend my sincerest congratulations to September Myres and all of the employees at Sundance Consulting, Inc., for being selected as the May 2018 Small Business of the Month. You make our great State of Idaho proud, and I look forward to watching your continued growth and success.●

TRIBUTE TO HEATHER ANDERSON

● Mr. RUBIO. Madam President, today I honor Heather Anderson, the Manatee County Teacher of the Year from Martha B. King Middle School in Bradenton, FL.

Heather credits her students as the reason why she was named Teacher of the Year. During the award ceremony, she noted that they keep her going every day and thanked them for giving her purpose and meaning. Everything she does is for her students, and she cannot wait to see what the future holds for them.

Heather wanted to be a teacher since she was a child and said this award is one of the most rewarding parts of her career. For students who enter her classroom, she has committed herself to positively contributing to their lives, promises to value and treat them with respect, hold the highest standard for herself and students, and monitor and adjust her work to ensure they are prepared for their educational future.

In her classroom, students are able to use tablets to learn and conduct research for their assignments. These tablets were not provided by the school, but through a fundraiser she put together. She is dedicated to seeing each and every one of her students succeed in school and in life.

Heather is an English I honors and language arts teacher at King Middle School. She serves as chair of the language arts department and has been a teacher for 18 years.

I extend my appreciation to Heather for her hard work and dedication to her students and wish her continued success in the years to come.●

TRIBUTE TO CATELYN BOZE

● Mr. RUBIO. Madam President, today I honor Catelyn Boze, the Putnam County Teacher of the Year from Q.I. Roberts Junior-Senior High School in Florahome, FL.

Catelyn received this important recognition because of her ability to encourage students from all ranges. She challenges the gifted students and helps motivate those who struggle. This dedication to her students resulted in many striving to produce work that will make her proud.

Catelyn's success is built on three components. According to her, a large portion of teaching is relational. When students know their teacher cares about them, they are more open to learning. She demonstrates this to her students by setting high expectations and not allowing them to become unengaged. The second component is Catelyn's creativity and deep content knowledge. This allows her to create questions that challenge her students to think critically. The third component of her success are two initiatives she designed in the past 2 years: student choice and nonzero grading. Catelyn believes that a student who receives a zero for an assignment does

not give her the necessary feedback to determine what a student has learned and damages their motivation to school. Instead, her grading practices allow for end-point mastery, which she believes to help her students learn.

Catelyn has taught at Q.I. Roberts Junior-Senior High School for 3 years and is involved with several extracurricular activities. As yearbook sponsor, she doubled the size of the yearbook and increased sales to where more copies were needed to be ordered. She also cosponsors the Hi-Q team and attends school sporting events and performances of her students.

I express my best wishes to Catelyn for her commitment to her students and wish her continued success in the years to come.●

TRIBUTE TO HELENE HOTALING

● Mr. RUBIO. Madam President, today I honor Helene Hotaling, the Marion County Teacher of the Year from Madison Street Academy in Ocala, FL.

Helene believes what best describes her life as a child, parent, and as an educator can be attributed to a quote from Dr. Seuss: ''To the world you may be one person, but to one person you may be the world.''

Helene's parents were poor, had little education, and spoke broken English. As a result, her initial introduction to school in first grade was difficult. It was not until a retired teacher in her neighborhood guided her to where she is today. That retired teacher, Ms. Nuesell, saw she could make a difference in her life and taught her the joy of learning. This inspired Helene to become a teacher at a young age.

Ms. Nuesell took Helene to the library and sat with her as she struggled to read. This kindness and persistence paid off, and by the time Helene entered second grade, she could read and keep up with her classmates academically. Helene knows Ms. Nuesell did not have to do this; she did so because she enjoyed teaching. Ms. Nuesell has been her role model in life.

Helene is a graduate of the University of Georgia with bachelor of arts degree in elementary education and a master's degree in teaching reading from Barry University. She has been a teacher for 29 years, with all but 2 years in Marion County. Helene has taught fourth grade, third grade, second grade, and kindergarten, She is currently a third grade teacher at Madison Street Academy.

I thank Helene for her dedication to teaching countless students throughout her nearly three decades long career. I express my best wishes for her continued success in the years to come.●

TRIBUTE TO JASON LANCY

● Mr. RUBIO. Madam President, today I am honored to recognize Jason Lancy, the Lake County Teacher of the Year from Windy Hill Middle School in Clermont, Fl.

Jason was not a math wizard when he was in school, originally struggling with the subject. It is fitting that he has been given this prestigious award while serving as the chair of the math department. Jason said it was hard to explain how it felt to receive this honor, though he felt it was definitely one of the greatest nights of his life.

Jason's students tell him how he explains math is different and easier for them to understand. He relates this trait to the fact that he can empathize when they feel lost and confused with math. He seeks to deepen his student's understanding and increase engagement by teaching passionately and with a sense of humor.

By all accounts, he has a close relationship with his students. Jason shared his feelings towards the night he received this honor by putting the trophy in his classroom and showed his students pictures from the event. They were ecstatic for him, noting it was a class atmosphere unlike any other he had experienced before.

Jason has been an eighth-grade Algebra 1 and Algebra 1 honors teacher at Windy Hill Middle School since 2007. He earned his bachelor of science degree from Indiana University of Pennsylvania in mathematics education and earned his master of education degree from the University of Central Florida in mathematics education.

I express my sincere thanks and appreciation to Jason for his hard work and look forward to hearing of his and his students' continued success.●

TRIBUTE TO ANGELA PERRY

● Mr. RUBIO. Madam President, today I recognize Angela Perry, the Lafayette County Teacher of the Year from Lafayette Elementary School in Mayo, FL.

The compassion Angela displays to her students and her demonstration of being a model teacher to her peers led to her being named Teacher of the Year. Angela credited her school's administration, colleagues, and friends who share her love of teaching for her receiving this honor by the district.

Angela's teaching philosophy is guided by a quote from Mother Teresa: ''Not all of us can do great things, but we can do small things with great love.'' She abides by this quote when it comes to teaching her fifth grade students as they begin to transition from elementary to middle school.

Outside of the classroom, Angela is involved throughout her community by volunteering with her church youth's ministry. She has coached soccer, basketball, and softball for local youth programs. Angela has also been a board member for the Lafayette Babe Ruth Program for 14 years.

Angela graduated from Lafayette High School in 1992 and continued her educational career by earning an elementary education degree at Valdosta State University in 1997. She has taught at Lafayette Elementary School since 2011, teaching fourth grade for 6 years and is currently teaching fifth grade math.

I express my sincere thanks and appreciation to Angela for the dedication she has provided to her students and community throughout the years.●

TRIBUTE TO AMY ROBERTS

● Mr. RUBIO. Madam President, today I recognize Amy Roberts, the Columbia County Teacher of the Year from Summers Elementary School in Lake City, FL.

Amy's colleagues describe her as an organized, structured professional with proven teaching, motivating, and leadership skills. These abilities undoubtedly contributed to Amy becoming her school district's Teacher of the Year.

Her administrator noted that Amy works to ensure all students are able to experience success during their academic career. One of her former students remembers that Amy always did whatever she could to help them succeed in school.

Amy is a firm believer in fostering a growth mindset and developing lasting relationships with her students and their families. She views these relationships as paramount to students achieving success in her classroom, college, and in working environments.

Amy has been a teacher for more than 7 years, with most of those years at Summers Elementary School. She is currently a first grade teacher.

I am honored to express my sincere gratitude to Amy for her hard work and look forward to hearing of her continued success throughout her teaching career.●

TRIBUTE TO BETH ROSENOW

● Mr. RUBIO. Madam President, today I honor Beth Rosenow, the Monroe County Teacher of the Year from Coral Shores High School in Tavernier, FL.

Beth received this important recognition because of her exemplary marine science and leadership programs. Her colleagues note her outstanding work in and out of the classroom because she connects her class material to the outside world and keeps her students engaged.

Beth is known by her coworkers for her unique teaching style. She uses hands-on techniques to give her students a firsthand experience to the material they are learning. Her expertise and participation within the local marine science community provides her with material for her students. Beth's commitment to this field allows her students learn how to assess the health of coral reefs and to report data to the National Oceanographic and Atmospheric Administration.

Beth has certifications in fish identification, rescue diving, and uses her expertise to challenge her students and herself. She began her teaching career 18 years ago in Fenton, MI, and is coming up on her seventh year of teaching

in Monroe County. She previously taught at Key Largo School before coming to Coral Shores High School.

I am pleased to learn of all the hard work Beth has done for her students and extend my best wishes on her continued success in the years to come.●

TRIBUTE TO DANIELLE SUMMERS

● Mr. RUBIO. Madam President, today I recognize Danielle Summers, the Liberty County Teacher of the Year from W. R. Tolar K–8 School in Bristol, FL, where she teaches elementary school.

Danielle received this important award because of her strong classroom management skills and hands-on, experiential approach to teaching foundational education standards. Besides teaching, she has served on the leadership team as the kindergarten grade level chair for 3 years and served as the grade level chair for first grade for the past 2 school years. Danielle has also been a cooperating teacher for both Flagler College and Chipola College, supervising and training three student-teacher interns in 3 of the past 4 school years.

Danielle has been teaching for 10 years. She has taught second grade for 1 year, kindergarten for 6 years, and is currently teaching first grade for the third year. Danielle has also served on the K–3 District evaluation subcommittee and the K–2 district writing committee for Liberty County.

I express my deep gratitude to Danielle for her desire to help her students learn in any way she can. I wish Danielle the best and look forward to hearing of her continued success in the years ahead.●

TRIBUTE TO KEITH NOLAN

● Mr. VAN HOLLEN. Madam President, today I would like to recognize a selfless young man of great character and tremendous determination, Keith Nolan of Frederick, MD.

Keith's passion for service and for this country has driven him to doggedly seek an opportunity to join the less than 1 percent of Americans with a disability who have served in our military. In his commitment to defend our Nation, as well as our values, he has pursued this issue with many levels of the Defense Department. Moreover, he has reached out to the Armed Services Committees in both Chambers of Congress and even approached the White House to seek opportunities for disabled Americans to serve in the ranks of the military. Keith is deaf and recognizes that he is quickly reaching the age limit to enlist. However, he is still committed to seeking change that could enable others, with similar disabilities, to contribute to the defense of our nation.

Keith Nolan is an inspiration to me and to those he has touched. I thank him for the example he sets and am hopeful that someday emerging military occupations might present opportunities for disabled Americans to serve their country proudly and with honor.●

MESSAGES FROM THE HOUSE

At 2:25 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1282. An act to redesignate certain clinics of the Department of Veterans Affairs located in Montana.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1972. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes.

H.R. 3642. An act to direct the Secretary of Veterans Affairs to carry out a pilot program to improve the access to private health care for veterans who are survivors of military sexual trauma.

H.R. 3663. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel ''Woody'' Williams VA Medical Center.

H.R. 3832. An act to amend title 38, United States Code, to provide for access by Department of Veterans Affairs health care providers to State prescription drug monitoring programs.

H.R. 3946. An act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the ''Ray Hendrix Veterans Clinic''.

H.R. 4245. An act to direct the Secretary of Veterans Affairs to submit to Congress certain documents relating to the Electronic Health Record Modernization Program of the Department of Veterans Affairs.

H.R. 4334. An act to provide for certain reporting requirements relating to medical care for women veterans provided by the Department of Veterans Affairs and through contracts entered into by the Secretary of Veterans Affairs with non-Department medical providers, and for other purposes.

H.R. 4451. An act to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs.

H.R. 4830. An act to amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes.

H.R. 4958. An act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 5044. An act to amend title 38, United States Code, to clarify the treatment of certain surviving spouses under the contracting goals and preferences of the Department of Veterans Affairs.

H.R. 5215. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to prohibit employees found to have knowingly misused Department of Veterans Affairs purchase cards from serving as purchase card holders or approving officials.

H.R. 5418. An act to direct the Secretary of Veterans Affairs to carry out the Medical Surgical Prime Vendor program using multiple prime vendors.

The message also announced that pursuant to 2 U.S.C. 2081, and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the United States Capitol Preservation Commission: Mr. HOLDING of North Carolina.

The message further announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending on May 14, 2020: Ms. Kristina Arriaga of Alexandria, Virginia.

The message also announced that pursuant to section 3 of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act (Public Law 114–244), and the order of the House of January 3, 2017, the Speaker appoints the following individuals on the part of the House of Representatives to the Alyce Spotted Bear and Walter Soboleff Commission on Native Children: Ms. Gloria O'Neill of Anchorage, Alaska, Ms. Lisa Johnson Billy of Lindsay, Oklahoma, and Ms. Elizabeth Morris of Hillsboro, North Dakota.

The message further announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114–196), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the United States Semiquincentennial Commission to fill the existing vacancy thereon: Mr. HOLDING of North Carolina.

At 6:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2155. An act to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1972. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3642. An act to direct the Secretary of Veterans Affairs to carry out a pilot program to improve the access to private health care for veterans who are survivors of military sexual trauma; to the Committee on Veterans' Affairs.

H.R. 3663. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel ''Woody'' Williams VA Medical Center; to the Committee on Veterans' Affairs.

H.R. 3832. An act to amend title 38, United States Code, to provide for access by Department of Veterans Affairs health care providers to State prescription drug monitoring programs; to the Committee on Veterans' Affairs.

H.R. 3946. An act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the ''Ray Hendrix Veterans Clinic'' ; to the Committee on Veterans' Affairs.

H.R. 4245. An act to direct the Secretary of Veterans Affairs to submit to Congress certain documents relating to the Electronic Health Record Modernization Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 4334. An act to provide for certain reporting requirements relating to medical care for women veterans provided by the Department of Veterans Affairs and through contracts entered into by the Secretary of Veterans Affairs with non-Department medical providers, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4451. An act to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs; to the Committee on Veterans' Affairs.

H.R. 4830. An act to amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4958. An act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5044. An act to amend title 38, United States Code, to clarify the treatment of certain surviving spouses under the contracting goals and preferences of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 5215. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to prohibit employees found to have knowingly misused Department of Veterans Affairs purchase cards from serving as purchase card holders or approving officials; to the Committee on Veterans' Affairs.

H.R. 5418. An act to direct the Secretary of Veterans Affairs to carry out the Medical Surgical Prime Vendor program using multiple prime vendors; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 1337. A bill to amend the Energy Policy Act of 2005 to make certain strategic energy infrastructure projects eligible for certain loan guarantees, and for other purposes (Rept. No. 115–254).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1563. A bill to authorize the Office of Fossil Energy to develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, and for other purposes (Rept. No. 115–255).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2200. A bill to reauthorize the National Integrated Drought Information System, and for other purposes (Rept. No. 115–256).

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S.J. Res. 58. A joint resolution to require certifications regarding actions by Saudi Arabia in Yemen, and for other purposes.

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2098. A bill to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 2269. A bill to reauthorize the Global Food Security Act of 2016 for 5 additional years.

By Mr. BARRASSO, from the Committee on Environment and Public Works , with an amendment in the nature of a substitute:

S. 2800. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Joseph E. Macmanus, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Colombia.

Nominee: Macmanus, Joseph Estey.

Post: Colombia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Joseph Estey Macmanus: None.

2. Carol Krumbach Macmanus: None.

3. Christopher Joseph Macmanus, son: None; Megan Walston, daughter-in-law: None.

4. Deceased Parents: Joseph Edward Macmanus, Miriam Butterbaugh Macmanus.

5. Deceased Grandparents: Estey Butterbaugh, Minnie Rupert Butterbaugh, Jose Macmanus, Elsa Sibel Macmanus.

6. Thomas H. Macmanus and Mary C. Macmanus: none to my knowledge; Stephen P. Macmanus: none to my knowledge; Christopher J. Macmanus and Nancy Macmanus: none to my knowledge.

7. Patricia M. Grose: none to my knowledge; Mary K. Ramsbottom and John Ramsbottom: none to my knowledge.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors for a term of five years.

*Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2019.

*Coast Guard nomination of Rear Adm. Michael F. McAllister, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. Daniel B. Abel, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. Scott A. Buschman, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. Linda L. Fagan, to be Vice Admiral.

Mr. THUNE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

*Coast Guard nominations beginning with Augustino Albanese II and ending with Nicholas P. Zieser, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2018.

*Coast Guard nomination of Kyle S. Young, to be Lieutenant Commander.

*Coast Guard nomination of Michael S. Daeffler, to be Lieutenant.

*Coast Guard nominations beginning with Rebecca A. Drew and ending with Sarah J. Reed, which nominations were received by the Senate and appeared in the Congressional Record on April 24, 2018.

By Mr. BARRASSO for the Committee on Environment and Public Works.

*John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2021.

By Mr. BURR for the Select Committee on Intelligence.

William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Mr. BROWN, and Mr. BLUMENTHAL):

S. 2891. A bill to amend title XI of the Social Security Act to require applicable manufacturers to include information regarding payments made to physician assistants, nurse practitioners, and other advance practice nurses in transparency reports submitted under section 1128G of such Act; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. ISAKSON):

S. 2892. A bill to require the Comptroller General of the United States to submit a report to Congress on the provision of peer

support services under the Medicaid program; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 2893. A bill to provide for prompt payments to small business contractors, and for other purposes; to the Committee on Armed Services.

By Mr. JONES (for himself, Mr. ROUNDS, and Ms. SMITH):

S. 2894. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish in the Department of Agriculture the position of Rural Health Liaison; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS:

S. 2895. A bill to designate the Quindaro Townsite National Historic Landmark, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself and Mr. MANCHIN):

S. 2896. A bill to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI (for herself, Mr. BROWN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. SULLIVAN, Ms. KLOBUCHAR, Ms. SMITH, and Mr. PORTMAN):

S. 2897. A bill to amend title XIX of the Social Security Act to delay the reduction in Federal medical assistance percentage for Medicaid personal care services furnished without an electronic visit verification system; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. HELLER, and Mr. BLUMENTHAL):

S. 2898. A bill to amend title XIX of the Social Security Act to remove lifetime limits under State Medicaid programs on medication-assisted treatment for substance use disorders; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. PORTMAN, Mrs. CAPITO, Mr. KING, Mr. MANCHIN, Mr. HELLER, Mr. CASEY, and Mr. WHITEHOUSE):

S. 2899. A bill to amend title XIX of the Social Security Act to provide States with the option of providing medical assistance at a residential pediatric recovery center to infants with neonatal abstinence syndrome; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. ISAKSON, Mr. NELSON, Mr. THUNE, Mr. CASSIDY, and Mr. BLUMENTHAL):

S. 2900. A bill to amend title XVIII of the Social Security Act to include screening for potential substance use disorders and a review of any current opioid prescriptions as part of the initial preventive physical examination and the annual wellness visit under the Medicare program; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. WARNER, Mr. CARDIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. GRASSLEY, Mr. SCHATZ, Mr. WICKER, and Mrs. HYDE-SMITH):

S. 2901. A bill to amend title XVIII of the Social Security Act to expand the use of telehealth services for the treatment of opioid use disorder and other substance use disorders; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. WHITEHOUSE):

S. 2902. A bill to amend title XIX of the Social Security Act to facilitate Medicaid access to State prescription drug monitoring programs, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 2903. A bill to address foreign threats to higher education in the United States; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. THUNE, Mr. NELSON, Mr. ROBERTS, Mr. WARNER, Mr. CORNYN, and Ms. STABENOW):

S. 2904. A bill to require the Secretary of Health and Human Services to provide guidance to States regarding Federal reimbursement for furnishing services and treatment for substance use disorders under Medicaid using telehealth services; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mrs. MCCASKILL):

S. 2905. A bill to amend title XVIII of the Social Security Act to provide for certain integrity transparency measures under Medicare parts C and D; to the Committee on Finance.

By Mr. MANCHIN (for himself, Mrs. MCCASKILL, Ms. STABENOW, Mr. KAINE, Mr. WARNER, Mr. MENENDEZ, Mr. DONNELLY, Ms. HARRIS, Ms. KLOBUCHAR, Mr. NELSON, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. KING, Mr. JONES, Mr. SCHUMER, Mr. BROWN, Ms. BALDWIN, Mr. DURBIN, Ms. WARREN, Ms. SMITH, and Mr. MARKEY):

S. 2906. A bill to establish a permanent community care program for veterans, to improve the recruitment of health care providers of the Department of Veterans Affairs, to improve construction by the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 2907. A bill to provide for the withdrawal and protection of certain Federal land in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself, Mr. CARPER, and Mr. GRASSLEY):

S. 2908. A bill to amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. BENNET):

S. 2909. A bill to require the Comptroller General of the United States to study and report on State Medicaid agencies' options related to the distribution of substance use disorder treatment medications under the Medicaid program; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. NELSON, Mr. CORNYN, Mr. WARNER, Mr. THUNE, Mr. CARPER, and Ms. STABENOW):

S. 2910. A bill to evaluate access to services and treatment for substance use disorders and to telehealth services and remote patient monitoring for pediatric populations under Medicaid; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. CASEY, Mr. THUNE, Ms. STABENOW, Mr. CORNYN, and Mr. NELSON):

S. 2911. A bill to require the Secretary of Health and Human Services to provide guidance to States regarding Medicaid items and services for non-opioid pain treatment and management; to the Committee on Finance.

By Mr. CASSIDY (for himself, Mr. MENENDEZ, Mr. GRASSLEY, and Mr. WARNER):

S. 2912. A bill to require the Secretary of Health and Human Services to publish data related to the prevalence of substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid, and for other purposes; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. CORNYN):

S. 2913. A bill to require the Secretary of Defense to improve the monitoring and oversight of and reporting regarding projects carried out under the Military Housing Privatization Initiative under subchapter IV of chapter 169 of title 10, United States Code; to the Committee on Armed Services.

By Ms. CORTEZ MASTO:

S. 2914. A bill to require a Comptroller General of the United States report on certain personnel matters in connection with Air Force remotely piloted aircraft; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Ms. CORTEZ MASTO, and Mr. BOOKER):

S. 2915. A bill to protect alien victims of crime or serious labor or employment violations from removal from the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. WICKER:

S. 2916. A bill to require a certain percentage of liquefied natural gas and crude oil exports be transported on United States-built and United States-flag vessels, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself and Mr. TESTER):

S. 2917. A bill to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions; to the Committee on Rules and Administration.

By Ms. HARRIS (for herself, Mr. LEAHY, Ms. HIRONO, Mrs. FEINSTEIN, Mr. DURBIN, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SANDERS, Mr. MERKLEY, Mrs. GILLIBRAND, Ms. SMITH, Mr. WYDEN, and Ms. WARREN):

S. 2918. A bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. HASSAN, Mr. WHITEHOUSE, Mr. UDALL, Ms. DUCKWORTH, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 2919. A bill to amend the Ethics in Government Act of 1978 to provide for reform in the operations of the Office of Government Ethics, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MCCASKILL (for herself and Mr. TOOMEY):

S. 2920. A bill to amend title XVIII of the Social Security Act to impose certain requirements under the Medicare program with respect to outlier prescribers of opioids; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. MENENDEZ, Mr. GRASSLEY, Mrs. MCCASKILL, Mr. CORNYN, and Mr. CARPER):

S. 2921. A bill to amend title XIX of the Social Security Act to help ensure coverage of inpatient treatment services furnished in institutions for mental disease; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. HELLER, Mr. BROWN, Mr. CARPER, and Mr. WHITEHOUSE):

S. 2922. A bill to amend title XIX of the Social Security Act to help improve access to care for pregnant and postpartum women receiving substance use disorder treatment, including for opioid use disorders, in an institution for mental diseases; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. MENENDEZ):

S. 2923. A bill to support the development of evidence-based family-focused residential treatment programs; to the Committee on Finance .

By Mr. SCOTT (for himself and Mr. MENENDEZ):

S. 2924. A bill to encourage the use of family-focused residential treatment programs for substance use disorder treatment; to the Committee on Finance.

By Mr. TILLIS (for himself and Mrs. SHAHEEN):

S. 2925. A bill to limit the transfer of F–35 aircraft to foreign countries; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself and Mr. SCOTT):

S. 2926. A bill to amend part B of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct a family recovery and reunification program replication project to help reunify families and protect children with parents or guardians with a substance use disorder who have temporarily lost custody of their children; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 519. A resolution to authorize testimony and representation in Colorado v. Willenberg; considered and agreed to.

ADDITIONAL COSPONSORS

S. 184

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S. 266

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 751

At the request of Mr. WARNER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 760

At the request of Mr. SCHATZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 760, a bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes.

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 974

At the request of Mr. LEAHY, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 974, a bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

S. 1022

At the request of Mr. ISAKSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1022, a bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes.

S. 1050

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1112

At the request of Ms. HEITKAMP, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1328

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1328, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1358

At the request of Mr. CASSIDY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1358, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain direct primary care service arrangements and periodic provider fees.

S. 1589

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 2105

At the request of Mr. BOOZMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2105, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 2269

At the request of Mr. ISAKSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2269, a bill to reauthorize the Global Food Security Act of 2016 for 5 additional years.

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2269, supra.

S. 2372

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

S. 2379

At the request of Mr. KAINE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2379, a bill to improve and expand authorities, programs, services, and benefits for military spouses and military families, and for other purposes.

S. 2404

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 2404, a bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to reauthorize the organic agriculture research and extension initiative.

S. 2418

At the request of Ms. HASSAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2418, a bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

S. 2543

At the request of Ms. HEITKAMP, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2543, a bill to amend part B of title IV of the Social Security Act to provide grants to develop and enhance, or to evaluate, kinship navigator programs, and for other purposes.

S. 2584

At the request of Ms. BALDWIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2584, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 2597

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S.

2597, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

S. 2667

At the request of Mr. MCCONNELL, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2667, a bill to amend the Agricultural Marketing Act of 1946 to provide for State and Tribal regulation of hemp production, and for other purposes.

S. 2679

At the request of Mr. TESTER, his name was added as a cosponsor of S. 2679, a bill to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 2723

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2723, a bill to amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits for children be calculated with reference to the cost of the low-cost food plan, as determined by the Secretary of Agriculture, and for other purposes.

S. 2778

At the request of Mr. CRUZ, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2778, a bill to amend the Endangered Species Act of 1973 to include a prohibition on the listing of a living nonnative species as a threatened species or an endangered species, and for other purposes.

S. 2789

At the request of Mr. CORNYN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2789, a bill to prevent substance abuse and reduce demand for illicit narcotics.

S. 2810

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2810, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes.

S. RES. 386

At the request of Mr. FLAKE, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 386, a resolution urging the Government of the Democratic Republic of the Congo to fulfill its agreement to hold credible elections, comply with constitutional limits on presidential terms, and fulfill its constitutional mandate for a democratic transition of power by taking concrete and measurable steps towards holding elections not later than December 2018 as outlined in the existing election calendar, and allowing for freedom of expression and association.

S. RES. 502

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 502, a resolution supporting robust relations with the State of Israel bilaterally and in multilateral fora upon seventy years of statehood, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 519—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN COLORADO V. WILLENBERG

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 519

Whereas, in the case of *Colorado v. Willenberg*, Case No. 17M1242, pending in Municipal Court in Colorado Springs, Colorado, the defendant has requested the production of testimony from Andrew Merritt, an employee in the office of Senator Cory Gardner;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Andrew Merritt, an employee in the Office of Senator Cory Gardner, is authorized to testify in the case of *Colorado v. Willenberg*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former Members, officers, and employees of the Senate in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution authorizing the production of testimony and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. MCCONNELL. Mr. President, this resolution concerns a request for testimony in a criminal action pending in Colorado State court. In this action, the defendant is charged with trespass for refusing to leave Senator GARDNER's Colorado Springs office. A forthcoming evidentiary hearing and trial is expected to be scheduled shortly in the Municipal Court of Colorado Springs, Colorado.

The defendant in this case is seeking testimony from Andrew Merritt, Senator GARDNER's State Director, who was present during some of the events at issue. Senator GARDNER would like to cooperate with this request.

The enclosed resolution would authorize the production of testimony from Mr. Merritt and representation by the Senate Legal Counsel of current and former Members, officers, and employees of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2264. Mr. SHELBY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table.

SA 2265. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2266. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2264. Mr. SHELBY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONCEPTS AND DEFINITIONS.

The authorizations of appropriations added to 38 U.S.C. Chapter 17 by this Act [''VA MISSION Act of 2018''] shall be considered changes in concepts and definitions pursuant to section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (''BBEDCA''; 2 U.S.C. 901(b)(1)). These changes shall be reflected only in the budget year in each Sequestration Preview Report required by section 254(c) of BBEDCA. For each budget year, the baseline level of new budget authority using up-to-date concepts and definitions shall be equal to the discretionary appropriations that are specified for those authorizations of appropriations in the Budget that the President submits under section 1105 of title 31, United States Code, including those already provided for that fiscal year as advance discretionary new budget authority. Within 15 days of the publication of a final rule in the Federal Register promulgating the regulations pursuant to section 101(c) of this Act [''VA MISSION Act of 2018''], the Office of Management and Budget shall further adjust the fiscal year 2019 discretionary spending limits to reflect the impact of those regulations, as estimated by the Department of Veterans Affairs, on the discretionary appropriations that are specified for those authorizations of appropriations in the Budget that the President submitted for that fiscal year under section 1105 of title 31 United States Code, and shall provide written notification to the Congress of such further adjustments. Not later than 10

days after the date each year on which the President submits the budget request under section 1105 of title 31 United States Code, and also 10 days after the publication of the final rule previously referenced in this section, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report detailing the estimates of the resources required by the Department for those authorizations of appropriations, as forecast using the Enrollee Health Care Projections Model, or other methodologies used by the Department. For each fiscal year, the Office of Management and Budget shall further adjust the discretionary spending limits in section 251(c) of BBEDCA to reflect the transmittal of any formal and informal supplementals and amendments, as those terms are defined in section 110 of OMB Circular No. A–11, for those authorizations of appropriations and shall provide written notification to the Congress of such further adjustments within 15 days of such transmittal. For each fiscal year, the Final Sequestration Report required by section 254(f) of BBDECA shall include a further adjustment to reflect the difference between all of the previous adjustments made for that fiscal year pursuant to this section and the new budget authority for those authorizations of appropriations enacted as discretionary appropriations.

SA 2265. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, beginning on line 16, strike ''CONDITIONS UNDER WHICH CARE IS AUTHORIZED'' and insert ''ADDITIONAL CONDITIONS UNDER WHICH CARE IS REQUIRED''.

On page 11, line 18, strike ''may'' and insert ''shall''.

On page 13, line 3, strike ''authorized'' and insert ''required''.

On page 13, beginning on line 21, strike ''When the Secretary exercises the authority under paragraph (1), the decision to receive care or services under such paragraph'' and insert ''The decision to receive care or services under paragraph (1)''.

SA 2266. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, after line 25, insert the following:

SEC. 115. DEPARTMENT OF VETERANS AFFAIRS AS SECONDARY PAYER FOR HEALTH CARE IN CERTAIN CIRCUMSTANCES.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1703D, as added by section 111 of this Act, the following new section:

''§ 1703F. Department as secondary payer for certain non-Department care

''If a veteran is covered under a health-plan contract (as defined in section 1729(i) of this title) and receives hospital care or medical services for a non-service-connected disability at a non-Department facility or from a non-Department provider, such health-plan contract shall be primarily responsible for paying for such care or services, to the extent such care or services are covered by such health-plan contract, and the Secretary shall be secondarily responsible for paying for such care or services.''.

(b) CLERICAL AMENDMENT.—The table of section for such chapter is amended by inserting after the item relating to section 1703D the following new item:

''1703F. Department as secondary payer for certain non-Department care.''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 12 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing on pending legislation and the following nominations: Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors, Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board, and routine lists in the Coast Guard.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing entitled ''The Healthcare Workforce: Addressing Shortages and Improving Care.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:15 p.m. to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:30 p.m. to conduct a closed hearing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 4:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 11 a.m. to conduct a hearing.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 9:30 a.m. to conduct a hearing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 5:15 p.m. to conduct a hearing.

ORDER OF PROCEDURE

Mr. RUBIO. Madam President, I ask unanimous consent that notwithstanding rule XXII, following leader remarks on Wednesday, May 23, the Senate proceed to executive session to consider the Montgomery nomination, as under the previous order, and the Senate vote on the nomination at 3:15 p.m.; further, that following disposition of the nomination, the Senate resume legislative session and all postcloture time on the motion to concur in the House amendment to S. 2372 be considered expired; finally, that following disposition of the motion to concur, the Senate vote on the cloture motions in relation to the McWilliams nominations in the order filed and that if cloture is invoked, the postcloture time run concurrently.

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

ACTION VITIATED AND RETURN OF PAPERS—H.R. 4743

Mr. RUBIO. Madam President, I ask unanimous consent that action with respect to Calendar No. 403, H.R. 4743, be vitiated and the Senate agree to the House request to return the papers on H.R. 4743, and authorize the Secretary of the Senate to return the papers on H.R. 4743 to the House of Representatives.

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

RECOGNIZING THE IMPORTANCE AND EFFECTIVENESS OF TRAUMA-INFORMED CARE

Mr. RUBIO. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor,

and Pensions be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 346.

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

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 346) recognizing the importance and effectiveness of trauma-informed care.

There being no objection, the Senate proceeded to consider the resolution.

Mr. RUBIO. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 346) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of December 1, 2017, under ''Submitted Resolutions.'')

AUTHORIZING TESTIMONY AND REPRESENTATION

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 519, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 519) to authorize testimony and representation in Colorado v. Willenberg.

There being no objection, the Senate proceeded to consider the resolution.

Mr. RUBIO. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 519) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, MAY 23, 2018

Mr. RUBIO. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Wednesday, May 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate proceed to executive session and proceed to the consideration of the Montgomery nomination under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. RUBIO. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE.

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

Mr. RUBIO. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in this, my 20th speech about the climate changes and ocean changes being driven by fossil fuels, I would like to discuss America's largest oil company, ExxonMobil.

For decades, ExxonMobil did everything in its power to deceive the American public about the existence and causes of climate change. I believe that full transparency would show ExxonMobil and its agents still obstructing efforts here in Washington to resolve the climate crisis, but I want to focus on one particular audience I believe Exxon has long misled—its shareholders. An Exxon CEO once went so far as to cite a bogus scientists petition to his shareholders—yes, that infamous ''petition'' cooked up by climate deniers that included cartoon characters and Spice Girls among the scientists.

For decades, Exxon investors have filed resolutions at shareholder meetings starting back as far as 1990 urging ExxonMobil to address climate and sustainability issues. Exxon succeeded in quashing every single one of them—quashing more than 40 shareholder resolutions in total, year after year—until last year.

At last year's meeting, big institutional investors like BlackRock threw their weight behind a resolution requiring Exxon to produce an annual report explaining how it will be affected by climate change and global efforts to protect us against climate change. Again, Exxon fiercely opposed this resolution, but this time Exxon lost. The resolution passed with 62 percent of the vote.

That gave Exxon some serious questions to answer: As the world transitions to a low-carbon economy, how much oil and gas does Exxon think we will need? How might declining demand for oil and gas affect Exxon's operations and bottom line? Will it be economical to produce all of the reserves currently listed on Exxon's books? Most significantly, can we burn all Exxon's reserves and not damage the planet?

Well, Exxon's inaugural climate risk report is out—I have been through it—and it looks to me like they are still playing hide the ball. It looks to me like a report that started with the conclusion that Exxon can develop all its reserves and then back-calculated the assumptions necessary to get to that conclusion. Let's have a look.

Scientists tell us that we must limit global warming to no more than 2 degrees Celsius if we are to avoid catastrophic changes to the planet we inhabit. Many believe that to keep a margin of safety, we actually need to target 1.5 degrees.

There is an article that just came out today headlined ''Limiting warming to 1.5 degree C would save majority of global species from climate change.'' To quote the article, it would ''avoid half the risks associated with warming of 2 degrees C.'' So there is a big difference of outcomes between 2 degrees Centigrade and 1.5 degrees Centigrade, and it will affect innumerable species on our planet.

Well, in its report, Exxon doesn't address the 1.5 degrees scenario; it goes with 2 degrees.

Exxon's report goes on to say that its roughly 20 billion oil-equivalent barrels of reserves ''face little risk'' from efforts to meet the 2 degrees scenario. Exxon also says it is ''confident'' about roughly 71 billion not-yet-proven oil-equivalent barrels that it reports to its shareholders as assets. It claims that no more than 5 percent of these unproven resources will be rendered uneconomical by measures to protect us against climate change.

Exxon's report obviously gets to the result management wants: to tell shareholders that basically all its listed assets are recoverable. But look at the assumptions required to arrive at that conclusion beyond the 2-degree assumption.

One assumption is huge amounts of carbon capture and sequestration, what is called CCS. CCS is technology where carbon emissions are contained at the site where the fossil fuel is burned and then captured and buried far underground. This prospect exists but barely exists now. Its future development is something that is projected by the International Energy Agency.

This graphic shows the projection by the International Energy Agency of the various elements that will reduce carbon pollution in the future.

The top one is efficiency gains, burning less because of better insulation and so forth, because motors become more efficient.

This green one is all the contribution to carbon reduction of renewable energy.

This bottom, dark-blue segment is what the International Energy Agency attributes to CCS, carbon capture and sequestration.

For its report, ExxonMobil assumed deployment of CCS technology as much as five times greater by 2040—this year depicted right here—five times greater than the IEA's projection. If you take IEA's CCS projection and you quintuple it, you get carbon savings that exceed everything IEA projects from efficiency and renewables combined. That is quite an assumption. CCS is actually very expensive, and all it produces is carbon reduction. You still have to run the fossil fuel-burning powerplant to make the power, and then, on top of that, you add the carbon capture and sequestration technology that can add $1 billion to the price of the equipment.

So here is Lazard's comparison of various kinds of energy costs. This bottom one is solar. Per megawatt hour, it runs $46 to $61—pretty efficient. This is onshore wind—$32 to $62 per megawatt hour produced. This is natural gas; it runs from $48 to $78. Then you add on $25, more or less, per megawatt hour for carbon capture and sequestration, and now you have a very expensive product—about $100 per megawatt hour compared to $46 to $61, for instance, for solar.

If that is the case, it is a little surprising because you would think that renewables would do better than CCS because they come out far more cheaply. So how do you get to an assumption of a world in which CCS outcompetes renewables? It seems improbable, given the pricing, that CCS will roar ahead of renewables, let alone ahead of renewables and efficiency combined. If that were true, what a booming market CCS would be to invest in.

So let's test Exxon's CCS assumption against Exxon's own investment behavior. If Exxon truly saw carbon capture and sequestration as the magic bullet to allow it to produce all its oil and gas reserves, you would expect that it would put its money where its mouth is, but Exxon barely even mentions CCS in its 2017 10–K filing for investors. There is one tiny mention right here under its ''Risk Factors'' section. Risk factors.

If you look at Exxon's announced investments in the United States this year—$50 billion worth—it makes no mention of any new investments in carbon capture and sequestration. If Exxon really believed that CCS was going to boom like that, bigger than renewables, why not invest more? My hypothesis is that they don't believe that, that this was just an assumption backed into this report to make it look as if Exxon was going to be able to protect and use all of its reserves to get to the foreordained conclusion.

Exxon's report omits another fact about CCS: that this developing technology will likely see most use with gas-fired powerplants, as my previous graphic showed. It likely cannot be used to capture Exxon's products' emissions in the transportation and chemical sectors. Power generation accounts for only about one-seventh of total demand for oil and gas, and that share is predicted to fall. Even if it doesn't fall, that still leaves six-sevenths where it is hard to see a carbon capture and sequestration offset. Exxon's report does not describe where exactly this massive deployment of carbon capture and sequestration will take place, but I can assure you it will not be on auto tailpipes.

Let's move on from CCS.

A second odd assumption in Exxon's report is the growth rate Exxon predicts for renewable energy. Exxon claims that renewables will grow only by 4.5 percent annually through 2040. Well, the IEA, the International Energy Agency, reports that in 2017—the year we just went through—renewable energy actually grew by 6.3 percent. Well, 6.3 percent is the actual, and they assume it will grow only at 4.5 percent. And that 6.3 percent occurred with massive global subsidies still giving huge advantages to fossil fuel. If you go down the street to Exxon's rival BP, BP predicts that renewables growth will average 6.5 percent annually through 2040.

Exxon claims—although we who live here know it is not true—to support a price on carbon that would obviously lower fossil fuel's huge subsidy advantage, that would give renewables a fairer shot, and that would presumably accelerate renewables growth above the 2017 rate of 6.3 percent.

Is Exxon's low-growth assumption realistic for renewable energy? Well, new solar and wind energy products are already becoming more economical than existing coal plants, as we just saw in Colorado. New solar and wind projects now compete on price with new natural gas plants, as a recent auction in Arizona showed. The cost trajectory for renewables continues steeply downward.

This downward curve is the cost of centralized solar power, like those big arrays of mirrors that focus solar on a generator. This steeply downward curve is the downward curve of photovoltaic, the types of arrays that go out on their own in fields or on rooftops. This is the downward curve of offshore wind energy, and this is the downward curve of onshore wind energy. All of these renewable sources are on a steep downward trajectory. So why would growth slow?

Here, again, Exxon made an assumption that does not seem plausible, but the assumption does help it arrive at its desired conclusion that it can develop essentially all its assets.

Here is a third questionable Exxon assumption. Exxon predicts that the market for electric cars and trucks will grow slowly, if at all. Exxon assumes that by 2040 only 160 million out of roughly 2 billion cars—just 8 percent of the automobile fleet—will be electric vehicles. By contrast, the IEA predicts that roughly twice that many cars will be electric by 2040. Most other projections I have seen are even more bullish for electric vehicles, like this one from Bloomberg, which predicts well over 400 million electric vehicles by 2040. Indeed, just the new sales in these 4 years exceed the entire market prediction of electric vehicles for ExxonMobil.

Stanford economist Tony Seba studies economic disruptions. He is fond of showing two photos of Fifth Avenue in New York City. In this photo, taken in 1900, you see the parade of traffic on Fifth Avenue. If you look, you will see that every single one of those vehicles is pulled by a horse, except one. There is one vehicle right here with an engine in it. It is 1900, and the entire street is filled with horse-drawn carriages, with just one vehicle in that street scene.

Cut forward to 1913, and Fifth Avenue is again filled with vehicles, only this time it is hard to find a horse. There is a vehicle right here that looks as though it is a carriage, and there may be a horse behind this vehicle. But other than that, all of the vehicles that you see are gasoline powered.

In just 13 years, the automotive world, the travel world changed, illustrating Dr. Seba's point that major economic disruptions can take place in remarkably little time. Think cell phone and landline, if you want a modern example.

There is a lot of evidence that electric vehicles present just this sort of economic and technological disruption. Governments in major auto markets like France and the United Kingdom have announced the end of internal combustion vehicle sales by 2040. China, the world's largest car market, recently announced that by 2025, 20 percent of new cars sold there must run on alternative fuels, and it is on its way to an eventual total ban of the sale of gasoline- and diesel-powered cars. Japan, the world's fourth largest car market, now has more electric charging stations than gas stations. India, the fifth largest car market, has announced that by 2030, all new cars sold there must be electric or hybrid. Electric cars are cheaper to build, to operate, and to repair, and they can provide supercar performance in everyday vehicles.

Moving on from regular automobiles and into the commercial fleet, Exxon makes the further assumption that no commercial transportation—no buses, no trucks—will be electrified by 2040. Never mind that electric buses are already in use in China, Germany, France, the United States, and many other countries. Rhode Island's public transit agency is going out to bid for electric buses right now. An American manufacturer asserts that once electric buses get 10 percent market share, complete transition to electric becomes inevitable. Just last year, the city of Shenzhen in China replaced its entire fleet of more than 16,000 buses with electric ones. Almost 20 percent of buses across China are already electric.

There are now almost 400,000 electric buses on the road worldwide. Tesla recently announced plans to produce 100,000 electric trucks per year by 2023.

Well, maybe everyone else is wrong and Exxon is right, but it sure looks as though Exxon investors aren't getting the complete story from this report. It looks as though they are getting the assumptions that produce the answer that Exxon wants. Cars and commercial transportation account for more than 50 percent of the demand for oil and gas, so if Exxon fudged this assumption, that has big consequences for the conclusion Exxon reaches that all will be well with its reserves.

Stack up all those assumptions—that 2 degrees is the right climate threshold, that CCS will boom and even impact gasoline markets, that renewable energy growth will slow rather than accelerate, and that electric vehicles will be a bust. It takes all of those assumptions piled together to get to Exxon's desired result. It looks and smells bogus. If you don't believe me, let me leave you with one last chart.

Rystad Energy is an international energy consulting firm widely used and respected in the energy industry. 2C Energy is an American firm looking at how oil companies' resources and reserves fare as we face climate risks. Rystad and 2C worked together to develop this carbon consumption budget for various oil and gas and energy companies using, by the way, the more generous 2-degrees scenario for global warming. So we will spot them the 2 degrees, but it would obviously be different if it were only 1.5.

This is ExxonMobil right here. The study shows that ExxonMobil, in their best case scenario—this upper scenario—is able to extract and burn only 82 percent of its oil and gas assets. The other 18 percent would be left unused or stranded—stranded assets.

But wait. If you look at this scenario where methane leakage is allowed to continue from oil and gas drilling, which, by the way, is exactly what Exxon and others are encouraging Scott Pruitt to allow and where CCS technology is not significantly deployed, then this scenario here leaves 39 percent of Exxon's assets stranded. That is 39 percent of all assets stranded versus what Exxon claims, which is that 5 percent of unproven resources might be. By the way, again, that 39 percent stranding is based on 2 degrees of warming, not the more prudent 1.5 degrees, which would require less development of those resources.

Well, Exxon's 2018 shareholder meeting comes up next week, and the investors who did such a great job with last year's climate resolution should take a look at this report and not be satisfied. There are some questions that need to be answered. Even a former senior Exxon executive has criticized Exxon's climate risk report as flawed and insufficiently detailed. In an op-ed for CNBC, the former executive, Bill Hafker, writes that ''oil and gas companies must take Paris climate targets seriously'' and says that investors should be dissatisfied with Exxon's climate risk report because it doesn't do this.

If Exxon, in fact, started with the answer it wanted and worked backward to plug in whatever array of unlikely assumptions would get them that foreordained answer, well, then BlackRock and other institutional investors who forced this report should demand that Exxon do better.

Earlier this year, BlackRock's CEO Larry Fink wrote to the CEOs of the companies in which BlackRock invests. He urged them to ''serve a social purpose.'' He urged them to ''make a positive contribution to society.'' Well, where the underlying issue is as vital as the stability of our climate and oceans and where the company involved is as immense as ExxonMobil, cooking the numbers not only harms investors, it is a full-on hazard to human society.

I yield the floor.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m., Wednesday, May 23, 2018.

Thereupon, the Senate, at 6:29 p.m., adjourned until Wednesday, May 23, 2018, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 22, 2018:

CONSUMER PRODUCT SAFETY COMMISSION

DANA BAIOCCO, OF OHIO, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2017.

DEPARTMENT OF JUSTICE

CHERYL A. LYDON, OF SOUTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS.

SONYA K. CHAVEZ, OF NEW MEXICO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS.

SCOTT E. KRACL, OF NEBRASKA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEBRASKA FOR THE TERM OF FOUR YEARS.

J. C. RAFFETY, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. DESJARLAIS. Mr. Speaker, due to a family emergency, I was unable to be present for votes on May 21, 2018. Had I been present, I would have voted yes on H.R. 4830 (Roll no. 207); H.R. 4451 (Roll no. 208) and H.R. 3832 (Roll no. 209).

RECOGNIZING THE 75TH ANNIVERSARY OF NAACP BREMERTON UNIT 1134

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. KILMER. Mr. Speaker, I rise today to recognize the 75th Anniversary of NAACP Bremerton Unit 1134. I was pleased to celebrate this anniversary officially on Saturday, May 19, 2018 in Bremerton, Washington.

Mr. Speaker, according to the chief oral historian for the Washington State Legacy Project, in 1940 about 100 people of color lived in Bremerton. By 1944, more than 5,000 people of color moved to the region as part of a massive influx of patriots who came here to help the war effort. The town's population grew from 15,000 in 1940 to 75,000 in 1944.

That growth didn't come easily. And it only came because people like Lillian Walker and her husband James moved to the region from Illinois and helped form what became Unit 1134.

In 2009, Mrs. Walker, at 95 years old, told a historian: "I've always tried to treat people like I want to be treated. I don't care what color you are as long as you're a good person. I've never understood prejudice, and I've never put up with it. I always said, 'Well, you're either with me or against me. And if you're against me, that means we're going to have to fight!'"

And she fought.

Mr. Speaker, our nation still has work to do to achieve the dream that Dr. King spoke of not far from this Capitol. The fight for equality continues, and the NAACP—as it has done in Bremerton for 75 years—is leading the way. Anywhere in our country where there is inequality, the NAACP is there. The NAACP is leading the fight against discrimination at the polls. They are bridging the divide between people of color and our nation's police officers. They are pushing for better schools that give all our kids the skills they need to reach their dreams.

They're working to end gun violence. And they're pushing for more opportunities for more people in more places.

Mr. Speaker, Members of Congress, please join me in celebrating the 75th Anniversary of NAACP Bremerton Unit 1134.

PERSONAL EXPLANATION

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. THORNBERRY. Mr. Speaker, on Monday, May 21, 2018, I was unable to be in Washington and missed Roll Call votes No. 207, To amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes; No. 208, To amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs; and No. 209, To direct the Secretary of Veterans Affairs to enter into a memorandum of understanding with the executive director of a national network of State-based prescription monitoring programs under which Department of Veterans Affairs health care providers shall query such network, and for other purposes. Had I been present, I would have voted "Yes" on all three bills.

HONORING JEREMIAH ALLEN RUSSELL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jeremiah Russell. Jeremiah is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 333, and earning the most prestigious award of Eagle Scout.

Jeremiah has been very active with his troop, participating in many scout activities. Over the many years Jeremiah has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jeremiah has become a member of the tribe Mic-O-Say. Jeremiah has also contributed to his community through his Eagle Scout project. Jeremiah acquired, assembled and installed outdoor park benches at Parkville Presbyterian Church.

Mr. Speaker, I proudly ask you to join me in commending Jeremiah for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONDEMNING ASSAULT ON FAMILIES OF DISAPPEARED PERSONS DURING HUNGER STRIKE IN SINDH, PAKISTAN

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. SHERMAN. Mr. Speaker, I express my grave concerns about the human rights situation in the Sindh province of Pakistan, with special reference to enforced disappearances of persons at the hands of Pakistani security agencies. Many of the disappeared persons are from the Jeay Sindh Mahaz (JSM), Jeay Sindh Mutehada Mahaz (JSMM), and Jeay Sindh Qaumi Mahaz (JSQM). The disappeared persons also include teachers, intellectuals, writers, and publishers. Six of my House colleagues joined me in sending a letter to the State Department on this issue in August 2017. I also raised this issue on the floor of the House in October 2017, and this problem of enforced disappearances was discussed in a February 2018 hearing of the Asia Subcommittee at the House Foreign Affairs Committee.

I strongly condemn an incident that occurred this past weekend, when Pakistan's security forces assaulted the families of disappeared and missing persons who were on a hunger-strike in protest of these disappearances.

The family members of Sindhi victims of enforced disappearances (mainly their daughters and wives, as male members are being held by the security forces or have moved underground or remain silent as they fear the security agencies) and their friends have launched a peaceful nonviolent protest for their release. The daughters and wives of the disappeared persons were engaged in a 72-hour hunger strike in front of the Press Club at Karachi that began May 20. During this nonviolent protest, Pakistani security forces or their agents assaulted two daughters of the disappeared Hidyat Lohar (an elementary school headmaster who was taken away in April 2017 in front of school children) and two daughters of Khadim Arijo (a civil servant missing since April 2017). Security forces also reportedly detained about five of the nonviolent activists, though it seems they have been released.

It is crucial that Pakistan immediately cease these and other related human rights violations in the Sindh province. Pakistani security personnel and others involved in the enforced disappearances should be held accountable. I urge the U.S. State Department and Secretary of State Mike Pompeo, as well as our ambassador in Pakistan, to take up this issue with the civilian and military leadership of Pakistan. Our ambassador to Pakistan must receive guarantees from the Pakistani government regarding the protection of human rights defenders and of those who advocate for Sindh's missing persons. It will be even more significant to set up a bipartisan fact finding mission to probe enforced disappearances and related killings in Sindh.

GUN VIOLENCE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise to join my Congressional Black Caucus Colleagues to speak forcefully for this Congress to listen to the children of this nation who are crying out to us for help asking that we save them from gun violence.

On Friday, May 18, 2018, the community of Santa Fe, Texas joined Parkland, Florida—as the place where gun violence took the lives of children and teachers who were at school.

Our hearts still ache with sadness and disbelief for the families and loved ones of the 8 students and 2 teachers who were sons and daughters, brothers and sisters, wives and mother, who lost their lives in this senseless, horrific act of domestic terrorism.

Enough is enough.

It is safe to say that America is sick and tired of being sick and tired of gun violence.

Congress has studied the issue of gun violence and we know the answers to reducing deaths and injuries, but what we lack is the will in this body to act.

Here are the top 6 actions the President and the Congress can and must take now to protect our communities:

Require universal background checks to keep guns out of dangerous hands;

Extend the waiting period to purchase or transfer dangerous weapons like the AR–15 pending completion of background checks to 7 days;

Raise the minimum age to purchase or transfer dangerous weapons like the AR–15, high-capacity magazines, ammunitions, and silencers from 18 to 21 years of age;

Ban military-style assault weapons;

Limit high-capacity magazines; and

Increase access to mental health services.

Provide the tools that gun owners need to maintain control over legally obtained.

We can take action without infringing on the 2nd Amendment rights of Americans.

We need to make it harder for criminals to obtain guns by strengthening the background check system.

We need to ensure that mental health professionals know their options for reporting threats of violence—even as we acknowledge that someone with a mental illness is far more likely to be the victim of a violent crime than the perpetrator.

We must also make safe gun storage a priority.

As the founder and Co-Chair of the Congressional Children's Caucus, a senior Member of the Judiciary Committee, and the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, I have listened far too often to the testimony of individuals who have survived tragedies or lost loved ones as a result of gun violence.

In the words of President Obama after the 2013 Sandy Hook Elementary shooting, ''We're going to have to come together and take meaningful action to prevent more tragedies like this, regardless of the politics.''

While it is certainly true that violent crime and homicide rates in this country have been declining in recent years, they are still far above those in other industrialized nations.

There exists a culture of violence in America; a subculture that with today's technologically advanced weaponry is far more dangerous to public safety than ever before.

At no point in our nation's history has a single human been more capable of inflicting massive death and misery, and our society is producing more individuals who seek to employ such means to carry out their ill intentions.

Far too often, the tool of choice for would-be killers are military-style assault weapons with high-capacity magazines.

Every day, on average, 92 Americans are victims of gun violence, resulting in more than 33,000 deaths annually.

In raising this issue, we recognize and respect other cultures that exist in America; law-abiding citizens who are responsible in their ownership of firearms.

Many of these citizens are responsible with respect to the lethal capacity of their firearms, opting not to obtain assault weapons or to equip assault weapons with 30, so, 75, or 100–round magazines.

Here is what I think the Congress can and must do to reduce gun violence without abridging the Second Amendment rights of law-abiding Americans.

Extend the waiting period to purchase or transfer dangerous weapons like the AR–15 pending completion of background checks to 7 days.

That is why I have introduced H.R. 4268, the ''Gun Safety, Not Sorry Act.''

Raise the minimum age to purchase or transfer dangerous weapons like the AR–15, high-capacity magazines, ammunitions, and silencers from 18 to 21 years of age.

That is why I have introduced H.R. 5088, the ''No Mass Atrocities with Guns Act'' ('No MAGA Act').

Reinstate and strengthen the federal ban on assault weapons.

I am an original co-sponsor of H.R. 3947, legislation that will reinstates the assault weapons ban that has been introduced by my colleague, Congressman DAVID CICILLINE of Rhode Island.

Reinstate a federal ban on bump stocks and high-capacity magazines holding more than ten rounds and allowing a shooter to inflict mass damage in a short period of time without reloading will save lives.

I will soon be introducing the ''Stop Abuse, Violence, and Ending Lives Act of 2018,'' legislation to ban the sale and possession of bump stocks.

Require a background check for every gun sale, while respecting reasonable exceptions for cases such as gifts between family members and temporary loans for sporting purposes.

I am an original co-sponsor of H.R. 4240, the ''Public Safety and Second Amendment Rights Protection Act of 2017,'' legislation that requires universal background checks and closes the gun show loophole that has been introduced by my colleague, Congressman MIKE THOMPSON of California.

It is estimated that four out of ten gun buyers do not go through a background check when purchasing a firearm because federal law only requires these checks when someone buys a gun from a federally licensed dealer.

That would be like allowing four out of ten people to choose if they would like to go through airport security.

This loophole allows felons, domestic abusers, and those prohibited because of mental illness to easily bypass the criminal background check system and buy firearms at gun shows, through private sellers, over the internet or out of the trunks of cars.

Strengthen the National Instant Criminal Background Check System (NICS) database to ensure it is up to date by requiring federal and state agencies to transfer important records to the database expeditiously since without the information, the reliability of a background check is questionable.

Pass legislation aimed specifically at cracking down on illegal gun trafficking and straw-purchasing which often puts guns in the hands of people who are prohibited from having them.

Straw-purchasing is when a prohibited buyer has someone with no criminal history walk into a gun store, pass a background check and purchase a gun with the purpose of giving it to the prohibited buyer.

Restore funding for public safety and law enforcement initiatives aimed at reducing gun violence.

Congress should fund law enforcement's efforts to reduce gun violence, while supporting federal research into causes of gun violence.

There is no reason the Centers for Disease Control (CDC) or the National Institute of Health (NIH) should be prohibited from researching the causes of gun violence.

That is why I have co-sponsored H.R. 1832, legislation that authorizes the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

I have also co-sponsored H.R. 1478, the Gun Violence Research Act, which repeals the provision that in practice prohibits the Department of Health and Human Services from sponsoring research on gun violence.

And there is no reason for the restrictions federal law places on our law enforcement officers' ability to track and combat the spread of illegal guns.

Close the holes in our mental-health system and make sure that care is available for those who need it.

Congress must improve prevention, early intervention, and treatment of mental illness while working to eliminate the stigma associated with mental illness.

Access to mental health services should be improved, the shortage of mental health professionals should be addressed, and funding should be made available for those programs that have proven to be effective.

That is why I have co-sponsored H.R. 1982, the ''Mental Health Access and Gun Violence Prevention Act,'' legislation that authorizes the Department of Justice, the Department of Health and Human Services, and the Social Security Administration to: (1) increase access to mental health care treatment and services, and (2) promote reporting of mental health information to the National Instant Criminal Background Check System.

Help local communities get unwanted and illegal guns out of the hands of those who should not have them.

Congress should help support and develop local programs that get unwanted guns off our streets, such as gun buy-back programs that proved so effective in Australia.

Finally, we must address our culture's glorification of violence seen and heard through

our movie screens, television shows, music and video games.

Congress should fund scientific research on the relationship between popular culture and gun violence, while ensuring that parents have access to the information they need to make informed decisions about what their families watch, listen to, and play.

Here is what I think neither the President, the Congress, nor state and local governments should not do to reduce gun violence.

We Should Not Arm Teachers because they are not trained to handle weapons; this is not what they signed up for.

We Must Not Surrender to NRA even though the gun lobby has long enjoyed tremendous influence over congressional Republicans and some Democrats.

Persons who live in fear of gun violence and mass shootings at schools, theaters, places of worship and work, and public spaces are not afraid of the NRA.

What they are afraid of is an AR–15 in the hands of a mentally unstable person.

Americans are a can-do people; we do not bemoan our problems and accept terrible outcomes.

We act to solve them.

We have made our cars and trucks and roads safer and reduced traffic fatalities.

We have virtually eradicated polio, small pox, and other debilitating and life-threatening diseases.

We respond immediately to natural disasters caused by hurricanes, earthquakes, tornados, floods, and man-made disasters caused by acts of terrorism.

When it comes to reducing or preventing gun violence, we must summon that same spirit of American resolve and know-how and get the job done.

We can do it; after all, we are Americans.

PERSONAL EXPLANATION

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. SMITH of Nebraska. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 208.

SRI LANKAN REMEMBRANCE DAY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. SHERMAN. Mr. Speaker, I rise in recognition of the Day of Remembrance for Sri Lankan communities around the world. Remembrance Day is generally observed on May 18 or May 19, to remember and mark the sacrifices made by all those who died, irrespective of their ethnicity, in Sri Lanka's civil war.

For many, who have family and loved ones in Sri Lanka, there is still not closure, because those they lost are not accounted for.

The Sri Lankan government has acknowledged the receipt of at least 65,000 complaints of such disappearances.

Independent assessments provided by the human rights community estimate that between 60,000 and 100,000 individuals have disappeared since 1980.

The victims included human rights workers, those providing humanitarian assistance, journalists, critics of the government, community leaders, and many others. Abductions and enforced disappearances have been perpetrated by state and non-state actors.

The Tamil people have been disproportionately impacted by these crimes, and their families deserve to know the truth. All of the families deserve closure.

Despite some action, the Sri Lankan government has still made limited progress and more needs to be done.

IN RECOGNITION OF DR. ROBERT AND MRS. RITA ROBBINS

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. GUTHRIE. Mr. Speaker, I rise today to recognize Dr. Robert and Mrs. Rita Robbins, who have dedicated their lives to caring for Kentuckians as surgeon and surgical nurse, respectively, at Hardin Memorial Hospital.

Dr. and Mrs. Robbins met when they were working together at Hardin Memorial Hospital, and fittingly were married in the hospital's chapel. They have become fixtures in the Hardin County community through their work at the hospital and beyond.

Dr. and Mrs. Robbins embody the definition of servant leadership, and I am proud to honor them.

MELANIE ALLEN

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in honor of Melanie Allen and her recent recognition of being named the 2018 Patriot League Scholar-Athlete of the Year. Ms. Allen, an extraordinary tennis player, is also a cadet at the United States Military Academy.

Melanie recently finished the season in West Point's No. 2 singles position where she had a record of 19–9 in singles matches and 21–3 in doubles matches, both of which boast as single-season personal bests. Not only is Melanie an excellent athlete, but she also holds a 3.65 GPA as a Psychology major.

I congratulate Melanie Allen on her recent recognition for, and her dedication to, both athletics and academics. I look forward to hearing of her successes in the armed forces and beyond in the years to come.

HONORING OFFICER FINBARR HARAN ON BEING NAMED OAK LAWN'S TOP COP OF 2018

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Officer Finbarr Haran of the Oak Lawn Police Department for being named the village's Top Cop of 2018. The Oak Lawn Lion's Club bestows this award on a distinguished member of the force after being nominated by his or her peers and selected by a committee of police department leaders.

Officer Haran serves the Oak Lawn community as one of the city's K–9 Officers alongside his partner Edo, a Belgian Malinois from the Czech Republic. Together, they have worked extensively with the Drug Enforcement Agency and have brought numerous criminals to justice. Over the years, the expansion of Oak Lawn's law enforcement agency has brought in the phenomenal men and women who now serve as the city's first responders. Officer Haran is shining example of the Oak Lawn Police Department and the officers that serve the Village of Oak Lawn.

I ask my colleagues to join me in honoring Oak Lawn Police Officer Finbarr Haran. I congratulate him on his accomplishments and thank him for his service.

PERSONAL EXPLANATION

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. KINZINGER. Mr. Speaker, I was unable to be present for votes yesterday, May 21, 2018, due to a delayed flight. Had I been present, I would have voted YEA on Roll Call No. 207; YEA on Roll Call No. 208; and YEA on Roll Call No. 209.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 207, 208, and 209 on Monday, May 21, 2018. Had I been present, I would have voted Yea.

100TH ANNIVERSARY OF THE ESTABLISHMENT OF THE AZERBAIJAN DEMOCRATIC REPUBLIC

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. HASTINGS. Mr. Speaker, I rise today to congratulate the Republic of Azerbaijan on the 100th Anniversary of its independence, which occurred on May 28, 1918. On the adoption of its Declaration of Independence, what was then known as the Azerbaijan Democratic Republic, became the first secular parliamentary democracy in the Muslim world.

Since that time, Azerbaijan suffered an invasion by the Bolsheviks which led to the establishment of a Soviet government and ended with the forced incorporation of Azerbaijan into the Union of Soviet Socialist Republics (USSR). As the Soviet Union collapsed, the people of Azerbaijan readied themselves for

yet another independence movement culminating in the restoration of their independence on August 30, 1991—the United States once again recognized Azerbaijan's independence on December 25, 1991. Since that Christmas Day over twenty-five years ago, the United States has supported the Republic of Azerbaijan's political independence, sovereignty, and territorial integrity within internationally recognized borders.

Mr. Speaker, Azerbaijan has not only been a friend to the United States in our times of need, most notably after September 11, 2001, when Azerbaijan gave us their unconditional assistance in bringing to justice those who carried out that cowardly attack, but also to our dear friend Israel. Azerbaijan and Israel recently celebrated twenty-five years of strong diplomatic relations. A relationship that has seen great growth in trade between the two nations and an ever increasing dedication to strengthening energy security in the region.

Mr. Speaker, I extend my sincerest congratulations to the people of Azerbaijan as they celebrate the 100th Anniversary of the establishment of the Azerbaijan Democratic Republic.

HONORING CAPTAIN THEODORE MORAN ON BEING NAMED OAK LAWN'S TOP FIREFIGHTER OF 2018

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Captain Theodore Moran of the Oak Lawn Fire Department for being named the village's Top Firefighter of 2018. The Oak Lawn Lion's Club bestows this award on a distinguished member of the department after being nominated by his or her peers and selected by a committee of fire department leaders.

Captain Moran has distinguished himself on numerous occasions, putting his life on the line for residents of Oak Lawn. In 2014, he was awarded the Fire Department's Medal of Honor Award and he continues to serve the community with distinction. Captain Moran is a superb example of the Oak Lawn Fire Department's motto ''The Desire to Serve—The Courage to Act—The Ability to Perform.''

I ask my colleagues to join me in honoring Captain Theodore Moran of the Oak Lawn Fire Department. I congratulate him on his accomplishments and thank him for his service.

HONORING THE RETIREMENT OF FATHER THOMAS C. EISWEIRTH

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. RYAN of Ohio. Mr. Speaker, today I rise to recognize and honor the retirement of Father Thomas C. Eisweirth as the pastor of Blessed Sacrament Parish in Warren, Ohio.

Fr. Eisweirth was ordained a priest in 1974 by Bishop James Malone. He grew up at St. Mary Parish in Conneaut, Ohio in Ashtabula County. Over the course of his ministry, he has served in five other parishes in the Diocese of Youngstown and in other parishes throughout the region including Trumbull, Portage, Columbiana, and Mahoning Counties. In 2010, Bishop George Murry S.J. appointed Fr. Eisweirth as pastor of this parish. Now, after forty-four years in active ministry, he is retiring.

Fr. Eisweirth always gives the most touching sermons. He has a way of connecting deep spiritual principles to our everyday lives. He truly embodies the mission of the parish to be a Blessed Sacrament for the people of Warren, Howland, and the entire world. He is an excellent priest and a phenomenal pastor. I will miss his immense wisdom, and I will keep him in my prayers. I wish him every blessing as he begins a new journey in retirement.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. TURNER. Mr. Speaker, due to my mother's health, I was unable to vote on Roll Call votes 207, 208, and 209. Had I been present, I would have voted YEA on Roll Call No. 207; YEA on Roll Call No. 208; and YEA on Roll Call No. 209.

HONORING VICTORIA ''VICKI'' TOUCHSTONE—REFUGE EMPLOYEE OF THE YEAR AWARD

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. VARGAS. Mr. Speaker, I rise today to honor Victoria ''Vicki'' Touchstone who has been named the 2018 National Wildlife Refuge System Employee of the Year.

Vicki Touchstone is a Refuge Planner for the San Diego National Wildlife Complex. The wildlife refuge protects endangered, threatened, migratory, and native species in their natural habitats during a growing urbanization of the coast. The refuge is located at the south end of San Diego and is surrounded by the cities of National City, Chula Vista, San Diego, Imperial Beach and Coronado which fall in my congressional district. In her role, she has developed important projects that have assisted and protected the wildlife populations that call the 51st Congressional District their home. In addition, she's created programs that have provided created greater public access for the community.

She has dedicated 16 years of her career to the San Diego National Wildlife Complex, completing multiple habitat restoration projects, drafted and finalized four major Comprehensive Corporations Plans for four different refuges and expanded public access.

I am told that at home she has created an oasis for turtle and tortoises that were rescued from the San Diego Turtle and Tortoise Society right in her backyard and takes her personal vacations at the annual California Trails and Greenways Conference. Her dedication to protecting wildlife in San Diego is astounding.

I would like to recognize Vicki Touchstone for her dedication to protect wildlife in my district, congratulate her being recognized as the 2018 National Wildlife Refuge System Employee of the Year and for all the work she has done to preserving wildlife in the 51st District of California.

COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES MARINES AND OUR COMMUNITY SALUTES OF FAIRFAX, VIRGINIA FOR HOSTING THE INAUGURAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the 10 Fairfax, Virginia area high school seniors who plan to enlist in the United States Marines after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Marines:

David Kha; Luke Kim; Ismael Shehat; Zachary Torres; Alex Cundith; Jasper Allison; Joshua Adkins; Ian Framstad; Robero Fuentes; Jenish KC.

These students will be honored by the Our Community Salutes Fairfax Chapter of Our Community Salutes at their Inaugural Military Enlistee Recognition Ceremony on Tuesday, May 22, 2018 in Sterling, VA.

Mr. Speaker, I ask my colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

SHARING STUDENTS' 'MARCH FOR OUR LIVES' REMARKS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. HOYER. Mr. Speaker, on May 9, I came to the Floor and spoke about the March For Our Lives on March 24 and the nine extraordinarily poised students in Morristown, New Jersey, who spoke at the rally there, which I attended. I include in the RECORD remarks by Benjamin Douglas. I hope my colleagues will read them and internalize the sense of fear in which our nation's students are living every day—and our responsibility as Members of Congress to do something to address this crisis of gun violence.

MARCH FOR OUR LIVES REMARKS BY BENJAMIN DOUGLAS

Mass shootings have been becoming a more and more common part of our society for years now. By the time I became aware of this, many ordinary people had already begun to work toward change. One such person was a close friend of mine who took part

in and introduced me to the Sandy Hook Ride on Washington also known as Team 26. Team 26 is an organization of twenty-six cyclists and activists who every year, ride together from Newtown, CT, to Washington, DC, in order to honor the twenty-six lives lost in the Newtown School Shooting, raise awareness of gun violence, and the ever-growing need for common sense gun legislation. His participation in this ride and my discovery of it opened my eyes to many things regarding the topic of gun violence.

Firstly, it got me thinking about my own town's vulnerability to this ever growing issue. I had grown up believing that my town was immune to the epidemic of gun violence. But with my new outlook on the conflict, I found that it has become increasingly difficult, almost impossible to still confidently say this. I realized that no town in our country is more or less likely to experience these types of tragedies.

Also, I thought about how gun violence and other forms of mass violence had affected my childhood. Seemingly endless lock-down drills, news stories of 'another shooting,' and hearing my peers discuss what they would do if they were ever in a scenario such as a school shooting. I knew that no one should need to worry about their safety or think about how they would react in public places during an avoidable tragedy like this. I felt strongly about this and wanted to make a difference.

Through watching the men and women who rode their bikes from Newtown, CT, to Washington, DC, stop along the way to hold rallies, call people to action, and spread hope wherever they went, I saw ways I too could make a difference. The following year, I rode with Team 26, and I witnessed the rallies at which many of the family members and friends of people who had lost their lives to gun violence spoke about their experience.

During our rally in Trenton, we heard members of Mothers Demand Action speak about the loss of their sons and daughters, we learned exactly how it felt to have someone you love so dearly taken from you forever due to a strangers ease of access to a firearm.

Here, in Morristown, we met and rode with a mother whose life was turned upside down by a man who discharged a firearm in a mall, seriously hurting her, and killing her fifteen-year-old daughter!

Listening to these people speak helped me discover the real reason I was there.

I was riding with Team 26 to be a messenger.

We were listening to these people speak first-hand about when their loved ones were taken by another person with a gun and how it felt and affected their lives.

We took these peoples' experiences and stories to the elected officials in the states we visited and in our nation's capital to educate them on what is really going on in their country.

It is so easy to be unaware of how often shootings occur as most shootings go unreported and therefore are quickly forgotten by those not involved. But for the friends and family whose friend, child, or sibling had been taken from them, any of these occurrences are life changing.

We ride to ensure that no life gets forgotten.

We ride to educate our lawmakers about gun violence beyond the statistics, to show them not only the numbers, but who those numbers represent and the heartbreak and sorrow they live with.

We ride to encourage these lawmakers to begin making change.

To urge their peers to stand up with them against gun violence.

To vote for common sense gun laws such as mandatory background checks, banning assault rifles and bump-stocks, and helping to make mental healthcare more accessible and accepted nationwide.

Team 26 shares many of its goals with the hundreds of other organizations and groups who are currently battling the nationwide epidemic of gun violence now more than ever. We all must now come together as one group and refuse to be silenced.

We must continue to organize these events and never stop making noise until our representatives get it.

Until they understand that gun violence is not a problem that is going to fix itself and that the citizens they represent are relying on them to become part of the solution.

In order to convince our representatives that the voice of many is more powerful than ever, we must never give up and become an active part of our society. You can do this in countless numbers of ways.

If you are seventeen or older, make sure you are registered to vote.

If you are eighteen or older, make sure that you do vote.

No matter what your age is, you can get involved and make your voice heard. In fact, you already have by attending this event and hopefully attending more in the future to show that we will never go away.

Unfortunately, it is unlikely this will be the end. But we must all make a continuous effort to keep the pressure on and to fight for what is right. Without the power of the people, this conflict will never have a solution.

So we must press on, ride on, never give up, and pledge to being the generation that will create the place where this will never happen again.

IN RECOGNITION OF H.E. AMBASSADOR VASILIOS PHILIPPOU

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to His Excellency Ambassador Vasilios Philippou as he ends his tenure as High Commissioner and Consul General of the Republic of Cyprus in New York City.

Ambassador Philippou has dedicated his entire adult life to serving his country. As a young man, Ambassador Philippou served in the Cypriot National Guard. He began his career in at the Ministry of Foreign Affairs in 1991. His postings in foreign service include serving as Consul General in New York; High Commissioner of the Republic of Cyprus to Antigua, Barbuda, St. Lucia, and Trinidad and Tobago; a Counsellor on Economic and Multilateral Affairs; and as an Ambassador Extraordinary and Plenipotentiary to Mexico.

Ambassador Philippou has been awarded the International Good Scout Award from the greater New York Councils of Boy Scouts of America and has been honored by the Cyprus Children's Fund, a nonprofit which provides scholarships to Cypriot students to attend University abroad. He is also an Honorary Fellow of the Foreign Policy Association of New York.

Throughout his tenure in New York, Ambassador Philippou displayed tremendous dedication to improving the U.S.-Cypriot relationship. He has been named the next High Commissioner of Cyprus in Ottawa, Canada, and I am confident that in that role, he will build upon his already-impressive record of public service.

Mr. Speaker, I ask my colleagues to join me in recognizing H.E. Ambassador Philippou's amazing dedication to public service and his tireless work to strengthen the long friendship between the Republic of Cyprus and the United States of America.

IN RECOGNITION OF SERGEANT DAVID QUINN FOR HIS SERVICE TO OUR COUNTRY DURING WORLD WAR II

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to honor United States Marine Corps 1st Sergeant David Quinn of Temple, New Hampshire for his service and sacrifice to our country during World War II.

Sgt. Quinn gave his life on November 20, 1943, during the amphibious assault on Tarawa, an island atoll located in the Gilbert Islands. What became known as one of the ''toughest'' battles in Marine Corps history, the Battle of Tarawa was 76 hours of intense fighting with Japanese defenders, and it claimed the lives of approximately 1,000 Marines and sailors, including Sgt. Quinn at just 24 years old. But the tenacity and unwavering commitment displayed by Sgt. Quinn and his fellow Marines helped lead the Americans to victory in the battle two days later.

For decades, Sgt. Quinn's family believed his body had been lost at sea, never to be recovered and given a proper burial. That all changed when his nephew Paul Quinn was contacted by military scientists, who said they had positively identified Sgt. Quinn's remains. Last month, nearly 75 years after his death, Sgt. Quinn finally came home to New Hampshire and received a funeral with full military honors, bringing much needed closure and peace to the Quinn family.

On behalf of New Hampshire's Second Congressional District, I express my deepest gratitude to Sgt. Quinn for his service and for making the ultimate sacrifice in defense of the freedoms we hold so dear. I thank his family for seeing him through until the end and for keeping his memory alive, and I share their relief over his return home. I will continue working to ensure our brave veterans receive the respect, dignity and services they deserve.

IN RECOGNITION OF SADETE MUJOVIC

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to recognize the remarkable achievements of Sadete Mujovic, an educator who is making a difference in the lives of her students and a leader in the Muslim American community who is developing wonderful after-school programs to encourage children to reach their full potential. I am delighted to recognize her remarkable contributions at a

slightly belated event along with Assemblywoman Aravella Simotas. Sadete exemplifies the originality and creativity needed to be a great teacher.

Sadete currently works at the Legacy High School, a state-sponsored charter school for children with learning disabilities on Roosevelt Island. Sadete is an IEP coordinator and English teacher with over 13 years of experience in education, including six years as Education Director at the Muslim American Society Ibn Sina Community Center. Sadete believes that every child deserves a safe educational environment in which to learn and grow and recognizes that each child has something unique and special to offer to the world.

Sadete has worked on projects to help improve schools, such as school change projects, restructuring school growth and goal setting. Her efforts as an educator and administrator have led to the development of schoolwide teacher development and the creation of programs to enhance classroom instruction.

A dedicated educator who constantly strives to improve her ability to communicate with students and colleagues, Sadete takes every opportunity to learn new techniques and new ways to encourage her students to succeed. Sadete has completed many credential programs to supplement her skills, including the FDC for Leaders credential program where she learned to empower the work place, encourage cultural competence and promote supervision with skill and heart.

Sadete devotes much of her time to the MAS Ibn Sina Center where she directs an after-school program that offers homework help and tutoring for up to 300 children, oversees women's fitness and wellness classes, conducts arts programs for adults and young people and teaches ESL classes. Sadete has demonstrated strong leadership skills, overseeing the budget, recruiting, hiring, training and managing staff, spearheading marketing and awareness programs, fundraising and mentoring young people. Committed to supporting the students, parents and staff of the MAS-Ibn Sina Center, Sadete works to help them reach their full potential academically, socially and physically.

Through education, Sadete touches the lives of thousands of young people, helping instill confidence and a love of learning. We are truly fortunate to have someone as committed, enthusiastic and resourceful as Sadete, helping to make our community a wonderful place to live.

Mr. Speaker, I ask my colleagues to join me in recognizing the dedication and hard work of Sadete Mujovic, an educator whose passion and skill is reflected in the achievements of her students.

SALUTING TIM AND SUZANNE OLSON FOR THEIR DEDICATION TO OUR NATION'S VETERANS

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. POSEY. Mr. Speaker, I would like to take a moment to recognize Tim and Suzanne Olson for their leadership in the Space Coast Honor Flight program serving Florida's Brevard and Indian River County veterans.

A United States Navy veteran, Tim Olson began his service to Honor Flight in 2010 while working his full-time job in Maryland. As a ''Green Shirt'' volunteer at the Baltimore-Washington International Airport, he helped welcome veterans from around the United States as they made their way to Washington, D.C.

Based on his rewarding experiences, Tim encouraged his wife Suzanne to volunteer with the newly formed Honor Flight program in Melbourne, FL in late 2010. Since that time, Tim and Suzanne have been an integral part of Space Coast Honor Flight. Working with a small group of volunteers, they helped build a board of directors to lead a team of over 300 volunteers that have made 49 trips to our nation's capital, allowing 1,250 World War II, Korean War, and Vietnam War veterans the opportunity to visit their memorials.

For the last eight years Tim has served as the Space Coast Honor Flight Operations Director responsible for the planning, coordination, and execution of the trips to Washington, D.C. Suzanne served as Secretary/Treasurer, Guardian Coordinator, Mail Call Coordinator, and currently as Programs Director responsible for planning and coordinating all events in Melbourne, Florida.

One of the greatest privileges Katie and I have is greeting our veterans as they depart on their honor flight to our nation's capital to visit their memorials, or greeting them in Washington, D.C., as they arrive on the National Mall. Their courage, and that of veterans since, has helped change the course of history and has protected America and the freedoms we hold dear.

I ask my colleagues in the United States House of Representatives to join me in saluting the passion, dedication, and commitment of Tim and Suzanne Olson. Their service honors our veterans and has been vital to the success of the Space Coast Honor Flight mission.

HONORING THE RETIREMENT OF DIANA MUCCIO

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. RYAN of Ohio. Mr. Speaker, today I rise to honor the retirement of Mrs. Diana Muccio as a teacher at John F. Kennedy Catholic School Lower Campus in Warren, Ohio.

Mrs. Muccio was born and raised in Warren, Ohio. She attended St. Mary School, grades K–8, later graduating from John F. Kennedy. She continued her education at Youngstown State University, earning a Bachelor's of Science in Elementary Education and Master's of Science in Early Childhood Education. Additionally, she completed post graduate work at Walsh University. Mrs. Muccio has been an educator for 43 years, devoting her career to advancing Catholic education. She has taught at many Catholic schools including Mount Carmel, St. James, St. Plus, and John F. Kennedy Catholic School Lower Campus. Her dedication to teaching has not gone unnoticed. She was awarded the Golden Apple Award which is given to exceptional Diocesan administrators and educators, a two-time recipient of the Tribune A+ Award, and the WFMJ Dunkin Donut Class Act Award.

Mrs. Muccio has left a lasting impression on my life. I will forever remember how Mrs. Muccio made learning fun. One of my favorite memories was when the weather broke in the spring, she would take us outside to sing and drink lemonade. She had a way of making every student feel special. She has lived a life of service to her family, her students and her church.

Congratulations on your retirement Mrs. Muccio. May God Bless you and your family for many years to come.

COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES ARMY AND OUR COMMUNITY SALUTES OF FAIRFAX, VIRGINIA FOR HOSTING THE INAUGURAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the 7 Fairfax, Virginia area high school seniors who plan to enlist in the United States Army after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Army:

Jacob Ziemann; Kage Smith; Brian Letchworth; Nathaniel Brown; Izik Austin; Jamalia Richards; Eric Kim.

These students will be honored by the Fairfax Chapter of Our Community Salutes at their Inaugural Military Enlistee Recognition Ceremony on Tuesday, May 22, 2018 at the Trump National Golf Club in Sterling, VA.

Mr. Speaker, I ask my colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

PERSONAL EXPLANATION

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. LOEBSACK. Mr. Speaker, I was unexpectedly detained from votes. Had I been present, I would have voted YEA on Roll Call No. 207; YEA on Roll Call No. 208; and YEA on Roll Call No. 209.

IN RECOGNITION OF MARCY SYMS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to recognize the extraordinary contributions of Marcy Syms, a strong

businesswoman, a philanthropist and an activist who has worked tirelessly to open doors for women. Ms. Syms is receiving the Carolyn Maloney Leadership Award tonight from our great Assemblywoman Rebecca Seawright. Not only is Ms. Syms a corporate leader, but she has generously given of her time, experience and resources to leveling the playing field and helping other women find success.

President and founder of the Sy Syms Foundation and former CEO of the Syms Corporation, Ms. Syms has played key roles in both private and non-profit companies. She was one of the youngest women ever named President of a publicly-traded New York Stock Exchange company.

At a time when many entrepreneurs were grooming their sons for leadership but overlooking their daughters, Ms. Syms was fortunate enough to have a father who gave her opportunities and encouraged her to learn the business. Ms. Syms started working at Strauss Communications WMCA and Channel 13 before joining Syms Corporation. She joined Syms Corporation in 1978 when the company expanded into women's clothing. At first, she was invited to be the voice of the company in a radio commercial, but then used her marketing skills to create a media plan for the company. She realized quickly that she loved the business and that she wanted to spend her career working for the company her father had created. Benefitting from the trust and support of her father, she took increasingly prominent roles in the company and eventually became its CEO.

Ms. Syms also has served as the Chair of the Small Business and Agricultural Advisory Council of the Federal Reserve Bank of New York. Ms. Syms has served as a director of Rite Aid Corporation.

Throughout her career, Ms. Syms has been dedicated to helping open doors for other women. She has been a leader in speaking out for women's rights and encouraging the passage of an equal rights amendment to the US constitution, a cause that is very dear to my own heart.

Ms. Syms has been a member of New York Women's Foundation, whose grants to underserved women and girls are helping to address longstanding inequities. She has been a generous supporter of Ms. Foundation and was an early chair of its Take Our Daughters to Work Day. She has supported the Women's Campaign Fund and the NOW Legal Defense and Education Fund (now known as Legal Momentum). She was a founding member of the Womensphere Global Network, an organization dedicated to closing gender gaps, and in empowering women and girls to create the future through leadership, innovation, sustainability, entrepreneurship, education. She is a member of C200, a networking organization for women in business that encourages members to support one another's professional and personal growth while inspiring and advancing future women business leaders. She has been a board member of both Veteran Feminists of America and the ERA Coalition. In all of these activities, Ms. Syms has played a critical role in helping women network and breech barriers that stood in the way of their success.

Mr. Speaker, I ask my colleagues to join me in recognizing the extraordinary achievements of Marcy Syms, a dynamic and hardworking leader who has made a difference throughout her career.

THE USO SUPPORTS OUR TROOPS AND VETERANS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. WILSON of South Carolina. Mr. Speaker, as American soldiers risk their lives in the Global War on Terrorism to protect American families, the United Service Organization (USO) is more important than ever. I am grateful to participate in the USO Care Package Day on the Hill today led by CEO and President J.D. Crouch, II, along with Senior Vice President Virginia H. Johnson.

The USO has always been at the forefront of entertaining and caring for our brave troops and their families. As a 31-year veteran of the Army Reserve and National Guard as well as a father of four sons who have served in the Armed Forces overseas, as well as a member of the Congressional USO Caucus, I am especially grateful for the USO.

Today, with the help of 30,000 volunteers, the USO provides approximately 1.5 million hours of community service each year.

I am especially grateful for USO South Carolina, led ably by Director Joanie Thresher. There are USO locations in the Second Congressional District at the Columbia Metropolitan Airport and Fort Jackson with extraordinary welcoming volunteers. I also thank longtime friend Jed Becker as President of the USO National Board of Governors.

In conclusion, God Bless Our Troops and we will never forget September 11th in the Global War on Terrorism.

REMEMBERING THE LIFE OF PASTOR I.J. JOHNSON

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Ms. KAPTUR. Mr. Speaker, I rise today to remember the life of Pastor Isiah J. Johnson; senior pastor and founder of St. Mark Missionary Baptist Church, who, through his ministry, brought hundreds to Christ, was one of the longest tenured Pastors in the United States, and served as a valued member of the Toledo community.

Pastor Johnson was born to Mary and Levi Johnson in Troy, Alabama. He was one of eleven siblings. He was a graduate of Academy High School in Troy and Easonian Baptist Seminary in Birmingham.

His call to ministry came to him from youth experiences at church where his father was a deacon and he looked forward to Sunday services, especially listening to the preacher at his family's church. His family tells us that at the age of only 12, he felt the spirit had called him while playing church with some friends. After that moment, he would preach ''to the corn stalks and any siblings who listened to him.''

After being ordained at the age of 19, he served as a pastor of four churches in Alabama before settling in Toledo and founding St. Mark's in 1955. Pastor Johnson met the love of his life, Betty Rae Johnson in Toledo and they were married on August 26, 1958.

Pastor Johnson served the Toledo community for many years on various committees and boards. He is the past Chairman of the Civic Committee (Pastor's Conference—Toledo), President of the Baptist Ministerial Alliance, TARTA Board member, founder of the Fairside Community Center, Mental Health Board of Toledo member, and a member of the Evangelist Board of the National Baptist Convention.

Pastor Johnson was recognized by Mayor Ford of Tuskegee, Alabama on July 20, 1994, who sponsored a resolution that instituted July 20th as Rev. I.J. Johnson Day in Tuskegee. He was further recognized by the Mayor and City Council of Toledo on June 3, 2008 where Detroit Avenue from Fernwood Avenue to Dorr Street was dedicated as Rev. I.J. Johnson Way.

He is survived by his wife of 48 years; daughters Annie Wright, Denisee Gaston and Angela Taylor; sons, Jim, Eric, Izear, the Rev. Michael, and the Rev. Curley Johnson; brother, Alonzo Johnson; 28 grandchildren and 39 great-grandchildren. He was preceded in death by daughters Mary Stokes and Darlene Baker.

Pastor Johnson will be remembered admirably by the many people he ministered to, his fellow church and community members, and his family and friends. We offer them our prayers and hope that they find comfort in the wonderful memories of what Pastor Johnson had meant to each of the people who shared in his life. Mentor and friend to many, his charismatic leadership will be cherished.

COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES AIR FORCE AND OUR COMMUNITY SALUTES OF FAIRFAX, VIRGINIA FOR HOSTING THE INAUGURAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the 4 Fairfax, Virginia area high school seniors who plan to enlist in the United States Air Force after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Air Force:

Moon Kyung Cho; Jannela Lopez De Guzman; Gabriel Nicole White; Reynaldo Campos.

These students will be honored by the Fairfax Chapter of Our Community Salutes at their Inaugural Military Enlistee Recognition Ceremony on Tuesday, May 22, 2018 at the Trump National Golf Club in Sterling, VA.

Mr. Speaker, I ask my colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

IN RECOGNITION OF MARIE TORNIALI

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, in honor of Women's History Month, I am pleased to honor Marie Torniali, Chairperson of Queens Community Board 1 and a longtime activist in the Astoria/Long Island City community. I am delighted to recognize her remarkable contributions at a slightly belated event along with Assemblywoman Aravella Simotas. Marie has spent her life working to make our community a better place to live and work.

Marie moved to Astoria in 1979, and fell in love with the neighborhood, a beautiful, welcoming, diverse community with wonderful parks, great organizations and world class restaurants. In 1986, Marie had a life-changing interview with Julie Wager, who was then head of the Central Astoria Local Development Corporation. She was interviewed for what was supposed to be a part time, temporary position. Thirty years later, she runs the place. Marie was fortunate to be mentored by Mr. Wager, who was a remarkable advocate for the community. He taught her that all things are possible with a little persistence and a lot of nudging.

Early in her time at Central Astoria, Marie was part of the team that fought to create a business improvement district on Steinway Street, Astoria's central business strip. When the Steinway Street BID came into being in 1991, Marie became its Manager.

In 2003, Marie was appointed the Executive Director of Central Astoria and the Steinway Astoria Partnership. In these positions, Marie has shown herself to be an outstanding organizer who has succeeded in providing more cultural programming and community development and who has fought to preserve affordable housing. She has also worked to expand the Independence Day celebration which has become a premier event in Queens under her leadership. She has worked to produce Movies on the Waterfront to complement the Waterfront Concert Series, the Dine Astoria Placemaking Initiative, Astoria's Holiday Tree Lighting, the Celebrate Astoria Cultural Fest and the Annual Spring Fling. Marie spearheaded the effort to restore the Steinway Landmarked Clock. She has created graffiti removal programs in Astoria's business districts and the Steinway Street Streetscape program. In addition, in order to assist seniors, she created the Senior One Stop Shop assistance program.

In 2010, Marie joined Queens Community Board 1 and was elected its Chairperson in 2017. Through the community board, Marie has had an impact on issues related to land use, street fairs, liquor licenses, landmark preservation and a host of other issues.

Marie is passionate about Astoria's uniqueness: its kaleidoscope of people; its small businesses and restaurants; its beautiful parks; its history and culture. Marie believes that her work to help Astoria thrive is made easier by the team spirit of her neighbors. Their civic-mindedness encourages residents, business leaders, civic organizations and elected officials to work together—and Marie is convinced they have succeeded in making Astoria into the best neighborhood in New York City. I admire Marie's dedication, her passion, her delight in all the things that make Astoria a great place to live and work. She is one of the great sources of strength of the Astoria community.

Mr. Speaker, I ask my colleagues to join me in celebrating the achievements of Marie Torniali, whose hard work, enthusiasm and true love for Astoria have helped this neighborhood flourish.

PERSONAL EXPLANATION

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. BLUM. Mr. Speaker, due to travel complications, I was absent for the votes that occurred on May 21, 2018. Had I been present, I would have voted Yea on Roll Call No. 207; Yea on Roll Call No. 208; and Yea on Roll Call No. 209.

RECOGNIZING THE CONTRIBUTIONS OF MRS. SNEHA MINISANDRAM PHAM TO THE UNITED STATES CONGRESS AND CALIFORNIA'S 11TH CONGRESSIONAL DISTRICT

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize an exceptional woman who spent almost two years in our office contributing greatly to our efforts on behalf of California's Eleventh Congressional District, Sneha Minisandram Pham.

Sneha regularly welcomed visitors to our Washington, D.C. office and was a model example of providing excellent customer service. Through her work, she assisted thousands of constituents with tour and flag requests, helped streamline and manage the high volume of mail we receive, and was integral in helping to ensure that our office put constituents first.

Sneha's work is one of the reasons that our office was selected as a finalist for the Congressional Management Foundation's Democracy Award in Constituent Service, which I am very proud of.

She is a smart, resourceful, and charismatic person who brings a positive attitude and demeanor to all who have the pleasure of interacting with her.

Sneha's departure from our office is bittersweet as she and her husband continue their journey together in Boston. I offer her my sincere gratitude for a job well done and wish her the best of luck in her future endeavors. She will be greatly missed.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. HARTZLER. Mr. Speaker, on Monday, May 21, 2018, I was unable to vote due to a delayed flight. Had I been present, I would have voted as follows:

On roll call no. 207, YEA; on roll call no. 208, YEA; and on roll call no. 209, YEA.

IN RECOGNITION OF SISTER TESA FITZGERALD

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to recognize the extraordinary achievements of Sister Tesa Fitzgerald, the powerhouse behind Hour Children, an exceptional organization that helps incarcerated women and their children in New York State. I am delighted to recognize her remarkable contributions at a slightly belated event along with Assemblywoman Aravella Simotas. Sister Tesa is one of New York's most inspiring, dedicated and compassionate leaders.

After joining the Sisters of St. Joseph, Sister Tesa taught in a number of local Catholic elementary schools before becoming the principal of Saint Vincent DePaul School in Brooklyn. She was then appointed Curriculum Coordinator for the Diocese of Brooklyn.

In 1986, at the request of Sister Elaine Roulet, Sister Tesa opened the doors of St. Rita's Convent in Long Island City to children whose mothers were incarcerated at Bedford Hills Correctional Facility. The convent was renamed ''My Mother's House'' and Sister Tesa and four other Sisters of St. Joseph in residence welcomed 8 children whose mothers were in jail. The children attended school, took dancing lessons, played on sports teams and, in the evening, had the sisters to help them with their homework. Each week, Sister Tesa would bring the children to the prison to visit with their mothers. There, she learned of the struggles of incarcerated women. She started volunteering to help the women—tutoring them, helping them prepare for release, helping them find their children and assisting in family reunification. These efforts grew into Hour Children, a Long Island City-based 501(c)(3) not-for-profit corporation.

Today, Hour Children provides. transitional and permanent supportive housing to approximately 70 families at seven sites located throughout Queens. In addition, Hour Children offers a job training/reentry program; case management; therapeutic counseling; mentoring programs for children and adults; a fully-licensed day care center; an after-school program; and a community food pantry.

Hour Children also works inside Riker's Island, Bedford Hills and Taconic Correctional Facilities to provide parenting classes, pre-release preparation, advocacy services, transportation and family visitation programs. At Bedford Hills Correctional Facility, Hour Children administers New York State's only nursery for infants born to incarcerated women,

where mothers and infants can be together for the first year of life.

Sister Tesa believes that her programs work because of two core philosophies: ''Change takes time'' and ''Love makes the difference.'' Her work on behalf of vulnerable women and children has been widely recognized. In 2015, Pope Francis bestowed on her the Pro Ecclesiae et Pontifice medal in recognition of her years of service to the church in the Brooklyn Diocese. In 2014 the Opus Foundation awarded her $1 million in recognition of her faith-based humanitarian efforts. She was named a White House Champion of Change in 2013 and a CNN Hero in 2012. In 2004, she was named one of the 100 Outstanding Women of New York by the Daily News and in 1997, Irish America Magazine named her one of the Top 100 Irish Americans. Her work on behalf of the most vulnerable should put her on the top of anyone's list.

Mr. Speaker, I ask my colleagues to join me in recognizing the outstanding accomplishments of Sister Tesa Fitzgerald whose vision, empathy and caring have improved the lives of some of our nation's most vulnerable women and children.

COMMENDING LOCAL 2018 HIGH SCHOOL GRADUATES FOR THEIR DECISION TO ENLIST IN THE UNITED STATES NAVY AND OUR COMMUNITY SALUTES OF FAIRFAX, VIRGINIA FOR HOSTING THE INAUGURAL HIGH SCHOOL ENLISTEE RECOGNITION CEREMONY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the 35 Fairfax, Virginia area high school seniors who plan to enlist in the United States Navy after graduation. These students have excelled in their academic and extracurricular activities, and I offer my sincere congratulations upon their high school graduation.

I commend these student leaders for their selflessness and courageous decision to serve their country as members of the United States Navy:

Alexandra Villagomez; Rosanna Curiel; Cassidy Blefko; Carlos Castillo; William Labrecque; Ricardo Melendez; Elliot Gamby; Ryan Garnier; Hannah Hong; Cameron Woods; Myiam Anderson; Hyunsoo Hung; Omar Hedgespeth; Daniel Delabarra; Millad Zahedi; Carl Christensen; Edward Beaudoin; Tyger Leiva; Gad Baron; Jack Havens; Bryan Dann; Kevin Anderson; Michael Barnhouse; Marshall Wacker; Kenneth Abankwa; Yawo Afodagni; Marvin Castelo; Mukunda Adhikari; Dane Dailey; Dylan Griffin; Justice McManis; David Koroma; Karl Yao; Ryan Dixon; William Sherard.

These students will be honored by the Fairfax Chapter of Our Community Salutes at their Inaugural Military Enlistee Recognition Ceremony on Tuesday, May 22, 2018 in Sterling, VA.

Mr. Speaker, I ask my colleagues to join me in thanking these young men and women and their families for their dedication to serving this great Nation. We owe them and the many Americans who have served and will serve a debt of gratitude.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2801–S2841

Measures Introduced: Thirty-six bills and one resolution were introduced, as follows: S. 2891–2926, and S. Res. 519. **Pages S2834–36**

Measures Reported:

S. 1337, to amend the Energy Policy Act of 2005 to make certain strategic energy infrastructure projects eligible for certain loan guarantees, with an amendment. (S. Rept. No. 115–254)

S. 1563, to authorize the Office of Fossil Energy to develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts. (S. Rept. No. 115–255)

S. 2200, to reauthorize the National Integrated Drought Information System, with an amendment in the nature of a substitute. (S. Rept. No. 115–256)

S. 2098, to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, with an amendment in the nature of a substitute.

S. 2269, to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 2800, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, with an amendment in the nature of a substitute.

S.J. Res. 58, to require certifications regarding actions by Saudi Arabia in Yemen, with an amendment in the nature of a substitute. **Page S2834**

Measures Passed:

Trauma-Informed Care: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 346, recognizing the importance and effectiveness of trauma-informed care, and the resolution was then agreed to. **Pages S2838–39**

Authorizing Representation by Senate Legal Counsel: Senate agreed to S. Res. 519, to authorize testimony and representation in *Colorado v. Willenberg*. **Page S2839**

House Messages:

Veterans Cemetery Benefit Correction Act—Agreement: Senate resumed consideration of the amendment of the House to S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, taking action on the following motions and amendments proposed thereto: **Pages S2815–27**

Pending:

McConnell motion to concur in the amendment of the House to the bill. **Page S2815**

McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2246 (to the House Amendment to the bill), to change the enactment date. **Page S2815**

McConnell Amendment No. 2247 (to Amendment No. 2246), of a perfecting nature. **Page S2815**

During consideration of this measure today, Senate also took the following action:

By 91 yeas to 4 nays (Vote No. 104), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on McConnell motion to concur in the amendment of the House to the bill. **Page S2815**

McConnell motion to refer the message of the House on the bill to the Committee on Veterans' Affairs, with instructions, McConnell Amendment No. 2248, to change the enactment date, fell when cloture was invoked on McConnell motion to concur in the amendment of the House to the bill. **Page S2815**

McConnell Amendment No. 2249 (to (the instructions) Amendment No. 2248), of a perfecting nature, fell when McConnell motion to refer the message of the House on the bill to the Committee on Veterans' Affairs, with instructions, McConnell Amendment No. 2248 (listed above) fell. **Page S2815**

McConnell Amendment No. 2250 (to Amendment No. 2249), of a perfecting nature, fell when

McConnell Amendment No. 2249 (to (the instructions) Amendment No. 2248) (listed above) fell. **Page S2816**

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, at approximately 11 a.m., on Wednesday, May 23, 2018, Senate begin consideration of the nomination of Brian D. Montgomery, of Texas, to be an Assistant Secretary of Housing and Urban Development, as under the order of Thursday, May 17, 2018, and Senate vote on confirmation of the nomination at 3:15 p.m.; that following disposition of the nomination, all post-cloture time on McConnell motion to concur in the amendment of the House to the bill be considered expired; and that following disposition of the McConnell motion to concur in the amendment of the House to the bill, Senate vote on the motions to invoke cloture in relation to the nominations of Jelena McWilliams, of Ohio, to be Chairperson, and to be Member of the Board of Directors of the Federal Deposit Insurance Corporation in the order filed, and that if cloture is invoked, the post-cloture time run concurrently. **Page S2838**

Small Business 7(A) Lending Oversight Reform Act—Agreement: A unanimous-consent agreement was reached providing that action with respect to H.R. 4743, to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, be vitiated and Senate agree to the House request to return the papers on the bill, and authorize the Secretary of the Senate to return the papers on the bill to the House of Representatives. **Page S2838**

Nominations Confirmed: Senate confirmed the following nominations:

By 50 yeas to 45 nays (Vote No. EX. 103), Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2017. **Pages S2802–15, S2841**

Cheryl A. Lydon, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years.

Sonya K. Chavez, of New Mexico, to be United States Marshal for the District of New Mexico for the term of four years.

Scott E. Kracl, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years.

J.C. Raffety, of West Virginia, to be United States Marshal for the Northern District of West Virginia for the term of four years. **Pages S2841–2827**

Messages from the House: **Page S2833**

Measures Referred: **Pages S2833–34**

Executive Reports of Committees: **Page S2834**

Additional Cosponsors: **Pages S2836–37**

Statements on Introduced Bills/Resolutions: **Page S2837**

Additional Statements: **Pages S2828–33**

Amendments Submitted: **Pages S2837–38**

Authorities for Committees to Meet: **Page S3838**

Record Votes: Two record votes were taken today. (Total—104) **Page S2815**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:29 p.m., until 11 a.m. on Wednesday, May 23, 2018. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2839.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF THE TREASURY

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Department of the Treasury, after receiving testimony from Steven T. Mnuchin, Secretary, and David Kautter, Acting Commissioner, Internal Revenue Service, both of the Department of the Treasury.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE AND FDA

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies approved for full committee consideration an original bill making appropriations for the Department of Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2019.

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development approved for full committee consideration an original bill making appropriations for the Department of Energy, Water Development, and related agencies for the fiscal year ending September 30, 2019.

AUTHORIZATION: DEFENSE

Committee on Armed Services: Subcommittee on SeaPower met in closed session and approved for full committee consideration those provisions which fall within the jurisdiction of the subcommittee of the proposed National Defense Authorization Act for fiscal year 2019.

AUTHORIZATION: DEFENSE

Committee on Armed Services: Subcommittee on Readiness and Management Support met in closed session and approved for full committee consideration those provisions which fall within the jurisdiction of the subcommittee of the proposed National Defense Authorization Act for fiscal year 2019.

AUTHORIZATION: DEFENSE

Committee on Armed Services: Subcommittee on Personnel met in open session and approved for full committee consideration those provisions which fall within the jurisdiction of the subcommittee of the proposed National Defense Authorization Act for fiscal year 2019.

AUTHORIZATION: DEFENSE

Committee on Armed Services: Subcommittee on Cybersecurity met in closed session and approved for full committee consideration those provisions which fall within the jurisdiction of the subcommittee of the proposed National Defense Authorization Act for fiscal year 2019.

AUTHORIZATION: DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities met in closed session and approved for full committee consideration those provisions which fall within the jurisdiction of the subcommittee of the proposed National Defense Authorization Act for fiscal year 2019.

AUTHORIZATION: DEFENSE

Committee on Armed Services: Subcommittee on Strategic Forces met in closed session and approved for full committee consideration those provisions which fall within the jurisdiction of the subcommittee of the proposed National Defense Authorization Act for fiscal year 2019.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported S. 2098, to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, with an amendment in the nature of a substitute.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2848, to improve Department of Transportation controlled substances and alcohol testing, with an amendment in the nature of a substitute;

S. 2842, to prohibit the marketing of bogus opioid treatment programs or products, with an amendment in the nature of a substitute;

S. 2844, to require the Surface Transportation Board to implement certain recommendations of the Inspector General of the Department of Transportation;

S. 2764, to amend and enhance the High Seas Driftnet Fishing Moratorium Protection Act to improve the conservation of sharks;

S. 2418, to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas, with an amendment in the nature of a substitute; and

The nominations of Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors, Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board, and routine lists in the Coast Guard.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 2800, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, with an amendment in the nature of a substitute;

S. 2602, to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, with an amendment in the nature of a substitute;

S. 2734, to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse'';

S. 2377, to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the ''Walter H. Rice Federal Building and United States Courthouse'';

3 General Services Administration resolutions; and

The nomination of John L. Ryder, to be a Member of the Board of Directors of the Tennessee Valley Authority.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 2269, to reauthorize the Global Food Security Act of 2016 for 5 additional years;

S. Res. 386, urging the Government of the Democratic Republic of the Congo to fulfill its agreement to hold credible elections, comply with constitutional limits on presidential terms, and fulfill its constitutional mandate for a democratic transition of power by taking concrete and measurable steps towards holding elections not later than December 2018 as outlined in the existing election calendar, and allowing for freedom of expression and association, with amendments;

S.J. Res. 58, to require certifications regarding actions by Saudi Arabia in Yemen, with an amendment;

The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, done at Marrakesh on June 27, 2013 (Marrakesh Treaty) (Treaty Doc.114–06); and

The nomination of Joseph E. Macmanus, of New York, to be Ambassador to the Republic of Colombia, Department of State.

THE HEALTHCARE WORKFORCE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the healthcare workforce, focusing on addressing shortages and improving care, after receiving testimony from Kristen H. Goodell, Boston University School of Medicine, Boston, Massachusetts; Julie Tanner Sanford, James Madison University School of Nursing, Harrisonburg, Virginia; and Elizabeth A. Phelan, Northwest Geriatrics Workforce Enhancement Center, Seattle, Washington.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nomination of William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 5903–5923; and 2 resolutions, H. Res. 907, 909 were introduced. **Pages H4582–83**

Additional Cosponsors: **Page H4584**

Reports Filed: Reports were filed today as follows:

H.R. 5682, to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes, with an amendment (H. Rept. 115–699);

H.R. 4689, to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska (H. Rept. 115–700);

H. Con. Res. 113, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 115–701); and

H. Res. 908, providing for further consideration of the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and providing for proceedings during the period from May 25, 2018, through June 4, 2018 (H. Rept. 115–702).

Page H4582

Speaker: Read a letter from the Speaker wherein he appointed Representative Curtis to act as Speaker pro tempore for today. **Page H4287**

Recess: The House recessed at 10:32 a.m. and reconvened at 11 a.m. **Page H4291**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Mark Goeglein, Harrisonville Community Church, Harrisonville, Missouri. **Page H4291**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 219 yeas to 179 nays with one answering "present", Roll No. 212. **Pages H4291, H4301–02**

Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act: The House passed S. 204, to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, by a recorded vote of 250 ayes to 169 noes, Roll No. 214. **Pages H4355–66**

Rejected the Schakowsky motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 187 yeas to 231 nays, Roll No. 213.

Pages H4363–65

H. Res. 905, the rule providing for consideration of the bills (H.R. 5515), (S. 204), and (S. 2155) was agreed to by a recorded vote of 227 ayes to 180 noes, Roll No. 211, after the previous question was ordered by a yea-and-nay vote of 222 yeas to 184 nays, Roll No. 210. Pursuant to sec. 7 of H. Res. 905, notwithstanding clause 8 of rule XX, further proceedings on the recorded vote ordered on the question of reconsideration of the vote on the question of passage of H.R. 2 may continue to be postponed through the legislative day of Friday, June 22, 2018. **Pages H4292–H4301**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby: H. Con. Res. 113, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; **Pages H4319–20**

Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person Act: H.R. 5682, amended, to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, by a ⅔ yea-and-nay vote of 360 yeas to 59 nays, Roll No. 215; and

Pages H4302–19, H4366–67

Childhood Cancer Survivorship, Treatment, Access, and Research Act: S. 292, to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments.

Pages H4349–55

Economic Growth, Regulatory Relief, and Consumer Protection Act: The House passed S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, by a yea-and-nay vote of 258 yeas to 159 nays, Roll No. 216. **Pages H4320–49, H4367**

H. Res. 905, the rule providing for consideration of the bills (H.R. 5515), (S. 204), and (S. 2155) was agreed to by a recorded vote of 227 ayes to 180 noes, Roll No. 211, after the previous question was ordered by a yea-and-nay vote of 222 yeas to 184 nays, Roll No. 210. Pursuant to sec. 7 of H. Res. 905, notwithstanding clause 8 of rule XX, further proceedings on the recorded vote ordered on the question of reconsideration of the vote on the question of passage of H.R. 2 may continue to be postponed through the legislative day of Friday, June 22, 2018. **Pages H4292–H4301**

National Defense Authorization Act for Fiscal Year 2019: The House considered H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, May 23rd.

Pages H4367–H4562, H4562–80

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–70 shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. **Page H4378**

Agreed to:

Thornberry amendment (No. 1 printed in H. Rept. 115–698) that states that the Secretary of Defense shall establish an innovators database within the Department of Defense; the database will focus on small business innovators that receive funds under the SBIR/SBTR programs; **Pages H4556–57**

Thornberry en bloc amendment No. 1 consisting of the following amendments printed in H. Rept. 115–698: Russell (No. 6) that expands expedited hiring authority for college graduates government-wide to fill critical-need jobs; Pearce (No. 7) that amends the Development Test & Evaluation strategic plan to expand the period taken into account when assessing DoD Test and Evaluation resources from a 10-year period to a 30-year period; it also expands the report requirements, specifically, the assessment of facility and resources requirements to analyze test and evaluations needs in Missile Defense, Cyberspace Operations, Direct Energy, and Hypersonics; Langevin (No. 8) that increases funding by $3 million to be used for divertor test tokamak research and development; Sinema (No. 9) that states that the sense of the Congress that government-owned mobile technologies remain at risk for targeting or data breaches placing at risk information that could harm national security; requests a briefing by DOD on threats posed by credential theft, active surveillance from mics and cameras, and tracking of user movements and location; commercial availability of technologies to mitigate these threats; and strategies and feasibility of eploying mobile security technologies within the Department; Wilson (SC) (No. 10) that directs the Secretary of Defense to submit a report on developing a plan to site, construct, and operate at least one licensed micro-reactor at a critical national security facility by 2028; Krishnamoorthi (No. 11) that expands the Additive Manufacturing Centers of Excellence program to include On-the-job training;

Cartwright (No. 12) that requires the Secretary of Defense, in conjunction with the military service secretaries and the chairman of the joint chiefs of staff services to provide the percentage, as well as the dollar value and number of direct labor hours of depot maintenance that was performed in the public and the private sector by major commodity over the past five fiscal years; Ruiz (No. 13) that requires Department of Defense to conduct a study on the feasibility of phasing out the use of burn pits by using technology incinerators; Meng (No. 14) that permits any member of the armed services who gives birth to be exempt from deployment for 12 months after such birth unless they request deployment; current bill text only covers members who give birth while on active duty; Napolitano (No. 15) that requires the Secretary of Defense to evaluate the pilot Jobs ChalleNGe Programs and submit a report of findings and recommendations 120 days after the end of the fiscal year; Napolitano (No. 16) that ensures equipment and facilities of the United States, a state, a county or a local government may also be transferred to the National Guard for purpose of carrying out the National Guard Youth ChalleNGe Program; Pascrell (No. 17) that directs the Secretary of Defense to include blast exposure history as part of soldier service records in order to ensure that, if medical issues arise later, soldiers receive care for any service-connect injuries; Gonzalez (No. 18) that requires the Secretary of the Army, Air Force, and Navy to encourage high schools with U.S. Junior Reserve Officers' Training Corps to include cyber security educational programs and awareness in the curriculum; this includes lessons on cyber defense, risks of cybersecurity vulnerabilities in the military, and pursuing studies and careers in cybersecurity and related fields within defense; Heck (No. 19) that requires the Department of Defense to publish certain information regarding the housing market around major infrastructure to better inform servicemembers on the use of their Basic Allowance for Housing (BAH); it also calls for a Government Accountability Report on the data gathering used to set BAH rates; Welch (No. 20) that authorizes the Beyond the Yellow Ribbon program, which assists National Guard and Reservists families with assistance before, during, and after deployment, including outreach services for employment and financial counseling, suicide prevention, and housing advocacy; Soto (No. 21) that directs the Secretary concerned to make the application for transfer, including determinations and actions regarding the application, confidential for students of military academies who are victims of sexual assault; and Esty (No. 22) that requires the Department of Defense and the Department of Veterans Affairs to establish a joint definition of ''military sexual trauma'' for use in all aspects of delivering relevant care and benefits to service members and veterans;

Pages H4562–66

Thornberry en bloc amendment No. 2 consisting of the following amendments printed in H. Rept. 115–698: Soto (No. 23) that requires the inclusion of resources available to treat victims of military sexual trauma as part of the required service member preseparation counseling; Meng (No. 24) that requires the Secretary of Defense to permit military parents flexible (non-continuous) maternity and parental leave; Pocan (No. 25) that requires the National Guard Bureau to re-examine the contract and wage determinations for a contractor it utilizes for Guard support services, and to report its findings back to Congress; Schrader (No. 26) that exempts members of the Armed Forces who voluntarily separated from active duty, are involuntarily recalled, and incur a 100 percent service-connected disability during that time from the requirement to repay voluntary separation pay; Pearce (No. 27) that creates a streamlined process for wounded warriors to cross train into the emerging field of Remotely Piloted Aircraft (RPA), regardless of their AFSC, MOS or military branch as a pilot or sensor operator in the Air Force; Rodney Davis (IL) (No. 28) that directs the Secretary of Defense to revise the Department of Defense Instruction 1300.18 to extend travel privileges via Invitational Travel Authorization to family members of members of the Armed Forces who die outside of the United States and whose remains are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware; DelBene (No. 29) that removes the 25 percent cap on garnishment of military retirement pay to satisfy a judgement rendered for physically, sexually, or emotionally abusing a child; Jones (No. 30) that if the Secretary of Defense determines that appropriate educational programs are not available through a local educational agency for dependents of retirees residing on a military installation in the United States, the Secretary may enter into arrangements to provide for the elementary or secondary education of the dependents of such retirees; Hudson (No. 31) that requires a report from the SECDEF examining the current process for awarding Imminent Danger Pay and Hostile Fire Pay for members of the Armed Forces; Coffman (No. 32) that expresses the sense of Congress stating that under the special survivor indemnity allowance, surviving spouses and dependent children of members who die of a service-connected cause will not be subject to a full offset of survivor benefit plan payments by dependency and indemnity compensation, commonly referred to as the ''widows'

tax''; Donovan (No. 33) that requires the Department of Defense to re-evaluate the disparity in payments between the Military Housing Area for Staten Island, and the Military Housing Area for the rest of New York City, in an effort to resolve this inequity; Michelle Lujan Grisham (NM) (No. 34) that provides compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components; Rouzer (No. 35) that allows terminally ill participants in the Survivor Benefit Plan to elect a new beneficiary as opposed to waiting for an Open Season; Graves (LA) (No. 36) that requires a report regarding the management of military commissaries and exchanges; Soto (No. 37) that adds universities to the list of entities authorized to partner with the Department of Defense's pilot program on treatment of members of the armed forces for post-traumatic stress disorder (PTSD) related to military sexual trauma; and Carson (IN) (No. 38) that makes permanent the Department of Defense's existing requirement to provide mental health assessments to service members during deployment;

Pages H4566–68

Thornberry en bloc amendment No. 3 consisting of the following amendments printed in H. Rept. 115–698: Kuster (NH) (No. 39) that requires health providers to provide transitioning service members information and referrals for counseling and treatment of substance use disorders and chronic pain management services, when appropriate; Meng (No. 40) that permits the Secretary of Defense to develop a burn patient transfer system which includes military and civilian burn centers that could be used during mass casualty events; González-Colón (No. 41) that requires the Department of Defense to study and report on how the TriCare program for health care for active military and retired-veteran family members is applied in Puerto Rico, and the feasibility of having the TriCare Prime benefit apply to residents therein on the same basis as for residents in the mainland states; indicates subjects the study should include; Velázquez (No. 42) that requires the Comptroller General of the United States to submit to the congressional defense committees a report containing a study of the immediate, long-term, and potential ongoing health effects of the live-fire training at Vieques Naval Training Range conducted by the Navy before 2002 and other activities of the armed forces on the island of Vieques, Puerto Rico; Smucker (No. 43) that requires the Secretary of Defense to submit a report to the congressional defense committees (HASC and SASC) that describes the shortage of mental health providers of the Department of Defense and contains a strategy to better recruit and retain mental health providers; Jones (No. 44) that creates a study on earning by special operations, and forces medics of credits towards a physician assistant degree; Krishnamoorthi (No. 45) that requires DoD to study the effects of the anesthetic shortage on military healthcare and propose methods for mitigating any harm arising as a result of this shortage; Kuster (NH) (No. 46) that requires the Secretary of Defense to provide the Department of Veterans Affairs a report detailing ''lessons learned'' in fielding and resolving issues found during IOT&E of MHS Genesis; Krishnamoorthi (No. 47) that requires DoD to report on the steps taken to prevent and treat opioid use among DoD dependents, including counseling, data sharing, and intervention strategies; Smucker (No. 48) that requires that the Secretary of Defense must submit to the Committees on Armed Services of the House and Senate a report on the Department of Defense's efforts to review and monitor the medication prescribing practices of its providers based on DOD's guideline recommendations to treat PTSD; DOD must establish a monitoring program carried out by each branch of the Armed Services to conduct periodic reviews of the medication prescribing practices of its own providers; Banks (IN) (No. 49) that directs the Secretary of Defense to submit a plan to Congress prior to reorganizing, restructuring, or eliminating any position or offices in Section 811; Mitchell (No. 50) that requires a review of regulations relating to the acquisition of commercial products and services, promotes the use of interagency acquisitions, and improves the process for acquiring services based on hourly rates when using multiple award contracts; Graves (LA) (No. 51) that exempts an individual acquisition for commercial leasing services from enhanced competition requirements for the purchase of property and services by executive agencies if such individual acquisition is made on a no cost basis and pursuant to a multiple award contract in accordance with requirements for full and open competition; the Government Accountability Office must conduct biennial audits of the GSA National Broker Contract, conduct a review of the application of enhanced competition requirements, and report on such audits and reviews; Adams (No. 52) that directs the Small Business Administration (SBA) to ensure that the SCORE program and each of its chapters develop and implement plans and goals to provide services more effectively and efficiently to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by participating volunteers; Espaillat (No. 53) that establishes that Procurement Technical Assistance Centers are authorized to form an association to pursue matters of common

concern that is recognized by the Secretary of Defense; and Connolly (No. 54) that directs the Administrator for Federal Procurement Policy to develop a definition for and track procurement administrative lead time (PALT); **Pages H4568–72**

Thornberry en bloc amendment No. 4 consisting of the following amendments printed in H. Rept. 115–698: Conaway (No. 55), as modified, that makes a technical correction that clarifies language to accurately include business systems, which are integral to the department's auditability efforts; Burgess (No. 57) that requires a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law; Ruiz (No. 58) that requires Department of Defense to carry out an annual education campaign to inform servicemembers exposed to burn pits who qualify to enroll in the Airborne Hazards and Open Burn Pits Registry of such eligibility; Esty (No. 59) that expresses the sense of Congress that the Federal Aviation Administration and the Department of Defense should coordinate to prevent the unauthorized flight of unmanned aircraft over Arlington National Cemetery; Young (AK) (No. 60) that directs the SECDEF to report on an updated Arctic Strategy to improve and enhance joint operations; the report shall also include an assessment of Russia's aggressive buildup of military assets and infrastructure in the Arctic, as well as China's efforts to influence Arctic policy; Jackson Lee (No. 61) that directs Secretary of Navy to submit report to Congress on the feasibility of applying desalinization technologies to provide drought relief in areas impacted by sharp declines in water availability for both military as well as civilian purposes; Young (AK) (No. 62) that directs the SECDEF to expedite DoD compliance of requirements relating to reciprocity of security clearance and access determinations per Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004; Gosar (No. 63) that requires National Cancer Institute and the Centers for Disease Control and Prevention to perform an assessment to determine if certain individuals exposed to nuclear fallout from atmospheric nuclear testing by the federal government at the Nevada Test Site contracted certain cancers as a result of that testing and should be eligible for the Radiation Exposure Compensation Act; Denham (No. 64) that requires USDA to provide guidance and resources for individuals interested in using GI benefits for agricultural education programs; Young (AK) (No. 65) that directs the SECDEF to engage with local indigenous communities for their traditional knowledge when developing Arctic survival curriculum; Yoder (No. 66) that adds Email Privacy Act; Lawrence (No. 67) that requires the Secretary of Defense to share lessons learned and best practices on progress of gender integration implementation in the Armed Forces; Jackson Lee (No. 68) that requires a report on the readiness of the National Guard and Reserve to respond to natural disasters; Poe (TX) (No. 69) that reduces the amount of CSF reimbursements the Secretary of Defense can send to Pakistan without certifying that Pakistan has taken action against the Haqqani Network from $350 million to $200 million; and Abraham (No. 70) that expresses a sense of Congress in support of the Peshmerga forces of the Kurdistan Region of Iraq and their contributions to fighting and defeating ISIS; **Pages H4572–75**

Thornberry en bloc amendment No. 5 consisting of the following amendments printed in H. Rept. 115–698: Perry (No. 71) that requires the Secretary of Defense to report on the incorporation of violent extremist organizations into the Iraq military and such organizations access to U.S.-provided training and equipment; Schneider (No. 72) that amends Section 1225 (Strategy to counter destabilizing activities of Iran) to include the countries in which Iran is operating, assessing their destabilizing activities and implications thereof; Schneider (No. 73) that requires a report on Iran's support for proxy forces in Syria and Lebanon, including Hizballah, and an assessment of the threat posed to Israel and other U.S. regional allies; Ellison (No. 74) that adds language expressing the sense of Congress that the use of military force is not authorized against Iran; Ellison (No. 75) that adds language clarifying that the bill is not an authorization for the use of military force against Iran; Lee (No. 76) that requires a report from the Secretary of Defense on the progress made under the United States-Afghan Compact; Roskam (No. 77) that expresses a sense of Congress of the threats posed by Iran's ballistic missile program; Yoho (No. 78) that reinstatements of reporting requirements with respect to United States-Hong Kong relations; Connolly (No. 79) that requires a North Korea human rights report on efforts related to repatriation of U.S. Armed Forces remains, Korean-American family reunifications, and travel security risks; Lee (No. 80) that states that nothing in this Act may be construed as authorizing the use of force against North Korea; Khanna (No. 81) that ensures nothing in this Act shall be construed as authorizing the use of force against North Korea; Yoho (No. 82) that modifications of freedom of navigation reporting requirements; Frankel (FL) (No. 83) that expresses a sense of Congress that continued United States leadership in the North Atlantic Treaty Organization (NATO) is critical to the national security of the United States; Delaney (No. 84) that adds a Sense of Congress that reaffirms the U.S. commitment to

NATO and includes appreciate for its continued effort in combating terrorism; Bishop (MI) (No. 85) that expresses a sense of Congress that North Atlantic Treaty Organization (NATO) member countries should meet or exceed their 2 percent Gross Domestic Product commitment to defense spending; and Gohmert (No. 86) that requires the SECDEF in coordination with the Secretary of State to submit a report that contains an assessment of the threats posed to the United States by the Muslim Brotherhood;

Pages H4575–77

Thornberry en bloc amendment No. 6 consisting of the following amendments printed in H. Rept. 115–698: Walz (No. 87) that directs the Director of the Defense Intelligence Agency to submit to the Secretary of Defense and the HASC, HPSCI, HFAC, SASC, SSCI, and SCFR a report on the military training center and logistical capabilities of the Chinese and Russian armies; Jackson Lee (No. 88) that condemns the actions of Boko Haram and directs that the Secretary of Defense submit a report on efforts to combat Boko Haram; Ted Lieu (CA) (No. 89) that requires a report by the Secretaries of State and Defense on foreign interference in Libya, including actions that violate the United Nations arms embargo, undermine U.S. interests or promote the presence of U.S. adversaries in Libya; Brendan F. Boyle (PA) (No. 90) that states that sense of Congress the U.S. should lead an international coalition to counter hybrid threats; Castro (TX) (No. 91) that adds sections on the East China Sea and the Indian Ocean to the annual Department of Defense report on Chinese military activities; Schneider (No. 92) that amends Section 1685 (NIE with respect to Russian and Chinese interference in Democratic countries) to require a report on DOD efforts to deter such interference; Pearce (No. 93) that requests a Space Launch study and report identifying vulnerabilities and capacity concerns of the current launch facilities; Soto (No. 94) that includes cybersecurity and computer programming into the JROTC curriculum; Aguilar (No. 95) that helps students attending Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), and Asian American and Native American Pacific Islander Serving Institutions (AANAPISI) access the Department of Defense Cyber Scholarship Program (OPPORTUNITY Act; HR 5746); Comstock (No. 96) that requires the Secretary of Defense to submit a report to Congress on the transition of the SharkSeer program to the Defense Information Systems Agency; Jackson Lee (No. 97) that seeks a report on the feasibility of the DoD developing a cybersecurity apprentice program that provides on the job training for certain cybersecurity positions and in support of acquisition of cybersecurity certifications; Thompson (CA) (No. 98) that provides for the Secretary of the Navy to conduct work necessitated by Naval remediation activities, to conduct mitigation work as necessary, and to report to Congress within 120 days the process by which the work and mitigation will be completed; Kinzinger (No. 99) that extends lifespan of waste disposal site use by US Army; Culberson (No. 100) that establishes grant funding for the preservation of our nation's historic battleships; Ben Ray Lujan (NM) (No. 101) that expresses the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War; Tipton (No. 102) that ensures that royalty payments from the Anvil Points fund that have been returned to Colorado do not impact the 2019 Payments in Lieu of Taxes (PILT) disbursements for recipient counties; and Pearce (No. 103) that calls for modification to the boundaries between White Sands Missile Range and White Sands National Monument. **Pages H4577–80**

Proceedings Postponed:

Nolan amendment (No. 2 printed in H. Rept. 115–698) that seeks to strike the authorization of funds made available under the Overseas Contingency Operations account; **Pages H4557–58**

Gabbard amendment (No. 3 printed in H. Rept. 115–698) that seeks to strike section 1225, a required strategy to counter destabilizing activities of Iran; **Pages H4558–59**

Aguilar amendment (No. 4 printed in H. Rept. 115–698) that seeks to add to an already-mandated annual report, this amendment would require DoD to include a 20-year estimate of the projected life cycle costs of each type of nuclear weapon and delivery platform in its text; and **Pages H4559–60**

Garamendi amendment (No. 5 printed in H. Rept. 115–698) that seeks to limit 50% of the funding for the W76–2 warhead modification program until the Secretary of Defense submits a report assessing the program's impacts on strategic stability and options to reduce the risk of miscalculation.

Pages H4560–62

H. Res. 905, the rule providing for consideration of the bills (H.R. 5515), (S. 204), and (S. 2155) was agreed to by a recorded vote of 227 ayes to 180 noes, Roll No. 211, after the previous question was ordered by a yea-and-nay vote of 222 yeas to 184 nays, Roll No. 210. Pursuant to sec. 7 of H. Res. 905, notwithstanding clause 8 of rule XX, further proceedings on the recorded vote ordered on the question of reconsideration of the vote on the question of passage of H.R. 2 may continue to be postponed through the legislative day of Friday, June 22, 2018. **Pages H4292–H4301**

Recess: The House recessed at 8:09 p.m. and reconvened at 11:26 p.m. Page H4581

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H4300–01, H4301, H4301–02, H4365, H4365–66, H4366–67, and H4367. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:28 p.m.

Committee Meetings

EXAMINING THE POLICIES AND PRIORITIES OF THE U.S. DEPARTMENT OF EDUCATION

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Examining the Policies and Priorities of the U.S. Department of Education''. Testimony was heard from Betsy DeVos, Secretary, Department of Education.

DOE MODERNIZATION: LEGISLATION ADDRESSING DEVELOPMENT, REGULATION, AND COMPETITIVENESS OF ADVANCED NUCLEAR ENERGY TECHNOLOGIES

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled ''DOE Modernization: Legislation Addressing Development, Regulation, and Competitiveness of Advanced Nuclear Energy Technologies''. Testimony was heard from Ed McGinnis, Principal Deputy Assistant Secretary, Office of Nuclear Energy, Department of Energy; Brent Park, Deputy Administrator, Defense Nuclear Proliferation, National Nuclear Security Administration, Department of Energy; and public witnesses.

INTERNET OF THINGS LEGISLATION

Committee on Energy and Commerce: Subcommittee on Digital Commerce and Consumer Protection held a hearing entitled ''Internet of Things Legislation''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee held a markup on H.R. 5735, the ''Transitional Housing for Recovery in Viable Environments Demonstration Program Act''; H.R. 5793, the ''Housing Choice Voucher Mobility Demonstration Act of 2018''; and H.R. 5841, the ''Foreign Investment Risk Review Modernization Act of 2018''. H.R. 5841 and H.R. 5735 were ordered reported, as amended. H.R. 5793 was ordered reported, without amendment.

ADVANCING EFFECTIVE CONSERVATION POLICY WORLDWIDE: SUCCESSES, CHALLENGES, AND NEXT STEPS

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Advancing Effective Conservation Policy Worldwide: Successes, Challenges, and Next Steps''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURE; MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Full Committee held a hearing and markup on H.R. 4819, the ''DELTA Act''. Testimony was heard from public witnesses. H.R. 4819 was ordered reported, as amended.

GEOPOLITICS OF U.S. OIL AND GAS COMPETITIVENESS

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled ''Geopolitics of U.S. Oil and Gas Competitiveness''. Testimony was heard from public witnesses.

LEBANON AND IRAQ: AFTER THE ELECTIONS

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''Lebanon and Iraq: After the Elections''. Testimony was heard from public witnesses.

STOPPING THE DAILY BORDER CARAVAN: TIME TO BUILD A POLICY WALL

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''Stopping the Daily Border Caravan: Time to Build a Policy Wall''. Testimony was heard from the following Department of Homeland Security officials: Ronald Vitiello, Acting Deputy Commissioner, U.S. Customs and Border Protection; Thomas Homan, Acting Director, U.S. Immigration and Customs Enforcement; and Lee Francis Cissna, Director, U.S. Citizenship and Immigration Services.

OVERSIGHT OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

Oversight of the United States Committee on the Judiciary: Full Committee held a hearing entitled ''Oversight of the United States Patent and Trademark Office''. Testimony was heard from Andrei Iancu, Director, U.S. Patent and Trademark Office, and Undersecretary of Commerce for Intellectual Property, Department of Commerce.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Federal Lands held a hearing on H.R. 5597, the ''Desert Tortoise Habitat Conservation Plan Expansion Act,

Washington County, Utah''; H.R. 5751, the ''Golden Spike 150th Anniversary Act''; and H.R. 5875, to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws, and for other purposes. Testimony was heard from Chairman Bishop of Utah, and Representatives Stewart and Bordallo; P. Daniel Smith, Deputy Director, National Park Service, Department of the Interior; Dean Cox, County Commissioner, Washington County Commission, Utah; José F. Aponte-Hernández, Representative, House of Representatives, Puerto Rico; and public witnesses.

TEN YEARS OF TARP: EXAMINING THE HARDEST HIT FUND

Committee on Oversight and Government Reform: Subcommittee on Intergovernmental Affairs; and Subcommittee on Government Operations held a joint hearing entitled ''Ten Years of TARP: Examining the Hardest Hit Fund''. Testimony was heard from Christy Goldsmith-Romero, Special Inspector General, Troubled Asset Relief Program, Department of the Treasury; Kipp Kranbuhl, Deputy Assistant Secretary for Small Business, Community Development and Affordable Housing Policy, Office of the Assistant Secretary for Financial Institutions, Department of the Treasury; Cathy James, Business Development Manager, Alabama Housing Finance Authority; Scott Farmer, Executive Director, North Carolina Housing Finance Agency; and a public witness.

CHALLENGES TO THE FREEDOM OF SPEECH ON COLLEGE CAMPUSES: PART II

Committee on Oversight and Government Reform: Subcommittee on Healthcare, Benefits and Administrative Rules; and Subcommittee on Intergovernmental Affairs held a joint hearing entitled ''Challenges to the Freedom of Speech on College Campuses: Part II''. Testimony was heard from public witnesses.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

Committee on Rules: Full Committee held a hearing on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'' [Amendment Consideration]. The Committee granted, by record vote of 9–4, providing for the further consideration of H.R. 5515 under a structured rule. The rule provides for no additional general debate. In section 2, the rule makes in order only those further amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the resolution. In section 3, the rule provides that the chair of the Committee on Armed Services or his designee may offer amendments en bloc at any time consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. In section 4, the rule provides one motion to recommit with or without instructions. In section 5, the rule provides that on any legislative day during the period from May 25, 2018, through June 4, 2018: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 6, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 5. Finally, in section 7, the rule provides that each day during the period addressed by section 5 of this resolution shall not constitute a calendar day of continuous session for purposes of section 1017(b) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 688(b)). Testimony was heard from Representatives Jones, Langevin, Panetta, Suozzi, Gallagher, Russell, Wilson of South Carolina, Tenney, McGovern, Hastings, Polis, Torres, Newhouse, Denham, DeSantis, Dunn, Garrett, Gohmert, Griffith, Ferguson, Grothman, Lee, Moore, Pocan, Price of North Carolina, Sablan, and Engel.

EMPOWERING U.S. VETERANS THROUGH TECHNOLOGY

Committee on Science, Space, and Technology: Subcommittee on Research and Technology; and Subcommittee on Energy held a joint hearing entitled ''Empowering U.S. Veterans Through Technology''. Testimony was heard from Dimitri Kusnezov, Chief Scientist, National Nuclear Security Administration, Department of Energy; and public witnesses.

FAST ACT IMPLEMENTATION: MOTOR CARRIER PROVISIONS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing entitled ''FAST Act Implementation: Motor Carrier

Provisions''. Testimony was heard from Ray Martinez, Administrator, Federal Motor Carrier Safety Administration, Department of Transportation; and public witnesses.

BUSINESS MEETING

Committee on Veterans' Affairs: Full Committee held a business meeting to consider a resolution designating subcommittee members. The resolution was agreed to.

THE CURIOUS CASE OF THE VISN TAKEOVER: ASSESSING VA'S GOVERNANCE STRUCTURE

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''The Curious Case of the VISN Takeover: Assessing VA's Governance Structure''. Testimony was heard from Carolyn Clancy, M.D., Executive in Charge, Veterans Health Administration, Department of Veterans Affairs; Michael J. Missal, Inspector General, Department of Veterans Affairs; and a public witness.

ONGOING INTELLIGENCE ACTIVITIES

Permanent Select Committee on Intelligence: Subcommittee on CIA held a hearing entitled ''Ongoing Intelligence Activities''. This hearing was closed.

Joint Meetings

INNOVATION ECONOMY

Joint Economic Committee: Committee concluded a hearing to examine breaking through the regulatory barrier, focusing on what red tape means for the innovation economy, after receiving testimony from Scott W. Brinkman, Secretary of Kentucky Governor Bevin's Executive Cabinet, Frankfort; Jessica A. Milano, former Deputy Assistant Secretary of the Treasury for Small Business, Community Development, and Housing Policy, and Joseph V. Kennedy, Information Technology and Innovation Foundation, both of Washington, D.C.; and Christopher Koopman, George Mason University Mercatus Center, Arlington, Virginia.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 23, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Health and Human Services, Indian Health Service, 9:30 a.m., SD–124.

Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the National Aeronautics and Space Administration, 2:30 p.m., SD–192.

Committee on Armed Services: closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2019, 9:30 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the status of the housing finance system, 10 a.m., SD–538.

Committee on the Budget: to hold hearings to examine the Government Accountability Office's annual report on additional opportunities to reduce fragmentation, overlap, and duplication in the Federal government, 10:30 a.m., SD–608.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 2852, to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Emory A. Rounds III, of Maine, to be Director of the Office of Government Ethics, Kelly Higashi, to be an Associate Judge of the Superior Court of the District of Columbia, and Frederick M. Nutt, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the nominations of Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Allen Cothrel Winsor, to be United States District Judge for the Northern District of Florida, Patrick R. Wyrick, to be United States District Judge for the Western District of Oklahoma, and Edward W. Felten, of New Jersey, and Jane Nitze, of the District of Columbia, both to be a Member of the Privacy and Civil Liberties Oversight Board, 10 a.m., SD–226.

Subcommittee on Border Security and Immigration, to hold hearings to examine the Trafficking Victims Protection Reauthorization Act and exploited loopholes affecting unaccompanied alien children, 2:30 p.m., SD–226.

Special Committee on Aging: to hold hearings to examine preventing and treating opioid misuse among older Americans, 2 p.m., SD–562.

House

Committee on Appropriations, Full Committee, markup on FY 2019 Transportation, Housing and Urban Development, and Related Agencies Appropriations Bill; and the Report on the Suballocation of Budget Allocations for FY 2019, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''Regulatory Reform: Unleashing Economic Opportunity for Workers and Employers'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''Examining the Olympic Community's Ability to Protect Athletes from Sexual Abuse'', 10 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled ''Reauthorization of the Children's Hospital Graduate Medical Education Program'', 1 p.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Securities, and Investment, hearing entitled ''Legislative Proposals to Help Fuel Capital and Growth on Main Street'', 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Insurance, hearing entitled ''The Impact of Autonomous Vehicles on the Future of Insurance'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Strengthening American Diplomacy: Reviewing the State Department's Budget, Operations, and Policy Priorities'', 9 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing entitled ''Asia's Diplomatic and Security Structure: Planning U.S. Engagement'', 2 p.m., 2200 Rayburn.

Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''Chinese Investment and Influence in Europe'', 2 p.m., 2255 Rayburn.

Subcommittee on the Western Hemisphere, hearing entitled ''Combatting Transnational Criminal Threats in the Western Hemisphere'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled ''ISIS–Post Caliphate: Threat Implications for America and the West'', 10 a.m., HVC–210.

Committee on Oversight and Government Reform, May 23, Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled ''The Federal Information Technology Acquisition Reform Act (FITARA) Scorecard 6.0'', 10:30 a.m., 2154 Rayburn.

Full Committee, markup on H. Res. 877, a resolution of inquiry directing the Secretary of Commerce to provide certain documents in the Secretary's possession to the House of Representatives relating to the decision to include a question on citizenship in the 2020 decennial census of population; legislation to codify provisions relating to the Office of National Drug Control Policy, and for other purposes; H.R. 5415, the ''GAO–IG Act''; legislation on the Border Patrol Agent Pay Reform Amendments Act of 2018; H.R. 2648, the ''Veterans Transition Improvement Act''; H.R. 5321, the ''Too Long; Didn't Read Act of 2018''; H.R. 4407, the ''Corporal Jeffery Allen Williams Post Office Building''; H.R. 4946, to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the ''Specialist Trevor A. Win'E Post Office''; H.R. 5205, to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the ''Sergeant Kenneth Eric Bostic Post Office''; H.R. 5238, to designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the ''Major Robert Odell Owens Post Office''; H.R. 5349, to designate the facility of the United States Postal Service located at 1320 Autumn Avenue in Memphis, Tennessee, as the ''Judge Russell B. Sugarmon Post Office Building''; H.R. 5412, to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the ''Army Specialist Jose L. Ruiz Post Office Building''; H.R. 5504, to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the ''Sergeant Dietrich Schmieman Post Office Building''; H.R. 5737, to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the ''Captain Joshua E. Steele Post Office''; and H.R. 5784, to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Drive in Milwaukee, Wisconsin, as the ''Vel R. Phillips Post Office Building'', 2:30 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, markup on legislation on the Department of Energy Science and Innovation Act of 2018; legislation on the National Innovation Modernization by Laboratory Empowerment Act; and legislation on the ARPA–E Act of 2018, 10:30 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing on H.R. 8, the ''Water Resources Development Act of 2018'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on H.R. 2409, to allow servicemembers to terminate their cable, satellite television, and Internet access service contracts while deployed; H.R. 5452, the ''Reduce Unemployment for Veterans of All Ages Act of 2018''; H.R. 5538, to amend title 38, United States Code, to provide for the inclusion of certain additional periods of active duty service for purposes of suspending charges to veterans' entitlement to educational assistance under the laws administered by the Secretary of Veterans Affairs during periods of suspended participation in vocational rehabilitation programs; H.R. 5644, the ''VET OPP Act''; H.R. 5649, the ''Navy SEAL Chief Petty Officer William 'Bill' Mulder (Ret.) Transition Improvement Act of 2018''; and legislation to amend the Servicemembers Civil Relief Act to provide for the termination by a spouse of a lessee of certain leases when the lessee dies while in military service, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Tax Policy, hearing entitled ''Tax Reform and Small Businesses: Growing Our Economy and Creating Jobs'', 10 a.m., 1100 Longworth.

Full Committee, markup on H.R. 5861, the ''Jobs and Opportunity with Benefits and Services for Success Act'', 2 p.m., 1100 Longworth.

Next Meeting of the **SENATE**

11 a.m., Wednesday, May 23

Senate Chamber

Program for Wednesday: Senate will begin consideration of the nomination of Brian D. Montgomery, of Texas, to be an Assistant Secretary of Housing and Urban Development, and vote on confirmation of the nomination at 3:15 p.m.

Following disposition of the nomination of Brian D. Montgomery, Senate will vote on McConnell motion to concur in the amendment of the House to S. 2372, Veterans Cemetery Benefit Correction Act.

Following disposition of the House message to accompany S. 2372, Senate will vote on the motions to invoke cloture in relation to the nominations of Jelena McWilliams, of Ohio, to be Chairperson, and to be Member of the Board of Directors of the Federal Deposit Insurance Corporation, in the order filed.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, May 23

House Chamber

Program for Wednesday: Continue consideration of H.R. 5515—National Defense Authorization Act for Fiscal Year 2019 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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