

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2016”.

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

6 (a) DIVISIONS.—This Act is organized into two divisions as follows:

7 (1) Division A—Department of Defense Authorizations.

8 (2) Division B—Military Construction Authorizations.

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

Sec. 1. Short title.

Sec. 2. Organization of act into divisions; table of contents.

TITLE I—PROCUREMENT

Sec. 101. Army.

Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force.

Sec. 104. Defense-wide activities.

Sec. 105. Defense Production Act purchases.

Sec. 106. Multiyear procurement authority for Standard Missile-3 Block IB guided missiles.

Sec. 107. Repeal of limitation on retirement of U-2 aircraft.

Sec. 108. Availability of Air Force procurement funds for certain commercial-off-the-shelf parts for intercontinental ballistic missile fuzes.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.

Sec. 202. Repeal of requirement for initial operating capability of a conventional long-range standoff weapon before retirement of the conventionally armed AGM-86 missile.

TITLE III—OPERATION AND MAINTENANCE

Sec. 301. Operation and maintenance funding.

Sec. 302. Modification of requirements for transferring aircraft within the Air Force inventory.

- Sec. 303. Revision to scope of statutorily required review of projects relating to potential obstructions to aviation so as to apply only to energy projects.
- Sec. 304. Establishment of Southern Sea Otter Military Readiness Areas.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Fiscal year 2016 limitation on number of non-dual status technicians.
- Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

- Sec. 501. Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge.
- Sec. 502. Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.
- Sec. 503. Reduction in required number of members of Discharge Review Boards.
- Sec. 504. Standardization of grade for certain medical and dental branch positions.
- Sec. 505. Reinstatement of enhanced authority for selective early discharge of warrant officers.
- Sec. 506. Authority to conduct warrant officer retired grade determinations.

Subtitle B—Reserve Component Management

- Sec. 511. Increase from 90 to 180 in number of days of active duty required to be performed by reserve component members for that duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers.
- Sec. 512. Reconciliation of contradictory provisions relating to citizenship qualifications for enlistment in the reserve components of the Armed Forces.
- Sec. 513. Authority for the Secretary of Homeland Security to order a member of the Coast Guard Reserve to active duty for medical care or medical evaluation.
- Sec. 514. Inclusion of duty performed by a reserve component member under a call or order to active duty for medical purposes as qualifying active duty time for purposes of Post-9/11 GI Bill education benefits.
- Sec. 515. Authority to designate certain reserve officers as not to be considered for selection for promotion.
- Sec. 516. Clarification of purpose of reserve component Special Selection Boards as limited to correction of error at a mandatory promotion board.
- Sec. 517. Expansion of authorized primary duties of Air Force Reserve Component full-time support personnel.

Subtitle C—Member Education and Training

- Sec. 521. Repeal of statutory specification of minimum duration of in-resident instruction for courses of instruction offered as part of Phase II Joint Professional Military Education.
- Sec. 522. Retention of entitlement to educational assistance during certain additional periods of active duty.
- Sec. 523. Authority for United States Air Force Institute of Technology to charge and retain tuition for instruction of persons other than Air Force personnel detailed for instruction at the institute.
- Sec. 524. Repeal of time-in-service requirement for Funded Legal Education Program.

Subtitle D—Defense Dependents’ Education and Military Family Readiness Matters

- Sec. 531. Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States.
- Sec. 532. In-state tuition rates for Senior Reserve Officers’ Training Corps cadets and midshipmen.

Subtitle E—Other Matters

- Sec. 541. Expansion and extension of authority for pilot programs on career flexibility to enhance retention of members of the Armed Forces.
- Sec. 542. Update to involuntary mobilization duty authorities exempt from five-year limit under the Uniformed Services Employment and Reemployment Rights Act.
- Sec. 543. Enhancement of confidentiality of restricted reporting of sexual assault in the military.
- Sec. 544. Enhanced flexibility in provision of relocation assistance to members of the Armed Forces and their families.
- Sec. 545. Required provision of preseparation counseling.
- Sec. 546. Enhancements to Yellow Ribbon Reintegration Program.
- Sec. 547. Authority for applications for correction of military records to be initiated by Secretary concerned.

Section 1552(b) of title 10, United States Code, is amended—

- (1) by striking “or his heir or legal representative” and inserting “(or the claimant’s heir or legal representative) or the Secretary concerned”; and
- (2) by striking “he discovers” and inserting “discovering”.

TITLE VI— COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Fiscal year 2016 increase in military basic pay.
- Sec. 602. Revision to method of computation of basic allowance for housing.

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. One-year extension of certain expiring bonus and special pay authorities.
- Sec. 612. Modification to special aviation incentive pay and bonus authorities for officers.
- Sec. 613. Increase in maximum annual amount of nuclear officer bonus pay.

Subtitle C—Other Matters

- Sec. 621. Revision to authorities relating to mail service for members of the Armed Forces and defense civilians overseas.
- Sec. 622. Repeal of obsolete special travel and transportation allowance for survivors of deceased members from the Vietnam conflict.
- Sec. 623. Clarification of authority for recording obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due.

Sec. 624. Additional coverage under homeowner assistance program for wounded members of the Armed Forces, Department of Defense and Coast Guard civilian employees, and their spouses.

TITLE VII—HEALTHCARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Consolidated TRICARE health plan.

Sec. 702. Revisions to cost-sharing requirements for TRICARE for Life and the Pharmacy Benefits Program.

Subtitle B—Health Care Administration

Sec. 711. Limitation on conversion of military medical and dental positions to civilian medical and dental positions.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Sec. 801. Program fraud civil remedies statute for the Department of Defense and the National Aeronautics and Space Administration.

Sec. 802. Improvements to the operation of the Defense Acquisition Workforce Development Fund.

Sec. 803. Revision to effective date applicable to prior extension of applicability of the senior executive benchmark compensation amount for purposes of allowable cost limitations under defense contracts.

Subtitle B—Amendments to General Contract Authorities, Procedures, and Limitations

Sec. 811. Revision to method of rounding of acquisition-related dollar thresholds when adjusting for inflation.

Sec. 812. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

Sec. 813. Exception to requirement to include cost or price to the Government as a factor in the evaluation of proposals for certain task or delivery order contracts.

Subtitle C—Acquisition Reform Proposals

Sec. 821. Modification to requirements relating to determination of contract type for major development programs.

Sec. 822. Repeal of requirement for stand-alone manpower estimates for major defense acquisition programs.

Sec. 823. Revision of milestone decision authority responsibilities for major defense acquisition programs.

Sec. 824. Streamlining of requirements relating to defense business systems.

Sec. 825. Revision to life-cycle management and product support requirements.

Sec. 826. Acquisition strategy required for each major defense acquisition program.

Sec. 827. Revision to requirements relating to risk reduction in development of major defense acquisition programs.

Subtitle D—Other Matters

Sec. 831. Extension of the Department of Defense Mentor-Protégé Pilot Program.

Sec. 832. Streamlining of reporting requirements applicable to Assistant Secretary of Defense for Research and Engineering regarding major defense acquisition programs.

Sec. 833. Revision to required distribution of assistance under Procurement Technical Assistance Cooperative Agreement Program.

Sec. 834. Expansion of rapid acquisition authority.

Sec. 835. Modification of prohibition on contracting with Russian suppliers of rocket engines for the Evolved Expendable Launch Vehicle Program.

- Sec. 836. Treatment of lobbying and political activity costs as allowable costs under Department of Energy contracts.
- Sec. 837. Revisions to the Strategic and Critical Materials Stock Piling Act.
- Sec. 838. Authority to dispose of certain materials from and to acquire additional materials for the National Defense Stockpile.
- Sec. 839. Extension of authority for the Civilian Acquisition Workforce Personnel Demonstration Project.
- Sec. 840. Extension of special emergency procurement authority.
- Sec. 841. Micro-purchase threshold applicable to government procurements.
- Sec. 842. Increase in simplified acquisition threshold and in small business set-aside threshold.
- Sec. 843. Innovation set aside program.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

- Sec. 901. Reorganization and redesignation of Office of Family Policy and Office of Community Support for Military Families with Special Needs.
- Sec. 902. Change of period for Chairman of the Joint Chiefs of Staff review of the Unified Command Plan to not less than every four years.
- Sec. 903. Update of statutory specification of functions of the Chairman of the Joint Chiefs of Staff relating to advice on requirements, programs, and budget.
- Sec. 904. Statutory streamlining to enable Defense Commissary Agency to become partially self-sustaining.
- Sec. 905. Modification of requirements to maintain Navy airborne signals intelligence, surveillance, and reconnaissance capabilities.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

- Sec. 1001. Enhancement of interagency support during contingency operations and transition periods.
- Sec. 1002. Repeal of requirement that the Department of the Navy provide funding for the Ocean Research Advisory Panel.

Subtitle B—Naval Vessels and Shipyards

- Sec. 1021. Extension of authority for reimbursement of expenses for certain Navy mess operations afloat.
- Sec. 1022. Refueling and complex overhaul of Nimitz-class aircraft carriers.

Subtitle C—Other Matters

- Sec. 1041. Transfer of functions of the Veterans' Advisory Board on Dose Reconstruction to the Secretaries of Veterans Affairs and Defense.
- Sec. 1042. Repeal and modification of reporting requirements.
- Sec. 1043. Protection for certain sensitive information.
- Sec. 1044. Consular notification compliance.
- Sec. 1045. Consular immunities.
- Sec. 1046. Revision of Freedom of Information Act to reinstate exemptions under that Act as in effect before the Supreme Court decision in *Milner v. Department of the Navy*.
- Sec. 1047. Exemption of information on military tactics, techniques, and procedures from release under Freedom of Information Act.

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1102. Authority to provide additional allowances and benefits for Defense Clandestine Service employees.

- Sec. 1103. Extension of rate of overtime pay for Department of the Navy employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan.
- Sec. 1104. Two-year extension of sunset provision applicable to expedited hiring authority for designated Defense Acquisition Workforce positions.
- Sec. 1105. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for federal civilian employees working overseas.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

- Sec. 1201. Extension of authority to support operations and activities of the Office of Security Cooperation-Iraq.
- Sec. 1202. Extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1203. Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan.
- Sec. 1204. Authority for acceptance and use of contributions from Kuwait for certain mutually beneficial projects.
- Sec. 1205. Extension of Commanders' Emergency Response Program in Afghanistan.
- Sec. 1206. Increase in thresholds for definition of major defense equipment for purposes of Arms Export Control Act.
- Sec. 1207. Maintenance of prohibition on procurement by Department of Defense of Communist Chinese-origin items that meet the definition of goods and services controlled as munitions items when moved to the "600 series" of the Commerce Control List.
- Sec. 1208. Modification of global lift and sustain to support partners and allies.
- Sec. 1209. Reimbursements for certain counterinsurgency, counterterrorism and stabilization operations carried out by Pakistan.
- Sec. 1210. NATO Special Operations Headquarters.
- Sec. 1211. Afghanistan Security Forces Fund.
- Sec. 1212. Non-conventional assisted recovery capabilities.
- Sec. 1213. Permanent authority to provide rewards through government personnel of allied forces and certain other modifications to Department of Defense program to provide rewards.
- Sec. 1214. Extension of authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.
- Sec. 1215. Authority for Secretary of Defense to engage in commercial activities as security for military operations abroad.
- Sec. 1216. Extension of Afghan Special Immigrant Visa Program.
- Sec. 1217. Liquidation of unpaid credits accrued as a result of transactions under a cross-servicing agreement.
- Sec. 1218. Eastern European Training Initiative.
- Sec. 1219. Extension, expansion, and revision of authority for assistance to the Government of Jordan for border security operations.
- Sec. 1220. Permanent authority to transport allied personnel during contingencies or disaster responses.

TITLE XIII—[RESERVED]

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

- Sec. 1401. Working capital funds.
- Sec. 1402. Joint Urgent Operational Needs Fund.
- Sec. 1403. Chemical Agents and Munitions Destruction, Defense.
- Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-Wide.
- Sec. 1405. Defense Inspector General.
- Sec. 1406. Defense Health Program.

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.
- Sec. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

- Sec. 1501. Purpose.
- Sec. 1502. Army procurement.
- Sec. 1503. Joint Improvised Explosive Device Defeat Fund.
- Sec. 1504. Navy and Marine Corps procurement.
- Sec. 1505. Air Force procurement.
- Sec. 1506. Defense-wide activities procurement.
- Sec. 1507. Research, development, test, and evaluation.
- Sec. 1508. Operation and maintenance.
- Sec. 1509. Military personnel.
- Sec. 1510. Working capital funds.
- Sec. 1511. Defense health program.
- Sec. 1512. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1513. Defense Inspector General.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorizations of appropriations, Army.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2013 project.
- Sec. 2106. Extension of authorization of certain fiscal year 2012 project.
- Sec. 2107. Extension of authorizations of certain fiscal year 2013 projects.
- Sec. 2108. Additional authority to carry out certain fiscal year 2016 projects.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorizations of appropriations, Navy.
- Sec. 2205. Extension of authorizations of certain fiscal year 2012 projects.
- Sec. 2206. Extension of authorizations of certain fiscal year 2013 projects.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorizations of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2010 project.
- Sec. 2306. Modification of authority to carry out certain fiscal year 2014 project.

- Sec. 2307. Modification of authority to carry out certain fiscal year 2015 project.
- Sec. 2308. Extension of authorization of certain fiscal year 2012 project.
- Sec. 2309. Extension of authorization of certain fiscal year 2013 project.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized energy conservation projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Modification of authority to carry out certain fiscal year 2012 project.
- Sec. 2405. Extension of authorizations of certain fiscal year 2012 projects.
- Sec. 2406. Extension of authorizations of certain fiscal year 2013 projects.
- Sec. 2407. Additional authority to carry out certain fiscal year 2016 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

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.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.

Subtitle B—Other Matters

- Sec. 2611. Modification and extension of authority to carry out certain fiscal year 2013 project.
- Sec. 2612. Modification of authority to carry out certain fiscal year 2015 projects.
- Sec. 2613. Extension of authorizations of certain fiscal year 2012 projects.
- Sec. 2614. Extension of authorizations of certain fiscal year 2013 projects.

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.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

- Sec. 2801. Change in authorities relating to scope of work variations for military construction projects.
- Sec. 2802. Enhanced authority to carry out emergency military construction projects when necessary to support requirements of combatant commanders.
- Sec. 2803. Annual locality adjustment of dollar thresholds applicable to unspecified minor military construction authorities.
- Sec. 2804. Extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.
- Sec. 2805. Production and use of natural gas at Fort Knox, Kentucky.
- Sec. 2806. Increase of threshold of notice and wait requirement for certain facilities for reserve components and parity with authority for unspecified minor military construction and repair projects.

TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

- Sec. 2901. Short title and purpose.
- Sec. 2902. The Commission.
- Sec. 2903. Procedure for making recommendations for base closures and realignments.
- Sec. 2904. Closure and realignment of military installations.
- Sec. 2905. Implementation.
- Sec. 2906. Department of Defense Base Closure Account 2015.
- Sec. 2907. Reports.
- Sec. 2908. Congressional consideration of Commission report.
- Sec. 2909. Restriction on other base closure authority.
- Sec. 2910. Definitions.
- Sec. 2911. Treatment as a base closure law for purposes of other provisions of law.
- Sec. 2912. Conforming amendments.

TITLE XXX—MILITARY CONSTRUCTION FUNDING

- Sec. 3001. Authorization of amounts in funding tables.
- Sec. 3002. Military construction table.

1 **TITLE I—PROCUREMENT**

2 **SEC. 101. ARMY.**

3 Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for
4 the Army as follows:

- 5 (1) For aircraft, \$5,689,357,000.
- 6 (2) For missiles, \$1,419,957,000.
- 7 (3) For weapons and tracked combat vehicles, \$1,887,073,000.
- 8 (4) For ammunition, \$1,233,378,000.
- 9 (5) For other procurement, \$5,899,028,000.

10 **SEC. 102. NAVY AND MARINE CORPS.**

11 Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for
12 the Navy and Marine Corps as follows:

- 13 (1) For aircraft, \$16,126,405,000.
- 14 (2) For weapons, including missiles and torpedoes, \$3,154,154,000.
- 15 (3) For ammunition procurement, Navy and Marine Corps, \$723,741,000.

1 (4) For shipbuilding and conversion, \$16,597,457,000.

2 (5) For other procurement, \$6,614,715,000.

3 (6) For procurement, Marine Corps, \$1,131,418,000.

4 **SEC. 103. AIR FORCE.**

5 Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for
6 the Air Force as follows:

7 (1) For aircraft, \$15,657,769,000.

8 (2) For missiles, \$2,987,045,000.

9 (3) For space procurement, \$2,584,061,000.

10 (4) For ammunition, \$1,758,843,000.

11 (5) For other procurement, \$18,272,438,000.

12 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

13 Funds are hereby authorized to be appropriated for fiscal year 2016 for Defense-wide
14 procurement in the amount of \$5,130,853,000.

15 **SEC. 105. DEFENSE PRODUCTION ACT PURCHASES.**

16 Funds are hereby authorized to be appropriated for fiscal year 2016 for purchases under
17 the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.) in the amount of \$46,680,000.

18 **SEC. 106. MULTIYEAR PROCUREMENT AUTHORITY FOR STANDARD MISSILE-3**
19 **BLOCK IB GUIDED MISSILES.**

20 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10,
21 United States Code, the Secretary of Defense may enter into one or more multiyear contracts,
22 beginning with the fiscal year 2016 program year, for the procurement of Standard Missile-3
23 Block IB guided missiles.

1 (b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or
2 more contracts for advance procurement associated with the SM-3 Block IB missiles for which
3 authorization to enter into a multiyear procurement contract is provided under subsection (a).

4 (c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under
5 subsection (a) shall provide that any obligation of the United States to make a payment under the
6 contract for a fiscal year after fiscal year 2016 is subject to the availability of appropriations for
7 that purpose for such later fiscal year.

8 **SEC. 107. REPEAL OF LIMITATION ON RETIREMENT OF U-2 AIRCRAFT.**

9 (a) REPEAL OF LIMITATION.— Section 133 of the John Warner National Defense
10 Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2112), as amended by
11 section 132 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-
12 181; 122 Stat. 30), is repealed.

13 (b) PRESERVATION OF RETIRED U-2 AIRCRAFT.—(1) The Secretary of the Air Force shall
14 provide that each U-2 aircraft that is retired after the date of the enactment of this Act shall be
15 preserved for a period of not less than three years in a condition such that the retired aircraft—

16 (A) is stored in flyable condition; and

17 (B) can be returned to service.

18 (2) Notwithstanding paragraph (1), the Secretary of the Air Force may authorize retired
19 U-2 aircraft to be used to transfer parts and systems to aircraft other than U-2 aircraft.

20 **SEC. 108. AVAILABILITY OF AIR FORCE PROCUREMENT FUNDS FOR CERTAIN**
21 **COMMERCIAL-OFF-THE-SHELF PARTS FOR INTERCONTINENTAL**
22 **BALLISTIC MISSILE FUZES.**

1 (a) AVAILABILITY OF PROCUREMENT FUNDS.—Notwithstanding section 1502(a) of title
2 31, United States Code, of the amount authorized to be appropriated for fiscal year 2016 by
3 section 103 for Missile Procurement, Air Force, \$13,700,000 shall be available for the
4 procurement of covered parts pursuant to contracts entered into under section 1645 of the Carl
5 Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015
6 (Public Law 113-291; 128 Stat. YYY).

7 (b) COVERED PARTS DEFINED. —In this section, the term “covered parts” has the meaning
8 given that term in section 1645(c) of such Act.

9 **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

10 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

11 Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the
12 Department of Defense for research, development, test, and evaluation as follows:

13 (1) For the Army, \$6,924,959,000.

14 (2) For the Navy, \$17,885,916,000.

15 (3) For the Air Force, \$26,473,669,000.

16 (4) For Defense-wide activities, \$18,329,861,000.

17 (5) For the Director of Operational Test and Evaluation, \$170,558,000.

18 **SEC. 202. REPEAL OF REQUIREMENT FOR INITIAL OPERATING CAPABILITY** 19 **OF A CONVENTIONAL LONG-RANGE STANDOFF WEAPON BEFORE** 20 **RETIREMENT OF THE CONVENTIONALLY ARMED AGM-86** 21 **MISSILE.**

22 Section 217(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public
23 Law 113-66; 127 Stat. 706) is amended—

- 1 (1) by striking subparagraph (A);
- 2 (2) in subparagraph (B), by striking “and”;
- 3 (3) by redesignating subparagraph (B) as subparagraph (A); and
- 4 (4) by inserting after subparagraph (A), as so redesignated, the following new
- 5 subparagraph (B):

6 “(B) is capable of being modified to carry a conventional warhead; and”.

7 **TITLE III—OPERATION AND MAINTENANCE**

8 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

9 Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the
10 Armed Forces and other activities and agencies of the Department of Defense for expenses, not
11 otherwise provided for, for operation and maintenance, in amounts as follows:

- 12 (1) For the Army, \$35,107,546,000.
- 13 (2) For the Navy, \$42,200,756,000.
- 14 (3) For the Marine Corps, \$6,228,782,000.
- 15 (4) For the Air Force, \$38,191,929,000.
- 16 (5) For Defense-wide activities, \$32,440,843,000.
- 17 (6) For the Army Reserve, \$2,665,792,000.
- 18 (7) For the Navy Reserve, \$1,001,758,000.
- 19 (8) For the Marine Corps Reserve, \$277,036,000.
- 20 (9) For the Air Force Reserve, \$3,064,257,000.
- 21 (10) For the Army National Guard, \$6,717,977,000.
- 22 (11) For the Air National Guard, \$6,956,210,000.
- 23 (12) For the United States Court of Appeals for the Armed Forces, \$14,078,000.

1 (13) For the Department of Defense Acquisition Workforce Development Fund,
2 \$84,140,000.

3 (14) For Environmental Restoration, Army, \$234,829,000.

4 (15) For Environmental Restoration, Navy, \$292,453,000.

5 (16) For Environmental Restoration, Air Force, \$368,131,000.

6 (17) For Environmental Restoration, Defense-wide, \$8,232,000.

7 (18) For Environmental Restoration, Formerly Used Defense Sites, \$203,717,000.

8 (19) For Overseas Humanitarian, Disaster, and Civic Aid programs,
9 \$100,266,000.

10 (20) For Cooperative Threat Reduction programs, \$358,496,000.

11 **SEC. 302. MODIFICATION OF REQUIREMENTS FOR TRANSFERRING AIRCRAFT**

12 **WITHIN THE AIR FORCE INVENTORY.**

13 (a) MODIFICATION OF REQUIREMENTS.—Section 345 of the National Defense
14 Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 8062 note) is
15 amended—

16 (1) in subsection (a)—

17 (A) by striking the first sentence and inserting the following: “Before
18 making an aircraft transfer described in subsection (c), the Secretary of the Air
19 Force shall ensure that a written agreement regarding such transfer has been
20 entered into between the Chief of Staff of the Air Force and the Director of the
21 Air National Guard or the Chief of Air Force Reserve.”; and

22 (B) in paragraph (3), by striking “depot”;

23 (2) by striking subsection (b) and inserting the following:

1 “(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—

2 The Secretary of the Air Force may not take any action to transfer an aircraft until the Secretary
3 ensures that the Air Force has complied with applicable Department of Defense regulations and,
4 for a transfer described in subsection (c)(1), until the Secretary submits to the congressional
5 defense committees an agreement entered into pursuant to subsection (a) regarding the transfer
6 of the aircraft.”; and

7 (3) by adding at the end the following new subsections:

8 “(c) COVERED AIRCRAFT TRANSFERS.—

9 “(1) COVERED TRANSFERS.—An aircraft transfer described in this subsection is the
10 transfer (other than as specified in paragraph (2)) from a reserve component of the Air
11 Force to the regular component of the Air Force of—

12 “(A) the permanent assignment of an aircraft that terminates a reserve
13 component’s equitable interest in the aircraft; or

14 “(B) possession of an aircraft for a period in excess of 90 days.

15 “(2) EXCEPTIONS.—Paragraph (1) does not apply to the following:

16 “(A) A routine temporary transfer of possession of an aircraft from a
17 reserve component that is made solely for the benefit of the reserve component
18 for the purpose of maintenance, upgrade, conversion, modification, or testing and
19 evaluation.

20 “(B) A routine permanent transfer of assignment of an aircraft that
21 terminates a reserve component’s equitable interest in the aircraft if notice of the
22 transfer has previously been provided to the congressional defense committees

1 and the transfer has been approved by the Secretary of Defense pursuant to
2 Department of Defense regulations.

3 “(C) A transfer described in paragraph (1)(A) when there is a reciprocal
4 permanent assignment of an aircraft from the regular component of the Air Force
5 to the reserve component that does not degrade the capability of, or reduce the
6 total number of, aircraft assigned to the reserve component.

7 “(d) RETURN OF AIRCRAFT AFTER ROUTINE TEMPORARY TRANSFER.—In the case of an
8 aircraft transferred from a reserve component of the Air Force to the regular component of the
9 Air Force for which an agreement under subsection (a) is not required by reason of subsection
10 (c)(2)(A), possession of the aircraft shall be transferred back to the reserve component upon
11 completion of the work described in subsection (c)(2)(A).”.

12 (b) CONFORMING AMENDMENT.—Subsection (a)(7) of such section is amended by
13 striking “Commander of the Air Force Reserve Command” and inserting “Chief of Air Force
14 Reserve”.

15 (c) TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.—
16 Subsection (a) of such section is further amended by striking “the ownership of” in paragraphs
17 (2)(A), (2)(C), and (3).

18 **SEC. 303. REVISION TO SCOPE OF STATUTORILY REQUIRED REVIEW OF**
19 **PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO**
20 **AVIATION SO AS TO APPLY ONLY TO ENERGY PROJECTS.**

21 (a) SCOPE OF SECTION.—Section 358 of the Ike Skelton National Defense Authorization
22 Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4200; 49 U.S.C. 44718 note) is
23 amended—

1 (1) in subsection (c)(3), by striking “from State and local officials or the
2 developer of a renewable energy development or other energy project” and inserting
3 “from a State government, an Indian tribal government, a local government, a landowner,
4 or the developer of an energy project”;

5 (2) in subsection (c)(4), by striking “readiness, and” and all that follows and
6 inserting “readiness and to clearly communicate actions being taken by the Department of
7 Defense to the party requesting an early project review under this section.”;

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

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

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

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

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

14 “(4) The term ‘energy project’ means a project that provides for the generation or
15 transmission of electrical energy.

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

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

19 **SEC. 304. ESTABLISHMENT OF SOUTHERN SEA OTTER MILITARY READINESS**
20 **AREAS.**

21 (a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—
22 Chapter 631 of title 10, United States Code, is amended by adding at the end the following new
23 section:

1 **“§ 7235. Southern Sea Otter Military Readiness Areas**

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

5 “(1) The area that includes Naval Base Ventura County, San Nicolas Island, and
6 Begg Rock and the adjacent and surrounding waters within the following coordinates:

7 “N. Latitude/W. Longitude

8 “33°27.8′/119°34.3′

9 “33°20.5′/119°15.5′

10 “33°13.5′/119°11.8′

11 “33°06.5′/119°15.3′

12 “33°02.8′/119°26.8′

13 “33°08.8′/119°46.3′

14 “33°17.2′/119°56.9′

15 “33°30.9′/119°54.2′.

16 “(2) The area that includes Naval Base Coronado, San Clemente Island and the
17 adjacent and surrounding waters running parallel to shore to 3 nautical miles from the
18 high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20,
19 2010, as the San Clemente Island 3NM Safety Zone.

20 “(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

21 “(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4
22 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with

1 respect to the incidental taking of any southern sea otter in the Southern Sea Otter
2 Military Readiness Areas in the course of conducting a military readiness activity.

3 “(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—
4 Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371,
5 1372) shall not apply with respect to the incidental taking of any southern sea otter in the
6 Southern Sea Otter Military Readiness Areas in the course of conducting a military
7 readiness activity.

8 “(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of
9 conducting a military readiness activity, any southern sea otter while within the Southern
10 Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the
11 Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is
12 proposed to be listed as an endangered species or a threatened species under section 4 of
13 the Endangered Species Act of 1973 (16 U.S.C. 1533).

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

17 “(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may
18 revise or terminate the application of subsection (b) if the Secretary of the Interior, in
19 consultation with the Secretary of the Navy, determines that military activities occurring in the
20 Southern Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or
21 the return of southern sea otters to optimum sustainable population levels.

22 “(e) MONITORING.—

1 “(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and
2 research within the Southern Sea Otter Military Readiness Areas to determine the effects
3 of military readiness activities on the growth or decline of the southern sea otter
4 population and on the near-shore ecosystem. Monitoring and research parameters and
5 methods shall be determined in consultation with the United States Fish and Wildlife
6 Service.

7 “(2) TRIENNIAL REPORT.—Not later than 24 months after the date of the
8 enactment of this section and every three years thereafter, the Secretary of the Navy shall
9 submit to Congress and the public a report on monitoring undertaken pursuant to
10 paragraph (1).

11 “(g) DEFINITIONS.—In this section:

12 “(1) SOUTHERN SEA OTTER.—The term ‘southern sea otter’ means any member of
13 the subspecies *Enhydra lutris nereis*.

14 “(2) TAKE.—The term ‘take’—

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

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

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

1 “(4) MILITARY READINESS ACTIVITY.—The term ‘military readiness activity’ has
2 the meaning given that term in section 315(f) of the Bob Stump National Defense
3 Authorization Act for Fiscal Year 2003 (16 U.S.C. 703 note) and includes all training and
4 operations of the armed forces that relate to combat and the adequate and realistic testing
5 of military equipment, vehicles, weapons, and sensors for proper operation and suitability
6 for combat use.

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

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

“7235. Southern Sea Otter Military Readiness Areas.”.

14 (c) CONFORMING AMENDMENT.—Section 1 of Public Law 99-625 (16 U.S.C. 1536 note)
15 is repealed.

16 **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

17 **Subtitle A—Active Forces**

18 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

19 The Armed Forces are authorized strengths for active duty personnel as of September 30,
20 2016, as follows:

21 (1) The Army, 475,000.

22 (2) The Navy, 329,200.

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

2 (4) The Air Force, 317,000.

3 **Subtitle B—Reserve Forces**

4 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

5 (a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve
6 personnel of the reserve components as of September 30, 2016, as follows:

7 (1) The Army National Guard of the United States, 342,000.

8 (2) The Army Reserve, 198,000.

9 (3) The Navy Reserve, 57,400.

10 (4) The Marine Corps Reserve, 38,900.

11 (5) The Air National Guard of the United States, 105,500.

12 (6) The Air Force Reserve, 69,200.

13 (7) The Coast Guard Reserve, 7,000.

14 (b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the
15 Selected Reserve of any reserve component shall be proportionately reduced by—

16 (1) the total authorized strength of units organized to serve as units of the Selected
17 Reserve of such component which are on active duty (other than for training) at the end
18 of the fiscal year; and

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

1 (c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected
2 Reserve for any reserve component are released from active duty during any fiscal year, the end
3 strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall
4 be increased proportionately by the total authorized strengths of such units and by the total
5 number of such individual members.

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

8 Within the end strengths prescribed in section 411(a), the reserve components of the
9 Armed Forces are authorized, as of September 30, 2016, the following number of Reserves to be
10 serving on full-time active duty or full-time duty, in the case of members of the National Guard,
11 for the purpose of organizing, administering, recruiting, instructing, or training the reserve
12 components:

13 (1) The Army National Guard of the United States, 30,770.

14 (2) The Army Reserve, 16,261.

15 (3) The Navy Reserve, 9,934.

16 (4) The Marine Corps Reserve, 2,260.

17 (5) The Air National Guard of the United States, 14,748.

18 (6) The Air Force Reserve, 3,032.

19 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).**

20 The minimum number of military technicians (dual status) as of the last day of fiscal year
21 2016 for the reserve components of the Army and the Air Force (notwithstanding section 129 of
22 title 10, United States Code) shall be the following:

23 (1) For the Army National Guard of the United States, 26,099.

1 (2) For the Army Reserve, 7,395.

2 (3) For the Air National Guard of the United States, 22,104.

3 (4) For the Air Force Reserve, 9,814.

4 **SEC. 414. FISCAL YEAR 2016 LIMITATION ON NUMBER OF NON-DUAL STATUS**
5 **TECHNICIANS.**

6 (a) LIMITATIONS.—

7 (1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of
8 title 10, United States Code, the number of non-dual status technicians employed by the
9 National Guard as of September 30, 2016, may not exceed the following:

10 (A) For the Army National Guard of the United States, 1,600.

11 (B) For the Air National Guard of the United States, 350.

12 (2) ARMY RESERVE.—The number of non-dual status technicians employed by the
13 Army Reserve as of September 30, 2016, may not exceed 595.

14 (3) AIR FORCE RESERVE.—The number of non-dual status technicians employed
15 by the Air Force Reserve as of September 30, 2016, may not exceed 90.

16 (b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term “non-dual status
17 technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

18 **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE**
19 **ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

20 During fiscal year 2016, the maximum number of members of the reserve components of
21 the Armed Forces who may be serving at any time on full-time operational support duty under
22 section 115(b) of title 10, United States Code, is the following:

23 (1) The Army National Guard of the United States, 17,000.

- 1 (2) The Army Reserve, 13,000.
- 2 (3) The Navy Reserve, 6,200.
- 3 (4) The Marine Corps Reserve, 3,000.
- 4 (5) The Air National Guard of the United States, 16,000.
- 5 (6) The Air Force Reserve, 14,000.

6 **Subtitle C—Authorization of Appropriations**

7 **SEC. 421. MILITARY PERSONNEL.**

8 There is hereby authorized to be appropriated for military personnel for fiscal year 2016 a
9 total of \$130,491,227,000.

10 **TITLE V—MILITARY PERSONNEL POLICY**

11 **Subtitle A—Officer Personnel Policy Generally**

12 **SEC. 501. ENHANCED FLEXIBILITY FOR DETERMINATION OF OFFICERS TO**
13 **CONTINUE ON ACTIVE DUTY AND FOR SELECTIVE EARLY**
14 **RETIREMENT AND EARLY DISCHARGE.**

15 Section 638a(d)(2) of title 10, United States Code, is amended by striking “officers
16 considered—” and all that follows and inserting “officers considered.”.

17 **SEC. 502. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY RETIREMENT**
18 **FOR AGE OF A GENERAL OR FLAG OFFICER SERVING AS CHIEF**
19 **OR DEPUTY CHIEF OF CHAPLAINS OF THE ARMY, NAVY, OR AIR**
20 **FORCE.**

21 Section 1253 of title 10, United States Code, is amended by adding at the end the
22 following new subsection:

1 “(c) DEFERRED RETIREMENT OF CHAPLAINS.—The Secretary of the military department
2 concerned may defer the retirement under subsection (a) of an officer serving in a general or flag
3 officer grade who is the Chief of Chaplains or Deputy Chief of Chaplains of that officer's armed
4 force. Such a deferment may not extend beyond the first day of the month following the month in
5 which the officer becomes 68 years of age.”.

6 **SEC. 503. REDUCTION IN REQUIRED NUMBER OF MEMBERS OF DISCHARGE**
7 **REVIEW BOARDS.**

8 Section 1553(a) of title 10, United States Code, is amended by striking “five” and
9 inserting “not less than three”.

10 **SEC. 504. STANDARDIZATION OF GRADE FOR CERTAIN MEDICAL AND DENTAL**
11 **BRANCH POSITIONS.**

12 (a) ARMY.—

13 (1) CHIEF OF NURSE CORPS.—Section 3069(b) of title 10, United States Code, is
14 amended by striking “major general” in the second sentence and inserting “brigadier
15 general”.

16 (2) DEPUTY AND ASSISTANT CHIEFS OF BRANCHES.—Section 3039(b) of such title
17 is amended by striking “major general” in the last sentence and inserting “brigadier
18 general”.

19 (3) CHIEF OF THE VETERINARY CORPS.—Section 3084 of such title is amended—

20 (A) by striking “brigadier general” in the second sentence and inserting

21 “colonel”; and

22 (B) by striking the third sentence.

23 (b) NAVY.—

1 (1) CHIEF OF DENTAL CORPS.—Section 5138(a) of such title is amended by
2 striking “not below” and inserting “in”.

3 (2) DIRECTOR OF NURSE CORPS.—Section 5150(c) of such title is amended—

4 (A) in the first sentence, by striking “rear admiral” the first place it
5 appears and all that follows through “Service Corps” and inserting “rear admiral
6 (lower half)”; and

7 (B) by striking the last sentence.

8 (c) AIR FORCE.—

9 (1) CHIEF OF NURSE CORPS.—Section 8069(b) of such title is amended by
10 striking “major general” in the second sentence and inserting “brigadier general”.

11 (2) ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES.—Section 8081 of
12 such title is amended by striking “major general” in the second sentence and inserting
13 “brigadier general”.

14 (d) TRANSITION.—In the case of an officer who on the date of the enactment of this Act is
15 serving in a position that is covered by an amendment made by this section, the continued
16 service of that officer in such position after the date of the enactment of this Act shall not be
17 affected by that amendment.

18 **SEC. 505. REINSTATEMENT OF ENHANCED AUTHORITY FOR SELECTIVE**
19 **EARLY DISCHARGE OF WARRANT OFFICERS.**

20 Section 580a of title 10, United States Code, is amended—

21 (1) in subsection (a), by striking “November 30, 1993, and ending on October 1,
22 1999” and inserting “October 1, 2015, and ending on October 1, 2019”; and

23 (2) in subsection (c)—

1 (A) by striking paragraph (3); and
2 (B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4),
3 respectively.

4 **SEC. 506. AUTHORITY TO CONDUCT WARRANT OFFICER RETIRED GRADE**
5 **DETERMINATIONS.**

6 Section 1371 of title 10, United States Code, is amended—

7 (1) by inserting “highest” after “in the”; and

8 (2) by striking “that he held on the day before the date of his retirement, or in any
9 higher warrant officer grade”.

10 **Subtitle B—Reserve Component Management**

11 **SEC. 511. INCREASE FROM 90 TO 180 IN NUMBER OF DAYS OF ACTIVE DUTY**
12 **REQUIRED TO BE PERFORMED BY RESERVE COMPONENT**
13 **MEMBERS FOR THAT DUTY TO BE CONSIDERED FEDERAL**
14 **SERVICE FOR PURPOSES OF UNEMPLOYMENT COMPENSATION**
15 **FOR EX-SERVICEMEMBERS.**

16 (a) INCREASE OF NUMBER OF DAYS.—Paragraph (1) of section 8521(a) of title 5, United
17 States Code, is amended by striking “90 days” in the matter preceding subparagraph (A) and
18 inserting “180 days”.

19 (b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect
20 to periods of Federal service commencing on or after the date of the enactment of this Act.

21 **SEC. 512. RECONCILIATION OF CONTRADICTORY PROVISIONS RELATING TO**
22 **CITIZENSHIP QUALIFICATIONS FOR ENLISTMENT IN THE**
23 **RESERVE COMPONENTS OF THE ARMED FORCES.**

1 Paragraphs (1) and (2) of section 12102(b) of title 10, United States Code, are amended
2 to read as follows:

3 “(1) that person has met the citizenship or residency requirements established in
4 section 504(b)(1) of this title; or

5 “(2) that person is authorized to enlist by the Secretary concerned under section
6 504(b)(2) of this title.”.

7 **SEC. 513. AUTHORITY FOR THE SECRETARY OF HOMELAND SECURITY TO**
8 **ORDER A MEMBER OF THE COAST GUARD RESERVE TO ACTIVE**
9 **DUTY FOR MEDICAL CARE OR MEDICAL EVALUATION.**

10 Subsection (h) of section 12301 of title 10, United States Code, is amended by striking
11 “When authorized by the Secretary of Defense, the Secretary of a military department may” and
12 inserting “The Secretary of a military department (when authorized by the Secretary of Defense),
13 and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating
14 as a service in the Navy, may”.

15 **SEC. 514. INCLUSION OF DUTY PERFORMED BY A RESERVE COMPONENT**
16 **MEMBER UNDER A CALL OR ORDER TO ACTIVE DUTY FOR**
17 **MEDICAL PURPOSES AS QUALIFYING ACTIVE DUTY TIME FOR**
18 **PURPOSES OF POST-9/11 GI BILL EDUCATION BENEFITS.**

19 Section 3301 of title 38, United States Code, is amended in subsection (a)(1)(B) by
20 inserting “12301(h),” after “12301(g)”.

21 **SEC. 515. AUTHORITY TO DESIGNATE CERTAIN RESERVE OFFICERS AS NOT**
22 **TO BE CONSIDERED FOR SELECTION FOR PROMOTION.**

1 Section 14301 of title 10, United States Code, is amended by adding at the end the
2 following new subsection:

3 “(j) CERTAIN OFFICERS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.—The
4 Secretary of the military department concerned may provide that an officer who is in an active
5 status, but is in a duty status in which the only points the officer accrues under section
6 12732(a)(2) of this title are pursuant to subparagraph (C)(i) of that section (relating to
7 membership in a reserve component), shall not be considered for selection for promotion at any
8 time the officer otherwise would be so considered. Any such officer may remain on the reserve
9 active-status list.”.

10 **SEC. 516. CLARIFICATION OF PURPOSE OF RESERVE COMPONENT SPECIAL**
11 **SELECTION BOARDS AS LIMITED TO CORRECTION OF ERROR AT**
12 **A MANDATORY PROMOTION BOARD.**

13 Section 14502(b) of title 10, United States Code, is amended—

14 (1) in paragraph (1)—

15 (A) in the matter preceding subparagraph (A), by striking “a selection
16 board” and inserting “a mandatory promotion board convened under section
17 14101(a) of this title”; and

18 (B) in subparagraphs (A) and (B), by striking “selection board” and
19 inserting “mandatory promotion board”; and

20 (2) in the first sentence of paragraph (3) , by striking “selection board” and
21 inserting “mandatory promotion board”.

22 **SEC. 517. EXPANSION OF AUTHORIZED PRIMARY DUTIES OF AIR FORCE**
23 **RESERVE COMPONENT FULL-TIME SUPPORT PERSONNEL.**

1 (a) DEFINITION OF ACTIVE GUARD AND RESERVE DUTY.—Section 101(d)(6)(A) of title
2 10, United States Code, is amended by striking “days or more” and all that follows and inserting
3 “days or more—

4 “(i) for the purpose of organizing, administering, recruiting, instructing, or
5 training the reserve components; and

6 “(ii) in the case of a member of a reserve component of the Air Force, for the
7 purpose of instructing or training in the United States or the Commonwealth of Puerto
8 Rico or possessions of the United States—

9 “(I) members of the armed forces on active duty; or

10 “(II) members of foreign military forces (under the same authorities and
11 restrictions as are applicable to members of the regular components providing
12 such instruction or training).

13 (b) MILITARY TECHNICIANS (DUAL STATUS).—

14 (1) ADDITIONAL DUTIES AS AUTHORIZED PRIMARY DUTIES FOR AIR COMPONENT
15 MEMBERS.—Section 10216(a) of such title is amended—

16 (A) in paragraph (1)(C), by striking “in organizing” and all that follows
17 and inserting “with primary duties consisting of one or more of the duties
18 described in paragraph (2).”;

19 (B) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5),
20 respectively; and

21 (C) by inserting after paragraph (1) the following new paragraphs (2) and

22 (3):

23 “(2) Duties referred to in this paragraph are the following:

1 “(A) The organizing, administering, instructing, or training of the Selected
2 Reserve.

3 “(B) The maintenance and repair of supplies or equipment issued to the Selected
4 Reserve or the armed forces.

5 “(C) In the case of a Federal civilian employee who is a member of the Air Force
6 Reserve or Air National Guard and subject to paragraph (3), the instructing or training in
7 the United States or the Commonwealth of Puerto Rico or possessions of the United
8 States of—

9 “(i) members of the armed forces on active duty; or

10 “(ii) members of foreign military forces (under the same authorities and
11 restrictions as are applicable to members of the regular components providing
12 such instruction or training).

13 “(3)(A) A Federal civilian employee is a military technician (dual status) by reason of
14 paragraph (2)(C) only if the performance of duties described in that subparagraph as the primary
15 duties of the employee has been approved—

16 “(i) by the Chief of the Air Force Reserve, in the case of an employee who is a
17 member of the Air Force Reserve; or

18 “(ii) by the Director of the Air National Guard, in the case of an employee who is
19 a member of the Air National Guard.

20 “(B) Of the total number of Federal civilian employees who are members of the Air
21 Force Reserve or Air National Guard and who are military technicians (dual status), not more
22 than five percent may be assigned to have duties described in paragraph (2)(C) as their primary
23 duties. Of the members of the Air Force Reserve who are so assigned, no more than half may be

1 assigned to provide instruction or training for equipment or missions that are not assigned to the
2 Air Force Reserve as of the time of the provision of such instruction or training, and of the
3 members of the Air National Guard who are so assigned, no more than half may be assigned to
4 provide instruction or training for equipment or missions that are not assigned to the Air National
5 Guard as of the time of the provision of such instruction or training.”.

6 (2) TECHNICAL AMENDMENTS.—Subparagraph (C) of paragraph (5) of such
7 section, as redesignated by paragraph (1)(B), is amended—

8 (A) in clause (i), by striking “active-duty members of the armed forces”
9 and inserting “members of the armed forces on active duty”; and

10 (B) in clause (ii), by striking “applicable to active-duty members” and
11 inserting “as are applicable to members of the regular components”.

12 (c) FEDERAL ACTIVE DUTY.—

13 (1) ADDITIONAL DUTIES AS AUTHORIZED PRIMARY DUTIES FOR AIR COMPONENT
14 MEMBERS.—Subsection (a) of section 12310 of such title is amended—

15 (A) in paragraph (1)—

16 (i) by inserting “a Reserve who is” after “may order”;

17 (ii) by striking “organizing” and all that follows through

18 “components”; and

19 (iii) by adding at the end the following new sentence: “However,
20 only a Reserve who is a member of a reserve component of the Air Force
21 may be ordered to active duty under this paragraph to perform Active
22 Guard and Reserve duty described in clause (ii) of section 101(d)(6)(A) of
23 this title, and such an order may be made only with the approval of the

1 Chief of the Air Force Reserve, in the case of a member of the Air Force
2 Reserve, or the Director of the Air National Guard, in the case of a
3 member of the Air National Guard.”; and

4 (B) by adding at the end the following new paragraphs:

5 “(3) A Reserve ordered to active duty under paragraph (1) shall perform duties specified
6 in section 101(d)(6)(A) of this title as that Reserve’s primary duties.

7 “(4) Of the total number of members of the Air Force Reserve and Air National Guard on
8 active duty under paragraph (1), not more than 10 percent may be assigned to perform duties
9 described in clause (ii) of section 101(d)(6)(A) of this title as their primary duties. Of the
10 members of the Air Force Reserve who are so assigned, no more than half may be assigned to
11 provide instruction or training for equipment or missions that are not assigned to the Air Force
12 Reserve as of the time of the provision of such instruction or training, and of the members of the
13 Air National Guard who are so assigned, no more than half may be assigned to provide
14 instruction or training for equipment or missions that are not assigned to the Air National Guard
15 as of the time of the provision of such instruction or training.”.

16 (2) TECHNICAL AND CONFORMING AMENDMENTS.—Subsection (b) of such section
17 is amended—

18 (A) in the matter preceding paragraph (1), by striking “primary Active
19 Guard and Reserve duties (as described in subsection (a)(1))” and inserting
20 “primary duties (as described in subsection (a)(3))”;

21 (B) in paragraph (4)(A), by striking “active-duty members of the armed
22 forces” and inserting “members of the armed forces on active duty”; and

1 (C) in paragraph (4)(B), by striking “applicable to active-duty members”
2 and inserting “as are applicable to members of the regular components”.

3 (d) STATE ACTIVE DUTY.—Section 328(b) of title 32, United States Code, is amended—

4 (1) by inserting “(1)” after “DUTIES.—”;

5 (2) by inserting “shall perform duties specified in section 101(d)(6)(A) of title 10
6 as that member’s primary duties and” after “under subsection (a)”;

7 (3) by striking “the member’s” and all that follows and inserting “such primary
8 duties.”; and

9 (4) by adding at the end the following new paragraph:

10 “(2) Of the total number of members of the Air National Guard performing duty under
11 subsection (a), not more than 10 percent may be assigned to perform duties described in clause
12 (ii) of section 101(d)(6)(A) of title 10 as their primary duties, and of the members who are so
13 assigned, no more than half may be assigned to provide instruction or training for equipment or
14 missions that are not assigned to the Air National Guard as of the time of the provision of such
15 instruction or training.”.

16 (e) NATIONAL GUARD TECHNICIANS.—

17 (1) ADDITIONAL DUTIES AS AUTHORIZED PRIMARY DUTIES FOR AIR NATIONAL
18 GUARD MEMBERS.—Section 709 of such title is amended—

19 (A) in subsection (a)—

20 (i) by redesignating paragraphs (2) and (3) as paragraphs (3) and

21 (4), respectively; and

22 (ii) by inserting after paragraph (1) the following new paragraph

23 (2):

1 “(2) in the case of persons who are members of the Air National Guard, in the
2 instructing or training in the United States or the Commonwealth of Puerto Rico or
3 possessions of the United States of—

4 “(A) members of the armed forces on active duty; or

5 “(B) members of foreign military forces (under the same authorities and
6 restrictions as are applicable to members of the regular components providing
7 such instruction or training);” and

8 (B) in subsection (b)—

9 (i) by inserting “(1)” after “(b)”;

10 (ii) by redesignating paragraphs (1), (2), (3), and (4) as

11 subparagraphs (A), (B), (C), and (D), respectively; and

12 (iii) by adding at the end the following new paragraphs:

13 “(2) A person who is a member of the Air National Guard may be employed as a
14 technician under subsection (a) in the performance of duties described in paragraph (2) of that
15 subsection as the primary duties of that person only if the performance by that person of such
16 duties as the primary duties of that person is approved by the Director of the Air National Guard.

17 “(3) Of the total number of members of the Air National Guard employed as technicians
18 under subsection (a), not more than five percent may be assigned to perform duties described in
19 paragraph (2) of that subsection as their primary duties, and of the members who are so assigned,
20 no more than half may be assigned to provide instruction or training for equipment or missions
21 that are not assigned to the Air National Guard as of the time of the provision of such instruction
22 or training.”.

1 (2) TECHNICAL AND CONFORMING AMENDMENTS.—Subsection (a) of such section,
2 as amended by paragraph (1)(A), is further amended—

3 (A) in the matter preceding paragraph (1), by striking “technicians in—”
4 and inserting “technicians—”;

5 (B) in paragraph (1), by inserting “in” before “the organizing”;

6 (C) in paragraph (3), as redesignated by paragraph (1)(A)(i), by inserting
7 “in the” before “maintenance”; and

8 (D) in paragraph (4), as redesignated by paragraph (1)(A)(i)—

9 (i) in the matter preceding subparagraph (A)—

10 (I) by inserting “in the” before “performance”; and

11 (II) by striking “duties described by paragraphs (1) and (2)”

12 and inserting “primary duties described by paragraphs (1), (2), and
13 (3)”;

14 (ii) in subparagraph (C)(i), by striking “active-duty members of the
15 armed forces” and inserting “members of the armed forces on active
16 duty”; and

17 (iii) in subparagraph (C) (ii), by striking “applicable to active-duty
18 members” and inserting “as are applicable to members of the regular
19 components”.

20 (f) FURTHER CONFORMING AMENDMENT.—Section 502(f)(2)(B)(ii) of title 32, United
21 States Code, is amended by striking “to instruct” and all that follows and inserting “to instruct—

22 “(I) members of the armed forces on active duty;

1 “(II) members of foreign military forces (under the same
2 authorities and restrictions as are applicable to members of the regular
3 components providing such instruction);

4 “(III) Department of Defense contractor personnel; or

5 “(IV) Department of Defense civilian employees.”.

6 **Subtitle C—Member Education and Training**

7 **SEC. 521. REPEAL OF STATUTORY SPECIFICATION OF MINIMUM DURATION**
8 **OF IN-RESIDENT INSTRUCTION FOR COURSES OF INSTRUCTION**
9 **OFFERED AS PART OF PHASE II JOINT PROFESSIONAL MILITARY**
10 **EDUCATION.**

11 (a) REPEAL OF STATUTORY REQUIREMENT FOR IN-RESIDENT INSTRUCTION.—Section
12 2154(a)(2)(A) of title 10, United States Code, is amended by striking “taught in residence at” and
13 inserting “offered through”.

14 (b) REPEAL OF STATUTORY DURATIONAL MINIMUM.—

15 (1) REPEAL.—Section 2156 of such title is repealed.

16 (2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter
17 107 of such title amended by striking the item relating to section 2156.

18 **SEC. 522. RETENTION OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE**
19 **DURING CERTAIN ADDITIONAL PERIODS OF ACTIVE DUTY.**

20 (A) EDUCATIONAL ASSISTANCE ALLOWANCE.—Section 16131(c)(3)(B)(i) of title 10,
21 United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or
22 12304b”.

1 (B) EXPIRATION DATE.—Section 16133(b)(4) of such title is amended by striking “or
2 12304” and inserting “12304, 12304a, or 12304b”.

3 **SEC. 523. AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF**
4 **TECHNOLOGY TO CHARGE AND RETAIN TUITION FOR**
5 **INSTRUCTION OF PERSONS OTHER THAN AIR FORCE PERSONNEL**
6 **DETAILED FOR INSTRUCTION AT THE INSTITUTE.**

7 (a) STATUTORY REORGANIZATION.—Chapter 901 of title 10, United States Code, is
8 amended—

9 (1) by transferring subsections (d) and (f) of section 9314 to the end of section
10 9314b and redesignating those subsections as subsections (c) and (d), respectively;

11 (2) by striking the heading of section 9314a; and

12 (3) by inserting after subsection (c) of section 9314 the following new section
13 heading:

14 “§ 9314a. **United States Air Force Institute of Technology: reimbursement and tuition;**
15 **instruction of persons other than Air Force personnel”.**

16 (b) INSTRUCTION OF PERSONS OTHER THAN AIR FORCE PERSONNEL.—Section 9314a of
17 such title, as designated by the amendment made by subsection (a)(3), is amended as follows:

18 (1) The first subsection of that section (formerly subsection (e) of section 9314) is
19 redesignated as subsection (a) and is amended—

20 (A) by striking “REIMBURSEMENT AND TUITION” and inserting “MEMBERS
21 OF THE ARMED FORCES OTHER THAN THE AIR FORCE WHO ARE DETAILED TO THE
22 INSTITUTE”; and

23 (B) in paragraph (3)—

1 (i) by striking “and” after “Marine Corps,” and inserting “or”;

2 (ii) by striking “permitted” and inserting “detailed”; and

3 (iii) by striking “that member” and inserting “the Secretary

4 concerned”.

5 (2) Such section is further amended—

6 (A) by redesignating paragraph (4) of such subsection (a) as subsection

7 (b);

8 (B) by striking “(A)” in such subsection and inserting “FEDERAL CIVILIAN

9 EMPLOYEES OTHER THAN AIR FORCE EMPLOYEES WHO ARE DETAILED TO THE

10 INSTITUTE.—(1)”;

11 (C) by redesignating subparagraph (B) in such subsection as paragraph (2);

12 (D) by striking paragraph (5) of such subsection; and

13 (E) by inserting after such subsection the following new subsection (c):

14 “(c) NON-DETAILED PERSONS.—(1) The Secretary of the Air Force may permit persons
15 described in paragraph (2) to receive instruction at the United States Air Force Institute of
16 Technology on a space-available basis.

17 “(2) Paragraph (1) applies to any of the following persons:

18 “(A) A member of the armed forces not detailed for that instruction by the
19 Secretary concerned.

20 “(B) A civilian employee of a military department, of another component of the
21 Department of Defense, of another Federal agency, or of a State’s National Guard not
22 detailed for that instruction by the Secretary concerned or head of the other Department
23 of Defense component, other Federal agency, or the National Guard.

1 “(C) A United States citizen who is the recipient of a competitively selected
2 Federal or Department of Defense sponsored scholarship or fellowship with a defense
3 focus in areas of study related to the academic disciplines offered by the Air Force
4 Institute of Technology and which requires a service commitment to the Federal
5 government in exchange for educational financial assistance.

6 “(3) If a scholarship or fellowship described in paragraph (2)(C) includes a stipend, the
7 Institute may accept the stipend payment from the scholarship or fellowship sponsor and make a
8 direct payment to the individual.” .

9 (c) CONFORMING SUBSECTION REDESIGNATIONS AND OTHER CONFORMING
10 AMENDMENTS.—Section 9314a of such title, as designated by the amendment made by
11 subsection (a)(3) and amended by subsection (b), is further amended—

12 (1) by redesignating subsection (a) of the former section 9314a (wth the heading
13 “ADMISSION AUTHORIZED”) as subsection (d) and in that subsection—

14 (A) by striking “ADMISSION AUTHORIZED” and inserting “DEFENSE
15 INDUSTRY EMPLOYEES”; and

16 (B) in paragraph (1), by striking “subsection (b)” and inserting “paragraph
17 (4)”;

18 (2) by redesignating subsection (b) of such former section 9314a as paragraph (4)
19 and in that paragraph—

20 (A) by striking “ELIGIBLE DEFENSE INDUSTRY EMPLOYEES.—”; and

21 (B) by striking “only so long at” and inserting “only so long as”;

22 (3) by redesignating subsection (c) of such former section 9314a as paragraph (5)
23 and in that paragraph—

1 (A) by striking “ANNUAL DETERMINATION BY THE SECRETARY OF THE AIR
2 FORCE.—”; and
3 (B) by redesignating paragraphs (1) and (2) therein as subparagraphs (A)
4 and (B), respectively; and
5 (4) by redesignating subsection (d) of such former section 9314a as paragraph (6)
6 and in that paragraph—
7 (A) by striking “PROGRAM REQUIREMENTS.—”;
8 (B) by redesignating paragraphs (1) and (2) therein as subparagraphs (A)
9 and (B), respectively; and
10 (C) in subparagraph (A), as so redesignated—
11 (i) by striking “under this section” and inserting “under this
12 subsection”; and
13 (ii) by striking “subsection (a)” and inserting “paragraph (1)”.
14 (d) TUITION.—Subsection (e) of such section is amended—
15 (1) by striking “under this section” and inserting “under subsections (c) and (d)”;
16 and
17 (2) by inserting before the period at the end the following: “who are detailed to
18 receive instruction at the Institute under subsection (b)”.
19 (e) STANDARDS OF CONDUCT.—Subsection (f) of such section is amended—
20 (1) by striking “defense industry employees” and inserting “persons”; and
21 (2) by inserting “who are not members of the armed forces or Government
22 civilian employees” after “enrolled under this section”.
23 (f) CLERICAL AMENDMENTS.—

1 (1) SECTION HEADING.—The heading of section 9314 of such title is amended to
2 read as follows:

3 **“§ 9314. United States Air Force Institute of Technology: degree granting authority”.**

4 (2) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is
5 amended by striking the items relating to sections 9314 and 9314a and inserting the
6 following:

“9314. United States Air Force Institute of Technology: degree granting authority.
“9314a. United States Air Force Institute of Technology: reimbursement and tuition; instruction of persons other
than Air Force personnel.”.

7 **SEC. 524. REPEAL OF TIME-IN-SERVICE REQUIREMENT FOR FUNDED LEGAL**
8 **EDUCATION PROGRAM.**

9 Section 2004(b) of title 10, United States Code, is amended—

10 (1) by striking “and must—” and all that follows through “(2) sign” and inserting
11 “and must sign”;

12 (2) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and
13 (3), respectively; and

14 (3) by realigning those paragraphs, as so redesignated, so as to be two ems from
15 the left margin.

16 **Subtitle D—Defense Dependents’ Education and Military Family Readiness**
17 **Matters**

18 **SEC. 531. AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT**
19 **DEPARTMENT OF DEFENSE STUDENT MEAL PROGRAMS IN**
20 **DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY**
21 **SCHOOLS LOCATED OUTSIDE THE UNITED STATES.**

1 Section 2243 of title 10, United States Code, is amended—

2 (1) in the heading, by inserting “defense” after “overseas”;

3 (2) in subsection (a)—

4 (A) by striking “the defense dependents’ education system” and inserting
5 “overseas defense dependents’ schools”; and

6 (B) by striking “students enrolled in that system” and inserting “a student
7 enrolled in such a school”;

8 (3) in subsection (d), by striking “Department of Defense dependents schools
9 which are located outside the United States” and inserting “overseas defense dependents’
10 schools”; and

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

12 “(e) OVERSEAS DEFENSE DEPENDENTS’ SCHOOL DEFINED.—In this section, the term
13 ‘overseas defense dependents’ school’ means—

14 “(1) a school established as part of the defense dependents’ education system
15 provided for under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et
16 seq.); or

17 “(2) an elementary or secondary school established pursuant to section 2164 of
18 this title that is located in a territory, commonwealth, or possession of the United States.”.

19 **SEC. 532. IN-STATE TUITION RATES FOR SENIOR RESERVE OFFICERS’**

20 **TRAINING CORPS CADETS AND MIDSHIPMEN.**

21 (a) REQUIREMENT TO CHARGE IN-STATE TUITION RATES TO SENIOR RESERVE OFFICERS’
22 TRAINING CORPS SCHOLARSHIP MEMBERS—Section 2102(b) of title 10, United States Code, is
23 amended—

- 1 (1) by striking “and” at the end of paragraph (2);
- 2 (2) by striking the period at the end of paragraph (3) and inserting “; and”, and
- 3 (3) by adding at the end the following new paragraph:

4 “(4) in the case of an institution that charges different rates of tuition based upon
5 whether or not a student is a resident of the State in which the institution is located, the
6 institution charges a member of the program who is a cadet or midshipman appointed
7 under section 2107 of this title tuition at a rate that is no greater than the resident tuition
8 rate offered by the institution.”.

9 (b) EFFECTIVE DATE. —The amendments made by this section shall take effect on August
10 1, 2018.

11 **Subtitle E—Other Matters**

12 **SEC. 541. EXPANSION AND EXTENSION OF AUTHORITY FOR PILOT PROGRAMS** 13 **ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF** 14 **MEMBERS OF THE ARMED FORCES.**

15 (a) EXPANSION OF ELIGIBLE MEMBERS.—Section 533 of the Duncan Hunter National
16 Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. prec. 701 note)
17 is amended by striking subsections (b) and (c).

18 (b) EXTENSION OF PROGRAM.—

19 (1) DURATION OF PROGRAM AUTHORITY.—Subsection (m) of such section is
20 amended by striking “December 31, 2015” and inserting “December 31, 2018”.

21 (2) CONFORMING AMENDMENTS TO REPORTING REQUIREMENTS.—Subsection (k) of
22 such section is amended—

23 (A) in paragraph (1), by striking “and 2017” and inserting “, 2017, 2019,
24 and 2021”; and

1 (B) in paragraph (2), by striking “March 1, 2019” and inserting “March 1,
2 2022”.

3 **SEC. 542. UPDATE TO INVOLUNTARY MOBILIZATION DUTY AUTHORITIES**
4 **EXEMPT FROM FIVE-YEAR LIMIT UNDER THE UNIFORMED**
5 **SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT.**

6 Section 4312(c)(4)(A) of title 38, United States Code, is amended by inserting after “12304,” the
7 following: “12304a, 12304b.”.

8 **SEC. 543. ENHANCEMENT OF CONFIDENTIALITY OF RESTRICTED REPORTING**
9 **OF SEXUAL ASSAULT IN THE MILITARY.**

10 (a) **PREEMPTION OF STATE LAW TO ENSURE CONFIDENTIALITY OF REPORTING.**—

11 Subsection (b) of section 1565b of title 10, United States Code, is amended by adding at the end
12 the following new paragraph:

13 “(3) In the case of information disclosed pursuant to paragraph (1), any State law,
14 regulation, or rule of professional responsibility that would require an individual specified in
15 subsection (b)(2) to disclose the personally identifiable information of the adult victim or alleged
16 perpetrator of the sexual assault to a State or local law enforcement agency shall not apply,
17 except when reporting is necessary to prevent or mitigate a serious and imminent threat to the
18 health or safety of an individual.”.

19 (b) **CLARIFICATION OF SCOPE.**—Paragraph (1) of such subsection is amended by striking
20 “a dependent” and inserting “an adult dependent”.

21 (c) **DEFINITIONS.**—Such section is further amended by adding at the end the following
22 new subsection:

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

1 “(1) SEXUAL ASSAULT.— The term ‘sexual assault’ includes the offenses of rape,
2 sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and
3 attempts to commit such offenses, as punishable under applicable Federal or State law.

4 “(2) STATE.—The term ‘State’ includes the District of Columbia, the
5 Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and
6 any territory or possession of the United States.”.

7 **SEC. 544. ENHANCED FLEXIBILITY IN PROVISION OF RELOCATION**

8 **ASSISTANCE TO MEMBERS OF THE ARMED FORCES AND THEIR**
9 **FAMILIES.**

10 (a) GEOGRAPHIC REQUIREMENT.—Paragraph (1) of subsection (c) of section 1056 of title
11 10, United States Code, is amended by striking the second, third, and fourth sentences and
12 inserting the following new sentence: “Such relocation assistance programs shall ensure that
13 members of the armed forces and their families are provided relocation assistance regardless of
14 geographic location.”.

15 (b) COMPUTERIZED INFORMATION SYSTEM.—Such subsection is further amended—

16 (1) in paragraph (2)—

17 (A) by striking “available through each military ” and inserting “a”; and

18 (B) by striking “all other military relocation assistance programs” and
19 inserting “the relocation assistance programs”; and

20 (2) in paragraph (3), by striking “Duties of each military relocation assistance
21 program shall include assisting” and inserting “Assistance shall be provided to”.

22 (c) DIRECTOR.—Subsection (d) of such section is amended to read as follows:

1 “(d) PROGRAM MANAGER.—The Secretary of Defense shall establish the position of
2 Program Manager of Military Relocation Assistance in the office of the Assistance Secretary of
3 Defense with responsibility for readiness and force management. The Program Manager shall
4 oversee development and implementation of relocation assistance under this section.”.

5 **SEC. 545. REQUIRED PROVISION OF PRESEPARATION COUNSELING.**

6 (a) CLARIFICATION OF REQUIREMENT FOR 180 CONTINUOUS DAYS OF ACTIVE DUTY
7 SERVICE.—Subparagraph (A) of section 1142(a)(4) of title 10, United States Code, is amended
8 by inserting “continuous” after “first 180”.

9 (b) EXCLUSION OF TRAINING FROM PERIODS OF ACTIVE DUTY.—Such section is further
10 amended by adding at the end the following new subparagraph:

11 “(C) For purposes of subparagraph (A), the term ‘active duty’ does not include full-time
12 training duty, annual training duty, and attendance, while in the active military service, at a
13 school designated as a service school by law or by the Secretary of the military department
14 concerned.”.

15 **SEC. 546. ENHANCEMENTS TO YELLOW RIBBON REINTEGRATION PROGRAM.**

16 (a) SCOPE AND PURPOSE.—Section 582 of the National Defense Authorization Act for
17 Fiscal Year 2008 (Public Law 111-181; 10 U.S.C. 10101 note) is amended—

18 (1) in subsection (a), by striking “combat veteran”; and

19 (2) in subsection (b), by striking “informational events and activities” and
20 inserting “information, events, and activities”;

21 (b) ELIGIBILITY.—Such section is further amended—

22 (1) in subsection (a), by striking “National Guard and Reserve members and their
23 families” and inserting “eligible individuals”;

1 (2) in subsection (b), by striking “members of the reserve components of the
2 Armed Forces, their families,” and inserting “eligible individuals”;

3 (3) in subsection (d)(2)(C), by striking “members of the Armed Forces and their
4 families” and inserting “eligible individuals”;

5 (4) in subsection (h), in the matter preceding paragraph (1)—

6 (A) by striking “members of the Armed Forces and their family members”
7 and inserting “eligible individuals”; and

8 (B) by striking “such members and their family members” and inserting
9 “such eligible individuals”;

10 (5) in subsection (j), by striking “members of the Armed Forces and their
11 families” and inserting “eligible individuals”; and

12 (6) in subsection (k), by striking “individual members of the Armed Forces and
13 their families” and inserting “eligible individuals”.

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

15 “(I) ELIGIBLE INDIVIDUALS.—For the purposes of this section, the term “eligible
16 individual” means a member of a reserve component, a member of their family, or a designated
17 representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon
18 Reintegration Program.”.

19 (c) OFFICE FOR REINTEGRATION PROGRAMS.—

20 (1) OVERSIGHT OF YELLOW RIBBON REINTEGRATION PROGRAM.—Subparagraph
21 (1)(A) of subsection (d) of such section is amended by striking the second and third
22 sentence and inserting “The office shall exercise oversight over the Yellow Ribbon

1 Reintegration Program and shall be responsible for coordination with State National
2 Guard and Reserve organizations, including existing family and support programs.”.

3 (2) PARTNERSHIPS TO PROVIDE QUALITY OF LIFE SERVICES.—Subparagraph (1)(B)
4 of such subsection is amended by striking “substance abuse and mental health treatment
5 services” and inserting “substance abuse, mental health treatment, and other quality of
6 life services”.

7 (3) GRANT AUTHORITY.—Such subsection is further amended by adding at the
8 end the following new paragraph:

9 “(3) GRANTS.—The Office for Reintegration Programs may make grants to
10 conduct data collection, trend analysis, and curriculum development and to prepare
11 reports in support of activities under this section.”.

12 (d) COORDINATION WITH COAST GUARD RESERVE.—Such section is amended—

13 (1) in subsection (d)(1)(A), by striking “and Air Force Reserve” and inserting
14 “Air Force Reserve, and Coast Guard Reserve”; and

15 (2) in subsection (e)(1), by striking “and Air Force Reserve” and inserting “Air
16 Force Reserve, and Coast Guard Reserve”.

17 (e) DUE DATE OF ADVISORY BOARD ANNUAL REPORT.—Subsection (e)(4) of such section
18 is amended by striking “March” and inserting “April”.

19 (f) SUPPORT TEAMS.—Subsection (f) of such section is amended—

20 (1) in the matter preceding paragraph (1), by striking “administer the Yellow
21 Ribbon Reintegration Program at the State level” and inserting “support and assist State
22 National Guard and Reserve organization efforts”; and

23 (2) by amending paragraph (1) to read as follows:

1 “(1) to provide reintegration curriculum and information;”.

2 (g) OPERATION OF PROGRAM.—

3 (1) ENHANCED FLEXIBILITY.—Subsection (g) of such section is amended to read
4 as follows:

5 “(g) OPERATION OF PROGRAM.—

6 “(1) IN GENERAL.—The Office for Reintegration Programs shall assist State
7 National Guard and Reserve organizations with the development and provision of
8 information, events, and activities to support the health and well-being of eligible
9 individuals before, during, and after periods of activation, mobilization, or deployment.

10 “(2) FOCUS OF INFORMATION, EVENTS, AND ACTIVITIES.—

11 “(A) BEFORE ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—Before such
12 a period, the information, events, and activities described in paragraph (1) should
13 focus on preparing eligible individuals and affected communities for the rigors of
14 activation, mobilization, and deployment.

15 “(B) DURING ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—During such
16 a period, the information, events, and activities described in paragraph (1) should
17 focus on—

18 “(i) helping eligible individuals cope with the challenges and stress
19 associated with such period;

20 “(ii) decreasing the isolation of eligible individuals during such
21 period; and

22 “(iii) preparing eligible individuals for the challenges associated
23 with reintegration.

1 “(C) AFTER ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—After such a
2 period, the information, events, and activities described in paragraph (1) should
3 focus on—

4 “(i) reconnecting the member with their families, friends, and
5 communities;

6 “(ii) providing information on employment opportunities;

7 “(iii) helping eligible individuals deal with the challenges of
8 reintegration;

9 “(iv) ensuring that eligible individuals understand what benefits
10 they are entitled to and what resources are available to help them
11 overcome the challenges of reintegration; and

12 “(v) providing a forum for addressing negative behaviors related to
13 operational stress and reintegration.

14 “(3) MEMBER PAY.—Members shall receive appropriate pay for days spent
15 attending such events and activities.

16 “(4) MINIMUM NUMBER OF EVENTS AND ACTIVITIES.—The State National Guard
17 and Reserve Organizations shall provide to eligible individuals—

18 “(A) one event or activity before a period of activation, mobilization, or
19 deployment;

20 “(B) one event or activity during a period of activation, mobilization, or
21 deployment; and

22 “(C) two events or activities after a period of activation, mobilization, or
23 deployment.”.

1 (2) CONFORMING AMENDMENTS.—Such section is amended—

2 (A) in subsection (a), by striking “throughout the entire deployment
3 cycle”;

4 (B) in subsection (b)—

5 (i) by striking “well-being through the 4 phases” through the end
6 of the subsection and inserting “well-being.”; and

7 (ii) in the heading, by striking “; DEPLOYMENT CYCLE”;

8 (C) in subsection (d)(2)(C), by striking “throughout the deployment cycle
9 described in subsection (g); and

10 (D) in subsection (f), by striking “STATE DEPLOYMENT CYCLE” in the
11 heading.

12 (h) ADDITIONAL PERMITTED OUTREACH SERVICE.—Subsection (h) of such section is
13 amended by adding at the end the following new paragraph:

14 “(16) Stress management and positive coping skills.”.

15 (i) SUPPORT OF DEPARTMENT-WIDE SUICIDE PREVENTION EFFORTS.—Such section is
16 further amended by inserting after subsection (h) the following new subsection:

17 “(i) SUPPORT OF SUICIDE PREVENTION EFFORTS.—The Office for Reintegration Programs
18 shall assist the Defense Suicide Prevention Office and the Defense Centers of Excellence for
19 Psychological Health and Traumatic Brain Injury to collect and analyze information,
20 suggestions, and best practices from State National Guard and Reserve organizations with
21 suicide prevention and community response programs.”.

22 (j) CLERICAL AMENDMENTS.—Such section is amended—

1 (1) in subsection (d)(1)(B), by striking “Substance Abuse and the Mental Health
2 Services Administration” and inserting “Substance Abuse and Mental Health Services
3 Administration”; and

4 (2) in subsection (e)(3)(C), by striking “Office of Reintegration Programs” and
5 inserting “Office for Reintegration Programs”.

6 **SEC. 547. AUTHORITY FOR APPLICATIONS FOR CORRECTION OF MILITARY**
7 **RECORDS TO BE INITIATED BY SECRETARY CONCERNED.**

8 Section 1552(b) of title 10, United States Code, is amended—

9 (1) by striking “or his heir or legal representative” and inserting “(or the claimant’s
10 heir or legal representative) or the Secretary concerned”; and

11 (2) by striking “he discovers” and inserting “discovering”.

12 **TITLE VI— COMPENSATION AND OTHER PERSONNEL BENEFITS**

13 **Subtitle A—Pay and Allowances**

14 **SEC. 601. FISCAL YEAR 2016 INCREASE IN MILITARY BASIC PAY.**

15 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during
16 fiscal year 2016 required by section 1009 of title 37, United States Code, in the rates of monthly
17 basic pay authorized members of the uniformed services shall not be made.

18 (b) INCREASE IN BASIC PAY.—Effective on January 1, 2016, the rates of monthly basic
19 pay for members of the uniformed services are increased by 1.3 percent.

20 **SEC. 602. REVISION TO METHOD OF COMPUTATION OF BASIC ALLOWANCE**
21 **FOR HOUSING.**

22 Section 403(b)(3)(B) of title 37, United States Code, is amended by striking “one
23 percent” and inserting “five percent”.

1 **Subtitle B—Bonuses and Special and Incentive Pays**

2 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL**
3 **PAY AUTHORITIES.**

4 (a) **AUTHORITIES RELATING TO RESERVE FORCES.**—The following sections of title 37,
5 United States Code, are amended by striking “December 31, 2015” and inserting “December 31,
6 2016”:

7 (1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

8 (2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

9 (3) Section 308d(c), relating to special pay for enlisted members assigned to
10 certain high-priority units.

11 (4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons
12 without prior service.

13 (5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus
14 for persons with prior service.

15 (6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment
16 bonus for persons with prior service.

17 (7) Section 910(g), relating to income replacement payments for reserve
18 component members experiencing extended and frequent mobilization for active duty
19 service.

20 (b) **TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.**—The following
21 sections of title 10, United States Code, are amended by striking “December 31, 2015” and
22 inserting “December 31, 2016”:

23 (1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

1 (2) Section 16302(d), relating to repayment of education loans for certain health
2 professionals who serve in the Selected Reserve.

3 (c) TITLE 37 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following
4 sections of title 37, United States Code, are amended by striking “December 31, 2015” and
5 inserting “December 31, 2016”:

6 (1) Section 302c-1(f), relating to accession and retention bonuses for
7 psychologists.

8 (2) Section 302d(a)(1), relating to accession bonus for registered nurses.

9 (3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

10 (4) Section 302g(e), relating to special pay for Selected Reserve health
11 professionals in critically short wartime specialties.

12 (5) Section 302h(a)(1), relating to accession bonus for dental officers.

13 (6) Section 302j(a), relating to accession bonus for pharmacy officers.

14 (7) Section 302k(f), relating to accession bonus for medical officers in critically
15 short wartime specialties.

16 (8) Section 302l(g), relating to accession bonus for dental specialist officers in
17 critically short wartime specialties.

18 (d) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—The following sections of title 37,
19 United States Code, are amended by striking “December 31, 2015” and inserting “December 31,
20 2016”:

21 (1) Section 312(f), relating to special pay for nuclear-qualified officers extending
22 period of active service.

23 (2) Section 312b(c), relating to nuclear career accession bonus.

1 (3) Section 312c(d), relating to nuclear career annual incentive bonus.

2 (e) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY,
3 AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended
4 by striking “December 31, 2015” and inserting “December 31, 2016”:

5 (1) Section 331(h), relating to general bonus authority for enlisted members.

6 (2) Section 332(g), relating to general bonus authority for officers.

7 (3) Section 333(i), relating to special bonus and incentive pay authorities for
8 nuclear officers.

9 (4) Section 334(i), relating to special aviation incentive pay and bonus authorities
10 for officers.

11 (5) Section 335(k), relating to bonus and incentive pay authorities for officers in
12 health professions.

13 (6) Section 336(g), relating to contracting bonus for cadets and midshipmen
14 enrolled in the Senior Reserve Officers’ Training Corps.

15 (7) Section 351(h), relating to hazardous duty pay.

16 (8) Section 352(g), relating to assignment pay or special duty pay.

17 (9) Section 353(i), relating to skill incentive pay or proficiency bonus.

18 (10) Section 355(h), relating to retention incentives for members qualified in
19 critical military skills or assigned to high priority units.

20 (f) OTHER TITLE 37 BONUS AND SPECIAL PAY AUTHORITIES.—The following sections of
21 title 37, United States Code, are amended by striking “December 31, 2015” and inserting
22 “December 31, 2016”:

23 (1) Section 301b(a), relating to aviation officer retention bonus.

1 (2) Section 307a(g), relating to assignment incentive pay.

2 (3) Section 308(g), relating to reenlistment bonus for active members.

3 (4) Section 309(e), relating to enlistment bonus.

4 (5) Section 324(g), relating to accession bonus for new officers in critical skills.

5 (6) Section 326(g), relating to incentive bonus for conversion to military
6 occupational specialty to ease personnel shortage.

7 (7) Section 327(h), relating to incentive bonus for transfer between the Armed
8 Forces.

9 (8) Section 330(f), relating to accession bonus for officer candidates.

10 (g) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR
11 HOUSING.—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking
12 “December 31, 2015” and inserting “December 31, 2016”.

13 **SEC. 612. MODIFICATION TO SPECIAL AVIATION INCENTIVE PAY AND BONUS**
14 **AUTHORITIES FOR OFFICERS.**

15 (a) CLARIFICATION OF SECRETARIAL AUTHORITY TO SET REQUIREMENTS FOR AVIATION
16 INCENTIVE PAY ELIGIBILITY.—Subsection (a) of section 334 of title 37, United States Code, is
17 amended—

18 (1) by inserting “(1)” before “The Secretary”;

19 (2) by redesignating paragraphs (1), (2), (3), (4), and (5) as subparagraphs (A),
20 (B), (C), (D), and (E), respectively; and

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

22 “(2) The Secretary concerned may pay aviation incentive pay under this section to an
23 officer who is otherwise qualified for such pay but who is not currently engaged in the

1 performance of operational flying duty or proficiency flying duty if the Secretary determines,
2 under regulations prescribed under section 374 of this title, that payment of aviation incentive
3 pay to that officer is in the best interests of the service.”.

4 (b) RESTORATION OF AUTHORITY TO PAY AVIATION INCENTIVE PAY TO MEDICAL
5 OFFICERS PERFORMING FLIGHT SURGEON DUTIES.—Subsection (h)(1) of such section is amended
6 by striking “(except a flight surgeon or other medical officer)”.

7 (c) INCREASE IN MAXIMUM AMOUNT OF AVIATION SPECIAL PAYS.—

8 (1) MONTHLY AVIATION INCENTIVE PAY.—Subsection (c)(1)(A) of such section is
9 amended by striking “\$850” and inserting “\$1,000”.

10 (2) ANNUAL AVIATION INCENTIVE BONUS.—Subsection (c)(1)(B) of such section
11 is amended by striking “\$25,000” and inserting “\$35,000”.

12 (d) AUTHORITY TO PAY AVIATION BONUS AND SKILL INCENTIVE PAY SIMULTANEOUSLY
13 TO OFFICERS.—Subsection (f) of such section is amended—

14 (1) in paragraph (1), by striking “353” and inserting “353(a)”; and

15 (2) in paragraph (2)—

16 (A) by inserting “bonus” after “may not receive a”; and

17 (B) by striking “353” and inserting “353(b)”.

18 **SEC. 613. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NUCLEAR OFFICER**
19 **BONUS PAY.**

20 Section 333(d)(1)(A) of title 37, United States Code, is amended by striking “\$35,000”
21 and inserting “\$50,000”.

22 **Subtitle C—Other Matters**

1 **SEC. 621. REVISION TO AUTHORITIES RELATING TO MAIL SERVICE FOR**
2 **MEMBERS OF THE ARMED FORCES AND DEFENSE CIVILIANS**
3 **OVERSEAS.**

4 (a) ELIGIBILITY FOR FREE MAIL.—Subsection (a) of section 3401 of title 39, United States
5 Code, is amended to read as follows:

6 “(a) First Class letter mail correspondence shall be carried, at no cost to the sender, in the
7 manner provided by this section, when mailed by an individual who is a member of the Armed
8 Forces of the United States on active duty, as defined in section 101 of title 10, or a civilian,
9 otherwise authorized to use postal services at Armed Forces installations, who is providing
10 support to military operations, as designated by the military theater commander, and addressed to
11 a place within the delivery limits of a United States post office, if—

12 “(1) such letter mail is mailed by such individual at an Armed Forces post office
13 established in an overseas area designated by the President, where the Armed Forces of
14 the United States are deployed for a contingency operation as determined by the
15 Secretary of Defense; or

16 “(2) such individual is hospitalized as a result of disease or injury incurred as a
17 result of service in an overseas area designated by the President under paragraph (1).”.

18 (b) SURFACE SHIPMENT OF MAIL AUTHORIZED.—Subsection (b) of such section is
19 amended to read as follows:

20 “(b) There shall be transported by either surface or air, between Armed Forces post
21 offices or from an Armed Forces post office to a point of entry into the United States, the
22 following categories of mail matter which are mailed at any such Armed Forces post office:

23 “(1) Letter mail communications having the character of personal correspondence.

1 “(2) Any parcel exceeding one pound in weight but less than 70 pounds in weight
2 and less than 130 linear inches (length plus girth).

3 “(3) Publications published once each week or more frequently and featuring
4 principally current news of interest to members of the Armed Forces and the general
5 public.”.

6 (c) CLERICAL AMENDMENT.—The heading for such section, and the item relating to such
7 section in the table of sections at the beginning of chapter 34 of such title, are each amended by
8 striking the last five words.

9 **SEC. 622. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION**
10 **ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS FROM**
11 **THE VIETNAM CONFLICT.**

12 Section 481f of title 37, United States Code, is amended by striking subsection (d).

13 **SEC. 623. CLARIFICATION OF AUTHORITY FOR RECORDING OBLIGATIONS**
14 **FOR INSTALLMENT PAYMENTS OF INCENTIVE PAYS,**
15 **ALLOWANCES, AND SIMILAR BENEFITS WHEN PAYMENT IS DUE.**

16 (a) IN GENERAL.—Chapter 19 of title 37, United States Code, is amended by adding at
17 the end the following new section:

18 **“§1016. Recordation of installment payment obligations**

19 “(a) In the case of any pay, allowance, bonus, or other benefit described in subsection (b)
20 that is paid to a member of the uniformed services on an installment basis, each installment
21 payment shall be charged to appropriations that are available for obligation at the time such
22 payment is payable.

1 “(b) Subsection (a) applies to any incentive pay, special pay, or a bonus, or a similar
2 periodic payment of pay or allowances, or of educational benefits or stipends, that is paid to a
3 member of the uniformed services under this title or title 10.”.

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

“1016. Recordation of installment payment obligations.”.

6 **SEC. 624. ADDITIONAL COVERAGE UNDER HOMEOWNER ASSISTANCE**
7 **PROGRAM FOR WOUNDED MEMBERS OF THE ARMED FORCES,**
8 **DEPARTMENT OF DEFENSE AND COAST GUARD CIVILIAN**
9 **EMPLOYEES, AND THEIR SPOUSES.**

10 (a) ADDITIONAL COVERAGE.—Section 1013(a)(2) of the Demonstration Cities and
11 Metropolitan Development Act of 1966 (42 U. S. C.3374(a)(2)) is amended by inserting “or, in
12 the case of a wound, injury, or illness with delayed expression or delayed identification, was at
13 the time of the relevant diagnosis,” after “which was at the time of the relevant wound, injury, or
14 illness,”

15 (b) TAX TREATMENT.—Section 132(n) of the Internal Revenue Code of 1986 is amended
16 by striking “American Recovery and Reinvestment Tax Act of 2009” and inserting “National
17 Defense Authorization Act For Fiscal Year 2016”.

18 **TITLE VII—HEALTHCARE PROVISIONS**

19 **Subtitle A—TRICARE and Other Health Care Benefits**

20 **SEC. 701. CONSOLIDATED TRICARE HEALTH PLAN.**

21 (a) FREEDOM OF CHOICE FOR TRICARE POINTS OF SERVICE.—Chapter 55 of title 10,
22 United States Code, is amended by inserting after section 1073b the following new section:

1 **“§ 1073C. TRICARE program: freedom of choice for points of service**

2 “(a) FREEDOM OF CHOICE.—A covered beneficiary may choose to receive medical and
3 dental care and health benefits care from any of the points of service specified in subsection (b),
4 subject to availability.

5 “(b) POINTS OF SERVICE.—The points of service specified in this subsection are as
6 follows:

7 “(1) Facilities of the uniformed services.

8 “(2) Providers under the TRICARE program designated as network providers for
9 the purposes of this chapter by the Secretary of Defense.

10 “(3) Providers under the TRICARE program other than those described in
11 paragraphs (1) and (2), to be known as out-of-network providers.”.

12 (b) TRICARE COST-SHARING REQUIREMENTS.—Such chapter is further amended by
13 inserting after section 1074n the following new section:

14 **“§ 1075. TRICARE program: cost-sharing requirements**

15 “(a) IN GENERAL.—This section establishes cost-sharing requirements for beneficiaries
16 under the TRICARE program.

17 “(b) BENEFICIARIES FOR COST-SHARING PURPOSES.—

18 “(1) BENEFICIARY CATEGORIES.—The beneficiary categories for purposes of cost-
19 sharing requirements under the TRICARE program are as follows:

20 “(A) CATEGORY 1: ACTIVE-DUTY MEMBERS.—Category 1 consists of
21 beneficiaries who are covered by section 1074(a) of this title.

22 “(B) CATEGORY 2: DEPENDENTS OF ACTIVE-DUTY MEMBERS.—Category 2
23 consists of beneficiaries who are covered by section 1079 of this title.

1 “(C) CATEGORY 3: DISABILITY RETIREES & FAMILY MEMBERS; FAMILY
2 MEMBERS OF PERSONS DYING ON ACTIVE DUTY.—Category 3 consists of
3 beneficiaries (other than Category 5 beneficiaries) who are—

4 “(i) covered by section 1086(c)(1) of this title by reason of being
5 retired under chapter 61 of this title or being a dependent of such a
6 member; or

7 “(ii) covered by section 1086(c)(2) of this title.

8 “(D) CATEGORY 4: OTHER RETIREES & FAMILY MEMBERS.—Category 4
9 consists of beneficiaries covered by section 1086(c) of this title other than
10 Category 3 beneficiaries and Category 5 beneficiaries.

11 “(E) CATEGORY 5: MEDICARE-ELIGIBLE BENEFICIARIES.—Category 5
12 consists of beneficiaries who are described in section 1086(d)(2) of this title.

13 “(F) CATEGORY 6: MEMBERS OF THE SELECTED RESERVE.—Category 6
14 consists beneficiaries covered by section 1076d of this title.

15 “(2) COST-SHARING GROUPS.—The cost-sharing groups for purposes of cost-
16 sharing requirements under the TRICARE program are as follows:

17 “(A) GROUP A: JUNIOR ENLISTED BENEFICIARIES.—A beneficiary is a
18 Group A beneficiary if the beneficiary is—

19 “(i) a Category 2 beneficiary who is a dependent of a member in
20 pay grade E-1 through E-4;

21 “(ii) a Category 6 beneficiary who is a member of the Selected
22 Reserve of the Ready Reserve in pay grade E-1 through E-4 or dependent
23 of such a member;

1 “(iii) a Category 3 beneficiary who retired under chapter 61 of this
2 title in pay grade E-1 through E-4 or who is a dependent of such a
3 member; or

4 “(iv) a Category 3 beneficiary who is covered by section
5 1086(c)(2) of this title by reason of being a dependent of a member who
6 was in pay grade E-1 through E-4 at the time of death.

7 “(B) GROUP B: SENIOR ENLISTED BENEFICIARIES; WARRANT OFFICERS;
8 JUNIOR OFFICERS.—A beneficiary is a Group B beneficiary if the beneficiary is—

9 “(i) a Category 2 beneficiary who is a dependent of a member in
10 pay grade E-5 through O-3;

11 “(ii) a Category 6 beneficiary who is a member of the Selected
12 Reserve of the Ready Reserve in pay grade E-5 through O-3 or dependent
13 of such a member;

14 “(iii) a Category 3 beneficiary who retired under chapter 61 of this
15 title in pay grade E-5 through O-3 or who is a dependent of such a
16 member; or

17 “(iv) a Category 3 beneficiary who is covered by section
18 1086(c)(2) of this title by reason of being a dependent of a member who
19 was in pay grade E-5 through O-3 at the time of death.

20 “(C) GROUP C: MID-LEVEL AND SENIOR OFFICERS.—A beneficiary is a
21 Group C beneficiary if the beneficiary is—

22 “(i) a Category 2 beneficiary who is a dependent of a member in
23 pay grade O-4 or above;

1 “(ii) a Category 6 beneficiary who is a member of the Selected
2 Reserve of the Ready Reserve in pay grade O-4 or above or dependent of
3 such a member;

4 “(iii) a Category 3 beneficiary who retired under chapter 61 of this
5 title in pay grade O-4 or above or who is a dependent of such a member;
6 or

7 “(iv) a Category 3 beneficiary who is covered by section
8 1086(c)(2) of this title by reason of being a dependent of a member who
9 was in pay grade O-4 or above at the time of death.

10 “(D) GROUP D: OTHER RETIREES & FAMILY MEMBERS; MEDICARE-
11 ELIGIBLE BENEFICIARIES FOR CARE COVERED BY THE TRICARE PROGRAM.—A
12 beneficiary is a Group D beneficiary if the beneficiary is—

13 “(1) a Category 4 beneficiary; or

14 “(2) a Category 5 beneficiary with respect to care not covered by
15 section 1086(d)(3).

16 “(3) PRIMARY CARE MANAGER PROGRAM ENROLLMENT STATUS.—The Primary
17 Care Manager Program enrollment status for purposes of cost-sharing requirements under
18 the TRICARE program are as follows:

19 “(A) PCM-MANAGED.—A beneficiary is a PCM-Managed beneficiary if
20 the beneficiary is enrolled in the Primary Care Manager Program established in
21 accordance with subsection (c).

1 “(B) SELF-MANAGED.—A beneficiary is a Self-Managed beneficiary if the
2 beneficiary is not enrolled in the Primary Care Manager Program and is not a
3 remote area dependent.

4 “(4) REMOTE AREA DEPENDENTS.—A beneficiary is a remote area dependent if the
5 beneficiary is—

6 “(A) a dependent of a member of the uniformed services referred to in
7 section 1074(c)(3) of this title and is residing with the member;

8 “(B) a dependent of a member who, after having served in a duty
9 assignment described in section 1074(c)(3) of this title, has relocated without the
10 dependent pursuant to orders for a permanent change of duty station from a
11 remote location described in subparagraph (B)(ii) of such section where the
12 member and the dependent resided together while the member served in such
13 assignment, if the orders do not authorize dependents to accompany the member
14 to the new duty station at the expense of the United States and the dependent
15 continues to reside at the same remote location;

16 “(C) a dependent of a reserve component member ordered to active duty
17 for a period of more than 30 days and is residing with the member, and the
18 residence is located more than 50 miles, or approximately one hour of driving
19 time, from the nearest military medical treatment facility adequate to provide the
20 needed care; or

21 “(D) a dependent other than one described in subparagraphs (A) through
22 (C) if the Secretary of Defense determines that exceptional circumstances warrant
23 designation for this purpose.

1 “(c) PRIMARY CARE MANAGER PROGRAM.—

2 “(1) IN GENERAL.—The Secretary of Defense may establish a program, to be
3 known as the Primary Care Manager Program, to provide reduced cost-sharing amounts
4 for enrolled beneficiaries whose care is provided by or managed by a designated primary
5 care manager.

6 “(2) ELIGIBILITY.—A Category 2 beneficiary who is not a remote area dependent
7 is eligible to enroll in the Primary Care Manager Program.

8 “(3) REFERRAL REQUIRED.—A PCM-Managed beneficiary shall, subject to such
9 rules and regulations as the Secretary of Defense shall establish, be required to obtain
10 care or a referral for care from a designated primary care manager prior to obtaining care
11 under the TRICARE program.

12 “(4) POINT OF SERVICE CHARGE.— If a PCM-Managed beneficiary obtains care
13 without a referral as required under paragraph (3), the cost-sharing requirement for such
14 care shall be equal to the amount that is 50% of the allowed charge for such care.

15 “(d) INAPPLICABILITY OF COST-SHARING REQUIREMENTS TO CERTAIN CATEGORIES OF
16 BENEFICIARIES AND TYPES OF CARE.—

17 “(1) CATEGORY 1 BENEFICIARIES (ACTIVE DUTY MEMBERS).—There are no cost-
18 sharing requirements under this section for Category 1 beneficiaries.

19 “(2) CATEGORY 5 BENEFICIARIES (MEDICARE-ELIGIBLE BENEFICIARIES).—Cost
20 sharing under this section does not apply to a Category 5 beneficiary for care covered by
21 section 1086(d)(3) of this title, except that the catastrophic cap under subsection (h)(3)
22 does apply to such care.

1 “(3) PCM-MANAGED BENEFICIARIES AND REMOTE AREA DEPENDENTS.—(A)

2 Except as provided in subparagraph (B) and subsection (c)(4), there are no out-patient
3 cost-sharing requirements under subsection (i) or in-patient cost-sharing requirements
4 under subsection (j) for PCM-Managed beneficiaries and remote area dependents.

5 “(B) For non-emergency care provided by an emergency department to PCM-
6 Managed beneficiaries and remote area dependents, the cost-sharing requirements
7 applicable to Self-Managed beneficiaries under subsection (i) apply.

8 “(4) EXTENDED HEALTH-CARE SERVICES.—Cost sharing under this section does
9 not apply to extended health care services under section 1079(d) and (e) of this title.

10 “(5) OTHER PROGRAMS.—This section does not apply to premiums established
11 under this chapter under sections other than 1079 and 1086. For a program under this
12 chapter for which such a premium applies, the enrollment fee under subsection (f) does
13 not apply.

14 “(e) SPECIAL RULES.—

15 “(1) PHARMACY BENEFITS PROGRAM.—Required copayments for services under
16 the Pharmacy Benefits Program are set forth in section 1074g of this title. The enrollment
17 fee, deductible, and catastrophic cap under this section apply to the Pharmacy Benefits
18 Program under that section.

19 “(2) CALENDAR YEAR ENROLLMENT PERIOD.—Enrollment fees, deductible
20 amounts, and catastrophic caps under this section are on a calendar-year basis.

21 “(3) CREDITING OF AMOUNTS RECEIVED.—Amounts received under this section for care
22 provided by a facility of the uniformed services shall be deposited to the credit of the
23 appropriation supporting the maintenance and operation of that facility.

1 “(f) ANNUAL ENROLLMENT FEE FOR CATEGORY 4 BENEFICIARIES (OTHER RETIREES AND
2 FAMILY MEMBERS).—

3 “(1) REQUIREMENT.—As a condition of eligibility for the TRICARE program in
4 any year (including care in facilities of the uniformed services and pharmacy benefits
5 under section 1074g of this title), a Category 4 beneficiary shall pay an enrollment fee for
6 that year.

7 “(2) AMOUNT.—The amount of such fee for any year is the baseline amount as
8 adjusted under subsection (k). The baseline amount is the amount that would have been
9 charged for enrollment in TRICARE Prime during fiscal year 2016 under section 1097 of
10 this title on the day before the effective date of this section.

11 “(g) ANNUAL DEDUCTIBLE.—

12 “(1) REQUIREMENT.—For a Group A, B, C, and D beneficiaries, the cost-sharing
13 requirements applicable under this section include an annual deductible of the charges for
14 outpatient care received under the TRICARE program during a year.

15 “(2) AMOUNT.—The annual deductible described in paragraph (1) is the
16 following:

17 “(A) GROUP A.—For a Group A beneficiary, the first \$150 (or \$300 for a
18 family group of two or more persons) each year of the charges for outpatient care
19 provided by out-of-network providers..

20 “(B) GROUP B.—For a Group B beneficiary, the first \$300 (or \$600 for a
21 family group of two or more persons) each year for outpatient care provided by
22 out-of-network providers.

1 “(C) GROUP C.—For a Group C beneficiary, the first \$300 (or \$600 for a
2 family group of two or more persons) each year for outpatient care provided by
3 out-of-network providers.

4 “(D) GROUP D.—For a Group D beneficiary, the first \$300 (or \$600 for a
5 family group of two or more persons) each year for outpatient care provided by
6 out-of-network providers.

7 “(h) CATASTROPHIC CAP.—

8 “(1) REQUIREMENT.—The total amount of cost sharing required to be paid by a
9 beneficiary under the TRICARE program for a year is limited to a maximum amount,
10 referred to as a catastrophic cap.

11 “(2) EXCLUSIONS.—The following shall not be counted toward the catastrophic
12 cap:

13 “(A) An enrollment fee paid under subsection (f).

14 “(B) A point-of-service charge under subsection (c)(2).

15 “(3) AMOUNT.—The catastrophic cap has been reached for a beneficiary during a
16 year if the total amount of cost sharing requirements (other than amounts excluded under
17 paragraph (2)) incurred under the TRICARE program by all beneficiaries in the
18 beneficiary’s family group during that year is the following:

19 “(A) For a Category 2, 3 or 6 beneficiary, \$1,500 for health care provided
20 by network providers or \$2,500 for all health care.

21 “(B) For Category 4 or 5 beneficiary, \$3,000 for health care provided by
22 military treatment facilities and network providers or \$5,000 for all health care.

23 “(i) OUTPATIENT COST SHARING.—

1 “(1) IN GENERAL.—A Group A, B, C, or D beneficiary shall be subject to cost-
 2 sharing for outpatient care in accordance with the amounts and percentages under the
 3 following table, as such amounts are adjusted under subsection (k):

Services	TRICARE Network and Facilities of the Uniformed Services (FUS)				Out-of-Network	
	Group A/ Group B/Group C		Group D		Group A, B, and C	Group D
	PCM MANAGED ^c /REMOTE AREA DEPENDENT	SELF-MANAGED				
Clinical preventive services ^a	\$0	\$0	\$0	\$0	\$0	\$0
Primary care visit	\$0/0/0 FUS \$0/0/0 network referral	\$0/0/0 FUS \$10/15/20 network	\$10 FUS \$20 network	FUS network	20% ^b	25% ^b
Specialty care visit (including PT, OT, speech)	\$0/0/0 FUS or network BH group visit \$0/0/0 network referral	\$0/0/0 FUS \$20/25/30 network	\$20 FUS or network BH group visit \$30 network	FUS or BH group network	20% ^b	25% ^b
Urgent care center	\$0/0/0 FUS visit \$0/0/0 network referral	\$0/0/0 FUS \$25/40/50 network	\$30 FUS \$50 network	FUS network	20% ^b	25% ^b
Emergency department – emergency care	\$0/0/0 FUS visit \$0/0/0 network	\$0/0/0 FUS \$30/50/70 network	\$50 FUS \$75 network	FUS network	20% ^b	25% ^b
Emergency department –non emergency care	\$30/50/70 FUS for misuse \$30/50/70 network fee for misuse	\$30/50/70 FUS fee for misuse \$30/50/70 network	\$50 FUS \$75 network	FUS network	20% ^b	25% ^b
Ambulance regardless of destination (FUS or network)	\$0/0/0 trip	\$10/15/20 trip	\$20 trip	trip	20% ^b	25% ^b
DME, prosthetics, orthotics, & supplies	\$0/0/0 FUS \$0/0/0 network referral	10% of negotiated network fee	20% of FUS cost or network negotiated fee	FUS network	20% ^b	25% ^b
Ambulatory surgery	\$0/0/0 FUS \$0/0/0 network referral	\$0/0/0 FUS \$25/50/75 network	\$50 FUS \$100 network	FUS network	20% ^b	25% ^b

a. No cost for clinical preventive services as determined by the Secretary consistent with criteria applicable under the Patient Protection and Affordable Care Act (Public Law 111–148), as amended.

b. Percentage of TRICARE maximum allowable charge after deductible is met.

c. If a PCM managed beneficiary obtains care without a referral, Point of Service charges will apply: 50% of the allowed charge after deductible is met.

Note: PT – physical therapy; OT – occupational therapy; BH – behavioral health; DME – durable medical equipment.

1 “(2) APPLICABILITY OF DEDUCTIBLE.—The cost sharing amounts specified in the
2 table under paragraph (1) shall apply only after any applicable deductible under
3 subsection (g) has been met.

4 “(3) EMERGENCY ROOM MISUSE.—For purposes of the table under paragraph (1),
5 the Secretary of Defense shall develop guidance for determining emergency room care is
6 clearly inappropriate under the TRICARE program. The Secretary will establish
7 procedures to provide information to beneficiaries about the appropriate sites for such
8 health conditions and services. The Secretary will ensure the availability of, and wide
9 dissemination of information concerning, means (such as a nurse advice line and other
10 methods) for beneficiaries with uncertainty about the appropriate site for care in specific
11 cases to obtain guidance. In any case in which a beneficiary has a reasonable belief,
12 taking into account the beneficiary’s (or in the case of a minor, the parent or guardian’s)
13 level of maturity and understanding, that the circumstances presented a medical
14 emergency, the care provided will not be considered emergency room misuse.

15 “(j) INPATIENT COST-SHARING.—A Group A, B, C, or D beneficiary shall be subject to
16 cost sharing for inpatient care in accordance with the amounts and percentages under the
17 following table, as such amounts are adjusted under subsection (k):

TRICARE Network and Facility of the Uniformed Services (FUS)			Out-of-Network			
Services	Group A/ Group B/Group C		Group D	Group A/Group B/Group C		Group D
	PCM MANAGED/ REMOTE AREA DEPENDENTS	Self-Managed				
Hospitalization	\$0 FUS \$0 network referred	\$0 FUS per day \$50/80/110/day network	\$17.35 FUS per day \$200 network per admission	20% ^a	25% ^a	
Inpatient skilled nursing / rehabilitation ^b	\$0 network referred	\$17/25/35 network per day	\$25 day	\$25/35/45 day	\$250 per day or 20% ^a of billed charges for institutional services, whichever is less, <u>plus</u> 20% for separately billed services	

a. percentage of TRICARE maximum allowable charge after deductible is met

b. Inpatient skilled nursing / rehabilitation is generally not offered in MTFs for anyone other than service members.

1 “(k) ANNUAL ADJUSTMENT TO CERTAIN COST-SHARING AMOUNTS.—

2 “(1) ADJUSTMENT.—For any year after 2017, the dollar amounts specified in
3 paragraph (2) shall be equal to such dollar amounts increased by the percentage by which
4 retired pay has been increased under section 1401a(b)(2) of this title since 2017, rounded
5 to the next lower multiple of \$1.

6 “(2) AMOUNTS SUBJECT TO ADJUSTMENT.—Paragraph (1) applies to the following:

7 “(A) The amount of the enrollment fee in effect under subsection (f).

8 “(B) Each deductible amount in effect under subsection (g).

9 “(C) Each catastrophic cap amount in effect under subsection (h).

10 “(D) Each amount in effect under subsection (i) for outpatient care.

11 “(E) Each amount in effect under subsection (j) for inpatient care.

12 “(l) REGULATIONS.—

1 “(1) IN GENERAL.—The Secretary of Defense, after consultation with the other
2 administering Secretaries, shall prescribe regulations to carry out this section.

3 “(2) MATTERS TO BE INCLUDED.—The regulations prescribed under paragraph (1)
4 shall include the following:

5 “(A) Provisions to ensure, to the extent practicable, the availability of
6 network providers to at least 85 percent of beneficiaries for whom the TRICARE
7 program provides primary health benefits.

8 “(B) Provisions for an annual open season enrollment period and for
9 enrollment modifications under appropriate circumstances.

10 “(C) Priorities for access to care in facilities of the uniformed services and
11 other standards to ensure timely access to care.

12 “(3) ADDITIONAL MATTERS.—Those regulations may provide for TRICARE
13 eligibility and alternate cost sharing for beneficiaries other than Category 1 beneficiaries
14 who have other health insurance that provides primary health benefits.

15 “(4) AUTHORITY FOR ADDITIONAL PROVISIONS FOR EFFECTIVE AND EFFICIENT
16 ADMINISTRATION.—Those regulations may include such other provisions as the Secretary
17 determines appropriate for the effective and efficient administration of the TRICARE
18 program, including any matter not specifically addressed in this chapter or any other law.

19 “(m) DEFINITIONS.—In this section:

20 “(1) The term ‘network provider’ means a health care provider referred to in
21 section 1073c(b)(2) of this title.

22 “(2) The term ‘out-of-network provider’ means a health care provider referred to
23 in section 1073c(b)(3) of this title.”.

1 (c) TRANSITION RULES FOR LAST QUARTER OF CALENDAR YEAR 2016.—With respect to
2 cost sharing requirements applicable under sections 1079, 1086, or 1097 of title 10, United States
3 Code, to a covered beneficiary under such sections during the period October 1, 2016, through
4 December 31, 2016:

5 (1) Any enrollment fee shall be one-fourth of the amount in effect during fiscal
6 year 2016.

7 (2) Any deductible amount applicable during fiscal year 2016 shall apply for the
8 15-month period of October 1, 2015, through December 31, 2016.

9 (3) Any catastrophic cap applicable during fiscal year 2016 shall apply for the 15-
10 month period of October 1, 2015, through December 31, 2016.

11 (d) REPEAL OF SUPERSEDED AUTHORITIES.—The following provisions of law are
12 repealed:

13 (1) Section 1078 of title 10, United States Code.

14 (2) Section 1097a of title 10, United States Code.

15 (3) Section 1099 of title 10, United States Code.

16 (4) Section 731 of the National Defense Authorization Act for Fiscal Year 1994
17 (Public Law 103-160; 10 U.S.C. 1073 note).

18 (e) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United
19 States Code is amended as follows:

20 (1) Section 1072 is amended by striking paragraph (7) and inserting the following:

21 “(7) The term ‘TRICARE program’ means the various programs carried out by
22 the Secretary of Defense under this chapter and any other provision of law providing for

1 the furnishing of medical and dental care and health benefits to members and former
2 members of the uniformed services and their dependents.”.

3 (2) Section 1074(c)(2) is amended by striking “the managed care option of the
4 TRICARE program known as TRICARE Prime” and inserting “the TRICARE program”.

5 (3) Section 1076d is amended—

6 (A) by striking “TRICARE Standard” each place it appears (including in
7 the heading of such section) and inserting “TRICARE Reserve Select”, and

8 (B) in clause (f)(2)(B), by striking “subject to the same rates and
9 conditions as apply to persons covered under that section” and substituting
10 “subject to the same scope of benefits as apply to persons covered under that
11 section and cost sharing requirements as provided in section 1075 of this title”.

12 (4) Section 1076e is amended by striking “TRICARE Standard” each place it
13 appears (including in the heading of such section) and inserting “TRICARE Retired
14 Reserve”.

15 (5) Section 1076e is further amended by striking “TRICARE Retired Reserve
16 Coverage at age 60” (as inserted by paragraph (4)) and inserting “TRICARE coverage at
17 age 60”.

18 (6) Section 1079 is amended—

19 (A) in subsection (b), by striking “of the following amounts:” and all that
20 follows and inserting “of amounts as provided under section 1075 of this title.”;
21 and

22 (B) by striking subsections (c), (g), and (p).

23 (7) Section 1079a is amended—

1 (A) by striking “**CHAMPUS**” in the heading and inserting “**TRICARE**
2 **program**”; and

3 (B) by striking “the Civilian Health and Medical Program of the
4 Uniformed Services” and inserting “the TRICARE program”.

5 (8) Section 1086(b) is amended by striking “contain the following” and all that
6 follows and inserting “include provisions for payment by the patient as provided under
7 section 1075 of this title.”.

8 (9) Section 1097(e) is amended to read as follows:

9 “(e) **CHARGES FOR HEALTH CARE.**—Section 1075 of this title applies to health care
10 services under this section.”.

11 (f) **OTHER CONFORMING AMENDMENTS.**—

12 (1) Section 721 of the National Defense Authorization Act for Fiscal Year 1997
13 (Public Law 104-201; 10 U.S.C. 1073 note) is amended—

14 (A) in paragraph (7), by striking “the health plan known as the ‘TRICARE
15 PRIME’ option under”; and

16 (B) in paragraph (9), by striking all that follows “The term ‘TRICARE
17 program’” and inserting “has the meaning given that term in section 1072(7) of
18 title 10, United States Code.”.

19 (2) Section 723(a) of such Act (Public Law 104-201; 10 U.S.C. 1073 note) is
20 amended by striking “section 731 of the National Defense Authorization Act for Fiscal
21 Year 1994 (Public Law 103-160; 10 U.S.C. 1073 note)” and inserting “section 1075 of
22 title 10, United States Code”.

1 (3) Section 706 of the National Defense Authorization Act for Fiscal Year 2000
2 (Public Law 106-65; 113 Stat. 684) is amended—

3 (A) in subsection (c), by striking “Prime Remote”; and

4 (B) in subsection (d), by striking “the TRICARE Standard plan” and
5 inserting “the TRICARE program”.

6 (g) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 55 of
7 title 10, United States Code, is amended—

8 (1) by inserting after the item relating to section 1073b the following new item:
“1073c. TRICARE program: freedom of choice for points of service.”;

9 (2) by inserting after the item relating to section 1074n the following new item:
“1075. TRICARE program: cost-sharing requirements.”;

10 (3) in the item relating to section 1076d, by striking “TRICARE Standard” and
11 inserting “TRICARE Reserve Select”;

12 (4) in the item relating to section 1076e, by striking “TRICARE Standard” and
13 inserting “TRICARE Retired Reserve”;

14 (5) in the item relating to section 1079a, by striking “CHAMPUS” and inserting
15 “TRICARE program”; and

16 (6) by striking the items relating to sections 1078, 1097a, and 1099.

17 (h) EFFECTIVE DATES.—

18 (1) IN GENERAL.—Except as provided in paragraph (2), this section and the
19 amendments made by the section shall take effect on January 1, 2017.

20 (2) TRANSITION RULES.—Subsection (c) shall take effect on October 1, 2016.

21 **SEC. 702. REVISIONS TO COST-SHARING REQUIREMENTS FOR TRICARE FOR**
22 **LIFE AND THE PHARMACY BENEFITS PROGRAM.**

1 (a) TRICARE FOR LIFE ENROLLMENT FEE.—

2 (1) ANNUAL ENROLLMENT FEE FOR CERTAIN BENEFICIARIES.—Section 1086(d)(3)
3 of title 10, United States Code, is amended—

4 (A) by redesignating subparagraph (C) as subparagraph (D); and

5 (B) by inserting after subparagraph (B) the following new subparagraph

6 (C):

7 “(C)(i) A person described in paragraph (2) (except as provided in clauses (vi) and (vii))
8 shall be required to pay an annual enrollment fee as a condition of eligibility for health care
9 benefits under this section. Such enrollment fee shall be an amount (rounded to the nearest
10 dollar) equal to the applicable percentage (specified in clause (ii)) of the annual retired pay of the
11 member or former member upon whom the covered beneficiary’s eligibility is based, except that
12 the amount of such enrollment fee shall not be in excess of the applicable maximum enrollment
13 fee (specified in clause (iii)). In the case of enrollment for a period less than a full calendar year,
14 the enrollment fee shall be a pro-rated amount of the full-year enrollment fee.

15 “(ii) The applicable percentage of retired pay shall be determined in accordance with the
16 following table:

For:	The applicable percentage for a family group of two or more persons is:	The applicable percentage for an individual is:
2016	0.50%	0.25%
2017	1.00%	0.50%
2018	1.50%	0.75%
2019 and after	2.00%	1.00%

17 “(iii) For any year 2016 through 2019, the applicable maximum enrollment fee for a
18 family group of two or more persons shall be determined in accordance with the following table:

For:	The applicable maximum	The applicable maximum
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	enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O-7 or above is:	enrollment fee for a family group whose eligibility is based upon a member or former member of retired grade O-6 or below is:
2016	\$200	\$150
2017	\$400	\$300
2018	\$600	\$450
2019	\$800	\$600

1 “(iv) For any year after 2019, the applicable maximum enrollment fee shall be equal to
2 the maximum enrollment fee for the previous year increased by the percentage by which retired
3 pay is increased under section 1401a(b)(2) of this title for such year.

4 “(v) The applicable maximum enrollment fee for an individual shall be one-half the
5 corresponding maximum fee for a family group of two or more persons (as determined under
6 clauses (iii) and (iv)).

7 “(vi) Clause (i) does not apply to—

8 “(I) a dependent of a member of the uniformed services who dies while on active
9 duty;

10 “(II) a member retired under chapter 61 of this title; or

11 “(III) a dependent of such a member.

12 “(vii) Clause (i) does not apply to a person who, before January 1, 2016, met the
13 conditions described in paragraphs (2)(A) and (B).”.

14 (2) EFFECTIVE DATE.—Subparagraph (C) of section 1086(d)(3) of title 10, United
15 States Code, as added by paragraph (1), shall take effect on January 1, 2016.

16 (b) TRICARE PHARMACY PROGRAM COST-SHARING AMOUNTS.—Paragraph (6) of
17 section 1074g(a) of such title is amended to read as follows:

1 “(6)(A) In the case of any of the calendar years 2016 through 2024 the cost sharing
 2 referred to in paragraph (5) shall be payment by an eligible covered beneficiary of amounts
 3 determined in accordance with the following table:

For:	The cost sharing amount for 30-day supply of a retail generic is:	The cost sharing amount for 30-day supply of a retail formulary is:	The cost sharing amount for a 90-day supply of a mail order generic is:	The cost sharing amount for a 90-day supply of a mail order formulary is:	The cost amount for a 90-day supply of a mail order non-formulary is:
2016	\$8	\$28	\$0	\$28	\$54
2017	\$8	\$30	\$0	\$30	\$58
2018	\$8	\$32	\$0	\$32	\$62
2019	\$9	\$34	\$9	\$34	\$66
2020	\$10	\$36	\$10	\$36	\$70
2021	\$11	\$38	\$11	\$38	\$75
2022	\$12	\$40	\$12	\$40	\$80
2023	\$13	\$43	\$13	\$43	\$85
2024	\$14	\$45	\$14	\$45	\$90

4 “(B) For any year after 2024, the cost sharing referred to in paragraph (5) shall be
 5 payment by an eligible covered beneficiary of amounts equal to the cost-sharing amounts for the
 6 previous year, adjusted by an amount, if any, as determined by the Secretary to reflect changes in
 7 the costs of pharmaceutical agents and prescription dispensing, rounded to the nearest dollar.

8 “(C) Notwithstanding subparagraphs (A) and (B), the cost-sharing amounts referred to in
 9 paragraph (5) for any year after 2015 shall be the cost-sharing amounts, if any, under this section
 10 as of January 1, 2015, in the case of—

11 “(i) a dependent of a member of the uniformed services who dies while on active
 12 duty;

13 “(ii) a member retired under chapter 61 of this title; or

14 “(iii) a dependent of such a member.”.

1 (c) AUTHORITY TO ADJUST PAYMENTS INTO THE MEDICARE-ELIGIBLE RETIREE HEALTH
2 CARE FUND.—Section 1116 of such title is amended—

3 (1) in subsection (a)(1), by striking “subsection (c), which” and inserting
4 “subsection (c)(1), which (together with any amount paid into the Fund under subsection
5 (c)(4))”; and

6 (2) in subsection (c)—

7 (A) by striking “The Secretary” and inserting “(1) Except as provided in
8 paragraph (2), the Secretary”; and

9 (B) by adding at the end the following new paragraphs:

10 “(2) If for any fiscal year the Secretary of Defense determines at the beginning of that
11 fiscal year that the amount that would otherwise be required to be certified under paragraph (1)
12 for that fiscal year would not be accurate if there were to be enacted during the current session of
13 Congress a significant change in law requested in the Budget of the President for that fiscal year
14 that upon enactment would reduce the amount otherwise required to be certified under paragraph
15 (1) for that fiscal year, the Secretary may certify to the Secretary of the Treasury under paragraph
16 (1) a reduced amount for that fiscal year taking into consideration the amount of the reduction
17 for that fiscal year that would occur upon enactment of such change in law.

18 “(3) Not later than 120 days after the beginning of a fiscal year for which a certification
19 under paragraph (1) is submitted pursuant to paragraph (2), the Secretary of Defense—

20 “(A) shall notify the Secretary of the Treasury whether since the beginning of the
21 fiscal year a significant change in law has been enacted which if in effect at the beginning
22 of the fiscal year would have resulted in a revised amount certified under paragraph (1)
23 without regard to paragraph (2); and

1 **SEC. 801. PROGRAM FRAUD CIVIL REMEDIES STATUTE FOR THE**
2 **DEPARTMENT OF DEFENSE AND THE NATIONAL AERONAUTICS**
3 **AND SPACE ADMINISTRATION.**

4 (a) PURPOSE.—The purpose of this section is to provide the Secretary of Defense and the
5 Administrator of the National Aeronautics and Space Administration with an effective
6 administrative remedy to obtain recompense for the Department of Defense and the National
7 Aeronautics and Space Administration for losses resulting from the submission to the
8 Department or the Administration, respectively, of false, fictitious, or fraudulent claims and
9 statements.

10 (b) PROGRAM FRAUD CIVIL REMEDIES.—

11 (1) IN GENERAL.—Chapter IV of subtitle A of title 10, United States Code, is
12 amended by inserting after chapter 163 the following new chapter:

13 **“CHAPTER 164—ADMINISTRATIVE REMEDIES FOR FALSE CLAIMS AND**
14 **STATEMENTS**

- “Sec.
- “2751. Applicability of chapter; definitions.
- “2752. False claims and statements; liability.
- “2753. Hearing and determinations.
- “2754. Payment; interest on late payments.
- “2755. Judicial review.
- “2756. Collection of civil penalties and assessments.
- “2757. Right to administrative offset.
- “2758. Limitations.
- “2759. Effect on other laws.

15 **”§ 2751. Applicability of chapter; definitions**

16 “(a) APPLICABILITY OF CHAPTER.—This chapter applies to the following agencies:

17 “(1) The Department of Defense.

18 “(2) The National Aeronautics and Space Administration.

19 “(b) DEFINITIONS.—In this chapter:

1 “(1) HEAD OF AN AGENCY.—The term ‘head of an agency’ means the Secretary of
2 Defense and the Administrator of the National Aeronautics and Space Administration.

3 “(2) CLAIM.—The term ‘claim’ means any request, demand, or submission—

4 “(A) made to the head of an agency for property, services, or money
5 (including money representing grants, loans, insurance, or benefits);

6 “(B) made to a recipient of property, services, or money received directly
7 or indirectly from the head of an agency or to a party to a contract with the head
8 of an agency —

9 “(i) for property or services if the United States—

10 “(I) provided such property or services;

11 “(II) provided any portion of the funds for the purchase of
12 such property or services; or

13 “(III) will reimburse such recipient or party for the
14 purchase of such property or services; or

15 “(ii) for the payment of money (including money representing
16 grants, loans, insurance, or benefits) if the United States—

17 “(I) provided any portion of the money requested or
18 demanded; or

19 “(II) will reimburse such recipient or party for any portion
20 of the money paid on such request or demand; or

21 “(C) made to the head of an agency which has the effect of decreasing an
22 obligation to pay or account for property, services, or money.

23 “(3) KNOWS OR HAS REASON TO KNOW.—The term ‘knows or has reason to know’,

1 for purposes of establishing liability under section 2752 of this title, means that a person,
2 with respect to a claim or statement—

3 “(A) has actual knowledge that the claim or statement is false, fictitious, or
4 fraudulent;

5 “(B) acts in deliberate ignorance of the truth or falsity of the claim or
6 statement; or

7 “(C) acts in reckless disregard of the truth or falsity of the claim or
8 statement, and no proof of specific intent to defraud is required.

9 “(4) RESPONSIBLE OFFICIAL.—The term ‘responsible official’ means a designated
10 debarring and suspending official of the agency named in subsection (a).

11 “(5) RESPONDENT.—The term ‘respondent’ means a person who has received
12 notice from a responsible official asserting liability under section 2752 of this title.

13 “(6) STATEMENT.—The term ‘statement’ means any representation, certification,
14 affirmation, document, record, or an accounting or bookkeeping entry made—

15 “(A) with respect to a claim or to obtain the approval or payment of a claim
16 (including relating to eligibility to make a claim); or

17 “(B) with respect to (including relating to eligibility for)—

18 “(i) a contract with, or a bid or proposal for a contract with the head
19 of an agency; or

20 “(ii) a grant, loan, or benefit from the head of an agency.

21 “(c) CLAIMS.—For purposes of paragraph (2) of subsection (b)—

22 “(1) each voucher, invoice, claim form, or other individual request or demand for
23 property, services, or money constitutes a separate claim;

1 “(2) each claim for property, services, or money is subject to this chapter regardless
2 of whether such property, services, or money is actually delivered or paid; and

3 “(3) a claim shall be considered made, presented, or submitted to the head of an
4 agency, recipient, or party when such claim is actually made to an agent, fiscal
5 intermediary, or other entity acting for or on behalf of such authority, recipient, or party.

6 “(d) STATEMENTS.—For purposes of paragraph (6) of subsection (b)—

7 “(1) each written representation, certification, or affirmation constitutes a separate
8 statement; and

9 “(2) a statement shall be considered made, presented, or submitted to the head of an
10 agency when such statement is actually made to an agent, fiscal intermediary, or other
11 entity acting for or on behalf of such authority.

12 **“§ 2752. False claims and statements; liability**

13 “(a) FALSE CLAIMS.—Any person who makes, presents, or submits, or causes to be made,
14 presented, or submitted, to the head of an agency a claim that the person knows or has reason to
15 know—

16 “(1) is false, fictitious, or fraudulent;

17 “(2) includes or is supported by any written statement which asserts a material fact
18 this is false, fictitious, or fraudulent;

19 “(3) includes or is supported by any written statement that—

20 “(A) omits a material fact;

21 “(B) is false, fictitious, or fraudulent as a result of such omission; and

22 “(C) the person making, presenting, or submitting such statement has a
23 duty to include such material fact; or

1 “(4) is for payment for the provision of property or services which the person has
2 not provided as claimed,
3 shall, in addition to any other remedy that may be prescribed by law, be subject to a civil penalty
4 of not more than \$5,000 for each such claim. Such person shall also be subject to an assessment
5 of not more than twice the amount of such claim, or the portion of such claim which is
6 determined by the responsible official to be in violation of the preceding sentence.

7 “(b) FALSE STATEMENTS.—Any person who makes, presents, submits, or causes to be
8 made, presented, or submitted, a written statement in conjunction with a procurement program or
9 acquisition of the an agency named in section 2751(a) of this title that—

10 “(1) the person knows or has reason to know—

11 “(A) asserts a material fact that is false, fictitious, or fraudulent; or

12 “(B)(i) omits a material fact; and

13 “(ii) is false, fictitious, or fraudulent as a result of such omission;

14 “(2) in the case of a statement described in subparagraph (B) of paragraph (1), is a
15 statement in which the person making, presenting, or submitting such statement has a
16 duty to include such material fact; and

17 “(3) contains or is accompanied by an express certification or affirmation of the
18 truthfulness and accuracy of the contents of the statement,

19 shall be subject to, in addition to any other remedy that may be prescribed by law, a civil
20 penalty of not more than \$5,000 for each such statement.

21 **“§ 2753. Hearing and determinations**

22 “(a) TRANSMITTAL OF NOTICE TO ATTORNEY GENERAL.—If a responsible official
23 determines that there is adequate evidence to believe that a person is liable under section 2752 of

1 this title, the responsible official shall transmit to the Attorney General, or any other officer or
2 employee of the Department of Justice designated by the Attorney General, a written notice of
3 the intention of such official to initiate an action under this section. The notice shall include the
4 following:

5 “(1) A statement of the reasons for initiating an action under this section.

6 “(2) A statement specifying the evidence which supports liability under section
7 2752 of this title.

8 “(3) A description of the claims or statements for which liability under section
9 2752 of this title is alleged.

10 “(4) An estimate of the penalties and assessments that will be demanded under
11 section 2752 of this title.

12 “(5) A statement of any exculpatory or mitigating circumstances which may
13 relate to such claims or statements.

14 “(b) STATEMENT FROM ATTORNEY GENERAL.

15 “(1) Within 90 days after receipt of a notice from a responsible official under
16 subsection (a), the Attorney General, or any other officer or employee of the Department
17 of Justice designated by the Attorney General, shall transmit a written statement to the
18 responsible official which specifies—

19 “(A) that the Attorney General, or any other officer or employee of the
20 Department of Justice designated by the Attorney General, approves or
21 disapproves initiating an action under this section based on the allegations of
22 liability stated in such notice; and

23 “(B) in any case in which the initiation of an action under this section is

1 disapproved, the reasons for such disapproval.

2 “(2) If at any time after the initiation of an action under this section the Attorney
3 General, or any other officer or employee of the Department of Justice designated by the
4 Attorney General, transmits to a responsible official a written determination that the
5 continuation of any action under this section may adversely affect any pending or
6 potential criminal or civil action, such action shall be immediately stayed and may be
7 resumed only upon written authorization from the Attorney General, or any other officer
8 or employee of the Department of Justice designated by the Attorney General.

9 “(c) LIMITATION ON AMOUNT OF CLAIM THAT MAY BE PURSUED UNDER THIS SECTION.—

10 No action shall be initiated under this section, nor shall any assessment be imposed under this
11 section, if the total amount of the claim determined by the responsible official to violate section
12 2752(a) of this title exceeds \$500,000. The \$500,000 threshold does not include penalties or any
13 assessment permitted under 2752(a) of this title greater than the amount of the claim determined
14 by the responsible official to violate such section.

15 “(d) PROCEDURES FOR RESOLVING CLAIMS.—(1) Upon receiving approval under
16 subsection (b) to initiate an action under this section, the responsible official shall mail, by
17 registered or certified mail, or other similar commercial means, or shall deliver, a notice to the
18 person alleged to be liable under section 2752 of this title. Such notice shall specify the
19 allegations of liability against such person, specify the total amount of penalties and assessments
20 sought by the United States, advise the person of the opportunity to submit facts and arguments
21 in opposition to the allegations set forth in the notice, advise the person of the opportunity to
22 submit offers of settlement or proposals of adjustment, and advise the person of the procedures
23 of the agency named in section 2751(a) of this title governing the resolution of actions initiated

1 under this section.

2 “(2) Within 30 days after receiving a notice under paragraph (1), or any additional period
3 of time granted by the responsible official, the respondent may submit in person, in writing, or
4 through a representative, facts and arguments in opposition to the allegations set forth in the
5 notice, including any additional information that raises a genuine dispute of material fact.

6 “(3) If the respondent fails to respond within 30 days, or any additional time granted by
7 the responsible official, the responsible official may issue a written decision disposing of the
8 matters raised in the notice. Such decision shall be based on the record before the responsible
9 official. If the responsible official concludes that the respondent is liable under section 2752 of
10 this title, the decision shall include the findings of fact and conclusions of law which the
11 responsible official relied upon in determining that the respondent is liable, and the amount of
12 any penalty and/or assessment to be imposed on the respondent. Any such determination shall be
13 based on a preponderance of the evidence. The responsible official shall promptly send to the
14 respondent a copy of the decision by registered or certified mail, or other similar commercial
15 means, or shall hand deliver a copy of the decision.

16 “(4) If the respondent makes a timely submission, and the responsible official determines
17 that the respondent has not raised any genuine dispute of material fact, the responsible official
18 may issue a written decision disposing of the matters raised in the notice. Such decision shall be
19 based on the record before the responsible official. If the responsible official concludes that the
20 respondent is liable under section 2752 of this title, the decision shall include the findings of fact
21 and conclusions of law which the responsible official relied upon in determining that the
22 respondent is liable, and the amount of any penalty or assessment to be imposed on the
23 respondent. Any such determination shall be based on a preponderance of the evidence. The

1 responsible official shall promptly send to the respondent a copy of the decision by registered or
2 certified mail, or other similar commercial means, or shall hand deliver a copy of the decision.

3 “(5) If the respondent makes a timely submission, and the responsible official determines
4 that the respondent has raised a genuine dispute of material fact, the responsible official shall
5 commence a hearing to resolve the genuinely disputed material facts by mailing by registered or
6 certified mail, or other similar commercial means, or by hand delivery of, a notice informing the
7 respondent of —

8 “(A) the time, place, and nature of the hearing;

9 “(B) the legal authority under which the hearing is to be held;

10 “(C) the material facts determined by the responsible official to be genuinely in
11 dispute that will be the subject of the hearing; and

12 “(D) a description of the procedures for the conduct of the hearing.

13 “(6) The responsible official and any person against whom liability is asserted under this
14 chapter may agree to a compromise or settle an action at any time. Any compromise or
15 settlement must be in writing.

16 “(e) RESPONDENT ENTITLED TO COPY OF THE RECORD.—At any time after receiving a
17 notice under paragraph (1) of subsection (d), the respondent shall be entitled to a copy of the
18 entire record before the responsible official.

19 “(f) HEARINGS.—Any hearing commenced under this section shall be conducted by the
20 responsible official, or a fact-finder designated by the responsible official, solely to resolve
21 genuinely disputed material facts identified by the responsible official and set forth in the notice
22 to the respondent.

23 “(g) PROCEDURES FOR HEARINGS.—(1) Each hearing shall be conducted under procedures

1 prescribed by the head of the agency. Such procedures shall include the following:

2 “(A) The provision of written notice of the hearing to the respondent, including
3 written notice of—

4 “(i) the time, place, and nature of the hearing;

5 “(ii) the legal authority under which the hearing is to be held;

6 “(iii) the material facts determined by the responsible official to be
7 genuinely in dispute that will be the subject of the hearing; and

8 “(iv) a description of the procedures for the conduct of the hearing.

9 “(B) The opportunity for the respondent to present facts and arguments through
10 oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-
11 examination as may be required to resolve any genuinely disputed material facts
12 identified by the responsible official.

13 “(C) The opportunity for the respondent to be accompanied, represented, and
14 advised by counsel or such other qualified representative as the Secretary may specify in
15 such regulations.

16 “(2) For the purpose of conducting hearings under this section, the responsible official is
17 authorized to administer oaths or affirmations.

18 “(3) Hearings shall be held at the responsible official’s office, or at such other place as
19 may be agreed upon by the respondent and the responsible official.

20 “(h) DECISION FOLLOWING HEARING.—The responsible official shall issue a written
21 decision within 60 days after the conclusion of the hearing. That decision shall set forth specific
22 findings of fact resolving the genuinely disputed material facts that were the subject of the
23 hearing. The written decision shall also dispose of the matters raised in the notice required under

1 paragraph (1) of subsection (d). If the responsible official concludes that the respondent is liable
2 under section 2752 of this title, the decision shall include the findings of fact and conclusions of
3 law which the responsible official relied upon in determining that the respondent is liable, and
4 the amount of any penalty or assessment to be imposed on the respondent. Any decisions issued
5 under this subparagraph shall be based on the record before the responsible official and shall be
6 supported by a preponderance of the evidence. The responsible official shall promptly send to
7 the respondent a copy of the decision by registered or certified mail, or other similar commercial
8 means, or shall hand deliver a copy of the decision.

9 **“§ 2754. Payment; interest on late payments**

10 “(a) PAYMENT OF ASSESSMENTS AND PENALTIES.—A respondent shall render payment of
11 any assessment and penalty imposed by a responsible official, or any amount otherwise agreed to
12 as part of a settlement or adjustment, not later than the date—

13 “(1) that is 30 days after the date of the receipt by the respondent of the
14 responsible official’s decision; or

15 “(2) as otherwise agreed to by the respondent and the responsible official.

16 “(b) INTEREST.—If there is an unpaid balance as of the date determined under paragraph
17 (1), interest shall accrue from that date on any unpaid balance. The rate of interest charged shall
18 be the rate in effect as of that date that is published by the Secretary of the Treasury under
19 section 3717 of title 31.

20 “(c) TREATMENT OF RECEIPTS.—All penalties, assessments, or interest paid, collected, or
21 otherwise recovered under this chapter shall be deposited into the Treasury as miscellaneous
22 receipts as provided in section 3302 of title 31.

23 **“§ 2755. Judicial review**

1 “A decision by a responsible official under section 2753(d) or 2753(h) of this title shall
2 be final. Any such final decision is subject to judicial review only under chapter 7 of title 5.

3 **“§ 2756. Collection of civil penalties and assessments**

4 “(a) JUDICIAL ENFORCEMENT OF CIVIL PENALTIES AND ASSESSMENTS.—The Attorney
5 General shall be responsible for judicial enforcement of any civil penalty or assessment imposed
6 under this chapter.

7 “(b) CIVIL ACTIONS FOR RECOVERY.—Any penalty or assessment imposed in a decision
8 by a responsible official, or amounts otherwise agreed to as part of a settlement or adjustment,
9 along with any accrued interest, may be recovered in a civil action brought by the Attorney
10 General. In any such action, no matter that was raised or that could have been raised in a
11 proceeding under this chapter or pursuant to judicial review under section 2755 of this title may
12 be raised as a defense, and the determination of liability and the determination of amounts of
13 penalties and assessments shall not be subject to review.

14 “(c) JURISDICTION OF UNITED STATES DISTRICT COURTS.—The district courts of the
15 United States shall have jurisdiction of any action commenced by the United States under
16 subsection (b).

17 “(d) JOINING AND CONSOLIDATING ACTIONS.—Any action under subsection (b) may,
18 without regard to venue requirements, be joined and consolidated with or asserted as a
19 counterclaim, cross-claim, or setoff by the United States in any other civil action which includes
20 as parties the United States, and the person against whom such action may be brought.

21 “(e) JURISDICTION OF UNITED STATES COURT OF FEDERAL CLAIMS. —The United States
22 Court of Federal Claims shall have jurisdiction of any action under subsection (b) to recover any
23 penalty or assessment, or amounts otherwise agreed to as part of a settlement or adjustment,

1 along with any accrued interest, if the cause of action is asserted by the United States as a
2 counterclaim in a matter pending in such court. The counterclaim need not relate to the subject
3 matter of the underlying claim.

4 **“§ 2757. Right to administrative offset**

5 “The amount of any penalty or assessment that has been imposed by a responsible
6 official, or any amount agreed upon in a settlement or compromise, along with any accrued
7 interest, may be collected by administrative offset.

8 **“§ 2758. Limitations**

9 “(a) LIMITATION ON PERIOD FOR INITIATION OF ADMINISTRATIVE ACTION.—An action
10 under section 2752 of this title with respect to a claim or statement shall be commenced within
11 six years after the date on which such claim or statement is made, presented, or submitted.

12 “(b) LIMITATION PERIOD FOR INITIATION OF CIVIL ACTION FOR RECOVERY OF
13 ADMINISTRATIVE PENALTY OR ASSESSMENT.—A civil action to recover a penalty or assessment
14 under section 2756 of this title shall be commenced within three years after the date of the
15 decision of the responsible official imposing the penalty or assessment.

16 **“§ 2759. Effect on other laws**

17 “(a) RELATIONSHIP TO TITLE 44 AUTHORITIES.—This chapter does not diminish the
18 responsibility of the head of an agency to comply with the provisions of chapter 35 of title 44,
19 relating to coordination of Federal information policy.

20 “(b) RELATIONSHIP TO TITLE 31 AUTHORITIES.—The procedures set forth in this chapter
21 apply to the agencies named in section 2751(a) of this title in lieu of the procedures under
22 chapter 38 of title 31, relating to administrative remedies for false claims and statements.

1 “(c) RELATIONSHIP TO OTHER AUTHORITIES.—Any action, inaction, or decision under this
2 chapter shall be based solely upon the information before the responsible official and shall not
3 limit or restrict any agency of the Government from instituting any other action arising outside
4 this chapter, including suspension or debarment, based upon the same information. Any action,
5 inaction or decision under this chapter shall not restrict the ability of the Attorney General to
6 bring judicial action, based upon the same information as long as such action is not otherwise
7 prohibited by law.”.

8 (2) CLERICAL AMENDMENT.—The tables of chapters at the beginning of subtitle
9 A, and at the beginning of part IV of subtitle A, of such title are each amended by
10 inserting after the item relating to chapter 163 the following new item:

“164. Administrative Remedies for False Claims and Statements.....2751”.

11 (c) CONFORMING AMENDMENTS.—Section 3801(a)(1) of title 31, United States Code, is
12 amended—

13 (1) by inserting “(other than the Department of Defense)” in subparagraph (A)
14 after “executive department”;

15 (2) by striking subparagraph (B);

16 (3) by redesignating subparagraph (C) as subparagraph (B) and by inserting
17 “(other than the National Aeronautics and Space Administration)” in that subparagraph
18 after “not an executive department”; and

19 (4) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (C), (D),
20 and (E), respectively.

21 (d) EFFECTIVE DATE.—Chapter 164 of title 10, United States Code, as added by
22 subsection (b), and the amendments made by subsection (c), shall apply to any claim or
23 statement made, presented, or submitted on or after the date of the enactment of this Act.

1 **SEC. 802. IMPROVEMENTS TO THE OPERATION OF THE DEFENSE**

2 **ACQUISITION WORKFORCE DEVELOPMENT FUND.**

3 (a) ELEMENTS OF THE FUND.—Subsection (d) of section 1705 of title 10, United States
4 Code, is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (A), by striking “credited to the Fund under paragraph
7 (2)” and inserting “appropriated to the Fund”;

8 (B) in subparagraph (B), by striking “paragraph (3)” and inserting
9 “paragraph (2)”; and

10 (C) by striking subparagraph (C);

11 (2) by striking paragraphs (2) and (4);

12 (3) by redesignating paragraph (3) as paragraph (2);

13 (4) in paragraph (2), as so redesignated—

14 (A) in the first sentence, by striking “24-month period” and inserting “36-
15 month period”; and

16 (B) in the second sentence, by striking “credited to the Fund” and inserting
17 “credited to amounts appropriated to the Fund for the fiscal year in which such
18 funds are transferred”; and

19 (5) by inserting after paragraph (2), as so redesignated, the following new
20 paragraph (3):

21 “(3) PRIOR NOTICE TO CONGRESSIONAL COMMITTEES OF CERTAIN TRANSFERS.—

22 The Secretary of Defense may make a transfer to the Fund pursuant to paragraph (2) that
23 increases to an amount greater than \$500,000,000 the total amount made available to the

1 Fund for a fiscal year only after the Secretary submits to the congressional defense
2 committees notice of the Secretary’s intent to make such transfer and a period of 10 days
3 has elapsed following the date of the notification.”.

4 (b) AVAILABILITY OF FUNDS.—Subsection (e) of such section is amended—

5 (1) in paragraph (1), by inserting “appropriations available to” after “for transfer
6 to”; and

7 (2) in paragraph (6)—

8 (A) by striking “credited to the Fund in accordance with subsection

9 (d)(2),”;

10 (B) by striking “subsection (d)(3),” and inserting “subsection (d)(2) or”;

11 (C) by striking “, or deposited to the Fund”; and

12 (D) by striking “for which credited” and all that follows and inserting “in
13 which transferred, or for which appropriated, and the succeeding fiscal year.”.

14 (c) ANNUAL REPORT.—Subsection (f)(1) of such section is amended by striking
15 “remitted” and all that follows through “credited” and inserting “transferred to the Fund in such
16 fiscal year or appropriated”.

17 **SEC. 803. REVISION TO EFFECTIVE DATE APPLICABLE TO PRIOR EXTENSION**
18 **OF APPLICABILITY OF THE SENIOR EXECUTIVE BENCHMARK**
19 **COMPENSATION AMOUNT FOR PURPOSES OF ALLOWABLE COST**
20 **LIMITATIONS UNDER DEFENSE CONTRACTS.**

21 (a) REPEAL OF RETROACTIVE APPLICABILITY.—Section 803(c) of the National Defense
22 Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485) is amended by
23 striking “amendments made by” and all that follows and inserting “amendments made by this

1 section shall apply with respect to costs of compensation incurred after January 1, 2012, under
2 contracts entered into on or after December 31, 2011.”.

3 (b) APPLICABILITY.—The amendment made by subsection (a) shall take effect as of
4 December 31, 2011, and shall apply as if included in the National Defense Authorization Act for
5 Fiscal Year 2012 as enacted.

6 **Subtitle B—Amendments to General Contract Authorities, Procedures, and**
7 **Limitations**

8 **SEC. 811. REVISION TO METHOD OF ROUNDING OF ACQUISITION-RELATED**
9 **DOLLAR THRESHOLDS WHEN ADJUSTING FOR INFLATION.**

10 Section 1908(e)(2) of title 41, United States Code, is amended—

11 (1) in the matter preceding subparagraph (A), by striking “on the day before
12 the adjustment” and inserting “as calculated under paragraph (1)”;

13 (2) by striking “and” at the end of subparagraph (C); and

14 (3) by striking subparagraph (D) and inserting the following:

15 “(D) not less than \$1,000,000, but less than \$10,000,000, to the
16 nearest \$500,000;

17 “(E) not less than \$10,000,000, but less than \$100,000,000, to the
18 nearest \$5,000,000;

19 “(F) not less than \$100,000,000, but less than \$1,000,000,000, to the
20 nearest \$50,000,000; and

21 “(G) \$1,000,000,000 or more, to the nearest \$500,000,000.”.

1 **SEC. 812. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES**
2 **PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY**
3 **TO AFGHANISTAN.**

4 Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public
5 Law 111-84; 123 Stat. 2399), as most recently amended by section 832 of the National Defense
6 Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 814), is further amended
7 by striking “December 31, 2015” and inserting “December 31, 2018”.

8 **SEC. 813. EXCEPTION TO REQUIREMENT TO INCLUDE COST OR PRICE TO THE**
9 **GOVERNMENT AS A FACTOR IN THE EVALUATION OF**
10 **PROPOSALS FOR CERTAIN TASK OR DELIVERY ORDER**
11 **CONTRACTS.**

12 (a) CONTRACTING UNDER TITLE 41, UNITED STATES CODE.—Section 3306(c) of title 41,
13 United States Code, is amended—

14 (1) in paragraph (1), by inserting “except as provided in paragraph (3),” in
15 subparagraphs (B) and (C) after the subparagraph designation; and

16 (2) by adding at the end the following new paragraphs:

17 “(3) EXCEPTIONS FOR CERTAIN INDEFINITE DELIVERY, INDEFINITE QUANTITY
18 CONTRACTS.—If the head of an agency issues a solicitation for multiple task or delivery
19 order contracts under section 4103(d) of this title for the same or similar services and
20 intends to make a contract award to each qualifying offeror—

21 “(A) cost or price to the Federal Government need not, at the
22 Government’s discretion, be considered under subparagraph (B) of paragraph (1)
23 as an evaluation factor for the contract award; and

1 “(B) if, pursuant to subparagraph (A), cost or price to the Federal
2 Government is not considered as an evaluation factor for the contract award—

3 “(i) the disclosure requirement of subparagraph (C) of paragraph
4 (1) shall not apply; and

5 “(ii) cost or price to the Federal Government shall be considered in
6 conjunction with the issuance pursuant to section 4106(c) of this title of a
7 task or delivery order under any contract resulting from the solicitation.

8 “(4) QUALIFYING OFFEROR DEFINED.—In paragraph (3), the term ‘qualifying
9 offeror’ means an offeror that—

10 “(A) is determined to be a responsible source;

11 “(B) submits a proposal that conforms to the requirements of the
12 solicitation; and

13 (C) the contracting officer has no reason to believe would likely offer
14 other than fair and reasonable pricing.”.

15 (b) CONTRACTING UNDER TITLE 10, UNITED STATES CODE.—Section 2305(a)(3) of title
16 10, United States Code, is amended—

17 (1) in subparagraph (A), by inserting “(except as provided in subparagraph (C))”
18 in clauses (ii) and (iii) after “shall”; and

19 (2) by adding at the end the following new subparagraphs:

20 “(C) If the head of an agency issues a solicitation for multiple task or delivery order
21 contracts under section 2304a(d)(1)(B) of this title for the same or similar services and intends to
22 make a contract award to each qualifying offeror—

23 “(i) cost or price to the Federal Government need not, at the Government’s

1 discretion, be considered under clause (ii) of subparagraph (A) as an evaluation factor for
2 the contract award; and

3 “(ii) if, pursuant to clause (i), cost or price to the Federal Government is not
4 considered as an evaluation factor for the contract award—

5 “(I) the disclosure requirement of clause (iii) of subparagraph (A) shall not
6 apply; and

7 “(II) cost or price to the Federal Government shall be considered in
8 conjunction with the issuance pursuant to section 2304c(b) of this title of a task or
9 delivery order under any contract resulting from the solicitation.

10 “(D) In subparagraph (C), the term ‘qualifying offeror’ means an offeror that—

11 “(i) is determined to be a responsible source;

12 “(ii) submits a proposal that conforms to the requirements of the solicitation; and

13 “(iii) the contracting officer has no reason to believe would likely offer other than
14 fair and reasonable pricing.”.

15 **Subtitle C—Acquisition Reform Proposals**

16 **SEC. 821. MODIFICATION TO REQUIREMENTS RELATING TO DETERMINATION** 17 **OF CONTRACT TYPE FOR MAJOR DEVELOPMENT PROGRAMS.**

18 (a) DETERMINATION OF CONTRACT TYPE.—Section 2306 of title 10, United States
19 Code, is amended by adding at the end the following new subsection:

20 “(i) REQUIRED ELEMENTS OF GUIDANCE RELATING TO CONTRACT TYPE.—(1) The
21 Secretary of Defense shall ensure that the guidance of the Department of Defense relating to
22 major defense acquisition programs and major automated information systems includes—

1 “(A) a requirement that the acquisition strategy for such a program or system
2 include identification of the contract type for development of the program or system; and

3 “(B) a justification of the contract type identified.

4 “(2) The contract type identified in accordance with paragraph (1)(A) may be—

5 “(A) a fixed-price type contract (including a fixed-price incentive contract); or

6 “(B) a cost-type contract (including a cost-plus-incentive-fee contract).

7 “(3) The guidance referred to in paragraph (1) shall require that the justification for the
8 contract type selected explain—

9 “(A) how the level of program risk relates to the contract type selected; and

10 “(B) how the use of incentives (especially cost incentives) in the contract, if any,
11 supports the objectives of the development program.

12 “(4) The guidance shall also specify that the use of contracts with target costs, target
13 profits or fees, and profit or fee adjustment formulas, during development, where applicable, is
14 ordinarily in the interest of the Government.”.

15 (b) REPEAL.—Section 818 of the John Warner National Defense Authorization Act for
16 Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 2306 note) is amended by striking subsections
17 (b), (c), (d), and (e).

18 (c) MODIFICATION OF REGULATIONS. – Not later than 120 days after the date of the
19 enactment of this Act, the Secretary of Defense shall modify the regulations of the Department of
20 Defense regarding the determination of contract type for development programs to be consistent
21 with the amendments made by this section.

22 **SEC. 822. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER**

23 **ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.**

1 (a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of section 2434 of title 10, United
2 States Code, is amended by striking “and a manpower estimate for the program have” and
3 inserting “has”.

4 (b) CONFORMING AMENDMENTS RELATING TO REGULATIONS.—Subsection (b) of such
5 section is amended—

6 (1) by striking paragraph (2);

7 (2) by striking “shall require—” and all that follows through “that the
8 independent” and inserting “shall require that the independent”;

9 (3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2),
10 respectively, and realigning those paragraphs so as to be two ems from the left margin;
11 and

12 (4) in paragraph (2), as so redesignated—

13 (A) by striking “and operations and support,” and inserting “operations
14 and support, and manpower to operate, maintain, and support the program upon
15 full operational deployment,”; and

16 (B) by striking “; and” at the end and inserting a period.

17 (c) CLERICAL AMENDMENTS.—

18 (1) SECTION HEADING.—The heading of such section is amended to read as
19 follows:

20 **“§ 2434. Independent cost estimates”.**

21 (2) TABLE OF SECTIONS.—The item relating to such section in the table of sections
22 at the beginning of chapter 144 of such title is amended to read as follows:

“2434. Independent cost estimates.”.

1 **SEC. 823. REVISION OF MILESTONE DECISION AUTHORITY RESPONSIBILITIES**
2 **FOR MAJOR DEFENSE ACQUISITION PROGRAMS.**

3 (a) REVISION.—

4 (1) IN GENERAL.—Sections 2366a and 2366b of title 10, United State Code, are
5 amended to read as follows:

6 **”§ 2366a. Major defense acquisition programs: responsibilities at Milestone A approval**

7 “(a) RESPONSIBILITIES. —Before granting Milestone A approval for a major defense
8 acquisition program or a major subprogram, the Milestone Decision Authority for the program or
9 subprogram shall ensure—

10 “(1) that information about the program or subprogram is sufficient to warrant
11 entry of the program or subprogram into the risk reduction phase; and

12 “(2) that there are sound plans for progression of the program or subprogram to
13 the development phase.

14 “(b) CONSIDERATIONS. —In carrying out subsection (a), the Milestone Decision
15 Authority shall consider to what extent the program or subprogram—

16 “(1) meets a joint military requirement;

17 “(2) responds to an anticipated or likely threat;

18 “(3) has been developed in light of a review of alternative approaches;

19 “(4) is affordable;

20 “(5) has (A) identified areas of risk and, (B) for each such identified area of risk,
21 has a plan to reduce the risk that is documented in the acquisition strategy for the
22 program or subprogram;

23 “(6) addresses planning for sustainment; and

1 “(7) meets any other considerations the Milestone Decision Authority considers
2 relevant.

3 “(c) RELATIONSHIP TO OTHER STATUTES.—In assessing the considerations in subsection
4 (b), the Milestone Decision Authority shall include consideration of the following:

5 “(1) With respect to joint military requirements, the requirements of section 181
6 of this title.

7 “(2) With respect to alternative approaches, the requirements of section 201 of the
8 Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 10 U.S.C. 2302
9 note).

10 “(3) With respect to affordability and cost estimates and analyses, the
11 requirements of section 2334 of this title.

12 “(4) With respect to risk, the requirements of—

13 “(A) section 138b of this title; and

14 “(B) section 203 of the Weapon Systems Acquisition Reform Act of 2009
15 (Public Law 111-23; 10 U.S.C. 2430 note).

16 “(5) With respect to sustainment, the requirements of section 2337 and section
17 2464 of this title.

18 “(d) NOTIFICATION. —Not later than 30 days after granting Milestone A approval for a
19 major defense acquisition program or major subprogram, the Milestone Decision Authority for
20 that program or subprogram shall submit to the congressional defense committees notice of such
21 approval in writing. The Milestone Decision Authority’s decision memorandum with respect to
22 such approval shall be available to the congressional defense committees upon request,
23 consistent with any relevant classification requirements.

1 “(e) DEFINITIONS.—In this section:

2 “(1) The term ‘major defense acquisition program’ means a Department of
3 Defense acquisition program that is a major defense acquisition program for purposes of
4 section 2430 of this title.

5 “(2) The term ‘major subprogram’ means a major subprogram of a major defense
6 acquisition program designated under section 2430a(a)(1) of this title.

7 “(3) The term ‘Milestone Decision Authority’, with respect to a major defense
8 acquisition program or a major subprogram, means the official within the Department of
9 Defense designated with the overall responsibility and authority for acquisitions decisions
10 for the program or subprogram, including authority to approve entry of the program or
11 subprogram into the next phase of the acquisition process.

12 “(4) The term ‘Milestone A approval’ means a decision to enter into a risk
13 reduction phase pursuant to guidance prescribed by the Secretary of Defense for the
14 management of Department of Defense acquisition programs.

15 “(5) The term ‘joint military requirement’ has the meaning given that term in
16 section 181(g)(1) of this title.

17 **“§ 2366b. Major defense acquisition programs: responsibilities at Milestone B approval**

18 “(a) RESPONSIBILITIES. —Before granting Milestone B approval for a major defense
19 acquisition program or a major subprogram, the Milestone Decision Authority for the program or
20 subprogram shall ensure—

21 “(1) that information about the program or subprogram is sufficient to warrant
22 entry of the program or subprogram into the development phase; and

1 “(2) that there are sound plans in place for the program or subprogram to deliver
2 the required capability.

3 “(b) CONSIDERATIONS. —In carrying out subsection (a), the Milestone Decision
4 Authority shall consider to what extent the program or subprogram will do each of the following:

5 “(1) Provide a capability that is affordable.

6 “(2) Identify and mitigate programmatic risks.

7 “(3) Deliver a capability with acceptable performance to fulfill a joint military
8 requirement.

9 “(4) Utilize technologies assessed to be mature.

10 “(5) Effectively utilize competition.

11 “(6) Enable sustainment of the capability that is provided by the program or
12 subprogram.

13 “(7) Continue to address, as necessary, the considerations for Milestone A
14 approval (or in the case that the program has not previously been granted Milestone A
15 approval, address such considerations).

16 “(8) Respond to anticipated or likely threats

17 “(9) Meet any other considerations the Milestone Decision Authority considers
18 relevant.

19 “(c) RELATIONSHIP TO OTHER STATUTES.— In addressing the considerations in
20 subsection (b), the Milestone Decision Authority shall include consideration of the following:

21 “(1) With respect to affordability, the requirements of section 2334 of this title.

22 “(2) With respect to risk, the requirements of—

1 “(A) section 203 of the Weapon Systems Acquisition Reform Act of 2009
2 (Public Law 111-23; 10 U.S.C. 2430 note); and

3 “(B) section 138b of this title.

4 “(3) With respect to fulfilling a joint military requirement, the requirements of
5 section 181 of this title.

6 “(4) With respect to competition, the requirements of—

7 “(A) section 202 of the Weapon Systems Acquisition Reform Act of 2009
8 (Public Law 111-23; 10 U.S.C. 2430 note); and

9 “(B) section 2304 of this title.

10 “(5) With respect to sustainment, the requirements of section 2337 and section
11 2464 of this title.

12 “(d) NOTIFICATION. —Not later than 30 days after granting Milestone B approval for a
13 major defense acquisition program or major subprogram, the Milestone Decision Authority for
14 the program or subprogram shall submit to the congressional defense committees notice of such
15 approval in writing. The Milestone Decision Authority’s decision memorandum with respect to
16 such approval shall be available to the congressional defense committees upon request,
17 consistent with any relevant classification requirements.

18 “(e) DEFINITIONS. — In this section:

19 “(1) The term ‘major defense acquisition program’ means a Department of
20 Defense acquisition program that is a major defense acquisition program for purposes of
21 section 2430 of this title.

22 “(2) The term ‘major subprogram’ means a major subprogram of a major defense
23 acquisition program designated under section 2430a(a)(1) of this title.

1 “(3) The term ‘Milestone Decision Authority’, with respect to a major defense
2 acquisition program or a major subprogram, means the official within the Department of
3 Defense designated with the overall responsibility and authority for acquisition decisions
4 for the program or subprogram, including authority to approve entry of the program or
5 subprogram into the next phase of the acquisition process.

6 “(4) The term ‘Milestone A approval’ means a decision to enter into a risk
7 reduction phase pursuant to guidance prescribed by the Secretary of Defense for the
8 management of Department of Defense acquisition programs.

9 “(5) The term ‘Milestone B approval’ means a decision to enter into a
10 development phase pursuant to guidance prescribed by the Secretary of Defense for the
11 management of Department of Defense acquisition programs.

12 “(6) The term ‘joint military requirement’ has the meaning given that term in
13 section 181(g)(1) of this title.”.

14 (2) CLERICAL AMENDMENT.—The items relating to such sections in the table of
15 sections at the beginning of chapter 139 of such title are amended to read as follows:

“2366a. Major defense acquisition programs: responsibilities at Milestone A approval.
“2366b. Major defense acquisition programs: responsibilities at Milestone B approval.”.

16 (b) CONFORMING AMENDMENTS.—

17 (1) Section 139b of this title is amended—

18 (A) in subsection (a)(5)—

19 (i) in subparagraph (B), by striking “review and approve or
20 disapprove” and inserting “advise the milestone decision authority
21 regarding review and approval of”; and

1 (ii) in subparagraph (C), by inserting “in order to advise relevant
2 technical authorities for such programs on the incorporation of best
3 practices for developmental test from across the Department” after
4 “programs”; and

5 (B) in subsection (b)(5)—

6 (i) in subparagraph (B), by striking “review and approve” and
7 inserting “advise the milestone decision authority regarding review and
8 approval of”; and

9 (ii) in subparagraph (C), by inserting “in order to advise relevant
10 technical authorities for such programs on the incorporation of best
11 practices for systems engineering from across the Department” after
12 “programs”.

13 (2) Section 2334(a)(6)(A)(i) of such title is amended by striking “any certification
14 under” and inserting “any decision to grant milestone approval pursuant to”.

15 **SEC. 824. STREAMLINING OF REQUIREMENTS RELATING TO DEFENSE**

16 **BUSINESS SYSTEMS.**

17 (a) IN GENERAL.—

18 (1) REVISION.—Section 2222 of title 10, United States Code, is amended to read
19 as follows:

20 **”§ 2222. Defense business systems: business process reengineering; enterprise architecture;**
21 **management**

1 “(a) DEFENSE BUSINESS SYSTEMS GENERALLY.—The Secretary of Defense shall ensure
2 that each covered defense business system developed, deployed, and operated by the Department
3 of Defense—

4 “(1) supports efficient business processes that have been reviewed, and as
5 appropriate revised, through business process reengineering;

6 “(2) is integrated into a comprehensive defense business enterprise architecture;
7 and

8 “(3) is managed in a manner that provides visibility into, and traceability of,
9 expenditures for the system.

10 “(b) ISSUANCE OF GUIDANCE.—

11 “(1) SECRETARY OF DEFENSE GUIDANCE.—The Secretary shall issue guidance to
12 provide for the coordination of, and decision making for, the planning, programming,
13 and control of investments in covered defense business systems.

14 “(2) SUPPORTING GUIDANCE.—The Secretary shall direct the Deputy Chief
15 Management Officer of the Department of Defense, the Under Secretary of Defense for
16 Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief
17 Management Officer of each of the military departments to issue and maintain supporting
18 guidance, as appropriate, for the guidance of the Secretary issued under paragraph (1).

19 “(c) GUIDANCE ELEMENTS.—The guidance issued pursuant to subsection (b)(1) shall
20 include the following elements:

21 “(1) Policy to ensure that the business processes of the Department of Defense are
22 continuously evolved to—

1 “(A) implement the most streamlined and efficient business process
2 practicable; and

3 “(B) enable the use of commercial off-the-shelf business systems with the
4 fewest changes necessary to accommodate requirements and interfaces that are
5 unique to the Department of Defense.

6 “(2) A process to establish requirements for covered defense business systems.

7 “(3) Mechanisms for the planning and control of investments in covered defense
8 business systems, including a process for the collection and review of programming and
9 budgeting information for covered defense business systems.

10 “(4) Policy requiring the periodic review of covered defense business systems that
11 have been fully deployed, by portfolio, to ensure that investments in such portfolios are
12 appropriate.

13 “(d) DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.—

14 “(1) BLUEPRINT.—The Secretary, working through the Deputy Chief Management
15 Officer of the Department of Defense, shall develop and maintain a blueprint to guide the
16 development of integrated business processes within the Department of Defense Such
17 blueprint shall be known as the ‘defense business enterprise architecture’.

18 “(2) PURPOSE.—The defense business enterprise architecture shall be sufficiently
19 defined to effectively guide implementation of interoperable defense business system
20 solutions and shall be consistent with the policies and procedures established by the
21 Director of the Office of Management and Budget.

22 “(3) ELEMENTS.—The defense business enterprise architecture shall—

1 “(A) include policies, procedures, business data standards, business
2 performance measures, and business information requirements that apply
3 uniformly throughout the Department of Defense; and

4 “(B) enable the Department of Defense to—

5 “(i) comply with all applicable law, including Federal accounting,
6 financial management, and reporting requirements;

7 “(ii) routinely produce verifiable, timely, accurate, and reliable
8 business and financial information for management purposes; and

9 “(iii) integrate budget, accounting, and program information and
10 systems.

11 “(4) INTEGRATION INTO INFORMATION TECHNOLOGY ARCHITECTURE.—The
12 defense business enterprise architecture shall integrate into an information technology
13 enterprise architecture, developed by the Chief Information Officer of the Department of
14 Defense, which describes a target business systems computing environment for each of
15 the major business processes conducted by the Department of Defense.

16 “(e) DEFENSE BUSINESS COUNCIL.—

17 “(1) REQUIREMENT FOR COUNCIL.—The Secretary shall establish a Defense
18 Business Council to provide advice to the Secretary on developing the defense business
19 enterprise architecture, reengineering the Department’s business processes, and
20 requirements for defense business systems. The Council shall be chaired by the Deputy
21 Chief Management Officer and the Chief Information Officer of the Department of
22 Defense.

23 “(2) MEMBERSHIP.—The membership of the Council shall include the following:

1 “(A) The Chief Management Officers of the military departments, or their
2 designees.

3 “(B) The following officials of the Department of Defense, or their
4 designees:

5 “(i) The Under Secretary of Defense for Acquisition, Technology,
6 and Logistics with respect to acquisition, logistics, and installations
7 management processes.

8 “(ii) The Under Secretary of Defense (Comptroller) with respect to
9 financial management and planning and budgeting processes.

10 “(iii) The Under Secretary of Defense for Personnel and Readiness
11 with respect to human resources management processes.

12 “(f) APPROVALS REQUIRED FOR DEVELOPMENT.—

13 “(1) INITIAL APPROVAL REQUIRED.—The Secretary shall ensure that a covered
14 defense business system program cannot proceed into development (or, if no
15 development is required, into production or fielding) unless the appropriate approval
16 official (as specified in paragraph (2)) has determined that the covered defense business
17 system concerned—

18 “(A) supports a business process that has been, or is being as a result of
19 the acquisition program, reengineered to be as streamlined and efficient as
20 practicable consistent with the guidance issued pursuant to subsection (b),
21 including business process mapping;

1 “(B) is in compliance with the defense business enterprise architecture
2 developed pursuant to subsection (d) or will be in compliance as a result of
3 modifications planned;

4 “(C) has valid, achievable requirements; and

5 “(D) is in compliance with the Department's auditability requirements.

6 “(2) APPROPRIATE OFFICIAL.—For purposes of paragraph (1), the appropriate
7 approval official with respect to a covered defense business system is the following:

8 “(A) In the case of a system of a military department, the Chief
9 Management Officer of that military department.

10 “(B) In the case of a system of a Defense Agency or Defense Field
11 Activity or a system that will support the business process of more than one
12 military department or Defense Agency or Defense Field Activity, the Deputy
13 Chief Management Officer of the Department of Defense.

14 “(C) In the case of any system, such official other than the applicable
15 official under subparagraph (A) or (B) as the Secretary designates for such
16 purpose.

17 “(3) ANNUAL CERTIFICATION. — For any fiscal year in which funds are expended
18 for development pursuant to a covered defense business system program, the Defense
19 Business Council shall review the system and certify (or decline to certify as the case
20 may be) that it continues to satisfy the requirements of paragraph (1). If the Council
21 determines that certification cannot be granted, the chairman of the Council shall notify
22 the Appropriate Approving Official and the acquisition Milestone Decision Authority for
23 the program and provide a recommendation for corrective action.

1 “(4) OBLIGATION OF FUNDS IN VIOLATION OF REQUIREMENTS. — The obligation of
2 Department of Defense funds for a covered defense business system program that has not
3 been certified in accordance with paragraph (3) is a violation of section 1341(a)(1)(A) of
4 title 31.

5 “(g) RESPONSIBILITY OF MILESTONE DECISION AUTHORITY.—The Secretary shall ensure
6 that, as part of the defense acquisition system, the requirements of this section are fully
7 addressed by the Milestone Decision Authority for a covered defense business system program
8 as acquisition process approvals are considered for such system.

9 “(h) ANNUAL REPORT.—Not later than March 15 of each year from 2016 through 2020,
10 the Secretary shall submit to the congressional defense committees a report on activities of the
11 Department of Defense pursuant to this section. Each report shall include the following:

12 “(1) A description of actions taken and planned with respect to the guidance
13 required by subsection (b) and the defense business enterprise architecture developed
14 pursuant to subsection (d).

15 “(2) A description of actions taken and planned for the reengineering of business
16 processes by the Defense Business Council established pursuant to subsection (e).

17 “(3) A summary of covered defense business system funding and covered defense
18 business systems approved pursuant to subsection (f).

19 “(4) Identification of any covered defense business system program that during
20 the preceding fiscal year was reviewed and not approved pursuant to subsection (f) and
21 the reasons for the lack of approval.

1 “(5) Identification of any covered defense business system program that during
2 the preceding fiscal year failed to achieve initial operational capability within five years
3 of when the program received Milestone B approval.

4 “(6) For any program identified under paragraph (5), a description of the plan to
5 address the issues which caused the failure.

6 “(7) A discussion of specific improvements in business operations and cost
7 savings resulting from successful covered defense business systems programs.

8 “(8) A copy of the most recent report of the Chief Management Officer of each
9 military department on implementation of business transformation initiatives by such
10 military department in accordance with section 908 of the Duncan Hunter National
11 Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4569;
12 10 U.S.C. 2222 note).

13 “(i) DEFINITIONS.— In this section:

14 “(1)(A) DEFENSE BUSINESS SYSTEM.—The term ‘defense business system’ means
15 an information system that is operated by, for, or on behalf of the Department of Defense,
16 including any of the following:

17 “(i) A financial system.

18 “(ii) A financial data feeder system.

19 “(iii) A contracting system.

20 “(iv) A logistics system.

21 “(v) A planning and budgeting system.

22 “(vi) An installations management system.

23 “(vii) A human resources management system.

1 “(viii) A training and readiness system.

2 “(B) The term does not include—

3 “(i) a national security system; or

4 “(ii) an information system used exclusively by and within the defense
5 commissary system or the exchange system or other instrumentality of the
6 Department of Defense conducted for the morale, welfare, and recreation of
7 members of the armed forces using nonappropriated funds.

8 “(2) COVERED DEFENSE BUSINESS SYSTEM.—The term ‘covered defense business
9 system’ means a defense business system that is expected to have a total amount of
10 budget authority over the period of the current future-years defense program submitted to
11 Congress under section 221 of this title, in excess of the threshold established for the use
12 of special simplified acquisition procedures pursuant to section 2304(g)(1)(B) of this title.

13 “(3) COVERED DEFENSE BUSINESS SYSTEM PROGRAM.—The term ‘covered defense
14 business system program’ means a defense acquisition program to develop and field a
15 covered defense business system or an increment of a covered defense business system.

16 “(4) ENTERPRISE ARCHITECTURE.—The term ‘enterprise architecture’ has the
17 meaning given that term in section 3601(4) of title 44.

18 “(5) INFORMATION SYSTEM.—The term ‘information system’ has the meaning
19 given that term in section 11101 of title 40.

20 “(6) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the
21 meaning given that term in section 3542(b)(2) of title 44.

22 “(7) MILESTONE DECISION AUTHORITY.—The term ‘Milestone Decision
23 Authority’, with respect to a defense acquisition program, means the individual within the

1 Department of Defense designated with the responsibility to grant milestone approvals
2 for that program.

3 “(8) BUSINESS PROCESS MAPPING. —The term ‘business process mapping’ means
4 a procedure in which the steps in a business process are clarified and documented in both
5 written form and in a flow chart.”.

6 (2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 131 of
7 such title is amended to read as follows:

“2222. Defense business systems: business process reengineering; enterprise architecture;
management.”.

8 (b) DEADLINE FOR GUIDANCE.—The guidance required by subsection (b)(1) of section
9 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later
10 than December 31, 2016.

11 (c) REPEAL.—Section 811 of the John Warner National Defense Authorization Act for
12 Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 2222 note) is repealed.

13 **SEC. 825. REVISION TO LIFE-CYCLE MANAGEMENT AND PRODUCT SUPPORT**
14 **REQUIREMENTS.**

15 (a) CONSOLIDATION OF CERTAIN LOGISTICS AND SUSTAINMENT-RELATED PROVISIONS.—
16 Section 2337(b)(2) of title 10, United States Code, is amended—

17 (1) in subparagraph (A), by inserting before the semicolon the following: “in
18 order to sustain the system until either (i) a replacement system is fielded and assumes
19 the majority of responsibility for the mission of the existing system, or (ii) the mission of
20 the system is eliminated and the system is disposed of”;

21 (2) in subparagraph (D), by inserting “ sustainment of core logistics capabilities
22 specified in section 2464 of this title and” after “ensure”;

1 (3) by striking “and” at the end of subparagraph (H);

2 (4) by striking the period at the end of subparagraph (I) and inserting a
3 semicolon; and

4 (5) by adding at the end the following new subparagraphs:

5 “(J) make a determination regarding the applicability of preservation and storage
6 of unique tooling associated with the production of program-specific hardware, if
7 relevant, including a plan for the preservation, storage, or disposal of all production
8 tooling; and

9 “(K) identify obsolete electronic parts that are included in the specifications of the
10 system being acquired and determine suitable replacements for such parts.”.

11 (b) CORE LOGISTICS CAPABILITIES.—Section 2464 of such title is amended—

12 (1) by redesignating subsections (d) and (e) as subsections (e) and (f),
13 respectively; and

14 (2) by inserting after subsection (c) the following new subsection (d):

15 “(d) ACQUISITION MANAGEMENT INFORMATION REQUIREMENTS.—The Secretary of
16 Defense shall ensure that, when milestone approval for a major defense acquisition program is
17 under consideration, matters relating to core logistics capabilities are considered as follows:

18 “(1) Before Milestone A approval for the program is granted, an analysis of the
19 applicability of core logistics capabilities requirements to the program shall be
20 considered.

21 “(2) Before Milestone B approval for the program is granted, an estimate of the
22 requirements for core logistics capabilities for the program, and the associated sustaining
23 workloads required to support such requirements, shall be considered.

1 “(3) Before approval is granted for the program to enter low-rate initial
2 production, a description of requirements for core depot-level maintenance and repair
3 capabilities, as well as the associated logistics capabilities and the associated sustaining
4 workloads required to support such requirements, shall be considered.”.

5 (c) CONFORMING REPEALS AND AMENDMENTS.—

6 (1)(A) Section 2437 of title 10, United States Code, is repealed.

7 (B) The table of sections at the beginning of chapter 144 is amended by striking
8 the item relating to section 2437.

9 (2) Section 815 of the Duncan Hunter National Defense Authorization Act for
10 Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4530) is repealed.

11 (3) Section 803(b) of the National Defense Authorization Act for Fiscal Year
12 2014 (Public Law 113-66; 10 U.S.C. prec. 2571 note) is amended—

13 (A) by inserting “and” at the end of paragraph (3);

14 (B) striking “; and” at the end of paragraph (4) and inserting a period; and

15 (C) by striking paragraph (5).

16 **SEC. 826. ACQUISITION STRATEGY REQUIRED FOR EACH MAJOR DEFENSE**
17 **ACQUISITION PROGRAM.**

18 (a) CONSOLIDATION OF REQUIREMENTS RELATING TO ACQUISITION STRATEGY.—

19 (1) NEW TITLE 10 SECTION.—Chapter 144 of title 10, United States Code, is
20 amended by inserting after section 2431 the following new section:

21 **”§ 2431a. Acquisition strategy**

22 “(a) REQUIREMENT.—(1) There shall be an acquisition strategy for each major defense
23 acquisition program. The acquisition strategy for a major defense acquisition program shall be

1 reviewed by the Milestone Decision Authority for the program at each time specified in
2 paragraph (2). The Milestone Decision Authority may approve, disapprove, or revise the
3 acquisition strategy at any such time.

4 “(2) The times at which the acquisition strategy for a major defense acquisition program
5 shall be reviewed by the Milestone Decision Authority for the program under paragraph (1) are
6 the following:

7 “(A) Program initiation.

8 “(B) Each subsequent milestone.

9 “(C) Full-Rate Production Decision Review.

10 “(D) Any other time considered relevant by the Milestone Decision Authority.”

11 “(b) CONSIDERATIONS.—The acquisition strategy for a major defense acquisition
12 program shall present a top-level description of the business and technical management approach
13 designed to achieve the objectives of the program within the resource constraints imposed. The
14 strategy shall clearly express the program manager’s approach to the program in sufficient detail
15 to allow the Milestone Decision Authority to assess the viability of approach, implementation of
16 laws and policies, and program objectives. The content and review and approval process for the
17 acquisition strategy for a major defense acquisition program shall be issued and maintained by
18 the Under Secretary of Defense for Acquisition, Technology, and Logistics; however, the
19 acquisition strategy should consider the following:

20 “(1) Tailoring.

21 “(2) Acquisition approach, including industrial base considerations in accordance
22 with section 2440 of this title and, if applicable, plans for increments or evolutionary
23 acquisition.

1 “(3) Risk management, in accordance with section 203 of the Weapon Systems
2 Acquisition Reform Act of 2009 (Public Law 111-23; 10 U.S.C. 2430 note)

3 “(4) Business strategy, including measures to ensure competition in accordance
4 with section 202 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law
5 111-23; 10 U.S.C. 2430 note).

6 “(5) Contracting strategy, including sources, contract bundling, if applicable, and
7 small business participation.

8 “(6) Intellectual property strategy, in accordance with section 2320 of this title.

9 “(7) International involvement, including Foreign Military Sales and Cooperative
10 Opportunities, in accordance with section 2350a of this title.

11 “(c) In this section, the term ‘Milestone Decision Authority’, with respect to a major
12 defense acquisition program, means the official within the Department of Defense designated
13 with the overall responsibility and authority for acquisition decisions for the program, including
14 authority to approve entry of the program into the next phase of the acquisition process.”.

15 (2) CLERICAL AMENDMENT.—The table of sections at the beginning of such
16 chapter is amended by inserting after the item relating to section 2431 the following new
17 item:

“2431a. Acquisition strategy.”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) Section 2350a(e) of such title is amended—

20 (A) in the subsection heading, by striking “DOCUMENT”;

21 (B) in paragraph (1), by striking “the Under Secretary of Defense for” and
22 all that follows through “of the Board” and inserting “opportunities for such

1 cooperative research and development shall be addressed in the acquisition
2 strategy for the project”;

3 (C) in paragraph (2)—

4 (i) in the matter preceding subparagraph (A)—

5 (I) by striking “document” and inserting “discussion”; and

6 (II) by striking “include” and inserting “consider”;

7 (ii) in subparagraph (A), by striking “A statement indicating”;

8 (iii) in subparagraph (B)—

9 (I) by striking “by the Under Secretary of Defense for
10 Acquisition, Technology, and Logistics”; and

11 (II) by striking “of the United States under consideration by
12 the Department of Defense”; and

13 (iv) in subparagraph (D)—

14 (I) by striking “The” and inserting “A”;

15 (II) by striking “of” and inserting “to”; and

16 (III) by striking “Under Secretary” and inserting

17 “Milestone Decision Authority”.

18 (2) Section 803 of the Bob Stump National Defense Authorization Act for Fiscal
19 Year 2003 (Public Law 107-314; 10 U.S.C. 2430 note) is repealed.

20 **SEC. 827. REVISION TO REQUIREMENTS RELATING TO RISK REDUCTION IN**
21 **DEVELOPMENT OF MAJOR DEFENSE ACQUISITION PROGRAMS.**

22 Section 203 of the Weapon Systems Acquisition Reform Act of 2009 is amended to read
23 as follows:

1 **“SEC. 203. RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.**

2 “(a) GUIDANCE ON RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.—The
3 Secretary of Defense shall ensure that the acquisition strategy for each major defense acquisition
4 program for which development activities are required includes the following:

5 “(1) A comprehensive approach to identifying and addressing risk (including
6 technical, cost and schedule risk) during the period preceding full rate production as a
7 means to improve programmatic decision making and appropriately manage program
8 concurrency.

9 “(2) Documentation of the major sources of risk identified and the approach to
10 retiring that risk.

11 “(b) ELEMENTS OF COMPREHENSIVE APPROACH TO RISK REDUCTION. —The elements of a
12 comprehensive approach to identifying and addressing risk for purposes of subsection (a)(1)
13 shall include some combination of the following as appropriate for the item or system being
14 acquired:

15 “(1) Development planning.

16 “(2) Systems engineering.

17 “(3) Integrated developmental and operational test.

18 “(4) Preliminary and critical design reviews and technical reviews.

19 “(5) Prototyping (including prototyping at the system or subsystem level and
20 competitive prototyping, where appropriate).

21 “(6) Modeling and simulation.

22 “(7) Technology demonstrations and technology off ramps.

23 “(8) Multiple design approaches.

1 “(9) Alternative, lower risk reduced performance designs.

2 “(10) Schedule and funding margins for or specific risks.

3 “(11) Independent risk element assessments by outside subject matter experts.

4 “(12) Program phasing to address high risk areas as early as possible.”.

5 **Subtitle D—Other Matters**

6 **SEC. 831. EXTENSION OF THE DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ**
7 **PILOT PROGRAM.**

8 Section 831(j) of the National Defense Authorization Act for Fiscal Year 1991 (10
9 U.S.C. 2302 note) is amended—

10 (1) in paragraph (1), by striking “September 30, 2015” and inserting “September
11 30, 2020”; and

12 (2) in paragraph (2), by striking “September 30, 2018” and inserting “September
13 30, 2023.

14 **SEC. 832. STREAMLINING OF REPORTING REQUIREMENTS APPLICABLE TO**
15 **ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND**
16 **ENGINEERING REGARDING MAJOR DEFENSE ACQUISITION**
17 **PROGRAMS.**

18 (a) REPORTING TO UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY,
19 AND LOGISTICS BEFORE MILESTONE B APPROVAL.—Subparagraph (A) of paragraph (8) of
20 section 138(b) of title 10, United States Code, as amended by section 901(h)(2) of the Carl
21 Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year
22 2015 (Public Law 113-291; 128 Stat. YYYY), is amended—

23 (1) by striking “periodically”;

1 (2) by striking “the major defense acquisition programs” and inserting “each
2 major defense acquisition program”;

3 (3) by inserting “before the Milestone B approval for that program” after
4 “Department of Defense”; and

5 (4) by striking “such reviews and assessments” and inserting “such review and
6 assessment”.

7 (b) ANNUAL REPORT TO SECRETARY OF DEFENSE AND CONGRESSIONAL DEFENSE
8 COMMITTEES—Subparagraph (B) of such paragraph is amended by inserting “for which a
9 Milestone B approval occurred during the preceding fiscal year” after “Department of
10 Defense”.

11 **SEC. 833. REVISION TO REQUIRED DISTRIBUTION OF ASSISTANCE UNDER**
12 **PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE**
13 **AGREEMENT PROGRAM.**

14 (a) MINIMUM GEOGRAPHIC DISTRIBUTION.—Section 2413(c) of title 10, United States
15 Code, is amended by striking “Department of Defense contract administration services district”
16 and inserting “State”.

17 (b) DISTRIBUTION.—Section 2415 of such title is amended—

18 (1) in the first sentence—

19 (A) by striking “The Secretary” and inserting “After apportioning funds
20 available for assistance under this chapter for any fiscal year for efficient
21 coverage of distressed areas referred to in section 2411(2)(B) of this title by
22 programs operated by eligible entities referred to in section 2411(1)(D) of this
23 title , the Secretary”;

- 1 (B) by inserting “the remaining” before “funds available”; and
2 (C) by striking “Department of Defense contract administration services
3 district” and inserting “State”; and
4 (2) in the second sentence—
5 (A) by striking “district” each place it appears and inserting “State”; and
6 (B) by striking “districts” and inserting “States”.

7 **SEC. 834. EXPANSION OF RAPID ACQUISITION AUTHORITY.**

8 Section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year
9 2003 (Public Law 107-314; 10 U.S.C. 2302 note) is amended to read as follows:

10 “(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL
11 NEEDS.—

12 “(1) DETERMINATION OF NEED FOR RAPID ACQUISITION AND DEPLOYMENT.—(A)

13 In the case of any supplies and associated support services that, as determined in
14 writing by the Secretary of Defense, are urgently needed to eliminate a documented
15 deficiency that has resulted in combat casualties, or is likely to result in combat
16 casualties, the Secretary may use the procedures developed under this section in order
17 to accomplish the rapid acquisition and deployment of the needed supplies and
18 associated support services.

19 “(B) In the case of any supplies and associated support services that, as
20 determined in writing by the Secretary of Defense, are urgently needed to eliminate a
21 documented deficiency that impacts an ongoing or anticipated contingency operation and
22 that, if left unfulfilled, could potentially result in loss of life or critical mission failure, the
23 Secretary may use the procedures developed under this section in order to accomplish the

1 rapid acquisition and deployment of the needed supplies and associated support services.

2 “(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A) Whenever the
3 Secretary makes a determination under subparagraph (A) or (B) of paragraph (1) that
4 certain supplies and associated support services are urgently needed to eliminate a
5 deficiency described in that subparagraph, the Secretary shall designate a senior official
6 of the Department of Defense to ensure that the needed supplies and associated
7 support services are acquired and deployed as quickly as possible, with a goal of
8 awarding a contract for the acquisition of the supplies and associated support services
9 within 15 days.

10 “(B) Upon designation of a senior official under subparagraph (A), the
11 Secretary shall authorize that official to waive any provision of law, policy, directive,
12 or regulation described in subsection (d) that such official determines in writing
13 would unnecessarily impede the rapid acquisition and deployment of the needed
14 supplies and associated support services. In a case in which the needed supplies and
15 associated support services cannot be acquired without an extensive delay, the senior
16 official shall require that an interim solution be implemented and deployed using the
17 procedures developed under this section to minimize adverse consequences resulting in
18 the urgent need.

19 “(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a
20 determination described in subparagraph (A) or (B) of paragraph (1), the Secretary may
21 use any funds available to the Department of Defense for acquisitions of supplies and
22 associated support services if the determination includes a written finding that the use of
23 such funds is necessary to address the deficiency in a timely manner.

1 “(B) The authority of this section may only be used to acquire supplies and
2 associated support services—

3 “(i) in the case of determinations by the Secretary under paragraph
4 (1)(A), in an amount aggregating not more than \$200,000,000 during any fiscal
5 year; and

6 “(ii) in the case of determinations by the Secretary under paragraph (1)(B),
7 in an amount aggregating not more than \$200,000,000 during any fiscal year.

8 “(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of
9 a determination by the Secretary under paragraph (1)(A), the Secretary shall notify the
10 congressional defense committees of the determination within 15 days after the date of
11 the determination.

12 “(B) In the case of a determination by the Secretary under paragraph (1)(B) the
13 Secretary shall notify the congressional defense committees of the determination at least
14 10 days before the date on which the determination is effective.

15 “(C) A notice under this paragraph shall include the following:

16 “(i) The supplies and associated support services to be acquired.

17 “(ii) The amount anticipated to be expended for the acquisition.

18 “(iii) The source of funds for the acquisition.

19 “(D) A notice under this paragraph shall be sufficient to fulfill any requirement to
20 provide notification to Congress for a new start program.

21 “(E) A notice under this paragraph shall be provided in consultation with the
22 Director of the Office of Management and Budget.

23 “(5) TIME FOR TRANSITIONING TO NORMAL ACQUISITION SYSTEM.—Any acquisition

1 initiated under this subsection shall transition to the normal acquisition system not later
2 than two years after the date on which the Secretary makes the determination described in
3 paragraph (1) with respect to the supplies and associated support services concerned.

4 “(6) LIMITATION ON OFFICERS WITH AUTHORITY TO MAKE A DETERMINATION.—

5 The authority to make a determination under paragraph (1)(A) or paragraph (1)(B) may be
6 exercised only by the Secretary or Deputy Secretary of Defense.”.

7 **SEC. 835. MODIFICATION OF PROHIBITION ON CONTRACTING WITH RUSSIAN**
8 **SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED**
9 **EXPENDABLE LAUNCH VEHICLE PROGRAM.**

10 (a) MODIFICATION OF WAIVER.—Subsection (b) of section 1608 of the Carl Levin and
11 Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public
12 Law 113-291; 128 Stat. xxx; 10 U.S.C. 2271 note) is amended—

13 (1) by striking “waiver takes effect” and all that follows through “(1) the waiver”
14 and inserting “waiver takes effect, that the waiver”;

15 (2) by striking “; and” and inserting a period; and

16 (3) by striking paragraph (2).

17 (b) MODIFICATION OF EXCEPTION.—Subsection (c) of such section is amended—

18 (1) in paragraph (1)—

19 (A) by striking “that prior to” and inserting “if prior to”; and

20 (B) by striking “were either fully paid for” and all that follows through the
21 end of the sentence and inserting “the contractor had fully paid for such rocket
22 engines or had entered into a contract under which such rocket engines would be
23 procured.”; and

1 (2) in paragraph (2), by striking “prior to February 1, 2014” and all that follows
2 through the end of the sentence and inserting “the offeror has met the terms specified in
3 subparagraph (B) of paragraph (1) for the exception under that subparagraph.”.

4 **SEC. 836. TREATMENT OF LOBBYING AND POLITICAL ACTIVITY COSTS AS**
5 **ALLOWABLE COSTS UNDER DEPARTMENT OF ENERGY**
6 **CONTRACTS.**

7 (a) ALLOWABLE COSTS.—

8 (1) Section 4801(b) of the Atomic Energy Defense Act (50 U.S.C. 2781(b)) is
9 amended—

10 (A) by striking “(1)” and all that follows through “the Secretary” and
11 inserting “The Secretary”; and

12 (B) by striking paragraph (2).

13 (2) Section 305 of the Energy and Water Development Appropriation Act, 1988, as
14 contained in section 101(d) of Public Law 100-202 (101 Stat. 1329-125), is repealed.

15 (b) REGULATIONS REVISED.—The Secretary of Energy shall revise existing regulations
16 consistent with the amendments made by subsection (a) no later than 150 days after the date of
17 the enactment of this Act. Such regulations shall be consistent with the Federal Acquisition
18 Regulation 48 C.F.R. 31.205-22.

19 **SEC. 837. REVISIONS TO THE STRATEGIC AND CRITICAL MATERIALS STOCK**
20 **PILING ACT.**

21 (a) MATERIALS CONSTITUTING THE NATIONAL DEFENSE STOCKPILE.—Section 4 of the
22 Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c) is amended—

1 (1) in subsection (b), by striking “required for” and inserting “suitable for
2 transfer to or disposal through”; and

3 (2) in subsection (c)—

4 (A) by striking “(1)” and all the follows through “(2)”; and

5 (B) by striking “this subsection” and inserting “subsection (b)”.

6 (b) QUALIFICATION OF DOMESTIC SOURCES.—Section 15(a) of such Act (50 U.S.C. 98h-
7 6(a)) is amended—

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

9 (2) by striking the period at the end of paragraph (2) and inserting a semicolon;

10 and

11 (3) by adding at the end the following new paragraphs:

12 “(3) by qualifying existing domestic facilities and domestically produced strategic
13 and critical materials to meet the requirments of defense and essential civilian industries in
14 times of national emergencies when existing domestic sources of supply are either
15 insufficient or vulnerable to single points of failure; and

16 “(4) by contracting with domestic facilities to recycle strategic and critical
17 materials, thereby increasing domestic supplies when those materials would otherwise be
18 insufficient to support defense and essential civilian industries in times of national
19 emergencies.”.

20 **SEC. 838. AUTHORITY TO DISPOSE OF CERTAIN MATERIALS FROM AND TO**
21 **ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL**
22 **DEFENSE STOCKPILE.**

1 (a) DISPOSAL AUTHORITY. —Pursuant to section 5(b) of the Strategic and Critical
2 Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may
3 dispose of the following materials contained in the National Defense Stockpile in the following
4 quantities:

5 (1) 27 short tons of beryllium.

6 (2) 131,000 short tons of chromium, ferroalloy.

7 (3) 2,973 short tons of chromium metal.

8 (4) 8,380 troy ounces of platinum.

9 (5) 275,741 pounds of contained tungsten metal powder.

10 (6) 12,433,796 pounds of contained tungsten ores and concentrates.

11 (b) ACQUISITION AUTHORITY.—

12 (1) AUTHORITY.—Using funds available in the National Defense Stockpile
13 Transaction Fund, the National Defense Stockpile Manager may acquire the following
14 materials determined to be strategic and critical materials required to meet the defense,
15 industrial, and essential civilian needs of the United States:

16 (A) High modulus and intermediate modulus high strength carbon fibers.

17 (B) Tantalum.

18 (C) Germanium metal.

19 (D) Tungsten rhenium metal.

20 (E) Boron carbide powder.

21 (2) AMOUNT OF AUTHORITY.—The National Defense Stockpile Manager may use
22 up to \$58,000,000 in the National Defense Stockpile Transaction Fund for acquisition of
23 the materials specified paragraph (1).

1 (3) FISCAL YEAR LIMITATION.—The authority under paragraph (1) is available for
2 purchases during fiscal year 2016 through fiscal year 2021.

3 **SEC. 839. EXTENSION OF AUTHORITY FOR THE CIVILIAN ACQUISITION**
4 **WORKFORCE PERSONNEL DEMONSTRATION PROJECT.**

5 Section 1762(g) of title 10, United States Code, is amended by striking “September 30,
6 2017” and inserting “December 31, 2020”.

7 **SEC. 840. EXTENSION OF SPECIAL EMERGENCY PROCUREMENT AUTHORITY.**

8 Section 1903(a) of title 41, United States Code, is amended—

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

10 (2) by striking the period at the end of paragraph (2) and inserting a semicolon;

11 and

12 (3) by adding at the end the following new paragraphs:

13 “(3) in support of a request from the Secretary of State or the Administrator of the
14 Agency for International Development to facilitate the provision of international disaster
15 assistance pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

16 “(4) in support of an emergency or major disaster (as those terms are defined in
17 section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42
18 U.S.C. 5122)).”.

19 **SEC. 841. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT**
20 **PROCUREMENTS.**

21 (a) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is
22 amended—

23 (1) in subsection (a), by striking “\$3,000” and inserting “\$10,000”; and

1 (2) in subsections (d) and (e), by striking “not greater than \$3,000” and inserting
2 “with a price not greater than the micro-purchase threshold”.

3 (b) OMB GUIDANCE.—The Director of the Office of Management and Budget shall
4 update the guidance in Circular A-123, Appendix B, as appropriate, to ensure that agencies—

5 (1) follow sound acquisition practices when making purchases using the
6 Government purchase card; and

7 (2) maintain internal controls that reduce the risk of fraud, waste, and abuse in
8 Government charge card programs.

9 (c) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in
10 excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United
11 States Code, or a lower amount set by the head of the agency, and use of convenience checks
12 shall comply with controls prescribed in OMB Circular A-123, Appendix B.

13 **SEC. 842. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD AND IN SMALL**
14 **BUSINESS SET-ASIDE THRESHOLD.**

15 (a) SIMPLIFIED ACQUISITION THRESHOLD.—

16 (1) GENERAL THRESHOLD.—Section 134 of title 41, United States Code, is
17 amended by striking “\$100,000” and inserting “\$500,000”.

18 (2) SPECIAL EMERGENCY PROCUREMENT AUTHORITY DOMESTIC THRESHOLD.—

19 Section 1903(b)(2) of such title is amended by striking “means—” and all that follows in
20 that section and inserting “means \$1,000,000; and”.

21 (b) SMALL BUSINESS ACT SET-ASIDE THRESHOLD.—Section 15(j) of the Small Business
22 Act (15 U.S.C. 644(j)), is amended—

23 (1) in paragraph (1), by striking “\$100,000” and inserting “\$500,000”; and

1 (2) in paragraph (3), by striking “\$100,000” and inserting “\$500,000”.

2 **SEC. 843. INNOVATION SET ASIDE PROGRAM.**

3 (a) IN GENERAL.—The Director of the Office of Management and Budget may, in
4 consultation with the Administrator of the Small Business Administration, conduct a pilot
5 program to increase the participation of new, innovative entities in Federal contracting through
6 the use of innovation set-asides.

7 (b) AUTHORITY.—Notwithstanding the competition requirements in chapter 33 of title 41,
8 United States Code, and the set-aside requirements in section 15 of the Small Business Act (15
9 U.S.C. 644), a Federal agency, with the concurrence of the Director, may set aside a contract
10 award to one or more new entrant contractors. The Director shall consult with the Administrator
11 prior to providing concurrence to the agency.

12 (c) CONDITIONS FOR USE.—The authority provided in subsection (b) may be used under
13 the following conditions:

14 (1) The agency has a requirement for new methods, processes, or technologies,
15 which may include research and development, or new applications of existing methods,
16 processes or technologies, to improve quality, reduce costs, or both.

17 (2) Based on market research, the agency has determined that the requirement
18 cannot be easily provided through an existing Federal contract.

19 (3) The agency intends either to make an award to a small business concern or to
20 give special consideration to a small business concern before making an award to other
21 than a small business.

22 (4) The length of the resulting contract will not exceed 2 years.

1 (d) NUMBER OF PILOTS.—The Director may authorize the use of up to 25 innovation set-
2 asides acquisitions.

3 (e) AWARD AMOUNT.—

4 (1) Except as provided in paragraph (2), the amount of an award under the pilot
5 program under this section may not exceed \$2,000,000 (including any options).

6 (2) The Director may authorize not more than 5 set-asides with an award amount
7 greater than \$2,000,000 but not greater than \$5,000,000 (including any options).

8 (f) GUIDANCE AND REPORTING.—

9 (1) The Director shall issue guidance, as necessary, to implement the pilot
10 program under this section.

11 (2) Within 3 years after the date of enactment of this Act, the Director, in
12 consultation with the Administrator, shall submit to Congress a report including the
13 following:

14 (A) The number of awards made under the authority of this section.

15 (B) For each award—

16 (i) the agency that made the award;

17 (ii) the amount of the award; and

18 (iii) a brief description of the award, including the nature of the
19 requirement and the innovation produced from the award (or expected if
20 contract performance is not completed).

21 (g) SUNSET.—The authority to award an innovation set-aside under this section shall
22 terminate on December 31, 2019.

1 (h) DEFINITION.—For purposes of this section, the term “new entrant contractor”, with
2 respect to any contract under the program, means an entity that has not been awarded a contract
3 directly by the Federal Government within the 5-year period ending on the date on which a
4 solicitation for that contract is issued under the program.

5 **TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND**
6 **MANAGEMENT**

7 **SEC. 901. REORGANIZATION AND REDESIGNATION OF OFFICE OF FAMILY**
8 **POLICY AND OFFICE OF COMMUNITY SUPPORT FOR MILITARY**
9 **FAMILIES WITH SPECIAL NEEDS.**

10 (a) OFFICE OF FAMILY POLICY.—

11 (1) REDESIGNATION AS OFFICE OF MILITARY FAMILY READINESS POLICY.—

12 Section 1781(a) of title 10, United States Code, is amended—

13 (A) by striking “Office of Family Policy” and inserting “Office of Military
14 Family Readiness Policy”; and

15 (B) by striking “Director of Family Policy” and inserting “Director of
16 Military Family Readiness Policy”.

17 (2) REQUIREMENT FOR DIRECTOR TO BE MEMBER OF THE SENIOR EXECUTIVE
18 SERVICE OR A GENERAL OF FLAG OFFICER.—Such section is further amended by adding at
19 the end the following new sentence: “The Director shall be a member of the Senior
20 Executive Service or a general officer or flag officer.”.

21 (3) INCLUSION OF DIRECTOR ON MILITARY FAMILY READINESS COUNCIL.—Section
22 1781a(b)(1)(E) of such title is amended by striking “Office of Community Support for

1 Military Families with Special Needs” and inserting “Office of Military Family
2 Readiness Policy”.

3 (4) CONFORMING AMENDMENT.—Section 131(b)(7)(F) of such title is amended by
4 striking “Director of Family Policy” and inserting “Director of Military Family Readiness
5 Policy”.

6 (5) REVISED SECTION HEADING.—

7 (A) REVISED HEADING.—The heading of section 1781 of such title is
8 amended to read as follows:

9 **“§ 1781. Office of Military Family Readiness Policy”.**

10 (B) CLERICAL AMENDMENT.—The item relating to section 1781 in the
11 table of sections at the beginning of chapter 88 of such title is amended to read as
12 follows:

“1781. Office of Military Family Readiness Policy.”.

13 (b) OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—

14 (1) REORGANIZATION UNDER THE OFFICE OF MILITARY FAMILY READINESS
15 POLICY.—Subsection (a) of section 1781c of such title is amended by striking “Office of
16 the Under Secretary of Defense for Personnel and Readiness” and inserting “Office of
17 Military Readiness Policy”.

18 (2) REDESIGNATION AS OFFICE OF SPECIAL NEEDS.—Such section is amended—

19 (A) in subsection (a), by striking “Office of Community Support for
20 Military Families with Special Needs” and inserting “Office of Special Needs”;
21 and

22 (B) in the heading, by striking “**Office of Community Support for**
23 **Military Families with Special Needs**” and inserting “**Office of Special Needs**”.

1 (3) REPEAL OF REQUIREMENT FOR HEAD OF OFFICE TO BE MEMBER OF SENIOR
2 EXECUTIVE SERVICE OR A GENERAL OR FLAG OFFICER.—Such section is further amended
3 by striking subsection (c).

4 (4) CLERICAL AMENDMENT.—The item relating to section 1781c in the table of
5 sections at the beginning of chapter 88 of such title is amended to read as follows:
6 “1781c. Office of Special Needs.”.

7 **SEC. 902. CHANGE OF PERIOD FOR CHAIRMAN OF THE JOINT CHIEFS OF**
8 **STAFF REVIEW OF THE UNIFIED COMMAND PLAN TO NOT LESS**
9 **THAN EVERY FOUR YEARS.**

10 Section 161(b)(1) of title 10, United States Code, is amended by striking “two years” and
11 inserting “four years”.

12 **SEC. 903. UPDATE OF STATUTORY SPECIFICATION OF FUNCTIONS OF THE**
13 **CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO**
14 **ADVICE ON REQUIREMENTS, PROGRAMS, AND BUDGET.**

15 Section 153(a)(4) of title 10, United States Code, is amended by adding at the end the
16 following new subparagraph:

17 “(H) Advising the Secretary on development of joint command, control,
18 communications, and cyber capability, including integration and interoperability of such
19 capability, through requirements, integrated architectures, data standards, and
20 assessments.”.

21 **SEC. 904. STATUTORY STREAMLINING TO ENABLE DEFENSE COMMISSARY**
22 **AGENCY TO BECOME PARTIALLY SELF-SUSTAINING.**

23 (a) PURPOSE OF THE COMMISSARY SYSTEM.—Section 2481 of title 10, United States
24 Code, is amended—

1 (1) in subsection (a), by striking “, at reduced prices,”;

2 (2) in subsection (b)—

3 (A) by inserting “each” before “intended”; and

4 (B) by inserting “and provide access to products for” after “life of”; and

5 (3) by striking subsection (d).

6 (b) CRITERIA FOR ESTABLISHMENT OR CLOSURE OF COMMISSARY STORES.—

7 (1) CRITERIA FOR ESTABLISHMENT.—Subsection (a) of section 2482 of such title is
8 amended—

9 (A) by inserting “(1)” after “ESTABLISHMENT.—”;

10 (B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B),
11 respectively;

12 (C) in subparagraph (A), as so redesignated, by inserting “outside the
13 United States” after “commissary store”; and

14 (D) by adding at the end the following new paragraph:

15 “(2) The feasibility of cost recovery shall be the primary consideration whenever the
16 Secretary of Defense—

17 “(A) assesses the need to establish a commissary store in the United States; and

18 “(B) selects the actual location for the store.”.

19 (2) CRITERIA FOR CLOSURE.—Paragraph (1) of subsection (c) of such section is
20 amended by striking “Whenever assessing” and all that follows and inserting “Whenever
21 the Secretary of Defense is assessing whether to close a commissary store, the following
22 shall be primary considerations in such assessment:

23 “(A) The extent by which the operation of the commissary store is able to recover

1 costs.

2 “(B) The effect of the closure on the quality of life of members of the armed
3 forces on active duty and their dependents who use the store and on the welfare and
4 security of the military community in which the commissary is located.”.

5 (d) FINANCING OF COMMISSARY SYSTEM OPERATING EXPENSES AND INVENTORIES.—

6 (1) IN GENERAL.—Section 2483 of such title is amended to read as follows:

7 **“§2483. Commissary stores: use of defense working capital funds to cover operating
8 expenses and to finance resale inventories**

9 “(a) OPERATION OF AGENCY AND SYSTEM.—Except as otherwise provided in this title,
10 working capital funds established under section 2208 of this title shall be used to fund the
11 operations and merchandise resale inventories of the defense commissary system. Those working
12 capital funds shall be credited with such amounts as are appropriated for such purposes and with
13 receipts described in subsections (d) and (e).

14 “(b) OPERATING EXPENSES.—Working capital funds established under section 2208 of
15 this title shall be used to finance operating expenses of the defense commissary system and the
16 acquisition of merchandise resale inventories. Operating expenses of the defense commissary
17 system include the following:

18 “(1) Salaries and wages of employees of the United States, host nations, and
19 contractors supporting commissary store operations.

20 “(2) Utilities.

21 “(3) Communications.

22 “(4) Operating services.

23 “(5) Advertising.

1 “(6) Any cost associated with above-store-level management or other indirect
2 support of a commissary store or a central product processing facility, including
3 equipment maintenance and information technology costs.

4 “(c) TRANSPORTATION COSTS.—Appropriated funds may be used to pay any costs
5 associated with the transportation of commissary goods and supplies to overseas areas, but only
6 to the extent that the working capital fund for commissary operations is reimbursed for the
7 payment of such costs. The sales prices in commissary stores worldwide shall be adjusted in an
8 equal percentage to the extent necessary to provide sufficient gross revenues from such sales to
9 make such reimbursements.

10 “(d) FUNDING OF COMMISSARY OPERATIONS.—(1) The defense commissary system shall
11 be managed with the objectives of attaining—

12 “(A) uniform system-wide pricing; and

13 “(B) a proportional allocation of funding sources for operating expenses.

14 “(2) The Secretary of Defense shall seek to achieve the objective of attaining a
15 proportional allocation of funding sources for operating expenses for the defense commissary
16 system as follows:

17 “(A) The Secretary shall prepare an estimation of the portion of the total operating
18 expenses for the defense commissary system that are allocable to operations overseas and
19 at commissaries within the United States that are designated by the Secretary for
20 appropriated fund support.

21 “(B) The portion of operating expenses estimated under subparagraph (A) shall be
22 programmed to be financed through annual appropriations for defense working capital
23 funds.

1 “(C) The estimation of the remaining portion of operating expenses for the
2 defense commissary system shall be financed as described in paragraph (3) and shall be
3 used to establish prices for commissary merchandise and services consistent with the
4 objective of attaining uniform system-wide pricing.

5 “(3) The portion of operating expenses for the defense commissary system that are not
6 financed from appropriations for defense working capital funds shall be financed from receipts
7 from the following (and from the exercise of authority provided by section 2208 of this title):

8 “(A) The sale of products.

9 “(B) The sale of services.

10 “(e) FUNDING OF MERCHANDISE RESALE INVENTORIES.—Prices established for resale
11 merchandise shall include amounts sufficient to finance replenishment of inventories.”.

12 (2) CLERICAL AMENDMENT.—The item relating to such section in the table of
13 sections at the beginning of subchapter I of chapter 147 of such title is amended to read
14 as follows:

“2483. Commissary stores: use of defense working capital funds to cover operating expenses and to finance resale
 inventories.”.

15 (f) MERCHANDISE AND PRICING.—Section 2484 of such title is amended—

16 (1) by striking subsection (g);

17 (2) by redesignating subsection (h) as subsection (g);

18 (3) by amending subsections (a) through (c) to read as follows:

19 “(a) IN GENERAL.—Commissary stores are intended to be similar to commercial
20 supermarkets and, except for distilled spirits, may as described in regulations issued by the
21 Secretary of Defense, sell all merchandise and provide services similar to the merchandise sold
22 and the services provided in commercial supermarkets. A product or service may be sold in, at,

1 or by a commissary store only if the product or service is commissary store inventory or is
2 authorized for sale by a third party under an agreement or contract with the Defense Commissary
3 Agency.

4 “(b) FEE FOR SERVICES.—The Secretary of Defense may apply an additional user fee for
5 services provided to commissary customers on orders of merchandise sold in commissary stores
6 by electronic or mobile commerce methods commonly used in the retail supermarket sector.

7 “(c) FEE ASSESSED ON SINGLE USE CARRYOUT BAGS.—(1) Notwithstanding any other fee
8 or surcharge imposed by this chapter a ten cent charge shall be imposed on each single use
9 carryout bag provided to a customer. A ‘single use carryout bag’ means a paper or plastic bag
10 provided to a customer at the point of sale and intended for a single use for carrying tangible
11 personal property purchased. A single use carryout bag shall not include bags used by customers
12 inside stores, including those—

13 “(A) for loose bulk items such as produce, nuts, candy, meat, or fish;

14 “(B) for unwrapped prepared foods such as bakery goods;

15 “(C) for flowers, potted plants or other items where dampness may be a problem;

16 or

17 “(D) to prevent damage to a good or contamination of other goods placed together
18 in the same bag.

19 “(2) The provision of subsection (d) does not apply to the charge for single use carryout
20 bags. No charge shall be assessed on a customer’s own reusable carryout bag brought into the
21 store and used to carry purchased items from the store. The proceeds from the charge for single
22 use carryout bags shall be deposited to the defense working capital fund and used as provided in
23 section 2483(d)(3) of this title.”;

1 (4) by amending subsection (e) to read as follows:

2 “(e) SALES PRICE ESTABLISHMENT.—The Secretary of Defense shall establish the sales
3 price of merchandise sold in, at, or by commissary stores in amounts sufficient to finance
4 operating expenses as prescribed in section 2483(b) of this title and the replenishment of
5 inventories.”; and

6 (5) in subsection (g), as redesignated by paragraph (2)—

7 (A) by striking “AND” in the title and inserting “AND THE PURCHASE OF
8 OPERATING SUPPLIES” after “MAINTENANCE”;

9 (B) in paragraph (1)(A)—

10 (i) by striking “and” at the end of clause (i);

11 (ii) by striking the period at the end of clause (ii) and inserting “;

12 and”;

13 (iii) by adding at the end the following new clause:

14 “(iii) to purchase operating supplies for commissary stores.”;

15 (C) in paragraph (2)(A)—

16 (i) by inserting “the Defense Commissary Agency or” after

17 “authorize”; and

18 (ii) by inserting before the period at the end the following: “or

19 authorize the Defense Commissary Agency to be reimbursed by a

20 nonappropriated fund instrumentality for the portion of the cost of the

21 contract that is attributable to construction of a nonappropriated fund

22 facility”.

23 (g) OPERATION OF COMMISSARIES.—Section 2485 of such title is amended—

1 (1) by striking subsection (d);

2 (2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f) and
3 (g), respectively;

4 (3) by amending subsection (a) to read as follows:

5 “(a) OPERATION BY PRIVATE PERSONS.—

6 “(1) AUTHORITY.—When patron savings can be improved, or operating costs
7 reduced, the Secretary of Defense may contract with private persons to operate selected
8 commissary store functions.

9 “(2) LIMITATION.—The following functions may not be contracted for operation
10 by a private person under paragraph (1):

11 “(A) Functions relating to the procurement of products to be sold in a
12 commissary store, except for a full or substantially full product line acquired for
13 resale from a wholesaler, distributor, or similar vendor.

14 “(B) Functions relating to the overall management of a commissary
15 system or the management of a commissary store.

16 “(3) PERFORMANCE OF FUNCTIONS EXCLUDED FROM PERFORMANCE BY PRIVATE
17 PERSONS.—Functions specified in paragraph (2) shall be carried out by personnel of the
18 Department of Defense under regulations approved by the Secretary of Defense.

19 “(4) DEMONSTRATION PROJECT.—The Secretary of Defense may conduct a
20 demonstration project in accordance with this section, in no more than two regions in the
21 United States selected by the Secretary, for purpose of testing the viability of the Defense
22 Commissary Agency using a contractor to order, receive, service, and manage the
23 produce departments in military commissaries as part of a contract for produce items. All

1 products covered by this project would be provided and owned by the contractor until
2 such time as the product is sold.

3 “(5) DEMONSTRATION PROJECT PROCUREMENT PROCEDURES.—As part of the
4 demonstration project under paragraph (4), the Secretary of Defense may conduct a
5 competition in which there is a provision in contract solicitations and request for proposal
6 documents to—

7 “(A) obtain a reliable, effective contractor provided workforce, in lieu of
8 Government employees, to order, receive, service and manage a commissary
9 produce department; and

10 “(B) for a base period of not less than two years, with a further provision
11 for not more than three one-year option periods.

12 “(6) EVALUATION OF DEMONSTRATION PROJECT.—The Secretary shall evaluate the
13 demonstration project for the following:

14 “(A) The costs and benefits of including contractor provided labor in the
15 cost of goods sold.

16 “(B) The program’s potential as a revenue generating activity to offset
17 commissary operating costs, while maximizing patron savings.

18 “(C) Improvement in the quality of produce provided.

19 “(D) Customer satisfaction with the demonstration project.

20 “(7) REPORT.—Not later than two years after implementation of the
21 demonstration project begins, the Secretary shall submit to the Committees on Armed
22 Services of the Senate and House of Representatives a report on the demonstration
23 project. The report shall contain—

1 “(A) the evaluation required by paragraph (6); and
2 “(B) recommendations on whether permanent authority should be
3 provided to use contractor provided labor to operate military commissary produce
4 departments.

5 “(8) CONTINUATION OF DEMONSTRATION PROJECT.—If the Secretary recommends
6 in the report under paragraph (7) that permanent authority should be provided, the
7 Secretary may continue the demonstration project for up to three years after submitting
8 the report.

9 “(9) DEFINITION.—In paragraph (4), the term ‘region’ means the geographical
10 area of the United States currently served by a Defense Commissary Agency produce
11 supplier.”; and

12 (4) in subsection (b)—

13 (A) by striking “(1)” before “The Defense”;

14 (B) by inserting “goods or” after “provide or obtain”;

15 (C) by striking “service provided by the United States Transportation
16 Command” and inserting “good or service provided by any entity of the United
17 States in”; and

18 (D) by striking paragraph (2).

19 (h) REPEAL OF OBSOLETE AUTHORITY.—

20 (1) IN GENERAL.—Sections 2488 and 2685 of such title are repealed.

21 (2) CLERICAL AMENDMENTS.—(A) The table of sections at the beginning of
22 subchapter II of chapter 147 of such title is amended by striking the item relating to
23 section 2488.

1 (B) The table of sections at the beginning of chapter 159 of such title is amended
2 by striking the item relating to section 2685.

3 (i) AUTHORITY TO PURCHASE BEER AND WINE.—

4 (1) IN GENERAL.—Subsection (d)(1) of section 2495 of such title is amended by
5 inserting before the period the following: “and purchases of beer and wine by the Defense
6 Commissary Agency with funds from the defense working capital resale stock fund”.

7 (2) CLERICAL AMENDMENTS.—

8 (A) SECTION HEADING.—The heading of such section is amended to read
9 as follows:

10 **“§ 2495. Defense retail system: purchase of alcoholic beverages”.**

11 (B) TABLE OF SECTIONS.—The item relating to such section in the table of
12 sections at the beginning of subchapter III of chapter 147 of such title is amended
13 to read as follows:

“2495. Defense retail system: purchase of alcoholic beverages.”.

14 (j) TREATMENT OF UNITED STATES WINES IN OVERSEAS COMMISSARY STORES.—

15 (1) IN GENERAL.—Section 2495a of such title is amended—

16 (A) by striking “nonappropriated fund” and inserting “defense retail”; and

17 (B) by inserting “, and each commissary store located outside the United
18 States that sells wine,” after “outside the United States”.

19 (2) CLERICAL AMENDMENTS.—

20 (A) SECTION HEADING.—The heading of such section is amended to read
21 as follows:

22 **“§ 2495a. Overseas package stores and commissaries: treatment of United States wines”.**

23 (B) TABLE OF SECTIONS.—The item relating to such section in the table of

1 sections at the beginning of subchapter III of chapter 147 of such title is amended
2 to read as follows:

“2495a. Overseas package stores and commissaries: treatment of United States wines.”.

3 (k) MODIFICATION OF BERRY AMENDMENT.—Section 2533a(g) of such title is amended
4 by inserting before the period the following: “, or for the operating supplies necessary to
5 complete the resale of such items so purchased”.

6 (l) OVERSEAS TRANSPORTATION.—Section 2643(b) of such title is amended by striking
7 the first sentence and inserting “Defense working capital funds may be used to cover the
8 transportation costs of commissary supplies and products as provided in Section 2483(c) of this
9 title.”.

10 (m) REPAIR AND MAINTENANCE OF COMMISSARY FACILITIES.—Section 2682(a) of such
11 title is amended by adding at the end the following new sentence: “However, any maintenance
12 and repair project for a commissary store or a commissary central product processing facility
13 may be accomplished under the direction and supervision of the Director of the Defense
14 Commissary Agency.”.

15 (n) SUPERVISION OF COMMISSARY CONSTRUCTION PROJECTS.—Section 2851(b) of such
16 title is amended by adding at the end the following new sentence: “However, a project for the
17 construction of a commissary store, a commissary central product processing facility, or a
18 shopping mall or similar facility for a commissary store and one or more nonappropriated fund
19 instrumentality activities authorized under section 2484(g) of this title may be accomplished
20 under the direction and supervision of the Director of the Defense Commissary Agency.”.

21 (o) SERVICE CONTRACT ACT EXEMPTIONS.—Section 6702(b) of title 41, United States
22 Code, is amended by adding at the end the following new paragraph:

23 “(8) A contract with an entity of the defense retail systems, the principal purpose

1 of which is the sale of goods or services to authorized beneficiaries. The term “defense
2 retail systems” means the defense commissary system and exchange stores system and
3 other revenue-generating facilities operated by nonappropriated fund instrumentalities of
4 the Department of Defense for the morale, welfare, and recreation of members of the
5 armed forces.”.

6 **SEC. 905. MODIFICATION OF REQUIREMENTS TO MAINTAIN NAVY AIRBORNE**
7 **SIGNALS INTELLIGENCE, SURVEILLANCE, AND**
8 **RECONNAISSANCE CAPABILITIES.**

9 (a) REQUIREMENT TO MAINTAIN CAPABILITIES.—Subsection (b) of section 112 of the Ike
10 Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 112
11 Stat. 4152) is amended—

12 (1) by striking paragraph (1);

13 (2) by redesignating paragraph (2) as paragraph (1) and in that paragraph—

14 (A) by striking “in order to provide capabilities ”and inserting “in
15 sufficient quantities to provide capabilities and capacity”; and

16 (B) by inserting before the period at the end the following: “while fielding
17 a mix of new platforms and sensors”; and

18 (3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3),

19 respectively.

20 (b) REPEAL OF RESTRICTION ON TRANSFER OF SABER FOCUS PROGRAM ISR
21 CAPABILITIES.—Such section is further amended by striking subsection (c).

22 **TITLE X—GENERAL PROVISIONS**

23 **Subtitle A—Financial Matters**

1 **SEC. 1001. ENHANCEMENT OF INTERAGENCY SUPPORT DURING**
2 **CONTINGENCY OPERATIONS AND TRANSITION PERIODS.**

3 (a) **AUTHORITY.**—The Secretary of Defense and the Secretary of State may enter into an
4 agreement under which each Secretary may provide covered support, supplies, and services on a
5 reimbursement basis, or by exchange of covered support, supplies, and services, to the other
6 Secretary during a contingency operation and related transition period for up to two years
7 following the end of such contingency operation.

8 (b) **AGREEMENT.**—An agreement entered into under this section shall be in writing and
9 shall include the following terms:

10 (1) The price charged by a supplying agency shall be the direct costs that such
11 agency incurred by providing the covered support, supplies, or services to the requesting
12 agency under this section.

13 (2) Credits and liabilities of the agencies accrued as a result of acquisitions and
14 transfers of covered support, supplies, and services under this section shall be liquidated
15 not less often than once every 3 months by direct payment to the agency supplying such
16 support, supplies, or services by the agency receiving such support, supplies, or services.

17 (3) Exchange entitlements accrued as a result of acquisitions and transfers of
18 covered support, supplies, and services under this section shall be satisfied within 12
19 months after the date of the delivery of the covered support, supplies, or services.

20 Exchange entitlements not so satisfied shall be immediately liquidated by direct payment
21 to the agency supplying such covered support, supplies, or services.

22 (c) **EFFECT OF OBLIGATION AND AVAILABILITY OF FUNDS.**—An order placed by an
23 agency pursuant to an agreement under this section is deemed to be an obligation in the same

1 manner that a similar order or contract placed with a private contractor is an obligation.
2 Appropriations remain available to pay an obligation to the servicing agency in the same manner
3 as appropriations remain available to pay an obligation to a private contractor.

4 (d) DEFINITIONS.—In this section:

5 (1) The term “covered support, supplies, and services” means food, billeting,
6 transportation (including airlift), petroleum, oils, lubricants, communications services,
7 medical services, ammunition, base operations support (and construction incident to base
8 operations support), use of facilities, spare parts and components, repair and maintenance
9 services, and calibration services.

10 (2) The term “contingency operation” has the meaning given that term in section
11 101(a)(13) of title 10, United States Code.

12 (e) CREDITING OF RECEIPTS.—Any receipt as a result of an agreement entered into under
13 this section shall be credited, at the option of the Secretary of Defense with respect to the
14 Department of Defense and the Secretary of State with respect to the Department of State, to—

15 (1) the appropriation, fund, or account used in incurring the obligation; or

16 (2) an appropriate appropriation, fund, or account currently available for the
17 purposes for which the expenditures were made.

18 **SEC. 1002. REPEAL OF REQUIREMENT THAT THE DEPARTMENT OF THE NAVY**
19 **PROVIDE FUNDING FOR THE OCEAN RESEARCH ADVISORY**
20 **PANEL.**

21 Section 7903 of title 10, United States Code, is amended by striking subsection (c).

22 **Subtitle B—Naval Vessels and Shipyards**

1 **SEC. 1021. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES**
2 **FOR CERTAIN NAVY MESS OPERATIONS AFLOAT.**

3 (a) EXTENSION.—Subsection (b) of section 1014 of the Duncan Hunter National Defense
4 Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4585), as amended by
5 section 1021 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public
6 Law 111-383, 124 Stat. 4348), is amended by striking “September 30, 2015” and inserting
7 “September 30, 2020”.

8 (b) TECHNICAL AND CLARIFYING AMENDMENTS.—Subsection (a) of such section is
9 amended—

10 (1) in the matter preceding paragraph (1), by striking “not more than” and
11 inserting “not more than”; and

12 (2) in paragraph (2), by striking “Naval vessels” and inserting “such vessels”.

13 **SEC. 1022. REFUELING AND COMPLEX OVERHAUL OF NIMITZ-CLASS**
14 **AIRCRAFT CARRIERS.**

15 (a) OVERHAUL EXECUTION AUTHORITY.—The Secretary of the Navy is authorized to
16 carry out a nuclear refueling and complex overhaul on each of the following Nimitz–class
17 aircraft carriers:

18 (1) U.S.S. George Washington (CVN-73).

19 (2) U.S.S. John C. Stennis (CVN-74).

20 (3) U.S.S. Harry S. Truman (CVN-75).

21 (4) U.S.S. Ronald Reagan (CVN-76).

22 (5) U.S.S. George H.W. Bush (CVN-77).

1 Each such refueling and overhaul shall be carried out from amounts appropriated or otherwise
2 made available within Shipbuilding and Conversion, Navy, for refueling the NIMITZ–class
3 aircraft carriers.

4 (b) SPECIAL FUNDING AUTHORITY WHEN A CONTINUING RESOLUTION IS IN EFFECT.—
5 Unless expressly prohibited in a continuing resolution enacted after this date, if advance
6 procurement funds are appropriated for a fiscal year to begin a refueling and complex overhaul
7 on a NIMITZ-class aircraft carrier identified in subsection (a), then Shipbuilding and
8 Conversion, Navy, appropriations in the amounts contained in the President's Budget for that
9 refueling and complex overhaul for the following Fiscal Year shall be available for obligation
10 under a continuing resolution enacted for the following fiscal year to continue the refueling and
11 complex overhaul on that aircraft carrier.

12 (c) INCREMENTAL FUNDING AUTHORITY.—The Secretary of the Navy is authorized to
13 incrementally fund contracts entered into for a nuclear refueling and complex overhaul
14 authorized in subsection (a), for a period not to exceed six years after advance procurement
15 funds for the nuclear refueling and complex overhaul effort are first obligated, from amounts
16 appropriated or otherwise made available within Shipbuilding and Conversion, Navy for
17 refueling the NIMITZ–class aircraft carriers.

18 (d) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under
19 subsection (c) shall provide that any obligation of the United States to make a payment under a
20 contract for carrier refueling in a fiscal year subsequent to the initial year of contract execution is
21 subject to the availability of appropriations.

22 **Subtitle C—Other Matters**

1 **SEC. 1041. TRANSFER OF FUNCTIONS OF THE VETERANS' ADVISORY BOARD**
2 **ON DOSE RECONSTRUCTION TO THE SECRETARIES OF VETERANS**
3 **AFFAIRS AND DEFENSE.**

4 Section 601 of the Veterans Benefits Act of 2003 (Public Law 108-183; 117 Stat. 2667;
5 38 U.S.C. 1154 note) is amended to read as follows:

6 **“SEC. 601. RADIATION DOSE RECONSTRUCTION PROGRAM OF THE**
7 **DEPARTMENT OF DEFENSE.**

8 **“(a) REVIEW AND OVERSIGHT.—**The Secretary of Veterans Affairs and the Secretary of
9 Defense shall jointly take appropriate actions to ensure the on-going independent review and
10 oversight of the Radiation Dose Reconstruction Program of the Department of Defense.

11 **“(b) DUTIES.—**In carrying out subsection (a), the Secretaries shall—

12 **“(1)** conduct periodic, random audits of dose reconstructions under the Radiation
13 Dose Reconstruction Program and of decisions by the Department of Veterans Affairs on
14 claims for service connection of radiogenic diseases;

15 **“(2)** communicate to veterans information on the mission, procedures, and
16 evidentiary requirements of the Program; and

17 **“(3)** carry out such other activities with respect to the review and oversight of the
18 Program as the Secretaries shall jointly specify.

19 **“(c) RECOMMENDATIONS.—**The Secretaries may make such recommendations on
20 modifications in the mission or procedures of the Program as they consider appropriate as a
21 result of the audits conducted under subsection (b)(1).”.

22 **SEC. 1042. REPEAL AND MODIFICATION OF REPORTING REQUIREMENTS.**

1 (a) ANNUAL REPORT OF OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH
2 SPECIAL NEEDS.—Section 1781c of title 10, United States Code, is amended by striking
3 subsection (h).

4 (b) ANNUAL AUDIT OF THE AMERICAN RED CROSS.—Section 300110(b) of title 36,
5 United States Code, is amended—

6 (1) by striking “AND SUBMISSION TO CONGRESS” in the subsection heading; and

7 (2) by striking “and submit a copy of the audited report to Congress”.

8 (c) ANNUAL REPORT ON MITIGATION OF POWER OUTAGE RISKS FOR DEPARTMENT OF
9 DEFENSE FACILITIES AND ACTIVITIES.—Section 335 of the Duncan Hunter National Defense
10 Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4422; 10 U.S.C. 2911
11 note) is amended by striking subsection (c).

12 (d) INCLUSION OF EXTREMITY TRAUMA AND AMPUTATION CENTER OF EXCELLENCE AND
13 DEPARTMENT OF VETERANS AFFAIRS-DEPARTMENT OF DEFENSE JOINT EXECUTIVE COMMITTEE
14 REPORTS IN DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE JOINT ANNUAL
15 REPORT ON HEALTH CARE COORDINATION AND SHARING ACTIVITIES.—

16 (1) Section 723 of the Duncan Hunter National Defense Authorization Act for
17 Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4508) is amended by striking
18 subsection (d).

19 (2) Section 8111(f) of title 38, United States Code, is amended by adding at the
20 end the following new paragraph:

21 “(6) The two Secretaries shall include in the annual report under this subsection a report
22 on the activities of the Center of Excellence in the Mitigation, Treatment, and Rehabilitation of
23 Traumatic Extremity Injuries and Amputations (established pursuant to section 723 of the

1 Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417))
2 during the one-year period ending on the date of such report. Each such report shall include a
3 description of the activities of the center during such period and an assessment of the role of such
4 activities in improving and enhancing the efforts of the Department of Defense and the
5 Department of Veterans Affairs for the mitigation, treatment, and rehabilitation of traumatic
6 extremity injuries and amputations.”.

7 (3) Section 320(c)(2) of title 38, United States Code, is amended by striking “and
8 to Congress”.

9 **SEC. 1043. PROTECTION FOR CERTAIN SENSITIVE INFORMATION.**

10 Section 130c(h)(1) of title 10, United States Code, is amended by adding at the end the
11 following new subparagraph, consistent with section 552(b)(3) of Title 5:

12 “(D) The Secretary of State, with respect to information of concern to the
13 Department of State, as determined by the Secretary.”.

14

15 **SEC. 1044. CONSULAR NOTIFICATION COMPLIANCE.**

16 (a) PETITION FOR REVIEW.—

17 (1) JURISDICTION.—Notwithstanding any other provision of law, a Federal court
18 shall have jurisdiction to review the merits of a petition claiming violation of Article
19 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24,
20 1963, or a comparable provision of a bilateral international agreement addressing
21 consular notification and access, filed by an individual convicted and sentenced to death
22 by any Federal or State court before the date of enactment of this Act.

1 (2) STANDARD.—To obtain relief, an individual described in paragraph (1) must
2 make a showing of actual prejudice to the criminal conviction or sentence as a result of
3 the violation. The court may conduct an evidentiary hearing if necessary to supplement
4 the record and, upon a finding of actual prejudice, shall order a new trial or sentencing
5 proceeding.

6 (3) LIMITATIONS.—

7 (A) INITIAL SHOWING.—To qualify for review under this subsection, a
8 petition must make an initial showing that—

9 (i) a violation of Article 36(1)(b) or (c) of the Vienna Convention
10 on Consular Relations, done at Vienna April 24, 1963, or a comparable
11 provision of a bilateral international agreement addressing consular
12 notification and access, occurred with respect to the individual described
13 in paragraph (1); and

14 (ii) if such violation had not occurred, the consulate would have
15 provided assistance to the individual.

16 (B) EFFECT OF PRIOR ADJUDICATION.—A petition for review under this
17 subsection shall not be granted if the claimed violation described in paragraph (1)
18 has previously been adjudicated on the merits by a Federal or State court of
19 competent jurisdiction in a proceeding in which no Federal or State procedural
20 bars were raised with respect to such violation and in which the court provided
21 review equivalent to the review provided in this subsection, unless the
22 adjudication of the claim resulted in a decision that was based on an unreasonable

1 determination of the facts in light of the evidence presented in the prior Federal or
2 State court proceeding.

3 (C) FILING DEADLINE.—A petition for review under this subsection shall
4 be filed within 1 year of the later of—

5 (i) the date of enactment of this Act;

6 (ii) the date on which the Federal or State court judgment against
7 the individual described in paragraph (1) became final by the conclusion
8 of direct review or the expiration of the time for seeking such review; or

9 (iii) the date on which the impediment to filing a petition created
10 by Federal or State action in violation of the Constitution or laws of the
11 United States is removed, if the individual described in paragraph (1) was
12 prevented from filing by such Federal or State action.

13 (D) TOLLING.—The time during which a properly filed application for
14 State post-conviction or other collateral review with respect to the pertinent
15 judgment or claim is pending shall not be counted toward the 1-year period of
16 limitation.

17 (E) TIME LIMIT FOR REVIEW.—A Federal court shall give priority to a
18 petition for review filed under this subsection over all noncapital matters. With
19 respect to a petition for review filed under this subsection and claiming only a
20 violation described in paragraph (1), a Federal court shall render a final
21 determination and enter a final judgment not later than one year after the date on
22 which the petition is filed.

1 (4) HABEAS PETITION.—A petition for review under this subsection shall be part
2 of the first Federal habeas corpus application or motion for Federal collateral relief under
3 chapter 153 of title 28, United States Code, filed by an individual, except that if an
4 individual filed a Federal habeas corpus application or motion for Federal collateral relief
5 before the date of enactment of this Act or if such application is required to be filed
6 before the date that is 1 year after the date of enactment of this Act, such petition for
7 review under this subsection shall be filed not later than 1 year after the date of enactment
8 of this Act or within the period prescribed by paragraph (3)(C)(iii), whichever is later. No
9 petition filed in conformity with the requirements of the preceding sentence shall be
10 considered a second or successive habeas corpus application or subjected to any bars to
11 relief based on preenactment proceedings other than as specified in paragraph (2).

12 (5) REFERRAL TO MAGISTRATE.—A Federal court acting under this subsection
13 may refer the petition for review to a Federal magistrate for proposed findings and
14 recommendations pursuant to 28 U.S.C. 636(b)(1)(B).

15 (6) APPEAL.—

16 (A) IN GENERAL.—A final order on a petition for review under paragraph
17 (1) shall be subject to review on appeal by the court of appeals for the circuit in
18 which the proceeding is held.

19 (B) APPEAL BY PETITIONER.—An individual described in paragraph (1)
20 may appeal a final order on a petition for review under paragraph (1) only if a
21 district or circuit judge issues a certificate of appealability. A district or circuit
22 court judge shall issue or deny a certificate of appealability not later than 30 days
23 after an application for a certificate of appealability is filed. A district judge or

1 circuit judge may issue a certificate of appealability under this subparagraph if the
2 individual has made a substantial showing of actual prejudice to the criminal
3 conviction or sentence of the individual as a result of a violation described in
4 paragraph (1).

5 (b) VIOLATION.—

6 (1) IN GENERAL.—An individual not covered by subsection (a) who is arrested,
7 detained, or held for trial on a charge that would expose the individual to a capital
8 sentence if convicted may raise a claim of a violation of Article 36(1)(b) or (c) of the
9 Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or of a
10 comparable provision of a bilateral international agreement addressing consular
11 notification and access, at a reasonable time after the individual becomes aware of the
12 violation, before the court with jurisdiction over the charge. Upon a finding of such a
13 violation—

14 (A) the consulate of the foreign state of which the individual is a national
15 shall be notified immediately by the detaining authority, and consular access to
16 the individual shall be afforded in accordance with the provisions of the Vienna
17 Convention on Consular Relations, done at Vienna April 24, 1963, or the
18 comparable provisions of a bilateral international agreement addressing consular
19 notification and access; and

20 (B) the court—

21 (i) shall postpone any proceedings to the extent the court
22 determines necessary to allow for adequate opportunity for consular
23 access and assistance; and

1 (ii) may enter necessary orders to facilitate consular access and
2 assistance.

3 (2) EVIDENTIARY HEARINGS.—The court may conduct evidentiary hearings if
4 necessary to resolve factual issues.

5 (3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to
6 create any additional remedy.

7 (c) DEFINITIONS.—In this section, the term “State” means any State of the United
8 States, the District of Columbia, the Commonwealth of Puerto Rico, and any
9 territory or possession of the United States.

10 **SEC. 1045. CONSULAR IMMUNITIES.**

11 The Secretary of State, in consultation with the Attorney General, may, on the basis of
12 reciprocity and under such terms and conditions as the Secretary may determine, specify
13 privileges and immunities for a consular post, the members of a consular post and their families
14 which result in more favorable or less favorable treatment than is provided in the Vienna
15 Convention on Consular Relations, of April 24, 1963 (T.I.A.S. 6820), entered into force for the
16 United States December 24, 1969.

17 **SEC. 1046. REVISION OF FREEDOM OF INFORMATION ACT TO REINSTATE**
18 **EXEMPTIONS UNDER THAT ACT AS IN EFFECT BEFORE THE**
19 **SUPREME COURT DECISION IN MILNER V. DEPARTMENT OF THE**
20 **NAVY.**

21 Paragraph (2) of section 552(b) of title 5, United States Code is amended—

22 (1) by inserting “(A)” before “related”;

23 (2) by inserting “or” after “an agency;”; and

1 (3) by adding at the end the following new subparagraph:

2 “(B) predominantly internal to an agency, but only to the extent that disclosure
3 could reasonably be expected to risk impairment of the effective operation of an agency
4 or circumvention of statute or regulation;”.

5 **SEC. 1047. EXEMPTION OF INFORMATION ON MILITARY TACTICS,**
6 **TECHNIQUES, AND PROCEDURES FROM RELEASE UNDER**
7 **FREEDOM OF INFORMATION ACT.**

8 (a) EXEMPTION.—Chapter 3 of title 10, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 130g. Nondisclosure of information: military tactics, techniques, and procedures**

11 “(a) AUTHORITY FOR NONDISCLOSURE.—The Secretary of Defense may withhold from
12 public disclosure otherwise required by law information on military tactics, techniques, and
13 procedures in accordance with this section.

14 “(b) STANDARD FOR EXEMPTION FROM DISCLOSURE.—For the purposes of this section,
15 information on a military tactic, technique, or procedure may be withheld from public disclosure
16 only if the Secretary makes each of the following determinations with respect to the information:

17 “(1) That the public disclosure of the information could reasonably be expected to
18 risk impairment of the effective operation of the armed forces.

19 “(2) That either of the following condition is met:

20 “(A) The military tactic, technique, or procedure has not been publicly
21 disclosed.

1 “(B) The use of the military tactic, technique, or procedure in connection
2 with a specific military operation, either planned or executed, or its effectiveness,
3 has not been publicly disclosed.

4 “(c) CITATION TO FOIA PARAGRAPH.—This section is a statute that specifically exempts
5 certain matters from disclosure under section 552 of title 5 within the meaning of paragraph (3)
6 of subsection (b) of that section.”.

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

“130g. Nondisclosure of information: military tactics, techniques, and procedures.”.

1 **TITLE XI—CIVILIAN PERSONNEL MATTERS**

2 **SEC. 1101. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT**
3 **ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN**
4 **PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

5 Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for
6 Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120
7 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act
8 for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and as most recently amended by
9 section 1102 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-
10 291; 128 Stat. zzz), is further amended by striking “2016” and inserting “2017”.

11 **SEC. 1102. AUTHORITY TO PROVIDE ADDITIONAL ALLOWANCES AND**
12 **BENEFITS FOR DEFENSE CLANDESTINE SERVICE EMPLOYEES.**

13 Section 1603 of title 10, United States Code, is amended by adding at the end the
14 following new subsection:

15 “(c) **ADDITIONAL ALLOWANCES AND BENEFITS FOR EMPLOYEES OF THE DEFENSE**
16 **CLANDESTINE SERVICE.**—In addition to the authority to provide compensation under subsection
17 (a), the Secretary of Defense may provide an employee in a defense intelligence position who is
18 assigned to the Defense Clandestine Service allowances and benefits under paragraph (1) of
19 section 9904 of title 5 without regard to the limitations in that section—

20 “(1) that the employee be assigned to activities outside the United States; or

21 “(2) that the activities to which the employee is assigned be in support of

22 Department of Defense activities abroad.”.

23 **SEC. 1103. EXTENSION OF RATE OF OVERTIME PAY FOR DEPARTMENT OF THE**
24 **NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE**
25 **IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER**
26 **FORWARD DEPLOYED IN JAPAN.**

27 Subparagraph (B) of section 5542(a)(6) of title 5, United States Code, is amended by
28 striking “September 30, 2015” and inserting “September 30, 2017”.

29 **SEC. 1104. TWO-YEAR EXTENSION OF SUNSET PROVISION APPLICABLE TO**
30 **EXPEDITED HIRING AUTHORITY FOR DESIGNATED DEFENSE**
31 **ACQUISITION WORKFORCE POSITIONS.**

32 Section 1705(g)(2) of title 10, United States Code, is amended by striking “September 30,
33 2017” and inserting “September 30, 2019”.

34 **SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL**
35 **LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION**
36 **ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING**
37 **OVERSEAS.**

38 Effective January 1, 2016, section 1101(a) of the Duncan Hunter National Defense
39 Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently
40 amended by section 1101 of the National Defense Authorization Act for Fiscal Year 2015
41 (Public Law 113-291; 128 Stat. zzz), is further amended by striking “through 2015” and inserting
42 “through 2016”.

1 **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

2 **SEC. 1201. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND**
3 **ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION-IRAQ.**

4 (a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National
5 Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 113 note) is
6 amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

7 (b) AMOUNT AVAILABLE.—Such section is further amended—

8 (1) in subsection (c), by striking “fiscal year 2015” and all that follows and
9 inserting “fiscal year 2016 may not exceed \$143,000,000.”; and

10 (2) in subsection (d), by striking “fiscal year 2015” and inserting “fiscal year
11 2016”.

12 (c) REPEAL OF EXPIRED REPORTING REQUIREMENT.—Subsection (g) of such section is
13 repealed.

14 **SEC. 1202. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN**
15 **COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED**
16 **STATES MILITARY OPERATIONS.**

17 (a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense
18 Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently
19 amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2015
20 (Public Law 113-291; 128 Stat. yyy), is further amended by striking “fiscal year 2015” and
21 inserting “fiscal year 2016”.

22 (b) AMOUNTS AVAILABLE.—Subsection (d)(1) of such section is amended—

23 (1) by striking “during fiscal year 2015 may not exceed \$1,200,000,000” and

1 inserting “during fiscal year 2016 may not exceed \$1,260,000,000”; and

2 (2) by striking the third sentence.

3 **SEC. 1203. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND**
4 **PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY**
5 **FORCES OF AFGHANISTAN.**

6 (a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization
7 Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as amended by section 1231 of
8 the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act
9 for Fiscal Year 2015 (Public Law 113-291; 128 Stat. XXX), is further amended by striking
10 “December 31, 2015” and inserting “December 31, 2016”.

11 (b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section is amended by
12 striking “During fiscal years 2013, 2014, and 2015” in subparagraphs (A) and (B) and inserting
13 “Through December 31, 2016”.

14 **SEC. 1204. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FROM**
15 **KUWAIT FOR CERTAIN MUTUALLY BENEFICIAL PROJECTS.**

16 (a) AUTHORITY.—Subchapter II of chapter 138 of title 10, United States Code, is
17 amended by adding at the end the following new section:

18 **“§ 2350n. Construction, maintenance, and repair projects mutually beneficial to the**
19 **Department of Defense and Kuwait Armed Forces**

20 **“(a) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense, after**
21 **consultation with the Secretary of State, may accept cash contributions from the State of Kuwait,**
22 **for the purposes specified in subsection (c).**

1 “(b) ACCOUNTING—Contributions accepted under subsection (a) shall be placed in an
2 account established by the Secretary of Defense and shall remain available until expended for the
3 purposes specified in subsection (c).

4 “(c) AVAILABILITY OF CONTRIBUTIONS.—Contributions accepted under subsection (a)
5 shall be available only for payment of costs in connection with mutually beneficial construction
6 (including military construction not otherwise authorized by law), maintenance, and repair
7 projects in Kuwait.

8 “(d) MUTUALLY BENEFICIAL DEFINED.—A project shall be considered to be ‘mutually
9 beneficial’ for purposes of this section if—

10 “(1) the project is in support of a bilateral United States and Kuwait defense
11 cooperation agreement; or

12 “(2) the Secretary of Defense determines that the United States may derive a
13 benefit from the project. including—

14 “(A) access to and use of facilities of the Kuwait Armed Forces;

15 “(B) ability or capacity for future posture; and

16 “(C) increased interoperability between the Department of Defense and
17 Kuwait Armed Forces.”.

18 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is
19 amended by adding at the end the following new item:

“2350n. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and
Kuwait armed forces.”.

20 **SEC. 1205. EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM**
21 **IN AFGHANISTAN.**

22 Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public

1 Law 112-81; 125 Stat. 1619), as most recently amended by section 1221 of the National Defense
2 Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. yyy), is further amended
3 by striking “fiscal year 2015” in subsections (a), (b), and (f) and inserting “fiscal year 2016”.

4 **SEC. 1206. INCREASE IN THRESHOLDS FOR DEFINITION OF MAJOR DEFENSE**
5 **EQUIPMENT FOR PURPOSES OF ARMS EXPORT CONTROL ACT.**

6 Section 47(6) of the Arms Export Control Act (22 U.S.C. 2794(6)) is amended—

7 (1) by striking “\$50,000,000” and inserting “\$200,000,000”; and

8 (2) by striking “\$200,000,000” and inserting “\$800,000,000”.

9 **SEC. 1207. MAINTENANCE OF PROHIBITION ON PROCUREMENT BY**
10 **DEPARTMENT OF DEFENSE OF COMMUNIST CHINESE-ORIGIN**
11 **ITEMS THAT MEET THE DEFINITION OF GOODS AND SERVICES**
12 **CONTROLLED AS MUNITIONS ITEMS WHEN MOVED TO THE “600**
13 **SERIES” OF THE COMMERCE CONTROL LIST.**

14 (a) IN GENERAL.—Section 1211 of the National Defense Authorization Act for Fiscal
15 Year 2006 (Public Law 109-163; 10 U.S.C. 2302 note) is amended—

16 (1) in subsection (b), by inserting “or in the 600 series of the control list of the
17 Export Administration Regulations” after “in Arms Regulations,”; and

18 (2) in subsection (e), by adding at the end the following new paragraph:

19 “(3) The term ‘600 series of the control list of the Export Administration
20 Regulations’ means the 600 series of the Commerce Control List contained in
21 Supplement No. 1 to part 774 of subtitle B of title 15 of the Code of Federal
22 Regulations.”.

1 (b) TECHNICAL CORRECTIONS TO ITAR REFERENCES.—Subsections (b) and (e)(2) of such
2 section are amended by striking “Trafficking” and inserting “Traffic”.

3 **SEC. 1208. MODIFICATION OF GLOBAL LIFT AND SUSTAIN TO SUPPORT**
4 **PARTNERS AND ALLIES.**

5 Subsection (b) of section 127d of title 10, United States Code, is amended by adding at
6 the end the following new paragraph:

7 “(3) Clause (ii) of paragraph (2)(B) does not apply in a case in which the Secretary
8 determines that the provision of assistance is critical to the timely and effective participation of
9 the allied forces in the combined operation.”.

10 **SEC. 1209. REIMBURSEMENTS FOR CERTAIN COUNTERINSURGENCY,**
11 **COUNTERTERRORISM AND STABILIZATION OPERATIONS**
12 **CARRIED OUT BY PAKISTAN.**

13 (a) AUTHORITY.— From funds made available for the Department of Defense for
14 operation and maintenance, the Secretary of Defense, with the concurrence of the Secretary of
15 State and in consultation with the Director of the Office of Management and Budget, may
16 provide reimbursements for counterinsurgency, counterterrorism, and stabilization operations
17 carried out by the Government of Pakistan in its campaign against al-Qaeda, the Tehrik-e-
18 Taliban Pakistan, and associated militants.

19 (b) TYPES OF REIMBURSEMENTS.—Reimbursements made under the authority in
20 subsection (a) may be made, in such amounts as the Secretary of Defense considers appropriate,
21 for logistical, military, and other expenditures associated with the operations specified in
22 subsection (a).

23 (c) LIMITATIONS.—

1 (1) PROHIBITION ON CONTRACTUAL OBLIGATIONS TO MAKE PAYMENTS.—The
2 Secretary of Defense may not enter into any contractual obligation to make a
3 reimbursement under the authority in subsection (a).

4 (2) PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS
5 CLOSED TO TRANSSHIPMENT.—The Secretary of Defense may not provide a
6 reimbursement under the authority in subsection (a) for claims of support provided during
7 any period when the ground lines of supply through Pakistan were closed to the
8 transshipment of equipment and supplies in support of United States military operations
9 in Afghanistan.

10 (d) NOTICE TO CONGRESSIONAL COMMITTEES.—The Secretary of Defense shall notify the
11 appropriate congressional committees not later than 15 days before making any reimbursement
12 under the authority in subsection (a).

13 (e) TERMINATION. —The Secretary of Defense may not use the authority in subsection (a)
14 to provide reimbursement for any costs that are incurred after September 30, 2018.

15 (f) LIMITATION ON REIMBURSEMENTS TO THE GOVERNMENT OF PAKISTAN UNDER SECTION
16 1233 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.— No
17 reimbursement may be provided to the Government of Pakistan under section 1233 of the
18 National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 122 Stat. 393),
19 as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal
20 Year 2015 (Public Law 113-291, 128 Stat. yyy), for any period during which this section is also
21 in effect.

22 (g) DEFINITIONS.— In this section, the term “appropriate congressional committees”
23 means—

1 (1) the Committee on Armed Services, the Committee on Foreign Affairs, and the
2 Committee on Appropriations of the House of Representatives; and

3 (2) the Committee on Armed Services, the Committee on Foreign Relations, and
4 the Committee on Appropriations of the Senate.

5 **SEC. 1210. NATO SPECIAL OPERATIONS HEADQUARTERS.**

6 Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public
7 Law 111-84; 123 Stat. 2541), as most recently amended by section 1272 of the National Defense
8 Authorization Act of Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2023), is further amended
9 by striking “for each of fiscal years 2013, 2014, and 2015 pursuant to section 301” and inserting
10 “for any fiscal year”.

11 **SEC. 1211. AFGHANISTAN SECURITY FORCES FUND.**

12 (a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING
13 REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security
14 Forces Fund for fiscal year 2016 shall be subject to the conditions contained in subsections (b)
15 through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008
16 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National
17 Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

18 (b) EXTENSION OF AUTHORITY TO ACCEPT CERTAIN EQUIPMENT.—Subsection (d)(1) of
19 section 1531 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-
20 66; 10 U.S.C. 2302 note) is amended by striking “prior Acts” and inserting “Acts enacted before
21 the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.”.

22 **SEC. 1212. NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.**

1 (a) EXTENSION.—Subsection (h) of section 943 of the Duncan Hunter National Defense
2 Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4579), as most recently
3 amended by section 1261 of the National Defense Authorization Act for Fiscal Year 2015 (Public
4 Law 113-291; 128 Stat. yyy), is further amended by striking “2016” and inserting “2017”.

5 (b) REVISION TO ANNUAL LIMITATION ON FUNDS.—Subsection (a) of such section is
6 amended—

7 (1) by striking “Upon” and inserting the following:

8 “(1) IN GENERAL.—Upon”;

9 (2) by striking “an amount” and all that follows through “may be” and inserting
10 “amounts appropriated or otherwise made available for the Department of Defense for
11 operation and maintenance may be”; and

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

13 “(2) ANNUAL LIMIT.—The total amount made available for support of non-
14 conventional assisted recovery activities under this subsection in any fiscal year may not
15 exceed \$25,000,000.”.

16 **SEC. 1213. PERMANENT AUTHORITY TO PROVIDE REWARDS THROUGH**
17 **GOVERNMENT PERSONNEL OF ALLIED FORCES AND CERTAIN**
18 **OTHER MODIFICATIONS TO DEPARTMENT OF DEFENSE**
19 **PROGRAM TO PROVIDE REWARDS.**

20 (a) PERMANENT AUTHORITY. —Subsection (c)(3) of section 127b of title 10, United
21 States Code, is amended by striking subparagraph (C).

22 (b) REPEAL OF COMPLETED REPORTING REQUIREMENT.—Such subsection is further
23 amended by striking subparagraph (D).

1 (c) CHANGE OF SECTION HEADING TO REFLECT NAME OF PROGRAM.—

2 (1) SECTION HEADING.—The heading of such section is amended to read as
3 follows:

4 **“§127b. Department of Defense Rewards Program”.**

5 (2) CLERICAL AMENDMENT.—The item relating to such section in the table of
6 sections at the beginning of chapter 3 of such title is amended to read as follows:
“127b. Department of Defense Rewards Program.”.

7 **SEC. 1214. EXTENSION OF AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE**
8 **THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO**
9 **INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.**

10 Section 1204(h) of the National Defense Authorization Act for Fiscal Year 2014 (Public
11 Law 113-66; 127 Stat. 897; 10 U.S.C. 401 note) is amended by striking “September 30, 2017”
12 and inserting “September 30, 2018”.

13 **SEC. 1215. AUTHORITY FOR SECRETARY OF DEFENSE TO ENGAGE IN**
14 **COMMERCIAL ACTIVITIES AS SECURITY FOR MILITARY**
15 **OPERATIONS ABROAD.**

16 (a) AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR MILITARY
17 OPERATIONS.—Subsection (a) of section 431 of title 10, United States Code, is amended by
18 inserting “and military operations” after “intelligence collection activities”.

19 (b) CONGRESSIONAL COMMITTEE REFERENCES.—

20 (1) DEFINITIONS.—Subsection (c) of such section is amended by adding at the end
21 the following new paragraphs:

22 “(3) The term ‘congressional intelligence committees’ has the meaning given that
23 term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

1 “(4) The term ‘appropriate congressional committees’ means—

2 “(A) with respect to a matter that pertains to a commercial activity
3 undertaken under this subchapter to provide security for intelligence collection
4 activities, the congressional defense committees and the congressional
5 intelligence committees; and

6 “(B) with respect to a matter that pertains to a commercial activity
7 undertaken under this subchapter to provide security for military operations, the
8 Committee on Armed Services of the Senate and the Committee on Armed
9 Services of the House of Representatives.”.

10 (2) CONFORMING AMENDMENT.—Section 437 of such title is amended by
11 striking subsection (c).

12 (c) REPORTING OF AUDITS.—The second sentence of section 432(b)(2) of such title is
13 amended to read as follows: “The results of any such audit shall be promptly reported to the
14 appropriate congressional committees.”.

15 (d) AUTHORITY TO WAIVE OTHER FEDERAL LAWS WHEN NECESSARY TO MAINTAIN
16 SECURITY.—Section 433(b)(1) of such title is amended by inserting “or military operation”
17 after “intelligence activity”.

18 (e) LIMITATIONS.—Section 435 of such title is amended—

19 (1) in subsection (a), by inserting “or military operation” after “intelligence
20 activity”; and

21 (2) in subsection (b), by inserting “or military operations” after “intelligence
22 activities”.

23 (f) CONGRESSIONAL OVERSIGHT.—Section 437 of such title is amended by striking

1 “congressional defense committees and the congressional intelligence committees” in
2 subsections (a) and (b) and inserting “appropriate congressional committees”.

3 (g) CLERICAL AMENDMENTS.—

4 (1) SUBCHAPTER HEADING.—(A) The heading of subchapter II of chapter 21 of
5 such title is amended to read as follows:

6 “SUBCHAPTER II—DEFENSE COMMERCIAL ACTIVITIES”.

7 (B) The item relating to that subchapter in the table of subchapters at the
8 beginning of such chapter is amended to read as follows:

“II. Defense Commercial Activities431.”.

9 (2) SECTION HEADING.—(A) The heading of section 431 of such title is amended
10 to read as follows:

11 “§ 431. Authority to engage in commercial activities as security for intelligence collection
12 activities and military operations”.

13 (B) The item relating to that section in the table of sections at the beginning of
14 subchapter II of chapter 21 of such title is amended to read as follows:

“431. Authority to engage in commercial activities as security for intelligence collection activities and military
operations.”.

15 **SEC. 1216 . EXTENSION OF AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.**

16 (a) EXTENSION.—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (title
17 VI of Public Law 111-8; 8 U.S.C. 1101 note) is amended by striking “4,000” at the end of the
18 first sentence and inserting “9,000”.

19 (b) TECHNICAL AMENDMENTS.—

20 (1) Section 601 of such Act is amended by striking “This Act” and inserting “This
21 title”.

1 (2) Section 602(c)(3) of such Act is amended by striking “section 4 of the Office
2 of Federal Procurement Policy Act (41 U.S.C. 403)” and inserting “section 133 of title
3 41, United States Code”.

4 **SEC. 1217. LIQUIDATION OF UNPAID CREDITS ACCRUED AS A RESULT OF**
5 **TRANSACTIONS UNDER A CROSS-SERVICING AGREEMENT.**

6 (a) LIQUIDATION OF UNPAID CREDITS.—Section 2345 of title 10, United States Code, is
7 amended by adding at the end the following new subsection:

8 “(c)(1) Any credits of the United States accrued as a result of the provision of logistic
9 support, supplies, and services under the authority of this subchapter that remain unliquidated
10 more than 18 months after the date of delivery of the logistic support, supplies, or services may,
11 at the option of the Secretary of Defense , be
in coordination with the Secretary of State
12 liquidated by offsetting the credits against any amount owed by the Department of Defense,
13 pursuant to a transaction or transactions concluded under the authority of this subchapter, to the
14 government or international organization to which the logistic support, supplies, or services were
15 provided by the United States.

16 “(2) The amount of any credits offset pursuant to paragraph (1) shall be credited as
17 specified in section 2346 of this title as if it were a receipt of the United States.”.

18 (b) EFFECTIVE DATE.—Subsection (c) of section 2345 of title 10, United States Code, as
19 added by subsection (a), shall apply with respect to credits accrued by the United States which
20 (1) were accrued prior to, and remain unpaid as of, the date of the enactment of this Act, or (2)
21 are accrued after the date of the enactment of this Act.

22 **SEC. 1218. EASTERN EUROPEAN TRAINING INITIATIVE.**

1 (a) AUTHORITY.—The Secretary of Defense, with the concurrence of the Secretary of
2 State, may carry out a program, to be known as the Eastern European Training Initiative, to
3 provide training, and pay the incremental expenses incurred by a country as the direct result of
4 participation in such training, for the national military forces of—

5 (1) a country that is a signatory to the Partnership for Peace Framework
6 Documents, but is not a member of the North Atlantic Treaty Organization (NATO); or

7 (2) a country that became a member of NATO after January 1, 1999.

8 (b) TYPES OF TRAINING.—The training provided to the national military forces of a
9 country under subsection (a) shall be limited to multilateral or regional training to—

10 (1) maintain and increase interoperability and readiness;

11 (2) increase the capacity to respond to external threats; or

12 (3) increase the capacity to respond to calls for collective action within NATO.

13 (c) REQUIRED ELEMENTS.—Training provided to the national military forces of a country
14 under subsection (a) shall include elements that promote—

15 (1) observance of and respect for human rights and fundamental freedoms; and

16 (2) respect for legitimate civilian authority within that country.

17 (d) LIMITATION ON FUNDS.—

18 (1) ANNUAL FUNDING LIMITATION.—The Secretary of Defense may use up to
19 \$28,000,000 of funds available for operation and maintenance for any fiscal year to
20 provide training and pay incremental expenses under subsection (a) in that fiscal year.

21 (2) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—Amounts
22 made available in a fiscal year to carry out the authority in subsection (a) may be used for

1 training under that authority that begins in the fiscal year for which such amounts are
2 made available and ends in the next fiscal year.

3 (e) CONGRESSIONAL NOTIFICATION.—

4 (1) NOTIFICATION.—Not less than 15 days before providing training to the
5 national military forces of a country under subsection (a), the Secretary of Defense shall
6 submit to the congressional committees specified in paragraph (2) a notice of the
7 following:

8 (A) The country with which the training will be conducted.

9 (B) The type of training to be provided.

10 (2) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees
11 specified in this paragraph are the following:

12 (A) The Committee on Armed Services, the Committee on Foreign
13 Affairs, and the Committee on Appropriations of the House of Representatives.

14 (B) The Committee on Armed Services, the Committee on Foreign
15 Relations, and the Committee on Appropriations of the Senate.

16 (f) ADDITIONAL AUTHORITY.—The authority provided in subsection (a) is in addition to
17 any other authority provided by law authorizing the provision of training for the national military
18 forces of a foreign country, including section 2282 of title 10, United States Code.

19 (g) DEFINITION.—In this section, the term “incremental expenses” means the reasonable
20 and proper cost of the goods and services that are consumed by a country as a direct result of that
21 country’s participation in training under the authority of this section, including rations, fuel,
22 training ammunition, and transportation. Such term does not include pay, allowances, and other
23 normal costs of such country’s personnel.

1 (h) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on
2 September 30, 2020. Any activity under this section initiated before that date may be completed,
3 but only using funds available for fiscal years 2016 through 2020.

4 **SEC. 1219. EXTENSION, EXPANSION, AND REVISION OF AUTHORITY FOR**
5 **ASSISTANCE TO THE GOVERNMENT OF JORDAN FOR BORDER**
6 **SECURITY OPERATIONS.**

7 (a) AUTHORITY.—Subsection (a)(1) of section 1207 of the National Defense
8 Authorization Act for Fiscal Year 2014 (Public Law 113-66; 22 U.S.C. 2151 note) is amended—

9 (1) by striking “maintaining” and inserting “enhancing”; and

10 (2) by striking “increase security and sustain increased security along the border
11 between Jordan and Syria” and inserting “sustain security along the border of Jordan with
12 Syria and Iraq”.

13 (b) FUNDS.—Subsection (b) of such section is amended by striking “2014” and inserting
14 “2016 and 2017”.

15 (c) LIMITATIONS.—Subsection (c) of such section is amended—

16 (1) by striking “LIMITATIONS.—” and all that follows through “The total” and
17 inserting “LIMITATION ON AMOUNT.— From funds made available to the Department of
18 Defense, the total”; and

19 (2) by inserting “in any fiscal year” before “may not exceed \$150,000,000”; and

20 (3) by striking paragraph (2).

21 (e) EXPIRATION OF AUTHORITY.—Subsection (f) of such section is amended by striking
22 “December 31, 2015” and inserting “December 31, 2017”.

1 **SEC. 1220. PERMANENT AUTHORITY TO TRANSPORT ALLIED PERSONNEL**
2 **DURING CONTINGENCIES OR DISASTER RESPONSES.**

3 Section 2649(c) of title 10, United States Code, is amended by striking “Until January 6,
4 2016, when” and inserting “When”.

5 **TITLE XIII—[RESERVED]**

6 **TITLE XIV—OTHER AUTHORIZATIONS**

7 **Subtitle A—Military Programs**

8 **SEC. 1401. WORKING CAPITAL FUNDS.**

9 Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the
10 Armed Forces and other activities and agencies of the Department of Defense for providing
11 capital for working capital and revolving funds in the amount of \$1,786,732,000.

12 **SEC. 1402. JOINT URGENT OPERATIONAL NEEDS FUND.**

13 Funds are hereby authorized to be appropriated for fiscal year 2016 for the Joint Urgent
14 Operational Needs Fund in the amount of \$99,701,000.

15 **SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
17 appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise
18 provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of
19 \$720,721,000, of which—

20 (1) \$139,098,000 is for Operation and Maintenance;

21 (2) \$579,342,000 is for Research, Development, Test, and Evaluation; and

22 (3) \$2,281,000 is for Procurement.

1 (b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized
2 for—

3 (1) the destruction of lethal chemical agents and munitions in accordance with
4 section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521);
5 and

6 (2) the destruction of chemical warfare materiel of the United States that is not
7 covered by section 1412 of such Act.

8 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-**
9 **WIDE.**

10 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
11 year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug
12 Activities, Defense-wide, in the amount of \$850,598,000.

13 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

14 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
15 year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the
16 Department of Defense, in the amount of \$316,159,000, of which—

17 (1) \$310,459,000 is for Operation and Maintenance;

18 (2) \$4,700,000 is for Research, Development, Test and Evaluation; and

19 (3) \$1,000,000 is for Procurement.

20 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

21 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
22 year 2016 for expenses, not otherwise provided for, for the Defense Health Program, in the
23 amount of \$32,243,328,000, of which—

- 1 (1) \$30,889,940,000 is for Operation and Maintenance;
2 (2) \$980,101,000 is for Research, Development, Test, and Evaluation; and
3 (3) \$373,287,000 is for Procurement.

4 **Subtitle B—Other Matters**

5 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF**
6 **DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL**
7 **FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A.**
8 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

9 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated
10 for section 506 and available for the Defense Health Program for operation and maintenance,
11 \$120,387,000 may be transferred by the Secretary of Defense to the Joint Department of
12 Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by
13 subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010
14 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any
15 funds so transferred shall be treated as amounts authorized and appropriated specifically for the
16 purpose of such a transfer.

17 (b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section
18 1704, facility operations for which funds transferred under subsection (a) may be used are
19 operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North
20 Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting
21 facilities designated as a combined Federal medical facility under an operational agreement
22 covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal
23 Year 2009 (Public Law 110-417; 122 Stat. 4500).

1 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES**

2 **RETIREMENT HOME.**

3 There is hereby authorized to be appropriated for fiscal year 2016 from the Armed Forces
4 Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces
5 Retirement Home.

6 **TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS**
7 **FOR OVERSEAS CONTINGENCY OPERATIONS**

8 **SEC. 1501. PURPOSE.**

9 The purpose of this title is to authorize appropriations for the Department of Defense for
10 fiscal year 2016 to provide additional funds for overseas contingency operations being carried
11 out by the Armed Forces.

12 **SEC. 1502. ARMY PROCUREMENT.**

13 Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for
14 the Army in amounts as follows:

- 15 (1) For aircraft procurement, \$164,987,000.
- 16 (2) For missile procurement, \$37,260,000.
- 17 (3) For weapons and tracked combat vehicles, \$26,030,000.
- 18 (3) For ammunition procurement, \$192,040,000.
- 19 (4) For other procurement, \$1,205,596,000.

20 **SEC. 1503. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.**

21 Funds are hereby authorized to be appropriated for fiscal year 2016 for the Joint
22 Improvised Explosive Device Defeat Fund in the amount of \$493,271,000.

23 **SEC. 1504. NAVY AND MARINE CORPS PROCUREMENT.**

1 Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for
2 the Navy and Marine Corps in amounts as follows:

3 (1) For aircraft procurement, Navy, \$217,394,000.

4 (2) For weapons procurement, Navy, \$3,344,000.

5 (3) For ammunition procurement, Navy and Marine Corps, \$136,930,000.

6 (4) For other procurement, Navy, \$12,186,000.

7 (5) For procurement, Marine Corps, \$48,934,000.

8 **SEC. 1505. AIR FORCE PROCUREMENT.**

9 Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for
10 the Air Force in amounts as follows:

11 (1) For aircraft procurement, \$128,900,000.

12 (2) For missile procurement, \$289,142,000.

13 (3) For ammunition procurement, \$228,874,000.

14 (4) For other procurement, \$3,859,964,000.

15 **SEC. 1506. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

16 Funds are hereby authorized to be appropriated for fiscal year 2016 for the procurement
17 account for Defense-wide activities in the amount of \$212,418,000.

18 **SEC. 1507. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

19 Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the
20 Department of Defense for research, development, test, and evaluation as follows:

21 (1) For the Army, \$1,500,000.

22 (2) For the Navy, \$35,747,000.

23 (3) For the Air Force, \$17,100,000.

1 (4) For Defense-wide activities, \$137,087,000.

2 **SEC. 1508. OPERATION AND MAINTENANCE.**

3 Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the
4 Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in
5 amounts as follows:

6 (1) For the Army, \$11,382,750,000.

7 (2) For the Navy, \$5,131,588,000.

8 (3) For the Marine Corps, \$952,534,000.

9 (4) For the Air Force, \$9,090,013,000.

10 (5) For Defense-wide activities, \$5,805,633,000.

11 (6) For the Army Reserve, \$24,559,000.

12 (7) For the Navy Reserve, \$31,643,000.

13 (8) For the Marine Corps Reserve, \$3,455,000.

14 (9) For the Air Force Reserve, \$58,106,000.

15 (10) For the Army National Guard, \$60,845,000.

16 (11) For the Air National Guard, \$19,900,000.

17 (12) For the Afghanistan Security Forces Fund, \$3,762,257,000.

18 (13) For the Counterterrorism Partnerships Fund, \$2,100,000,000.

19 (14) For the Iraq Train and Equip Fund, \$715,000,000.

20 (15) For the Syria Train and Equip Fund, \$600,000,000.

21 **SEC. 1509. MILITARY PERSONNEL.**

22 Funds are hereby authorized to be appropriated for fiscal year 2016 to the Department of
23 Defense for military personnel accounts in the total amount of \$3,204,758,000.

1 **SEC. 1510. WORKING CAPITAL FUNDS.**

2 Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the
3 Armed Forces and other activities and agencies of the Department of Defense for providing
4 capital for Defense Working Capital Funds in the amount of \$88,850,000.

5 **SEC. 1511. DEFENSE HEALTH PROGRAM.**

6 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
7 year 2016 for expenses, not otherwise provided for, for the Defense Health Program in the
8 amount of \$272,704,000 for operation and maintenance.

9 **SEC. 1512. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-**
10 **WIDE.**

11 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
12 year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug
13 Activities, Defense-wide in the amount of \$186,000,000.

14 **SEC. 1513. DEFENSE INSPECTOR GENERAL.**

15 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
16 year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the
17 Department of Defense in the amount of \$10,262,000.

18 **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

19 **SEC. 2001. SHORT TITLE.**

20 This division may be cited as the “Military Construction Authorization Act for Fiscal
21 Year 2016”.

22 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO**
23 **BE SPECIFIED BY LAW.**

1 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in
2 subsection (b), all authorizations contained in titles XXI through XXVII for military construction
3 projects, land acquisition, family housing projects and facilities, and contributions to the North
4 Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations
5 therefor) shall expire on the later of—

6 (1) October 1, 2018; or

7 (2) the date of the enactment of an Act authorizing funds for military construction
8 for fiscal year 2019.

9 (b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military
10 construction projects, land acquisition, family housing projects and facilities, and contributions
11 to the North Atlantic Treaty Organization Security Investment Program (and authorizations of
12 appropriations therefor), for which appropriated funds have been obligated before the later of—

13 (1) October 1, 2018; or

14 (2) the date of the enactment of an Act authorizing funds for fiscal year 2018 for
15 military construction projects, land acquisition, family housing projects and facilities, or
16 contributions to the North Atlantic Treaty Organization Security Investment Program.

17 **SEC. 2003. EFFECTIVE DATE.**

18 Titles XXI through XXVII shall take effect on the later of—

19 (1) October 1, 2015; or

20 (2) the date of the enactment of this Act.

21 **TITLE XXI—ARMY MILITARY CONSTRUCTION**

22 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION**
23 **PROJECTS.**

1 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 2 authorization of appropriations in section 2104(a) and available for military construction projects
 3 inside the United States as specified in the funding table in section 3002, the Secretary of the
 4 Army may acquire real property and carry out military construction projects for the installations
 5 or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Greely	\$7,800,000
California	Concord	\$98,000,000
Colorado	Fort Carson	\$5,800,000
Georgia	Fort Gordon	\$90,000,000
New York	Fort Drum	\$19,000,000
	U.S. Military Academy	\$70,000,000
Oklahoma	Fort Sill	\$69,400,000
Texas	Corpus Christi	\$85,000,000
	Joint Base San Antonio	\$43,000,000
Virginia	Fort Lee	\$33,000,000
	Joint Base Myer-Henderson	\$37,000,000

6 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 7 authorization of appropriations in section 2104(a) and available for military construction projects
 8 outside the United States as specified in the funding table in section 3002, the Secretary of the
 9 Army may acquire real property and carry out the military construction project for the
 10 installations or locations outside the United States, and in the amount, set forth in the following
 11 table:

Army: Outside the United States

Country	Installation	Amount
Germany	Grafenwoehr	\$51,000,000

12 **SEC. 2102. FAMILY HOUSING.**

1 (a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the
 2 authorization of appropriations in section 2104(a) and available for military family housing
 3 functions as specified in the funding table in section 3002, the Secretary of the Army may
 4 construct or acquire family housing units (including land acquisition and supporting facilities) at
 5 the installations or locations, in the number of units, and in the amounts set forth in the following
 6 table:

Army: Family Housing

State/Country	Installation	Units	Amount
Florida	Camp Rudder	Family Housing New Construction	\$8,000,000
Illinois	Rock Island	Family Housing New Construction	\$20,000,000
Korea	Camp Walker	Family Housing New Construction	\$61,000,000

7 (b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization
 8 of appropriations in section 2104(a) and available for military family housing functions as
 9 specified in the funding table in section 3002, the Secretary of the Army may carry out
 10 architectural and engineering services and construction design activities with respect to the
 11 construction or improvement of family housing units in an amount not to exceed \$7,195,000.

12 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

13 Subject to section 2825 of title 10, United States Code, and using amounts appropriated
 14 pursuant to the authorization of appropriations in section 2104(a) and available for military
 15 family housing functions as specified in the funding table in section 3002, the Secretary of the
 16 Army may improve existing military family housing units in an amount not to exceed
 17 \$3,500,000.

18 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
 20 appropriated for fiscal years beginning after September 30, 2015, for military construction, land

1 acquisition, and military family housing functions of the Department of the Army as specified in
2 the funding table in section 3002.

3 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
4 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
5 authorized by law, the total cost of all projects carried out under section 2101 of this Act may not
6 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
7 funding table in section 3002.

8 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
9 **YEAR 2013 PROJECT.**

10 In the case of the authorization contained in the table in section 2101(a) of the Military
11 Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126
12 Stat. 2119) for the United States Military Academy, New York, for construction of a Cadet
13 barracks building at the installation, the Secretary of the Army may install mechanical equipment
14 and distribution lines sufficient to provide chilled water for air conditioning the nine existing
15 historical Cadet barracks which are being renovated through the Cadet Barracks Upgrade
16 Program.

17 **SEC. 2106. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012**
18 **PROJECT.**

19 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
20 Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the
21 authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (125
22 Stat. 1661), shall remain in effect until October 1, 2016, or the date of the enactment of an Act
23 authorizing funds for military construction for fiscal year 2017, whichever is later:

1 (b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2012 Project Authorization

State	Installation or Location	Project	Amount
Virginia	Fort Belvoir	Road and Infrastructure Improvements	\$25,000,000

2 **SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013**
3 **PROJECTS.**

4 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
5 Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the
6 authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126
7 Stat. 2119) shall remain in effect until October 1, 2016, or the date of the enactment of an Act
8 authorizing funds for military construction for fiscal year 2017, whichever is later:

9 (b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

State	Installation or Location	Project	Amount
District of Columbia	Fort McNair	Vehicle Storage Building, Installation	\$7,191,000
Kansas	Fort Riley	Unmanned Aerial Vehicle Complex	\$12,184,000
North Carolina	Fort Bragg	Aerial Gunnery Range	\$41,945,000
Texas	JB San Antonio	Barracks	\$20,971,000
Virginia	Fort Belvoir	Secure Admin/Operations Facility	\$93,876,000
Italy	Camp Ederle	Barracks	\$35,952,000
Japan	Sagami	Vehicle Maintenance Shop	\$17,976,000

10 **SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**
11 **2016 PROJECTS.**

1 (a) BRUSSELS.—

2 (1) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a
3 military construction project to construct a multi-sport athletic field and track and
4 perimeter road and fencing and acquire approximately 5 acres of land adjacent to the
5 existing Sterrebeek Dependent School site to allow relocation of Army functions to the
6 site in support of the European Infrastructure Consolidation effort, in the amount of
7 \$6,000,000.

8 (2) USE OF UNOBLIGATED PRIOR-YEAR ARMY MILITARY CONSTRUCTION FUNDS.—

9 The Secretary may use available, unobligated Army military construction funds
10 appropriated for a fiscal year before fiscal year 2016 for the project described in
11 paragraph (1).

12 (b) RHINE ORDNANCE BARRACKS.—

13 (1) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a
14 military construction project to construct a vehicle bridge and traffic circle to facilitate
15 traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany, in the
16 amount of \$12,400,000.

17 (2) USE OF HOST-NATION PAYMENT-IN-KIND FUNDS.—The Secretary may use
18 available host-nation Payment-in-Kind funding for the project described in paragraph (1).

19 **TITLE XXII—NAVY MILITARY CONSTRUCTION**

20 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION**

21 **PROJECTS.**

22 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
23 authorization of appropriations in section 2204(a) and available for military construction projects

1 inside the United States as specified in the funding table in section 3002, the Secretary of the
 2 Navy may acquire real property and carry out military construction projects for the installations
 3 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	Yuma	\$50,635,000
California	Camp Pendleton	\$44,540,000
	Coronado	\$4,856,000
	Lemoore	\$71,830,000
	Point Mugu	\$22,427,000
	San Diego	\$37,366,000
	Twentynine Palms	\$9,160,000
	Florida	Jacksonville
Mayport		\$16,159,000
Pensacola		\$18,347,000
Whiting Field		\$10,421,000
Georgia	Albany	\$7,851,000
	Kings Bay	\$8,099,000
	Townsend	\$48,279,000
Hawaii	Barking Sands	\$30,623,000
	Joint Base Pearl Harbor-Hickam	\$14,881,000
	Kaneohe Bay	\$106,618,000
Maryland	Patuxent River	\$40,935,000
North Carolina	Camp Lejeune	\$54,849,000
	Cherry Point Marine Corps Air Station	\$34,426,000
	New River	\$8,230,000
South Carolina	Parris Island	\$27,075,000
Virginia	Dam Neck	\$23,066,000
	Norfolk	\$126,677,000
	Portsmouth	\$45,513,000
	Quantico	\$58,199,000
Washington	Bangor	\$34,177,000
	Bremerton	\$22,680,000
	Indian Island	\$4,472,000

4 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 5 authorization of appropriations in section 2204(a) and available for military construction projects

1 outside the United States as specified in the funding table in section 3002, the Secretary of the
 2 Navy may acquire real property and carry out military construction projects for the installation or
 3 location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	SW Asia	\$89,791,000
Guam	Joint Region Marianas	\$181,768,000
Italy	Sigonella	\$102,943,000
Japan	Camp Butler	\$11,697,000
	Iwakuni	\$17,923,000
	Kadena AB	\$23,310,000
	Yokosuka	\$13,846,000
Poland	RedziKowo Base	\$51,270,000

4 **SEC. 2202. FAMILY HOUSING.**

5 (a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the
 6 authorization of appropriations in section 2204(a) and available for military family housing
 7 functions as specified in the funding table in section 3002, the Secretary of the Navy may
 8 construct or acquire family housing units (including land acquisition and supporting facilities) at
 9 the installations or locations, in the number of units, and in the amounts set forth in the following
 10 table:

Navy: Family Housing

State	Installation	Units	Amount
Virginia	Wallops Island	Family Housing New Construction	\$438,000

11 (b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization
 12 of appropriations in section 2204(a) and available for military family housing functions as
 13 specified in the funding table in section 3002, the Secretary of the Navy may carry out
 14 architectural and engineering services and construction design activities with respect to the
 15 construction or improvement of family housing units in an amount not to exceed \$4,588,000.

1 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

2 Subject to section 2825 of title 10, United States Code, and using amounts appropriated
3 pursuant to the authorization of appropriations in section 2204(a) and available for military
4 family housing functions as specified in the funding table in section 3002, the Secretary of the
5 Navy may improve existing military family housing units in an amount not to exceed
6 \$11,515,000.

7 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
9 appropriated for fiscal years beginning after September 30, 2015, for military construction, land
10 acquisition, and military family housing functions of the Department of the Navy, as specified in
11 the funding table in section 3002.

12 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
13 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
14 authorized by law, the total cost of all projects carried out under section 2201 of this Act may not
15 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
16 funding table in section 3002.

17 **SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012**
18 **PROJECTS.**

19 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
20 Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the
21 authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act
22 (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act
23 for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. XXXX), shall remain in effect

1 until October 1, 2016, or the date of the enactment of an Act authorizing funds for military
 2 construction for fiscal year 2017, whichever is later.

3 (b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Infantry Squad Defense Range	\$29,187,000
Florida	Jacksonville	P-8A Hangar Upgrades	\$6,085,000
Georgia	Kings Bay	Crab Island Security Enclave	\$52,913,000

4 **SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013**
 5 **PROJECTS.**

6 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
 7 Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the
 8 authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act
 9 (126 Stat. 2122), shall remain in effect until October 1, 2016, or the date of the enactment of an
 10 Act authorizing funds for military construction for fiscal year 2017, whichever is later.

11 (b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	\$78,897,000
	Coronado	Bachelor Quarters	\$76,063,000
	Twentynine Palms	Land Expansion Phase 2	\$47,270,000
Greece	Souda Bay	Intermodal Access Road	\$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	\$3,743,000
Virginia	Quantico	Infrastructure—Widen Russell Road	\$14,826,000

Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	\$34,048,000
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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 3002, 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 AFB	\$71,400,000
Arizona	Davis-Monthan AFB	\$16,900,000
	Luke AFB	\$56,700,000
Colorado	U.S. Air Force Academy	\$10,000,000
Florida	Cape Canaveral AFS	\$21,000,000
	Eglin AFB	\$8,700,000
	Hurlburt Field	\$14,200,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$46,000,000
Kansas	McConnell AFB	\$4,300,000
Missouri	Whiteman AFB	\$29,500,000
Montana	Malmstrom AFB	\$19,700,000
Nebraska	Offutt AFB	\$21,000,000
Nevada	Nellis AFB	\$68,950,000
New Mexico	Cannon AFB	\$7,800,000
	Holloman AFB	\$3,000,000
	Kirtland AFB	\$12,800,000
North Carolina	Seymour Johnson AFB	\$17,100,000
Oklahoma	Altus AFB	\$28,400,000
	Tinker AFB	\$49,900,000
South Dakota	Ellsworth AFB	\$23,000,000
Texas	Joint Base San Antonio	\$106,000,000

Utah	Hill AFB	\$38,400,000
Wyoming	F. E. Warren AFB	\$95,000,000
CONUS Classified	Classified Location	\$77,130,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
2 authorization of appropriations in section 2304(a) and available for military construction projects
3 outside the United States as specified in the funding table in section 3002, the Secretary of the
4 Air Force may acquire real property and carry out military construction projects for the
5 installation or location outside the United States, and in the amount, set forth in the following
6 table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Greenland	Thule AB	\$41,965,000
Guam	Joint Region Marianas	\$50,800,000
Japan	Kadena AB	\$3,000,000
	Yokota AB	\$8,461,000
Niger	Agadez	\$50,000,000
Oman	Al Musannah AB	\$25,000,000
United Kingdom	Croughton RAF	\$130,615,000

7 **SEC. 2302. FAMILY HOUSING.**

8 Using amounts appropriated pursuant to the authorization of appropriations in section
9 2304(a) and available for military family housing functions as specified in the funding table in
10 section 3002, the Secretary of the Air Force may carry out architectural and engineering services
11 and construction design activities with respect to the construction or improvement of family
12 housing units in an amount not to exceed \$9,849,000.

13 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

14 Subject to section 2825 of title 10, United States Code, and using amounts appropriated
15 pursuant to the authorization of appropriations in section 2304(a) and available for military
16 family housing functions as specified in the funding table in section 3002, the Secretary of the

1 Air Force may improve existing military family housing units in an amount not to exceed
2 \$150,649,000.

3 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
5 appropriated for fiscal years beginning after September 30, 2015, for military construction, land
6 acquisition, and military family housing functions of the Department of the Air Force, as
7 specified in the funding table in section 3002.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
9 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
10 authorized by law, the total cost of all projects carried out under section 2301 of this Act may not
11 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
12 funding table in section 3002.

13 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
14 **YEAR 2010 PROJECT.**

15 In the case of the authorization contained in the table in section 2301(a) of the Military
16 Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat.
17 2636), for Hickam Air Force Base, Hawaii, for construction of a ground control tower at the
18 installation, the Secretary of the Air Force may install communications cabling.

19 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
20 **YEAR 2014 PROJECT.**

21 In the case of the authorization contained in the table in section 2301(b) of the Military
22 Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127
23 Stat. 993) for RAF Lakenheath, United Kingdom, for construction of a Guardian Angel

1 Operations Facility at the installation, the Secretary of the Air Force may construct the facility at
2 an unspecified worldwide location.

3 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
4 **YEAR 2015 PROJECT.**

5 In the case of the authorization contained in the table in section 2301(a) of the Military
6 Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128
7 Stat. XXXX) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter
8 Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a
9 696 square meter (7,500 square foot) facility consistent with Air Force guidelines for composite
10 maintenance shops.

11 **SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012**
12 **PROJECT.**

13 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
14 Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the
15 authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (125
16 Stat. 1670), shall remain in effect until October 1, 2016, or the date of the enactment of an Act
17 authorizing funds for military construction for fiscal year 2017, whichever is later.

18 (b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2012 Project Authorization

Country	Installation	Project	Amount
Italy	Sigonella Naval Air Station	UAS SATCOM Relay Pads and Facility	\$15,000,000

19 **SEC. 2309. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013**
20 **PROJECT.**

1 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
 2 Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the
 3 authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126
 4 Stat. 2126), shall remain in effect until October 1, 2016, or the date of the enactment of an Act
 5 authorizing funds for military construction for fiscal year 2017, whichever is later.

6 (b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2013 Project Authorization

Country	Installation	Project	Amount
Portugal	Lajes Field	Sanitary Sewer Lift/Pump Station	\$2,000,000

7 **TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

8 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND**

9 **ACQUISITION PROJECTS.**

10 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 11 authorization of appropriations in section 2403(a) and available for military construction projects
 12 inside the United States as specified in the funding table in section 3002, the Secretary of
 13 Defense may acquire real property and carry out military construction projects for the
 14 installations or locations inside the United States, and in the amounts, set forth in the following
 15 table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$46,787,000
	Maxwell AFB	\$32,968,000
Arizona	Fort Huachuca	\$3,884,000
California	Camp Pendleton	\$20,552,000
	Coronado	\$47,218,000
	Fresno Yosemite IAP ANG	\$10,700,000
Colorado	Fort Carson	\$8,243,000

CONUS Classified	Classified Location	\$20,065,000
Delaware	Dover AFB	\$21,600,000
Florida	Hurlburt Field	\$17,989,000
	MacDill AFB	\$39,142,000
Georgia	Moody AFB	\$10,900,000
Hawaii	Kaneohe Bay	\$122,071,000
	Schofield Barracks	\$123,838,000
Kentucky	Fort Campbell	\$12,553,000
	Fort Knox	\$23,279,000
Maryland	Fort Meade	\$816,077,000
Nevada	Nellis AFB	\$39,900,000
New Mexico	Cannon AFB	\$45,111,000
New York	West Point	\$55,778,000
North Carolina	Camp Lejeune	\$69,006,000
	Fort Bragg	\$168,811,000
Ohio	Wright-Patterson AFB	\$6,623,000
Oregon	Klamath Falls IAP	\$2,500,000
Pennsylvania	Philadelphia	\$49,700,000
South Carolina	Fort Jackson	\$26,157,000
Texas	Joint Base San Antonio	\$61,776,000
Virginia	Fort Belvoir	\$9,500,000
	Joint Base Langley-Eustis	\$28,000,000
	Joint Expeditionary Base Little Creek-Story	\$23,916,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
2 authorization of appropriations in section 2403(a) and available for military construction projects
3 outside the United States as specified in the funding table in section 3002, the Secretary of
4 Defense may acquire real property and carry out military construction projects for the
5 installations or locations outside the United States, and in the amounts, set forth in the following
6 table:

Defense Agencies: Outside the United States		
Country	Installation or Location	Amount
Djibouti	Camp Lemonier	\$43,700,000
Germany	Garmisch	\$14,676,000
	Grafenwoehr	\$38,138,000

	Spangdahlem AB	\$39,571,000
	Stuttgart-Patch Barracks	\$49,413,000
Japan	Kadena AB	\$37,485,000
Poland	RedziKowo Base	\$169,153,000
Spain	Rota	\$13,737,000

1 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.**

2 Using amounts appropriated pursuant to the authorization of appropriations in section
3 2403(a) and available for energy conservation projects as specified in the funding table in section
4 3202, the Secretary of Defense may carry out energy conservation projects under chapter 173 of
5 title 10, United States Code, in the amount set forth in the table.

6 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
8 appropriated for fiscal years beginning after September 30, 2015, for military construction, land
9 acquisition, and military family housing functions of the Department of Defense (other than the
10 military departments), as specified in the funding table in section 3002.

11 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
12 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
13 authorized by law, the total cost of all projects carried out under section 2401 of this Act may not
14 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
15 funding table in section 3002.

16 **SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
17 **YEAR 2012 PROJECT.**

18 In the case of the authorization in the table in section 2401(a) of the Military Construction
19 Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), as amended by
20 section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law
21 112-239; 126 Stat. 1632), for Fort Meade, Maryland, for construction of the High Performance Computing

1 Center at the installation, the Secretary of Defense may construct a generator plant capable of producing up to
2 60 megawatts of back-up electrical power in support of the 60 megawatt technical load.

3 **SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012**
4 **PROJECTS.**

5 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
6 Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1660), the
7 authorization set forth in the table in subsection (b), as provided in section 2401 of that Act (125
8 Stat. 1672) and as amended by section 2405 of the Military Construction Authorization Act for
9 Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. XXXX), shall remain in effect
10 until October 1, 2016, or the date of the enactment of an Act authorizing funds for military
11 construction for fiscal year 2017, whichever is later.

12 (b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2012 Project Authorizations			
State	Installation	Project	Amount
California	Naval Base Coronado	SOF Support Activity Operations Facility	\$38,800,000
Virginia	Pentagon Reservation	Heliport Control Tower and Fire Station	\$6,457,000
		Pedestrian Plaza	\$2,285,000

13 **SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013**
14 **PROJECTS.**

15 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
16 Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the
17 authorizations set forth in the table in subsection (b), as provided in section 2401(a) of that Act
18 (126 Stat. 2127), shall remain in effect until October 1, 2016, or the date of the enactment of an
19 Act authorizing funds for military construction for fiscal year 2017, whichever is later.

1 (b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2013 Project Authorizations			
State	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Mobile Communications Detachment Support Facility	\$9,327,000
Colorado	Pikes Peak	High Altitude Medical Research Center	\$3,600,000
Hawaii	Joint Base Pearl Harbor-Hickam	SOF SDVT-1 Waterfront Operations Facility	\$22,384,000
Pennsylvania	Def Distribution Depot New Cumberland	Replace Reservoir	\$4,300,000

2 **SEC. 2407. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**
3 **2016 PROJECT.**

4 (a) PROJECT AUTHORIZATION.—The Secretary of Defense may carry out a military
5 construction project to construct a 102,000-square foot medical clinic at Fort Knox, Kentucky, in
6 the amount of \$80,000,000.

7 (b) USE OF UNOBLIGATED PRIOR-YEAR DEFENSE-WIDE MILITARY CONSTRUCTION
8 FUNDS.—The Secretary may use available, unobligated Defense-wide military construction
9 funds appropriated for a fiscal year before fiscal year 2016 for the project described in subsection
10 (a).

11 (c) CONGRESSIONAL NOTIFICATION.—The Secretary of Defense shall provide information
12 in accordance with section 2851(c) of title 10, United States Code, regarding the project
13 described in subsection (a). If it becomes necessary to exceed the estimated project cost, the
14 Secretary shall utilize the authority provided by section 2853 of such title regarding authorized
15 cost and scope of work variations.

1 **TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION**

2 **SECURITY INVESTMENT PROGRAM**

3 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION**

4 **PROJECTS.**

5 The Secretary of Defense may make contributions for the North Atlantic Treaty
6 Organization Security Investment Program as provided in section 2806 of title 10, United States
7 Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this
8 purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as
9 a result of construction previously financed by the United States.

10 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

11 Funds are hereby authorized to be appropriated for fiscal years beginning after September
12 30, 2015, for contributions by the Secretary of Defense under section 2806 of title 10, United
13 States Code, for the share of the United States of the cost of projects for the North Atlantic
14 Treaty Organization Security Investment Program authorized by section 2501 as specified in the
15 funding table in section 3002.

16 **TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

17 **Subtitle A—Project Authorizations and Authorization of Appropriations**

18 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND**

19 **ACQUISITION PROJECTS.**

20 Using amounts appropriated pursuant to the authorization of appropriations in section
21 2606 and available for the National Guard and Reserve as specified in the funding table in
22 section 3002, the Secretary of the Army may acquire real property and carry out military

1 construction projects for the Army National Guard locations inside the United States, and in the
 2 amounts, set forth in the following table:

Army National Guard		
State	Location	Amount
Connecticut	Camp Hartell	\$11,000,000
Florida	Palm Coast	\$18,000,000
Illinois	Sparta	\$1,900,000
Kansas	Salina	\$6,700,000
Maryland	Easton	\$13,800,000
Nevada	Reno	\$8,000,000
Ohio	Camp Ravenna	\$3,300,000
Oregon	Salem	\$16,500,000
Pennsylvania	Fort Indiantown Gap	\$16,000,000
Vermont	North Hyde Park	\$7,900,000
Virginia	Richmond	\$29,000,000

3 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND**

4 **ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the authorization of appropriations in section
 6 2606 and available for the National Guard and Reserve as specified in the funding table in
 7 section 3002, the Secretary of the Army may acquire real property and carry out military
 8 construction projects for the Army Reserve locations inside the United States, and in the
 9 amounts, set forth in the following table:

Army Reserve		
State	Location	Amount
California	Miramar	\$24,000,000
Florida	MacDill AFB	\$55,000,000
New York	Orangeburg	\$4,200,000
Pennsylvania	Conneaut Lake	\$5,000,000

10 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE**

11 **CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

1 Using amounts appropriated pursuant to the authorization of appropriations in section
 2 2606 and available for the National Guard and Reserve as specified in the funding table in
 3 section 3002, the Secretary of the Navy may acquire real property and carry out military
 4 construction projects for the Navy Reserve and Marine Corps Reserve locations inside the
 5 United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Nevada	Fallon	\$11,480,000
New York	Brooklyn	\$2,479,000
Virginia	Dam Neck	\$18,443,000

6 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND**
 7 **ACQUISITION PROJECTS.**

8 Using amounts appropriated pursuant to the authorization of appropriations in section
 9 2606 and available for the National Guard and Reserve as specified in the funding table in
 10 section 3002, the Secretary of the Air Force may acquire real property and carry out military
 11 construction projects for the Air National Guard locations inside the United States, and in the
 12 amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Dannelly Field	\$7,600,000
California	Moffett Field	\$6,500,000
Colorado	Buckley Air Force Base	\$5,100,000
Georgia	Savannah/Hilton Head IAP	\$9,000,000
Iowa	Des Moines Map	\$6,700,000
Kansas	Smokey Hill ANG Range	\$2,900,000
Louisiana	New Orleans	\$10,000,000
Maine	Bangor IAP	\$7,200,000
New Hampshire	Pease International Trade Port	\$2,800,000
New Jersey	Atlantic City IAP	\$10,200,000
New York	Niagara Falls IAP	\$7,700,000
North Carolina	Charlotte/Douglas IAP	\$9,000,000

North Dakota	Hector IAP	\$7,300,000
Oklahoma	Will Rogers World Airport	\$7,600,000
Oregon	Klamath Falls IAP	\$7,200,000
West Virginia	Yeager Airport	\$3,900,000

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND**
2 **ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the authorization of appropriations in section
4 2606 and available for the National Guard and Reserve as specified in the funding table in
5 section 3002, the Secretary of the Air Force may acquire real property and carry out military
6 construction projects for the Air Force Reserve locations inside the United States, and in the
7 amounts, set forth in the following table:

Air Force Reserve		
State	Location	Amount
California	March AFB	\$4,600,000
Florida	Patrick AFB	\$3,400,000
Ohio	Youngstown	\$9,400,000
Texas	Joint Base San Antonio	\$9,900,000

8 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND**
9 **RESERVE.**

10 Funds are hereby authorized to be appropriated for fiscal years beginning after September
11 30, 2015, for the costs of acquisition, architectural and engineering services, and construction of
12 facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of
13 title 10, United States Code (including the cost of acquisition of land for those facilities), as
14 specified in the funding table in section 3002.

15 **Subtitle B—Other Matters**

16 **SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT**
17 **CERTAIN FISCAL YEAR 2013 PROJECT.**

1 (a) MODIFICATION.—In the case of the authorization contained in the table in section
2 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public
3 Law 112-239; 126 Stat. 2135) for Aberdeen Proving Ground, Maryland, for construction of an
4 Army Reserve Center at that location, the Secretary of the Army may construct a new facility in
5 the vicinity of Aberdeen Proving Ground, Maryland.

6 (b) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military
7 Construction Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the
8 authorization set forth in subsection (a) shall remain in effect until October, 2016, or the date of
9 the enactment of an Act authorizing funds for military construction for fiscal year 2017,
10 whichever is later.

11 **SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
12 **YEAR 2015 PROJECTS.**

13 (a) DAVIS-MONTHAN AFB.—In the case of the authorization contained in the table in
14 section 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of
15 Public Law 113-291; 128 Stat. XXXX) for Davis-Monthan Air Force Base, Arizona, for
16 construction of a Guardian Angel Operations facility at that location, the Secretary of the Air
17 Force may construct a new facility in the amount of \$18,200,000.

18 (b) FORT SMITH.—In the case of the authorization contained in the table in section 2604
19 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law
20 113-291; 128 Stat. XXXX) for Fort Smith Municipal Airport, Arkansas, for construction of a
21 consolidated Secure Compartmented Information Facility at that location, the Secretary of the
22 Air Force may construct a new facility in the amount of \$15,200,000.

1 **SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012**
 2 **PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
 4 Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1660), the
 5 authorizations set forth in the table in subsection (b), as provided in section 2602 of that Act (125
 6 Stat. 1678), and extended by section 2611 of the Military Construction Authorization Act for
 7 Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3690, 3691), shall remain in
 8 effect until October, 2016 or the date of the enactment of an Act authorizing funds for military
 9 construction for fiscal year 2017, whichever is later.

10 (b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2012 National Guard and Reserve Project Authorizations

State	Location	Project	Amount
Kansas	Kansas City	Army Reserve Center	\$13,000,000
Massachusetts	Attleboro	Army Reserve Center	\$22,000,000

11 **SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013**
 12 **PROJECTS.**

13 (a) EXTENSION.—Notwithstanding section 2002 of the Military Construction
 14 Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the
 15 authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and
 16 2603 of that Act (126 Stat. 2134, 2135) shall remain in effect until October, 2016, or the date of
 17 the enactment of an Act authorizing funds for military construction for fiscal year 2017,
 18 whichever is later.

19 (b) TABLE.—The table referred to in subsection (a) is a follows:

Extension of 2013 National Guard and Reserve Project Authorizations

State	Installation or Location	Project	Amount
--------------	---------------------------------	----------------	---------------

Arizona	Yuma	Reserve Training Facility— Yuma	\$5,379,000
California	Tustin	Army Reserve Center	\$27,000,000
Iowa	Fort Des Moines	Joint Reserve Center—Des Moines	\$19,162,000
Louisiana	New Orleans	Transient Quarters	\$7,187,000
New York	Camp Smith (Stormville)	Combined Support Maintenance Shop Phase 1	\$24,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT

**AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF
DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 3002.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

SEC. 2801. CHANGE IN AUTHORITIES RELATING TO SCOPE OF WORK

VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS.

(a) LIMITED AUTHORITY FOR SCOPE OF WORK INCREASE.—Section 2853 of title 10, United States Code, is amended—

1 (1) in subsection (b)(2), by striking “The scope of work” and inserting “Except as
2 provided in subsection (d), the scope of work”;

3 (2) by redesignating subsections (d) and (e) as subsections (e) and (f),
4 respectively; and

5 (3) by inserting after subsection (c) the following new subsection (d):

6 “(d) The limitation in subsection (b)(2) on an increase in the scope of work does not
7 apply if—

8 “(1) the increase in the scope of work is not more than 10 percent of the amount
9 specified for that project, construction, improvement, or acquisition in the justification
10 data provided to Congress as part of the request for authorization of the project,
11 construction, improvement, or acquisition;

12 “(2) the increase is approved by the Secretary concerned;

13 “(3) the Secretary concerned notifies the appropriate committees of Congress in
14 writing of the increase in scope and the reasons therefor; and

15 “(4) a period of 21 days has elapsed after the date on which the notification is
16 received by the committees or, if over sooner, a period of 14 days has elapsed after the
17 date on which a copy of the notification is provided in an electronic medium pursuant to
18 section 480 of this title.”.

19 (b) CROSS-REFERENCE AMENDMENTS.—

20 (1) Subsection (a) of such section is amended by striking “subsection (c) or (d)”
21 and inserting “subsection (c), (d), or (e)”.

22 (2) Subsection (f) of such section, as redesignated by subsection (a)(2), is
23 amended by striking “through (d)” and inserting “through (e)”.

1 (c) ADDITIONAL TECHNICAL AMENDMENTS.—

2 (1) CONFORMITY WITH GENERAL TITLE 10 STYLE.—Subsection (a) of such section
3 is further amended by inserting “of this title” after “section 2805(a)”.

4 (2) DELETION OF SURPLUS WORD.—Subsection (c)(1)(A) of such section is
5 amended by striking “be” after “Congress can”.

6 **SEC. 2802. ENHANCED AUTHORITY TO CARRY OUT EMERGENCY MILITARY**
7 **CONSTRUCTION PROJECTS WHEN NECESSARY TO SUPPORT**
8 **REQUIREMENTS OF COMBATANT COMMANDERS.**

9 Section 2803 of title 10, United States Code, is amended—

10 (1) by redesignating paragraph (2) of subsection (c) as subsection (d); and

11 (2) in subsection (c)—

12 (A) by striking “The maximum amount” and inserting “Except as provided
13 in paragraph (2), the maximum amount”; and

14 (B) by adding at the end the following new paragraph (2):

15 “(2) In applying the limitation under paragraph (1) for any fiscal year, the Secretary
16 concerned may exclude any amount obligated by the Secretary under this section in that fiscal
17 year for a military construction project that is carried out to support the requirements of the
18 commander of a combatant command, except that the maximum amount that may be so excluded
19 by the Secretary concerned in any fiscal year is \$25,000,000.”.

20 **SEC. 2803. ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS**
21 **APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION**
22 **AUTHORITIES.**

23 Section 2805 of title 10, United States Code, is amended by adding at the end the

1 following new subsection:

2 “(f) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.—Each fiscal year, the
3 Secretary concerned shall adjust the dollar limitations specified in this section applicable to an
4 unspecified minor military construction project to reflect the area construction cost index for
5 military construction projects published by the Department of Defense during the prior fiscal
6 year for the location of the project.”.

7 **SEC. 2804. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE**
8 **OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION**
9 **PROJECTS OUTSIDE THE UNITED STATES.**

10 (a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military
11 Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117
12 Stat. 1723), as most recently amended by section 2806 of the Military Construction
13 Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. XXXX), is
14 amended—

15 (1) in paragraph (1), by striking “December 31, 2015” and inserting “December
16 31, 2016”; and

17 (2) in paragraph (2), by striking “fiscal year 2016” and inserting “fiscal year
18 2017”.

19 (b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

20 (1) by striking “October 1, 2014” and inserting “October 1, 2015”;

21 (2) by striking “December 31, 2015” and inserting “December 31, 2016”; and

22 (3) by striking “fiscal year 2016” and inserting “fiscal year 2017”.

1 **SEC. 2805. PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX,**
2 **KENTUCKY.**

3 (a) **IN GENERAL.**—Chapter 449 of title 10, United States Code, is amended by adding at
4 the end the following new section:

5 **“§ 4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky**

6 “(a) **AUTHORITY.**—The Secretary of the Army may provide, by contract or otherwise, for
7 the production, treatment, management, and use of natural gas located under Fort Knox,
8 Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C.
9 352).

10 “(b) **LIMITATION ON USES.**—Any natural gas produced under the authority of subsection
11 (a) may only be used to support activities and operations at Fort Knox and may not be sold for
12 use elsewhere.

13 “(c) **OWNERSHIP OF FACILITIES.**—The Secretary of the Army may take ownership of any
14 gas production and treatment equipment and facilities and associated infrastructure from a
15 contractor in accordance with the terms of a contract or other agreement entered into pursuant to
16 subsection (a).

17 “(d) **NO APPLICATION ELSEWHERE.**—The authority provided by this section applies only
18 with respect to Fort Knox, Kentucky, and nothing in this section shall be construed as
19 authorizing the production, treatment, management, or use of natural gas resources underlying
20 any Department of Defense installation other than Fort Knox.

21 “(e) **APPLICABILITY.**—The authority of the Secretary of the Army under this section is
22 effective as of August 2, 2007.”.

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

“4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky.”.

3 **SEC. 2806. INCREASE OF THRESHOLD OF NOTICE AND WAIT REQUIREMENT**
4 **FOR CERTAIN FACILITIES FOR RESERVE COMPONENTS AND**
5 **PARITY WITH AUTHORITY FOR UNSPECIFIED MINOR MILITARY**
6 **CONSTRUCTION AND REPAIR PROJECTS.**

7 (a) NOTICE AND WAIT REQUIREMENT.—Subsection (a) of section 18233a of title 10,
8 United States Code, is amended by striking “\$750,000” and inserting “the amount specified in
9 section 2805(b)(1) of this title”.

10 (b) REPAIR PROJECTS.—Subsection (b)(3) of such section is amended by striking
11 “\$7,500,000” and inserting “the amount specified in section 2811(b) of this title”.

12 **TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT**

13 **SEC. 2901. SHORT TITLE AND PURPOSE.**

14 (a) SHORT TITLE.—This title may be cited as the “Defense Base Closure and Realignment
15 Act of 2015”.

16 (b) PURPOSE.—The purpose of this title is to provide a fair process that will result in the
17 timely closure and realignment of military installations inside the United States.

18 **SEC. 2902. THE COMMISSION.**

19 (a) ESTABLISHMENT.—There is established an independent commission to be known as
20 the “Defense Base Closure and Realignment Commission”.

21 (b) DUTIES.—The Commission shall carry out the duties specified for it in this title.

1 (c) APPOINTMENT.—(1)(A) The Commission shall be composed of nine members
2 appointed by the President, by and with the advice and consent of the Senate.

3 (B) Subject to the certifications required under section 2903(b), the President may
4 commence a round for the selection of military installations for closure and realignment under
5 this title in 2017 by transmitting to the Senate, not later than March 1, 2017 nominations for
6 appointment to the Commission.

7 (C) If the President does not transmit to Congress the nominations for appointment to the
8 Commission on or before the date specified, the process by which military installations may be
9 selected for closure or realignment under this title with respect to that year shall be terminated.

10 (2) In selecting individuals for nominations for appointments to the Commission, the
11 President should consult with—

12 (A) the Speaker of the House of Representatives concerning the appointment of
13 two members;

14 (B) the majority leader of the Senate concerning the appointment of two
15 members;

16 (C) the minority leader of the House of Representatives concerning the
17 appointment of one member; and

18 (D) the minority leader of the Senate concerning the appointment of one member.

19 (3) At the time the President nominates individuals for appointment to the Commission
20 for each session of Congress referred to in paragraph (1)(B), the President shall designate one
21 such individual who shall serve as Chairman of the Commission.

1 (d) TERMS.—(1) Except as provided in paragraph (2), each member of the Commission
2 shall serve until the adjournment of Congress sine die for the session during which the member
3 was appointed to the Commission.

4 (2) The Chairman of the Commission shall serve until the confirmation of a successor.

5 (e) MEETINGS.—(1) The Commission shall meet only during calendar year 2017.

6 (2)(A) Each meeting of the Commission, other than meetings in which classified
7 information is to be discussed, shall be open to the public.

8 (B) All the proceedings, information, and deliberations of the Commission shall be open,
9 upon request, to the following:

10 (i) The Chairman and the ranking minority party member of the Subcommittee on
11 Readiness and Management Support of the Committee on Armed Services of the Senate,
12 or such other members of the Subcommittee designated by such Chairman or ranking
13 minority party member.

14 (ii) The Chairman and the ranking minority party member of the Subcommittee
15 on Readiness of the Committee on Armed Services of the House of Representatives, or
16 such other members of the Subcommittee designated by such Chairman or ranking
17 minority party member.

18 (iii) The Chairmen and ranking minority party members of the subcommittees
19 with jurisdiction for military construction of the Committees on Appropriations of the
20 Senate and of the House of Representatives, or such other members of the subcommittees
21 designated by such Chairmen or ranking minority party members.

1 (f) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the
2 original appointment, but the individual appointed to fill the vacancy shall serve only for the
3 unexpired portion of the term for which the individual's predecessor was appointed.

4 (g) PAY AND TRAVEL EXPENSES.—(1)(A) Each member, other than the Chairman, shall
5 be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable
6 for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each
7 day (including travel time) during which the member is engaged in the actual performance of
8 duties vested in the Commission.

9 (B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate
10 equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the
11 Executive Schedule under section 5314, of title 5, United States Code.

12 (2) Members shall receive travel expenses, including per diem in lieu of subsistence, in
13 accordance with sections 5702 and 5703 of title 5, United States Code.

14 (h) DIRECTOR OF STAFF.—(1) The Commission shall, without regard to section 5311 of
15 title 5, United States Code, appoint a Director who has not served on active duty in the Armed
16 Forces or as a civilian employee of the Department of Defense during the one-year period
17 preceding the date of such appointment.

18 (2) The Director shall be paid at the rate of basic pay payable for level IV of the
19 Executive Schedule under section 5315 of title 5, United States Code.

20 (i) STAFF.—(1) Subject to paragraphs (2) and (3), the Director, with the approval of the
21 Commission, may appoint and fix the pay of additional personnel.

22 (2) The Director may make such appointments without regard to the provisions of title 5,
23 United States Code, governing appointments in the competitive service, and any personnel so

1 appointed may be paid without regard to the provisions of chapter 51 and subchapter III of
2 chapter 53 of that title relating to classification and General Schedule pay rates, except that an
3 individual so appointed may not receive pay in excess of the annual rate of basic pay payable for
4 GS-15 of the General Schedule.

5 (3)(A) Not more than one-third of the personnel employed by or detailed to the
6 Commission may be on detail from the Department of Defense.

7 (B)(i) Not more than one-fifth of the professional analysts of the Commission staff may
8 be persons detailed from the Department of Defense to the Commission.

9 (ii) No person detailed from the Department of Defense to the Commission may be
10 assigned as the lead professional analyst with respect to a military department or defense agency.

11 (C) A person may not be detailed from the Department of Defense to the Commission if,
12 within 12 months before the detail is to begin, that person participated personally and
13 substantially in any matter within the Department of Defense concerning the preparation of
14 recommendations for closures or realignments of military installations.

15 (D) No member of the Armed Forces, and no officer or employee of the Department of
16 Defense, may—

17 (i) prepare any report concerning the effectiveness, fitness, or efficiency of the
18 performance on the staff of the Commission of any person detailed from the Department
19 of Defense to that staff;

20 (ii) review the preparation of such a report; or

21 (iii) approve or disapprove such a report.

1 (4) Upon request of the Director, the head of any Federal department or agency may
2 detail any of the personnel of that department or agency to the Commission to assist the
3 Commission in carrying out its duties under this title.

4 (5) The Comptroller General of the United States shall provide assistance, including the
5 detailing of employees, to the Commission in accordance with an agreement entered into with
6 the Commission.

7 (6) The following restrictions relating to the personnel of the Commission shall apply
8 during the period beginning January 1, 2018 and ending April 15, 2018:

9 (A) There may not be more than 15 persons on the staff at any one time.

10 (B) The staff may perform only such functions as are necessary to prepare for the
11 transition to new membership on the Commission in the following year.

12 (C) No member of the Armed Forces and no employee of the Department of
13 Defense may serve on the staff.

14 (j) OTHER AUTHORITY.—(1) The Commission may procure by contract, to the extent
15 funds are available, the temporary or intermittent services of experts or consultants pursuant to
16 section 3109 of title 5, United States Code.

17 (2) The Commission may lease space and acquire personal property to the extent funds
18 are available.

19 (k) FUNDING.—(1) There are authorized to be appropriated to the Commission such funds
20 as are necessary to carry out its duties under this title. Such funds shall remain available until
21 expended.

22 (2) If no funds are appropriated to the Commission by the end of the second session of
23 the 114th Congress, the Secretary of Defense may transfer to the Commission for purposes of its

1 activities under this title in that year such funds as the Commission may require to carry out such
2 activities. The Secretary may transfer funds under the preceding sentence from any funds
3 available to the Secretary. Funds so transferred shall remain available to the Commission for
4 such purposes until expended.

5 (l) TERMINATION.—The Commission shall terminate on April 15, 2018.

6 (m) PROHIBITION AGAINST RESTRICTING COMMUNICATIONS.—Section 1034 of title 10,
7 United States Code, shall apply with respect to communications with the Commission.

8 **SEC. 2903. PROCEDURE FOR MAKING RECOMMENDATIONS FOR BASE**
9 **CLOSURES AND REALIGNMENTS.**

10 (a) FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.—

11 (1) PREPARATION AND SUBMISSION.—As part of the budget justification
12 documents submitted to Congress in support of the budget for the Department of Defense
13 for fiscal year 2017, the Secretary shall submit to Congress the following:

14 (A) A force-structure plan for the Armed Forces based on an assessment
15 by the Secretary of the probable threats to the national security during the 20-year
16 period beginning with that fiscal year, the probable end-strength levels and major
17 military force units (including land force divisions, carrier and other major
18 combatant vessels, air wings, and other comparable units) needed to meet these
19 threats, and the anticipated levels of funding that will be available for national
20 defense purposes during such period.

21 (B) A comprehensive inventory of military installations world-wide for
22 each military department, with specifications of the number and type of facilities
23 in the active and reserve forces of each military department.

1 (2) RELATIONSHIP OF PLAN AND INVENTORY.—Using the force-structure plan and
2 infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and
3 include as part of the submission of such plan and inventory) the following:

4 (A) A description of the infrastructure necessary to support the force
5 structure described in the force-structure plan.

6 (B) A discussion of categories of excess infrastructure and infrastructure
7 capacity.

8 (C) An economic analysis of the effect of the closure or realignment of
9 military installations to reduce excess infrastructure.

10 (3) SPECIAL CONSIDERATIONS.—In determining the level of necessary versus
11 excess infrastructure under paragraph (2), the Secretary shall consider the following:

12 (A) The anticipated continuing need for and availability of military
13 installations outside the United States, taking into account current restrictions on
14 the use of military installations outside the United States and the potential for
15 future prohibitions or restrictions on the use of such military installations.

16 (B) Any efficiencies that may be gained from joint tenancy by more than
17 one branch of the Armed Forces at a military installation.

18 (4) REVISION.—The Secretary may revise the force-structure plan and
19 infrastructure inventory; If the Secretary makes such a revision, the Secretary shall
20 submit the revised plan or inventory to Congress not later than March 15th of the year
21 following the year in which such plan was first submitted. For purposes of selecting
22 military installations for closure or realignment under this title in the year in which a
23 revision is submitted, no revision of the force-structure plan or infrastructure inventory is

1 authorized after that date.

2 (b) CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.—

3 (1) CERTIFICATION REQUIRED—On the basis of the force-structure plan and
4 infrastructure inventory prepared under subsection (a) and the descriptions and economic
5 analysis prepared under such subsection, the Secretary shall include as part of the
6 submission of the plan and inventory—

7 (A) a certification regarding whether the need exists for the closure or
8 realignment of additional military installations; and

9 (B) if such need exists, a certification that the additional round of closures
10 and realignments would result in annual net savings for each of the military de-
11 partments beginning not later than six years following the commencement of such
12 closures and realignments.

13 (2) EFFECT OF FAILURE TO CERTIFY.—If the Secretary does not include the
14 certifications referred to in paragraph (1), the President may not commence a round for
15 the selection of military installations for closure and realignment under this title in the
16 year following submission of the force-structure plan and infrastructure inventory.

17 (c) COMPTROLLER GENERAL EVALUATION.—

18 (1) EVALUATION REQUIRED.—If the certification is provided under subsection (b),
19 the Comptroller General shall prepare an evaluation of the following:

20 (A) The force-structure plan and infrastructure inventory prepared under
21 subsection (a) and the final selection criteria specified in paragraph (d), including
22 an evaluation of the accuracy and analytical sufficiency of such plan, inventory,
23 and criteria.

1 (B) The need for the closure or realignment of additional military
2 installations.

3 (2) SUBMISSION.—The Comptroller General shall submit the evaluation to
4 Congress not later than 60 days after the date on which the force-structure plan and infra-
5 structure inventory are submitted to Congress.

6 (d) FINAL SELECTION CRITERIA.—

7 (1) IN GENERAL.—The final criteria to be used by the Secretary in making
8 recommendations for the closure or realignment of military installations inside the United
9 States under this title in 2017 shall be the military value and other criteria specified in
10 paragraphs (2) and (3).

11 (2) MILITARY VALUE CRITERIA.—The military value criteria are as follows:

12 (A) The current and future mission capabilities and the impact on
13 operational readiness of the total force of the Department of Defense, including
14 the impact on joint warfighting, training, and readiness.

15 (B) The availability and condition of land, facilities, and associated
16 airspace (including training areas suitable for maneuver by ground, naval, or air
17 forces throughout a diversity of climate and terrain areas and staging areas for the
18 use of the Armed Forces in homeland defense missions) at both existing and
19 potential receiving locations.

20 (C) The ability to accommodate contingency, mobilization, surge, and
21 future total force requirements at both existing and potential receiving locations to
22 support operations and training.

23 (D) The cost of operations and the manpower implications.

1 (3) OTHER CRITERIA.—The other criteria that the Secretary shall use in making
2 recommendations for the closure or realignment of military installations inside the United
3 States under this title in 2017 are as follows:

4 (A) The extent and timing of potential costs and savings, including the
5 number of years, beginning with the date of completion of the closure or
6 realignment, for the savings to exceed the costs.

7 (B) The economic impact on existing communities in the vicinity of
8 military installations.

9 (C) The ability of the infrastructure of both the existing and potential
10 receiving communities to support forces, missions, and personnel.

11 (D) The environmental impact, including the impact of costs related to
12 potential environmental restoration, waste management, and environmental
13 compliance activities.

14 (e) PRIORITY GIVEN TO MILITARY VALUE.—The Secretary shall give priority
15 consideration to the military value criteria specified in subsection (d)(2) in the making of
16 recommendations for the closure or realignment of military installations.

17 (f) EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.—The selection criteria relating
18 to the cost savings or return on investment from the proposed closure or realignment of military
19 installations shall take into account the effect of the proposed closure or realignment on the costs
20 of any other activity of the Department of Defense or any other Federal agency that may be
21 required to assume responsibility for activities at the military installations.

22 (g) RELATION TO OTHER MATERIALS.—The final selection criteria specified in this
23 section shall be the only criteria to be used, along with the force-structure plan and infrastructure

1 inventory referred to in subsection (a), in making recommendations for the closure or
2 realignment of military installations inside the United States under this title in 2017.

3 (h) DOD RECOMMENDATIONS.—(1) If the Secretary makes the certifications required
4 under subsection (b), the Secretary shall, by no later than May 12, 2017, publish in the Federal
5 Register and transmit to the congressional defense committees and to the Commission a list of
6 the military installations inside the United States that the Secretary recommends for closure or
7 realignment on the basis of the force-structure plan and infrastructure inventory prepared by the
8 Secretary under subsection (a) and the final selection criteria specified in subsection (d) that are
9 applicable to the year concerned.

10 (2) The Secretary shall include, with the list of recommendations published and
11 transmitted pursuant to paragraph (1), a summary of the selection process that resulted in the
12 recommendation for each installation, including a justification for each recommendation. The
13 Secretary shall transmit the matters referred to in the preceding sentence not later than 7 days
14 after the date of the transmittal to the congressional defense committees and the Commission of
15 the list referred to in paragraph (1).

16 (3)(A) In considering military installations for closure or realignment, the Secretary shall
17 consider all military installations inside the United States equally without regard to whether the
18 installation has been previously considered or proposed for closure or realignment by the
19 Department.

20 (B) In considering military installations for closure or realignment, the Secretary may not
21 take into account for any purpose any advance conversion planning undertaken by an affected
22 community with respect to the anticipated closure or realignment of an installation.

1 (C) For purposes of subparagraph (B), in the case of a community anticipating the
2 economic effects of a closure or realignment of a military installation, advance conversion
3 planning—

4 (i) shall include community adjustment and economic diversification planning
5 undertaken by the community before an anticipated selection of a military installation in
6 or near the community for closure or realignment; and

7 (ii) may include the development of contingency redevelopment plans, plans for
8 economic development and diversification, and plans for the joint use (including civilian
9 and military use, public and private use, civilian dual use, and civilian shared use) of the
10 property or facilities of the installation after the anticipated closure or realignment.

11 (D) In making recommendations to the Commission, the Secretary shall consider any
12 notice received from a local government in the vicinity of a military installation that the
13 government would approve of the closure or realignment of the installation,

14 (E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the
15 recommendations referred to in that subparagraph based on the force-structure plan,
16 infrastructure inventory, and final selection criteria otherwise applicable to such
17 recommendations.

18 (F) The recommendations shall include a statement of the result of the consideration of
19 any notice described in subparagraph (D) that is received with respect to a military installation
20 covered by such recommendations. The statement shall set forth the reasons for the result.

21 (4) In addition to making all information used by the Secretary to prepare the
22 recommendations under this subsection available to Congress (including any committee or

1 member of Congress), the Secretary shall also make such information available to the
2 Commission and the Comptroller General of the United States.

3 (5)(A) Each person referred to in subparagraph (B), when submitting information to the
4 Secretary of Defense or the Commission concerning the closure or realignment of a military
5 installation, shall certify that such information is accurate and complete to the best of that
6 persons knowledge and belief.

7 (B) Subparagraph (A) applies to the following persons:

8 (i) The Secretaries of the military departments.

9 (ii) The heads of the Defense Agencies.

10 (iii) Each person who is in a position the duties of which include personal and
11 substantial involvement in the preparation and submission of information and
12 recommendations concerning the closure or realignment of military installations, as
13 designated in regulations which the Secretary of Defense shall prescribe, regulations
14 which the Secretary of each military department shall prescribe for personnel within that
15 military department, or regulations which the head of each Defense Agency shall
16 prescribe for personnel within that Defense Agency.

17 (6) Any information provided to the Commission by a person described in paragraph

18 (5)(B) shall also be submitted to the Senate and the House of Representatives to be made
19 available to the Members of the House concerned in accordance with the rules of that House.

20 The information shall be submitted to the Senate and House of Representatives within 48 hours
21 after the submission of the information to the Commission.

22 (i) REVIEW AND RECOMMENDATIONS BY THE COMMISSION.—(1) After receiving the
23 recommendations from the Secretary pursuant to subsection (h) for any year, the Commission

1 shall conduct public hearings on the recommendations. All testimony before the Commission at a
2 public hearing conducted under this paragraph shall be presented under oath.

3 (2)(A) The Commission shall, by no later than October 1 of each year in which the
4 Secretary transmits recommendations to it pursuant to subsection (h), transmit to the President a
5 report containing the Commission's findings and conclusions based on a review and analysis of
6 the recommendations made by the Secretary, together with the Commission's recommendations
7 for closures and realignments of military installations inside the United States.

8 (B) Subject to subparagraphs (C) and (E), in making its recommendations, the
9 Commission may make changes in any of the recommendations made by the Secretary if the
10 Commission determines that the Secretary deviated substantially from the force-structure plan
11 and final criteria referred to in subsection (d)(1) in making recommendations.

12 (C) In the case of a change described in subparagraph (D) in the recommendations made
13 by the Secretary, the Commission may make the change only if—

14 (i) the Commission—

15 (I) makes the determination required by subparagraph (B);

16 (II) determines that the change is consistent with the force-structure plan
17 and final criteria referred to in subsection (d)(1);

18 (III) publishes a notice of the proposed change in the *Federal Register* not
19 less than 45 days before transmitting its recommendations to the President
20 pursuant to subparagraph (A); and

21 (IV) conducts public hearings on the proposed change;

22 (ii) at least two members of the Commission visit the military installation before
23 the date of the transmittal of the report; and

1 (iii) the decision of the Commission to make the change is supported by at least
2 seven members of the Commission.

3 (D) Subparagraph (C) shall apply to a change by the Commission in the Secretary's
4 recommendations that would—

5 (i) add a military installation to the list of military installations recommended by
6 the Secretary for closure;

7 (ii) add a military installation to the list of military installations recommended by
8 the Secretary for realignment; or

9 (iii) increase the extent of a realignment of a particular military installation
10 recommended by the Secretary.

11 (E) The Commission may not consider making a change in the recommendations of the
12 Secretary that would add a military installation to the Secretary's list of installations
13 recommended for closure or realignment unless, in addition to the requirements of subparagraph
14 (C)—

15 (i) the Commission provides the Secretary with at least a 15-day period, before
16 making the change, in which to submit an explanation of the reasons why the installation
17 was not included on the closure or realignment list by the Secretary; and

18 (ii) the decision to add the installation for Commission consideration is supported
19 by at least seven members of the Commission.

20 (F) In making recommendations under this paragraph, the Commission may not take into
21 account for any purpose any advance conversion planning undertaken by an affected community
22 with respect to the anticipated closure or realignment of a military installation.

1 (3) The Commission shall explain and justify in its report submitted to the President
2 pursuant to paragraph (2) any recommendation made by the Commission that is different from
3 the recommendations made by the Secretary pursuant to subsection (h). The Commission shall
4 transmit a copy of such report to the congressional defense committees on the same date on
5 which it transmits its recommendations to the President under paragraph (2).

6 (4) After October 1 of each year in which the Commission transmits recommendations to
7 the President under this subsection, the Commission shall promptly provide, upon request, to any
8 Member of Congress information used by the Commission in making its recommendations.

9 (5) The Comptroller General of the United States shall—

10 (A) assist the Commission, to the extent requested, in the Commission's review
11 and analysis of the recommendations made by the Secretary pursuant to subsection (h);
12 and

13 (B) by no later than July 1 of each year in which the Secretary makes such
14 recommendations, transmit to the Congress and to the Commission a report containing a
15 detailed analysis of the Secretary's recommendations and selection process.

16 (j) REVIEW BY THE PRESIDENT.—(1) The President shall, by no later than October 15 of
17 each year in which the Commission makes recommendations under subsection (i), transmit to the
18 Commission and to the Congress a report containing the President's approval or disapproval of
19 the Commission's recommendations.

20 (2) If the President approves all the recommendations of the Commission, the President
21 shall transmit a copy of such recommendations to the Congress, together with a certification of
22 such approval.

1 (3) If the President disapproves the recommendations of the Commission, in whole or in
2 part, the President shall transmit to the Commission and the Congress the reasons for that
3 disapproval. The Commission shall then transmit to the President, by no later than November 18
4 of the year concerned, a revised list of recommendations for the closure and realignment of
5 military installations.

6 (4) If the President approves all of the revised recommendations of the Commission
7 transmitted to the President under paragraph (3), the President shall transmit a copy of such
8 revised recommendations to the Congress, together with a certification of such approval.

9 (5) If the President does not transmit to the Congress an approval and certification
10 described in paragraph (2) or (4) by December 2 of any year in which the Commission has
11 transmitted recommendations to the President under this title, the process by which military
12 installations may be selected for closure or realignment under this title with respect to that year
13 shall be terminated.

14 **SEC. 2904. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.**

15 (a) IN GENERAL.—Subject to subsection (b), the Secretary shall—

16 (1) close all military installations recommended for closure by the Commission in
17 each report transmitted to the Congress by the President pursuant to section 2903(j);

18 (2) realign all military installations recommended for realignment by such
19 Commission in each such report;

20 (3) carry out the privatization in place of a military installation recommended for
21 closure or realignment by the Commission only if privatization in place is a method of
22 closure or realignment of the military installation specified in the recommendations of the

1 Commission in such report and is determined by the Commission to be the most cost-
2 effective method of implementation of the recommendation;

3 (4) initiate all such closures and realignments no later than two years after the date
4 on which the President transmits a report to the Congress pursuant to section 2903(j)
5 containing the recommendations for such closures or realignments; and

6 (5) complete all such closures and realignments no later than the end of the six-
7 year period beginning on the date on which the President transmits the report pursuant to
8 section 2903(j) containing the recommendations for such closures or realignments.

9 (b) CONGRESSIONAL DISAPPROVAL.—(1) The Secretary may not carry out any closure or
10 realignment recommended by the Commission in a report transmitted from the President
11 pursuant to section 2903(j) if a joint resolution is enacted, in accordance with the provisions of
12 section 2908, disapproving such recommendations of the Commission before the earlier of—

13 (A) the end of the 45-day period beginning on the date on which the President
14 transmits such report; or

15 (B) the adjournment of Congress sine die for the session during which such report
16 is transmitted.

17 (2) For purposes of paragraph (1) of this subsection and subsections (a) and (c) of section
18 2908, the days on which either House of Congress is not in session because of adjournment of
19 more than three days to a day certain shall be excluded in the computation of a period.

20 **SEC. 2905. IMPLEMENTATION.**

21 (a) IN GENERAL.—(1) In closing or realigning any military installation under this title, the
22 Secretary may—

1 (A) take such actions as may be necessary to close or realign any military
2 installation, including the acquisition of such land, the construction of such replacement
3 facilities, the performance of such activities, and the conduct of such advance planning
4 and design as may be required to transfer functions from a military installation being
5 closed or realigned to another military installation, and may use for such purpose funds in
6 the Account or funds appropriated to the Department of Defense for use in planning and
7 design, minor construction, or operation and maintenance;

8 (B) provide—

9 (i) economic adjustment assistance to any community located near a
10 military installation being closed or realigned, and

11 (ii) community planning assistance to any community located near a
12 military installation to which functions will be transferred as a result of the
13 closure or realignment of a military installation,

14 if the Secretary of Defense determines that the financial resources available to the
15 community (by grant or otherwise) for such purposes are inadequate, and may use for
16 such purposes funds in the Account or funds appropriated to the Department of Defense
17 for economic adjustment assistance or community planning assistance;

18 (C) carry out activities for the purposes of environmental restoration and
19 mitigation at any such installation, and shall use for such purposes funds in the Account.

20 (D) provide outplacement assistance to civilian employees employed by the
21 Department of Defense at military installations being closed or realigned, and may use
22 for such purpose funds in the Account or funds appropriated to the Department of
23 Defense for outplacement assistance to employees; and

1 (E) reimburse other Federal agencies for actions performed at the request of the
2 Secretary with respect to any such closure or realignment, and may use for such purpose
3 funds in the Account or funds appropriated to the Department of Defense and available
4 for such purpose.

5 (2) In carrying out any closure or realignment under this title, the Secretary shall ensure
6 that environmental restoration of any property made excess to the needs of the Department of
7 Defense as a result of such closure or realignment be carried out as soon as possible with funds
8 available for such purpose.

9 (b) MANAGEMENT AND DISPOSAL OF PROPERTY.—(1) The Administrator of General
10 Services shall delegate to the Secretary of Defense, with respect to excess and surplus real
11 property, facilities, and personal property located at a military installation closed or realigned
12 under this title—

13 (A) the authority of the Administrator to utilize excess property under subchapter
14 II of chapter 5 of title 40, United States Code;

15 (B) the authority of the Administrator to dispose of surplus property under
16 subchapter III of chapter 5 of title 40, United States Code;

17 (C) the authority to dispose of surplus property for public airports under sections
18 47151 through 47153 of title 49, United States Code; and

19 (D) the authority of the Administrator to determine the availability of excess or
20 surplus real property for wildlife conservation purposes in accordance with the Act of
21 May 19, 1948 (16 U.S.C. 667b).

1 (2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of
2 Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in
3 accordance with—

4 (i) all regulations governing the utilization of excess property and the disposal of
5 surplus property under subtitle I of title 40, United States Code; and

6 (ii) all regulations governing the conveyance and disposal of property under
7 section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

8 (B) The Secretary may, with the concurrence of the Administrator of General Services—

9 (i) prescribe general policies and methods for utilizing excess property and
10 disposing of surplus property pursuant to the authority delegated under paragraph (1); and

11 (ii) issue regulations relating to such policies and methods, which shall supersede
12 the regulations referred to in subparagraph (A) with respect to that authority.

13 (C) The Secretary of Defense may transfer real property or facilities located at a military
14 installation to be closed or realigned under this title, with or without reimbursement, to a military
15 department or other entity (including a nonappropriated fund instrumentality) within the
16 Department of Defense or the Coast Guard.

17 (D) Before any action may be taken with respect to the disposal of any surplus real
18 property or facility located at any military installation to be closed or realigned under this title,
19 the Secretary of Defense shall consult with the Governor of the State and the heads of the local
20 governments concerned for the purpose of considering any plan for the use of such property by
21 the local community concerned.

22 (E) If a military installation to be closed, realigned, or placed in an inactive status under
23 this title includes a road used for public access through, into, or around the installation, the

1 Secretary of Defense shall consult with the Governor of the State and the heads of the local
2 governments concerned or the purpose of considering the continued availability of the road for
3 public use after the installation is closed, realigned, or placed in an inactive status.

4 (3)(A) Not later than 6 months after the date of approval of the closure or realignment of
5 a military installation under this title, the Secretary, in consultation with the redevelopment
6 authority with respect to the installation, shall—

7 (i) inventory the personal property located at the installation; and

8 (ii) identify the items (or categories of items) of such personal property that the
9 Secretary determines to be related to real property and anticipates will support the
10 implementation of the redevelopment plan with respect to the installation.

11 (B) If no redevelopment authority referred to in subparagraph (A) exists with respect to
12 an installation, the Secretary shall consult with—

13 (i) the local government in whose jurisdiction the installation is wholly located; or

14 (ii) a local government agency or State government agency designated for the
15 purpose of such consultation by the chief executive officer of the State in which the
16 installation is located.

17 (C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out
18 any of the activities referred to in clause (ii) with respect to an installation referred to in that
19 clause until the earlier of—

20 (I) one week after the date on which the redevelopment plan for the
21 installation is submitted to the Secretary;

22 (II) the date on which the redevelopment authority notifies the Secretary
23 that it will not submit such a plan;

1 (III) twenty-four months after the date of approval of the closure or
2 realignment of the installation; or

3 (IV) ninety days before the date of the closure or realignment of the
4 installation.

5 (ii) The activities referred to in clause (i) are activities relating to the closure or
6 realignment of an installation to be closed or realigned under this title as follows:

7 (I) The transfer from the installation of items of personal property at the
8 installation identified in accordance with subparagraph (A).

9 (II) The reduction in maintenance and repair of facilities or equipment located at
10 the installation below the minimum levels required to support the use of such facilities or
11 equipment for nonmilitary purposes.

12 (D) Except as provided in paragraph (4), the Secretary may not transfer items of personal
13 property located at an installation to be closed or realigned under this title to another installation,
14 or dispose of such items, if such items are identified in the redevelopment plan for the
15 installation as items essential to the reuse or redevelopment of the installation. In connection
16 with the development of the redevelopment plan for the installation, the Secretary shall consult
17 with the entity responsible for developing the redevelopment plan to identify the items of
18 personal property located at the installation, if any, that the entity desires to be retained at the
19 installation for reuse or redevelopment of the installation.

20 (E) This paragraph shall not apply to any personal property located at an installation to be
21 closed or realigned under this title if the property—

22 (i) is required for the operation of a unit, function, component, weapon, or
23 weapons system at another installation;

1 (ii) is uniquely military in character, and is likely to have no civilian use (other
2 than use for its material content or as a source of commonly used components);

3 (iii) is not required for the reutilization or redevelopment of the installation (as
4 jointly determined by the Secretary and the redevelopment authority);

5 (iv) is stored at the installation for purposes of distribution (including spare parts
6 or stock items); or

7 (v)(I) meets known requirements of an authorized program of another Federal
8 department or agency for which expenditures for similar property would be necessary,
9 and (II) is the subject of a written request by the head of the department or agency.

10 (F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any
11 activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out
12 of such activity is in the national security interest of the United States.

13 (4)(A) The Secretary may transfer real property and personal property located at a
14 military installation to be closed or realigned under this title to the redevelopment authority with
15 respect to the installation for purposes of job generation on the installation.

16 (B) The transfer of property located at a military installation under subparagraph (A) may
17 be for consideration at or below the estimated fair market value or without consideration. The
18 determination of such consideration may account for the economic conditions of the local
19 affected community and the estimated costs to redevelop the property. The Secretary may accept,
20 as consideration, a share of the revenues that the redevelopment authority receives from third-
21 party buyers or lessees from sales and long-term leases of the conveyed property, consideration
22 in kind (including goods and services), real property and improvements, or such other
23 consideration as the Secretary considers appropriate. The transfer of property located at a

1 military installation under subparagraph (A) may be made for consideration below the estimated
2 fair market value or without consideration only if the redevelopment authority with respect to the
3 installation—

4 (i) agrees that the proceeds from any sale or lease of the property (or any portion
5 thereof) received by the redevelopment authority during at least the first seven years after
6 the date of the initial transfer of property under subparagraph (A) shall be used to support
7 the economic redevelopment of, or related to, the installation; and

8 (ii) executes the agreement for transfer of the property and accepts control of the
9 property within a reasonable time after the date of the property disposal record of
10 decision or finding of no significant impact under the National Environmental Policy Act
11 of 1969 (42 U.S.C. 4321 et seq.).

12 (C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease
13 described in such subparagraph to pay for, or offset the costs of, public investment on or related
14 to the installation for any of the following purposes shall be considered a use to support the
15 economic redevelopment of, or related to, the installation:

16 (i) Road construction.

17 (ii) Transportation management facilities.

18 (iii) Storm and sanitary sewer construction.

19 (iv) Police and fire protection facilities and other public facilities.

20 (v) Utility construction.

21 (vi) Building rehabilitation.

22 (vii) Historic property preservation.

23 (viii) Pollution prevention equipment or facilities.

1 (ix) Demolition.

2 (x) Disposal of hazardous materials generated by demolition.

3 (xi) Landscaping, grading, and other site or public improvements.

4 (xii) Planning for or the marketing of the development and reuse of the
5 installation.

6 (D) The Secretary may recoup from a redevelopment authority such portion of the
7 proceeds from a sale or lease described in subparagraph (B) as the Secretary determines
8 appropriate if the redevelopment authority does not use the proceeds to support economic
9 redevelopment of, or related to, the installation for the period specified in subparagraph (B).

10 (E)(i) The Secretary may transfer real property at an installation approved for closure or
11 realignment under this title (including property at an installation approved for realignment which
12 will be retained by the Department of Defense or another Federal agency after realignment) to
13 the redevelopment authority for the installation if the redevelopment authority agrees to lease,
14 directly upon transfer, one or more portions of the property transferred under this subparagraph
15 to the Secretary or to the head of another department or agency of the Federal Government.
16 Subparagraph (B) shall apply to a transfer under this subparagraph.

17 (ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide
18 for options for renewal or extension of the term by the department or agency concerned.

19 (iii) A lease under clause (i) may not require rental payments by the United States.

20 (iv) A lease under clause (i) shall include a provision specifying that if the department or
21 agency concerned ceases requiring the use of the leased property before the expiration of the
22 term of the lease, the remainder of the lease term may be satisfied by the same or another
23 department or agency of the Federal Government using the property for a use similar to the use

1 under the lease. Exercise of the authority provided by this clause shall be made in consultation
2 with the redevelopment authority concerned.

3 (v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion
4 of the installation, the department or agency concerned may obtain facility services for the leased
5 property and common area maintenance from the redevelopment authority or the redevelopment
6 authority's assignee as a provision of the lease. The facility services and common area
7 maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of
8 the transferred property. Facility services and common area maintenance covered by the lease
9 shall not include—

10 (I) municipal services that a State or local government is required by law to
11 provide to all landowners in its jurisdiction without direct charge; or

12 (II) firefighting or security-guard functions.

13 (F) The transfer of personal property under subparagraph (A) shall not be subject to the
14 provisions of subchapters II and III of chapter 5 of title 40, United States Code, if the Secretary
15 determines that the transfer of such property is necessary for the effective implementation of a
16 redevelopment plan with respect to the installation at which such property is located.

17 (G) The provisions of section 120(h) of the Comprehensive Environmental Response,
18 Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real
19 property under this paragraph.

20 (H) The Secretary may require any additional terms and conditions in connection with a
21 transfer under this paragraph as such Secretary considers appropriate to protect the interests of
22 the United States.

1 (5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such
2 actions as the Secretary determines necessary to ensure that final determinations under paragraph
3 (1) regarding whether another department or agency of the Federal Government has identified a
4 use for any portion of a military installation to be closed or realigned under this title, or will
5 accept transfer of any portion of such installation, are made not later than 6 months after the date
6 of approval of closure or realignment of that installation.

7 (B) The Secretary may, in consultation with the redevelopment authority with respect to
8 an installation, postpone making the final determinations referred to in subparagraph (A) with
9 respect to the installation for such period as the Secretary determines appropriate if the Secretary
10 determines that such postponement is in the best interests of the communities affected by the
11 closure or realignment of the installation.

12 (C)(i) Before acquiring non-Federal real property as the location for a new or
13 replacement Federal facility of any type, the head of the Federal agency acquiring the property
14 shall consult with the Secretary regarding the feasibility and cost advantages of using Federal
15 property or facilities at a military installation closed or realigned or to be closed or realigned
16 under this title as the location for the new or replacement facility. In considering the availability
17 and suitability of a specific military installation, the Secretary and the head of the Federal agency
18 involved shall obtain the concurrence of the redevelopment authority with respect to the
19 installation and comply with the redevelopment plan for the installation.

20 (ii) Not later than 30 days after acquiring non-Federal real property as the location for a
21 new or replacement Federal facility, the head of the Federal agency acquiring the property shall
22 submit to Congress a report containing the results of the consultation under clause (i) and the
23 reasons why military installations referred to in such clause that are located within the area to be

1 served by the new or replacement Federal facility or within a 200-mile radius of the new or
2 replacement facility, whichever area is greater, were considered to be unsuitable or unavailable
3 for the site of the new or replacement facility.

4 (6)(A) The disposal of buildings and property located at installations approved for closure
5 or realignment under this title shall be carried out in accordance with this paragraph.

6 (B)(i) Not later than the date on which the Secretary of Defense completes the final
7 determinations referred to in paragraph (5) relating to the use or transferability of any portion of
8 an installation covered by this paragraph, the Secretary shall—

9 (I) identify the buildings and property at the installation for which the Department
10 of Defense has a use, for which another department or agency of the Federal Government
11 has identified a use, or of which another department or agency will accept a transfer;

12 (II) take such actions as are necessary to identify any building or property at the
13 installation not identified under subclause (I) that is excess property or surplus property;

14 (III) submit to the Secretary of Housing and Urban Development and to the
15 redevelopment authority for the installation (or the chief executive officer of the State in
16 which the installation is located if there is no redevelopment authority for the installation
17 at the completion of the determination described in the stem of this sentence) information
18 on any building or property that is identified under subclause (II); and

19 (IV) publish in the Federal Register and in a newspaper of general circulation in
20 the communities in the vicinity of the installation information on the buildings and
21 property identified under subclause (II).

22 (ii) Upon the recognition of a redevelopment authority for an installation covered by this
23 paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of

1 general circulation in the communities in the vicinity of the installation information on the
2 redevelopment authority.

3 (C)(i) State and local governments, representatives of the homeless, and other interested
4 parties located in the communities in the vicinity of an installation covered by this paragraph
5 shall submit to the redevelopment authority for the installation a notice of the interest, if any, of
6 such governments, representatives, and parties in the buildings or property, or any portion
7 thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest
8 under this clause shall describe the need of the government, representative, or party concerned
9 for the buildings or property covered by the notice.

10 (ii) The redevelopment authority for an installation shall assist the governments,
11 representatives, and parties referred to in clause (i) in evaluating buildings and property at the
12 installation for purposes of this subparagraph.

13 (iii) In providing assistance under clause (ii), a redevelopment authority shall—

14 (I) consult with representatives of the homeless in the communities in the vicinity
15 of the installation concerned; and

16 (II) undertake outreach efforts to provide information on the buildings and
17 property to representatives of the homeless, and to other persons or entities interested in
18 assisting the homeless, in such communities.

19 (iv) It is the sense of Congress that redevelopment authorities should begin to conduct
20 outreach efforts under clause (iii)(II) with respect to an installation as soon as is practicable after
21 the date of approval of closure or realignment of the installation.

1 (D)(i) State and local governments, representatives of the homeless, and other interested
2 parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not
3 later than the date specified for such notice by the redevelopment authority.

4 (ii) The date specified under clause (i) shall be-

5 (I) in the case of an installation for which a redevelopment authority has been
6 recognized as of the date of the completion of the determinations referred to in paragraph
7 (5), not earlier than 3 months and not later than 6 months after the date of publication of
8 such determination in a newspaper of general circulation in the communities in the
9 vicinity of the installation under subparagraph (B)(i)(IV); and

10 (II) in the case of an installation for which a redevelopment authority is not
11 recognized as of such date, not earlier than 3 months and not later than 6 months after the
12 date of the recognition of a redevelopment authority for the installation.

13 (iii) Upon specifying a date for an installation under this subparagraph, the
14 redevelopment authority for the installation shall—

15 (I) publish the date specified in a newspaper of general circulation in the
16 communities in the vicinity of the installation concerned; and

17 (II) notify the Secretary of Defense of the date.

18 (E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of
19 interest in the use of buildings or property at an installation to assist the homeless, a
20 representative of the homeless shall submit the following:

21 (I) A description of the homeless assistance program that the representative
22 proposes to carry out at the installation.

23 (II) An assessment of the need for the program.

1 (III) A description of the extent to which the program is or will be coordinated
2 with other homeless assistance programs in the communities in the vicinity of the
3 installation.

4 (IV) A description of the buildings and property at the installation that are
5 necessary in order to carry out the program.

6 (V) A description of the financial plan, the organization, and the organizational
7 capacity of the representative to carry out the program.

8 (VI) An assessment of the time required in order to commence carrying out the
9 program.

10 (ii) A redevelopment authority may not release to the public any information submitted to
11 the redevelopment authority under clause (i)(V) without the consent of the representative of the
12 homeless concerned unless such release is authorized under Federal law and under the law of the
13 State and communities in which the installation concerned is located.

14 (F)(i) The redevelopment authority for each installation covered by this paragraph shall
15 prepare a redevelopment plan for the installation. The redevelopment authority shall, in
16 preparing the plan, consider the interests in the use to assist the homeless of the buildings and
17 property at the installation that are expressed in the notices submitted to the redevelopment
18 authority under subparagraph (C).

19 (ii)(I) In connection with a redevelopment plan for an installation, a redevelopment
20 authority and representatives of the homeless shall prepare legally binding agreements that
21 provide for the use to assist the homeless of buildings and property, resources, and assistance on
22 or off the installation. The implementation of such agreements shall be contingent upon the

1 decision regarding the disposal of the buildings and property covered by the agreements by the
2 Secretary of Defense under subparagraph (K) or (L).

3 (II) Agreements under this clause shall provide for the reversion to the redevelopment
4 authority concerned, or to such other entity or entities as the agreements shall provide, of
5 buildings and property that are made available under this paragraph for use to assist the homeless
6 in the event that such buildings and property cease being used for that purpose.

7 (iii) A redevelopment authority shall provide opportunity for public comment on a
8 redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary
9 of Housing and Urban Development under subparagraph (G).

10 (iv) A redevelopment authority shall complete preparation of a redevelopment plan for an
11 installation and submit the plan under subparagraph (G) not later than 9 months after the date
12 specified by the redevelopment authority for the installation under subparagraph (D).

13 (G)(i) Upon completion of a redevelopment plan under subparagraph (F), a
14 redevelopment authority shall submit an application containing the plan to the Secretary of
15 Defense and to the Secretary of Housing and Urban Development.

16 (ii) A redevelopment authority shall include in an application under clause (i) the
17 following:

18 (I) A copy of the redevelopment plan, including a summary of any public
19 comments on the plan received by the redevelopment authority under subparagraph
20 (F)(iii).

21 (II) A copy of each notice of interest of use of buildings and property to assist the
22 homeless that was submitted to the redevelopment authority under subparagraph (C),
23 together with a description of the manner, if any, in which the plan addresses the interest

1 expressed in each such notice and, if the plan does not address such an interest, an
2 explanation why the plan does not address the interest.

3 (III) A summary of the outreach undertaken by the redevelopment authority under
4 subparagraph (C)(iii)(II) in preparing the plan.

5 (IV) A statement identifying the representatives of the homeless and the homeless
6 assistance planning boards, if any, with which the redevelopment authority consulted in
7 preparing the plan, and the results of such consultations.

8 (V) An assessment of the manner in which the redevelopment plan balances the
9 expressed needs of the homeless and the need of the communities in the vicinity of the
10 installation for economic redevelopment and other development.

11 (VI) Copies of the agreements that the redevelopment authority proposes to enter
12 into under subparagraph (F)(ii).

13 (H)(i) Not later than 60 days after receiving a redevelopment plan under subparagraph
14 (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The
15 purpose of the review is to determine whether the plan, with respect to the expressed interest and
16 requests of representatives of the homeless—

17 (I) takes into consideration the size and nature of the homeless population in the
18 communities in the vicinity of the installation, the availability of existing services in such
19 communities to meet the needs of the homeless in such communities, and the suitability
20 of the buildings and property covered by the plan for the use and needs of the homeless in
21 such communities;

22 (II) takes into consideration any economic impact of the homeless assistance
23 under the plan on the communities in the vicinity of the installation;

1 (III) balances in an appropriate manner the needs of the communities in the
2 vicinity of the installation for economic redevelopment and other development with the
3 needs of the homeless in such communities;

4 (IV) was developed in consultation with representatives of the homeless and the
5 homeless assistance planning boards, if any, in the communities in the vicinity of the
6 installation; and

7 (V) specifies the manner in which buildings and property, resources, and
8 assistance on or off the installation will be made available for homeless assistance
9 purposes.

10 (ii) It is the sense of Congress that the Secretary of Housing and Urban Development
11 shall, in completing the review of a plan under this subparagraph, take into consideration and be
12 receptive to the predominant views on the plan of the communities in the vicinity of the
13 installation covered by the plan.

14 (iii) The Secretary of Housing and Urban Development may engage in negotiations and
15 consultations with a redevelopment authority before or during the course of a review under
16 clause (i) with a view toward resolving any preliminary determination of the Secretary that a
17 redevelopment plan does not meet a requirement set forth in that clause. The redevelopment
18 authority may modify the redevelopment plan as a result of such negotiations and consultations.

19 (iv) Upon completion of a review of a redevelopment plan under clause (i), the Secretary
20 of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment
21 authority concerned of the determination of the Secretary of Housing and Urban Development
22 under that clause.

1 (v) If the Secretary of Housing and Urban Development determines as a result of such a
2 review that a redevelopment plan does not meet the requirements set forth in clause (i), a notice
3 under clause (iv) shall include—

4 (I) an explanation of that determination; and

5 (II) a statement of the actions that the redevelopment authority must undertake in
6 order to address that determination.

7 (I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a
8 redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a
9 redevelopment authority shall have the opportunity to—

10 (I) revise the plan in order to address the determination; and

11 (II) submit the revised plan to the Secretary of Defense and the Secretary of
12 Housing and Urban Development.

13 (ii) A redevelopment authority shall submit a revised plan under this subparagraph to
14 such Secretaries, if at all, not later than 90 days after the date on which the redevelopment
15 authority receives the notice referred to in clause (i).

16 (J)(i) Not later than 30 days after receiving a revised redevelopment plan under
17 subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan
18 and determine if the plan meets the requirements set forth in subparagraph (H)(i).

19 (ii) The Secretary of Housing and Urban Development shall notify the Secretary of
20 Defense and the redevelopment authority concerned of the determination of the Secretary of
21 Housing and Urban Development under this subparagraph.

22 (K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination
23 of the Secretary of Housing and Urban Development that a redevelopment plan for an

1 installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense
2 shall dispose of the buildings and property at the installation.

3 (ii) For purposes of carrying out an environmental assessment of the closure or
4 realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the
5 installation (including the aspects of the plan providing for disposal to State or local
6 governments, representatives of the homeless, and other interested parties) as part of the
7 proposed Federal action for the installation.

8 (iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in
9 accordance with the record of decision or other decision document prepared by the Secretary in
10 accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In
11 preparing the record of decision or other decision document, the Secretary shall give substantial
12 deference to the redevelopment plan concerned.

13 (iv) The disposal under clause (i) of buildings and property to assist the homeless shall be
14 without consideration.

15 (v) In the case of a request for a conveyance under clause (i) of buildings and property for
16 public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153
17 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set
18 forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case
19 may be) to determine the eligibility of the applicant and use proposed in the request for the
20 public benefit conveyance. The determination of such eligibility should be made before
21 submission of the redevelopment plan concerned under subparagraph (G).

22 (L)(i) If the Secretary of Housing and Urban Development determines under
23 subparagraph (J) that a revised redevelopment plan for an installation does not meet the

1 requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary
2 shall—

3 (I) review the original redevelopment plan submitted to that Secretary under
4 subparagraph (G), including the notice or notices of representatives of the homeless
5 referred to in clause (ii)(II) of that subparagraph;

6 (II) consult with the representatives referred to in subclause (I), if any, for
7 purposes of evaluating the continuing interest of such representatives in the use of
8 buildings or property at the installation to assist the homeless;

9 (III) request that each such representative submit to that Secretary the items
10 described in clause (ii); and

11 (IV) based on the actions of that Secretary under subclauses (I) and (II), and on
12 any information obtained by that Secretary as a result of such actions, indicate to the
13 Secretary of Defense the buildings and property at the installation that meet the
14 requirements set forth in subparagraph (H)(i).

15 (ii) The Secretary of Housing and Urban Development may request under clause (i)(III)
16 that a representative of the homeless submit to that Secretary the following:

17 (I) A description of the program of such representative to assist the homeless.

18 (II) A description of the manner in which the buildings and property that the
19 representative proposes to use for such purpose will assist the homeless.

20 (III) Such information as that Secretary requires in order to determine the
21 financial capacity of the representative to carry out the program and to ensure that the
22 program will be carried out in compliance with Federal environmental law and Federal
23 law against discrimination.

1 (IV) A certification that police services, fire protection services, and water and
2 sewer services available in the communities in the vicinity of the installation concerned
3 are adequate for the program.

4 (iii) Not later than 90 days after the date of the receipt of a revised plan for an installation
5 under subparagraph (J), the Secretary of Housing and Urban Development shall—

6 (I) notify the Secretary of Defense and the redevelopment authority concerned of
7 the buildings and property at an installation under clause (i)(IV) that the Secretary of
8 Housing and Urban Development determines are suitable for use to assist the homeless;
9 and

10 (II) notify the Secretary of Defense of the extent to which the revised plan meets
11 the criteria set forth in subparagraph (H)(i).

12 (iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect
13 to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and
14 property at the installation in consultation with the Secretary of Housing and Urban
15 Development and the redevelopment authority concerned.

16 (II) For purposes of carrying out an environmental assessment of the closure or
17 realignment of an installation, the Secretary of Defense shall treat the redevelopment plan
18 submitted by the redevelopment authority for the installation (including the aspects of the plan
19 providing for disposal to State or local governments, representatives of the homeless, and other
20 interested parties) as part of the proposed Federal action for the installation. The Secretary of
21 Defense shall incorporate the notification of the Secretary of Housing and Urban Development
22 under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if
23 any, that the Secretary of Defense considers such incorporation to be appropriate and consistent

1 with the best and highest use of the installation as a whole, taking into consideration the
2 redevelopment plan submitted by the redevelopment authority.

3 (III) The Secretary of Defense shall dispose of buildings and property under subclause (I)
4 in accordance with the record of decision or other decision document prepared by the Secretary
5 in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In
6 preparing the record of decision or other decision document, the Secretary shall give deference to
7 the redevelopment plan submitted by the redevelopment authority for the installation.

8 (IV) The disposal under subclause (I) of buildings and property to assist the homeless
9 shall be without consideration.

10 (V) In the case of a request for a conveyance under subclause (I) of buildings and
11 property for public benefit under section 550 of title 40, United States Code, or sections 47151
12 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the
13 eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United
14 States Code (as the case may be) to determine the eligibility of the applicant and use proposed in
15 the request for the public benefit conveyance. The determination of such eligibility should be
16 made before submission of the redevelopment plan concerned under subparagraph (G).

17 (M)(i) In the event of the disposal of buildings and property of an installation pursuant to
18 subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for
19 the implementation of and compliance with agreements under the redevelopment plan described
20 in that subparagraph for the installation.

21 (ii) If a building or property reverts to a redevelopment authority under such an
22 agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum
23 extent practicable, the utilization of the building or property by other homeless representatives to

1 assist the homeless. A redevelopment authority may not be required to utilize the building or
2 property to assist the homeless.

3 (N) The Secretary of Defense may postpone or extend any deadline provided for under
4 this paragraph in the case of an installation covered by this paragraph for such period as the
5 Secretary considers appropriate if the Secretary determines that such postponement is in the
6 interests of the communities affected by the closure or realignment of the installation. The
7 Secretary shall make such determinations in consultation with the redevelopment authority
8 concerned and, in the case of deadlines provided for under this paragraph with respect to the
9 Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and
10 Urban Development.

11 (O) For purposes of this paragraph, the term “communities in the vicinity of the
12 installation”, in the case of an installation, means the communities that constitute the political
13 jurisdictions (other than the State in which the installation is located) that comprise the
14 redevelopment authority for the installation.

15 (P) For purposes of this paragraph, the term “other interested parties”, in the case of an
16 installation, includes any parties eligible for the conveyance of property of the installation under
17 section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United
18 States Code, whether or not the parties assist the homeless.

19 (7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including
20 contracts, cooperative agreements, or other arrangements for reimbursement) with local
21 governments for the provision of police or security services, fire protection services, airfield
22 operation services, or other community services by such governments at military installations to
23 be closed under this title, or at facilities not yet transferred or otherwise disposed of in the case of

1 installations closed under this title, if the Secretary determines that the provision of such services
2 under such agreements is in the best interests of the Department of Defense.

3 (B) The Secretary may exercise the authority provided under this paragraph without
4 regard to the provisions of chapter 146 of title 10, United States Code.

5 (C) The Secretary may not exercise the authority under subparagraph (A) with respect to
6 an installation earlier than 180 days before the date on which the installation is to be closed.

7 (D) The Secretary shall include in a contract for services entered into with a local
8 government under this paragraph a clause that requires the use of professionals to furnish the
9 services to the extent that professionals are available in the area under the jurisdiction of such
10 government.

11 (c) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The
12 provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not
13 apply to the actions of the President, the Commission, and, except as provided in paragraph (2),
14 the Department of Defense in carrying out this title.

15 (2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to
16 actions of the Department of Defense under this title (i) during the process of property disposal,
17 and (ii) during the process of relocating functions from a military installation being closed or
18 realigned to another military installation after the receiving installation has been selected but
19 before the functions are relocated.

20 (B) In applying the provisions of the National Environmental Policy Act of 1969 to the
21 processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the
22 military departments concerned shall not have to consider—

1 (i) the need for closing or realigning the military installation which has been
2 recommended for closure or realignment by the Commission;

3 (ii) the need for transferring functions to any military installation which has been
4 selected as the receiving installation; or

5 (iii) military installations alternative to those recommended or selected.

6 (3) A civil action for judicial review, with respect to any requirement of the National
7 Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of
8 any act or failure to act by the Department of Defense during the closing, realigning, or
9 relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought
10 more than 60 days after the date of such act or failure to act.

11 (d) WAIVER.—The Secretary of Defense may close or realign military installations under
12 this title without regard to—

13 (1) any provision of law restricting the use of funds for closing or realigning
14 military installations included in any appropriations or authorization Act; and

15 (2) sections 2662 and 2687 of title 10, United States Code.

16 (e) TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL
17 REMEDIATION COSTS.—(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of
18 the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42
19 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or
20 facilities referred to in subparagraph (B) with any person who agrees to perform all
21 environmental restoration, waste management, and environmental compliance activities that are
22 required for the property or facilities under Federal and State laws, administrative decisions,
23 agreements (including schedules and milestones), and concurrences.

1 (B) The real property and facilities referred to in subparagraph (A) are the real property
2 and facilities located at an installation closed or to be closed, or realigned or to be realigned,
3 under this title that are available exclusively for the use, or expression of an interest in a use, of a
4 redevelopment authority under subsection (b)(6)(F) during the period provided for that use, or
5 expression of interest in use, under that subsection. The real property and facilities referred to in
6 subparagraph (A) are also the real property and facilities located at an installation approved for
7 closure or realignment under this title after 2001 that are available for purposes other than to
8 assist the homeless.

9 (C) The Secretary may require any additional terms and conditions in connection with an
10 agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the
11 interests of the United States.

12 (2) A transfer of real property or facilities may be made under paragraph (1) only if the
13 Secretary certifies to Congress that—

14 (A) the costs of all environmental restoration, waste management, and
15 environmental compliance activities otherwise to be paid by the Secretary with respect to
16 the property or facilities are equal to or greater than the fair market value of the property
17 or facilities to be transferred, as determined by the Secretary; or

18 (B) if such costs are lower than the fair market value of the property or facilities,
19 the recipient of the property or facilities agrees to pay the difference between the fair
20 market value and such costs.

21 (3) In the case of property or facilities covered by a certification under paragraph (2)(A),
22 the Secretary may pay the recipient of such property or facilities an amount equal to the lesser
23 of—

1 (A) the amount by which the costs incurred by the recipient of such property or
2 facilities for all environmental restoration, waste, management, and environmental
3 compliance activities with respect to such property or facilities exceed the fair market
4 value of such property or facilities as specified in such certification; or

5 (B) the amount by which the costs (as determined by the Secretary) that would
6 otherwise have been incurred by the Secretary for such restoration, management, and
7 activities with respect to such property or facilities exceed the fair market value of such
8 property or facilities as so specified

9 (4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person
10 to whom the property or facilities will be transferred any information of the Secretary regarding
11 the environmental restoration, waste management, and environmental compliance activities
12 described in paragraph (1) that relate to the property or facilities. The Secretary shall provide
13 such information before entering into the agreement.

14 (5) Nothing in this subsection shall be construed to modify, alter, or amend the
15 Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.
16 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

17 (6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public
18 Law 102-484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to
19 persons or entities described in subsection (a)(2) of such section 330, except in the case of
20 releases or threatened releases not disclosed pursuant to paragraph (4).

21 **SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2015.**

22 (a) IN GENERAL.—(1) If the Secretary makes the certifications required under section
23 2903(b), there shall be established on the books of the Treasury an account to be known as the

1 “Department of Defense Base Closure Account 2015” (in this section referred to as the
2 “Account”). The Account shall be administered by the Secretary as a single account.

3 (2) There shall be deposited into the Account—

4 (A) funds authorized for and appropriated to the Account;

5 (B) any funds that the Secretary may, subject to approval in an appropriation Act,
6 transfer to the Account from funds appropriated to the Department of Defense for any
7 purpose, except that such funds may be transferred only after the date on which the
8 Secretary transmits written notice of, and justification for, such transfer to the con-
9 gressional defense committees; and

10 (C) except as provided in subsection (d), proceeds received from the lease,
11 transfer, or disposal of any property at a military installation that is closed or realigned
12 under this title.

13 (3) The Account shall be closed at the time and in the manner provided for appropriation
14 accounts under section 1555 of title 31, United States Code. Unobligated funds which remain in
15 the Account upon closure shall be held by the Secretary of the Treasury until transferred by law
16 after the congressional defense committees receive the final report transmitted under subsection
17 (c)(2),

18 (b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the
19 purposes described in section 2905 with respect to military installations approved for closure or
20 realignment under this title.

21 (2) When a decision is made to use funds in the Account to carry out a construction
22 project under section 2905(a) and the cost of the project will exceed the maximum amount au-
23 thorized by law for a minor military construction project, the Secretary shall notify in writing the

1 congressional defense committees of the nature of, and justification for, the project and the
2 amount of expenditures for' such project. Any such construction project may be carried out
3 without regard to section 2802(a) of title 10, United States Code.

4 (c) REPORTS.—(1)(A) No later than 60 days after the end of each fiscal year in which the
5 Secretary carries out activities under this title using amounts in the Account, the Secretary shall
6 transmit a report to the congressional defense committees of—

7 (i) the amount and nature of the deposits into, and the expenditures from, the
8 Account during such fiscal year;

9 (ii) the amount and nature of other expenditures made pursuant to section 2905(a)
10 during such fiscal year;

11 (iii) the amount and nature of anticipated deposits to be made into, and the
12 anticipated expenditures to be made from, the Account during the first fiscal year
13 commencing after the submission of the report; and

14 (iv) the amount and nature of anticipated expenditures to be made pursuant to
15 section 2905(a) during the first fiscal year commencing after the submission of the report.

16 (B) The report for a fiscal year shall include the following:

17 (i) The obligations and expenditures from the Account during the fiscal year,
18 identified by subaccount and installation, for each military department and Defense
19 Agency.

20 (ii) The fiscal year in which appropriations for such expenditures were made and
21 the fiscal year in which finds were obligated for such expenditures.

22 (iii) Each military construction project for which such obligations and
23 expenditures were made, identified by installation and project title.

1 (iv) A description and explanation of the extent, if any, to which expenditures for
2 military construction projects for the fiscal year differed from proposals for projects and
3 funding levels that were included in the justification transmitted to Congress under
4 section 2907(1), or otherwise, for the funding proposals for the Account for such fiscal
5 year, including an explanation of—

6 (I) any failure to carry out military construction projects that were so
7 proposed; and

8 (II) any expenditures for military construction projects that were not so
9 proposed.

10 (v) An estimate of the net revenues to be received from property disposals to be
11 completed during the first fiscal year commencing after the submission of the report at
12 military installations approved for closure or realignment under this title.

13 (2) No later than 60 days after the closure of the Account under subsection (a)(3), the
14 Secretary shall transmit to the congressional defense committees a report containing an ac-
15 counting of—

16 (A) all the funds deposited into and expended from the Account or otherwise
17 expended under this title with respect to such installations; and

18 (B) any amount remaining in the Account.

19 (d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH
20 NONAPPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or
21 improved (in whole or in part) with commissary store funds or nonappropriated funds is
22 transferred or disposed of in connection with the closure or realignment of a military installation
23 under this title, a portion of the proceeds of the transfer or other disposal of property on that

1 installation shall be deposited in the reserve account established under section 204(b)(7)(C) of
2 the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687
3 note).

4 (2) The amount so deposited shall be equal to the depreciated value of the investment
5 made with such funds in the acquisition, construction, or improvement of that particular real
6 property or facility. The depreciated value of the investment shall be computed in accordance
7 with regulations prescribed by the Secretary.

8 (3) The Secretary may use amounts in the reserve account, without further appropriation,
9 for the purpose of acquiring, constructing, and improving—

10 (A) commissary stores; and

11 (B) real property and facilities for nonappropriated fund instrumentalities.

12 (4) As used in this subsection:

13 (A) The term “commissary store funds” means funds received from the
14 adjustment of, or surcharge on, selling prices at commissary stores fixed under section
15 2685 of title 10, United States Code.

16 (B) The term “nonappropriated funds” means funds received from a
17 nonappropriated fund instrumentality.

18 (C) The term “nonappropriated fund instrumentality” means an instrumentality of
19 the United States under the jurisdiction of the Armed Forces (including the Army and Air
20 Force Exchange Service, the Navy Resale and Services Support Office, and the Marine
21 Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical
22 or mental improvement of members of the Armed Forces.

23 (e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION

1 PROJECTS.—Except for funds deposited into the Account under subsection (a), funds
2 appropriated to the Department of Defense may not be used for purposes described in section
3 2905(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account
4 under subsection (a)(3).

5 (f) AUTHORIZED COST AND SCOPE OF WORK VARIATIONS.—(1) Subject to paragraphs (2)
6 and (3), the cost authorized for a military construction project or military family housing project
7 to be carried out using funds in the Account may not be increased or reduced by more than 20
8 percent or \$ 2,000,000, whichever is less, of the amount specified for the project in the
9 conference report to accompany the Military Construction Authorization Act authorizing the
10 project. The scope of work for such a project may not be reduced by more than 25 percent from
11 the scope specified in the most recent budget documents for the projects listed in such
12 conference report.

13 (2) Paragraph (1) shall not apply to a military construction project or military family
14 housing project to be carried out using funds in the Account with an estimated cost of less than
15 \$5,000,000, unless the project has not been previously identified in any budget submission for
16 the Account and exceeds the applicable minor construction threshold under section 2805 of title
17 10, United States Code.

18 (3) The limitation on cost or scope variation in paragraph (1) shall not apply if the
19 Secretary of Defense makes a determination that an increase or reduction in cost or a reduction in
20 the scope of work for a military construction project or military family housing project to be
21 carried out using funds in the Account needs to be made for the sole purpose of meeting unusual
22 variations in cost or scope. If the Secretary makes such a determination, the Secretary shall
23 notify the congressional defense committees of the variation in cost or scope not later than 21

1 days before the date on which the variation is made in connection with the project or, if the
2 notification is provided in an electronic medium pursuant to section 480 of title 10, United States
3 Code, not later than 14 days before the date on which the variation is made. The Secretary shall
4 include the reasons for the variation in the notification.

5 **SEC. 2907. REPORTS.**

6 (a) REPORTING REQUIREMENT.—As part of the budget request for fiscal year 2019 and for
7 each fiscal year thereafter through fiscal year 2030 for the Department of Defense, the Secretary
8 shall transmit to the congressional defense committees—

9 (1) a schedule of the closure actions to be carried out under this title in the fiscal
10 year for which the request is made and an estimate of the total expenditures required and
11 cost savings to be achieved by each such closure and of the time period in which these
12 savings are to be achieved in each case, together with the Secretary's assessment of the
13 environmental effects of such actions;

14 (2) a description of the military installations, including those under construction
15 and those planned for construction, to which functions are to be transferred as a result of
16 such closures, together with the Secretary's assessment of the environmental effects of
17 such transfers;

18 (3) a description of the closure actions already carried out at each military
19 installation since the date of the installation's approval for closure under this title and the
20 current status of the closure of the installation, including whether—

21 (A) a redevelopment authority has been recognized by the Secretary for
22 the installation;

23 (B) the screening of property at the installation for other Federal use has

1 been completed; and

2 (C) a redevelopment plan has been agreed to by the redevelopment
3 authority for the installation;

4 (4) a description of redevelopment plans for military installations approved for
5 closure under this title, the quantity of property remaining to be disposed of at each
6 installation as part of its closure, and the quantity of property already disposed of at each
7 installation;

8 (5) a list of the Federal agencies that have requested property during the screening
9 process for each military installation approved for closure under this title, including the
10 date of transfer or anticipated transfer of the property to such agencies, the acreage
11 involved in such transfers, and an explanation for any delays in such transfers;

12 (6) a list of known environmental remediation issues at each military installation
13 approved for closure under this title, including the acreage affected by these issues, an
14 estimate of the cost to complete such environmental remediation, and the plans (and
15 timelines) to address such environmental remediation; and

16 (7) an estimate of the date for the completion of all closure actions at each
17 military installation approved for closure or realignment under this title.

18 **SEC. 2908. CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT.**

19 (a) TERMS OF THE RESOLUTION.—For purposes of section 2904(b), the term “joint
20 resolution” means only a joint resolution which is introduced within the 10-day period beginning
21 on the date on which the President transmits the report to the Congress under section 2903(j),
22 and—

23 (1) which does not have a preamble;

1 (2) the matter after the resolving clause of which is as follows: “That Congress
2 disapproves the recommendations of the Defense Base Closure and Realignment
3 Commission as submitted by the President on “, the blank space being filled in
4 with the appropriate date; and

5 (3) the title of which is as follows: “Joint resolution disapproving the
6 recommendations of the Defense Base Closure and Realignment Commission.”.

7 (b) REFERRAL.—A resolution described in subsection (a) that is introduced in the House
8 of Representatives shall be referred to the Committee on Armed Services of the House of
9 Representatives. A resolution described in subsection (a) introduced in the Senate shall be
10 referred to the Committee on Armed Services of the Senate.

11 (c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is
12 referred has not reported such a resolution (or an identical resolution) by the end of the 20-day
13 period beginning on the date on which the President transmits the report to the Congress under
14 section 2903(j), such committee shall be, at the end of such period, discharged from further
15 consideration of such resolution, and such resolution shall be placed on the appropriate calendar
16 of the House involved.

17 (d) CONSIDERATION.—(1) On or after the third day after the date on which the committee
18 to which such a resolution is referred has reported, or has been discharged (under subsection (c))
19 from further consideration of, such a resolution, it is in order (even though a previous motion to
20 the same effect has been disagreed to) for any Member of the respective House to move to
21 proceed to the consideration of the resolution. A member may make the motion only on the day
22 after the calendar day on which the Member announces to the House concerned the Member's
23 intention to make the motion, except that, in the case of the House of Representatives, the motion

1 may be made without such prior announcement if the motion is made by direction of the
2 committee to which the resolution was referred. All points of order against the resolution
3 (and against consideration of the resolution) are waived. The motion is highly privileged in the
4 House of Representatives and is privileged in the Senate and is not debatable. The motion is not
5 subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration
6 of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed
7 to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to,
8 the respective House shall immediately proceed to consideration of the joint resolution without
9 intervening motion, order, or other business, and the resolution shall remain the unfinished
10 business of the respective House until disposed of.

11 (2) Debate on the resolution, and on all debatable motions and appeals in connection
12 therewith, shall be limited to not more than 2 hours, which shall be divided equally between
13 those favoring and those opposing the resolution. An amendment to the resolution is not in order.
14 A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion
15 to proceed to the consideration of other business, or a motion to recommit the resolution is not in
16 order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not
17 in order.

18 (3) Immediately following the conclusion of the debate on a resolution described in
19 subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance
20 with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

21 (4) Appeals from the decisions of the Chair relating to the application of the rules of the
22 Senate or the House of Representatives, as the case may be, to the procedure relating to a
23 resolution described in subsection (a) shall be decided without debate.

1 (e) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of a
2 resolution of that House described in subsection (a), that House receives from the other House a
3 resolution described in subsection (a), then the following procedures shall apply:

4 (A) The resolution of the other House shall not be referred to a committee and
5 may not be considered in the House receiving it except in the case of final passage as
6 provided in subparagraph (B)(ii).

7 (B) With respect to a resolution described in subsection (a) of the House receiving
8 the resolution—

9 (i) the procedure in that House shall be the same as if no resolution had
10 been received from the other House; but

11 (ii) the vote on final passage shall be on the resolution of the other House.

12 (2) Upon disposition of the resolution received from the other House, it shall no longer be
13 in order to consider the resolution that originated in the receiving House.

14 (f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

15 (1) as an exercise of the rulemaking power of the Senate and House of
16 Representatives, respectively, and as such it is deemed a part of the rules of each House,
17 respectively, but applicable only with respect to the procedure to be followed in that
18 House in the case of a resolution described in subsection (a), and it supersedes other rules
19 only to the extent that it is inconsistent with such rules; and

20 (2) with full recognition of the constitutional right of either House to change the
21 rules (so far as relating to the procedure of that House) at any time, in the same manner,
22 and to the same extent as in the case of any other rule of that House.

23 **SEC. 2909. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY.**

1 (a) IN GENERAL.—Except as provided in subsection (c), during the period beginning on
2 the date of the enactment of this Act, and ending on April 15, 2018, this title shall be the
3 exclusive authority for selecting for closure or realignment, or for carrying out any closure or
4 realignment of, a military installation inside the United States.

5 (b) RESTRICTION.—Except as provided in subsection (c), none of the funds available to
6 the Department of Defense may be used, other than under this title, during the period specified in
7 subsection (a)—

8 (1) to identify, through any transmittal to the Congress or through any other
9 public announcement or notification, any military installation inside the United States as
10 an installation to be closed or realigned or as an installation under consideration for
11 closure or realignment; or

12 (2) to carry out any closure or realignment of a military installation inside the
13 United States.

14 (c) EXCEPTION.—Nothing in this title affects the authority of the Secretary to carry out
15 closures and realignments to which section 2687 of title 10, United States Code, is not
16 applicable, including closures and realignments carried out for reasons of national security or a
17 military emergency referred to in subsection (c) of such section.

18 **SEC. 2910. DEFINITIONS.**

19 As used in this title:

20 (1) The term “Account” means the Department of Defense Base Closure Account
21 established by section 2906(a)(1).

22 (2) The term “congressional defense committees” means the Committee on
23 Armed Services and the Committee on Appropriations of the Senate and the Committee

1 on Armed Services and the Committee on Appropriations of the House of
2 Representatives.

3 (3) The term “Commission” means the Commission established by section 2902.

4 (4) The term “military installation” means a base, camp, post, station, yard,
5 center, homeport facility for any ship, or other activity under the jurisdiction of the
6 Department of Defense, including any leased facility. Such term does not include any
7 facility used primarily for civil works, rivers and harbors projects, flood control, or other
8 projects not under the primary jurisdiction or control of the Department of Defense.

9 (5) The term “realignment” includes any action which both reduces and relocates
10 functions and civilian personnel positions but does not include a reduction in force
11 resulting from workload adjustments, reduced personnel or funding levels, or skill
12 imbalances.

13 (6) The term “Secretary” means the Secretary of Defense.

14 (7) The term “United States” means the 50 States, the District of Columbia, the
15 Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any
16 other commonwealth, territory, or possession of the United States.

17 (8) The term “date of approval”, with respect to a closure or realignment of an
18 installation, means the date on which the authority of Congress to disapprove a
19 recommendation of closure or realignment, as the case may be, of such installation under
20 this title expires.

21 (9) The term “redevelopment authority”, in the case of an installation to be closed
22 or realigned under this title, means any entity (including an entity established by a State
23 or local government) recognized by the Secretary of Defense as the entity responsible for

1 developing the redevelopment plan with respect to the installation or for directing the
2 implementation of such plan.

3 (10) The term “redevelopment plan” in the case of an installation to be closed or
4 realigned under this title, means a plan that—

5 (A) is agreed to by the local redevelopment authority with respect to the
6 installation; and

7 (B) provides for the reuse or redevelopment of the real property and
8 personal property of the installation that is available for such reuse and
9 redevelopment as a result of the closure or realignment of the installation.

10 (11) The term “representative of the homeless” has the meaning given such term
11 in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C.
12 11411(i)(4)).

13 **SEC. 2911. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER**
14 **PROVISIONS OF LAW.**

15 (a) DEFINITION OF “BASE CLOSURE LAW” IN TITLE 10.—Section 101(a)(17) of title 10,
16 United States Code, is amended by adding at the end the following new subparagraph:

17 “(D) The Defense Base Closure and Realignment Act of 2015.”.

18 (b) DEFINITION OF “BASE CLOSURE LAW” IN OTHER LAWS.—

19 (1) Section 131(b) of Public Law 107-249 (10 U.S.C. 221 note) is amended by
20 striking “means” and all that follows and inserting “has the meaning given the term ‘base
21 closure law’ in section 101(a)(17) of title 10, United States Code.”.

1 (2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year
2 1994 (Public Law 103-160; 10 U.S.C. 2701 note) is amended by adding at the end the
3 following new subparagraph:

4 “(C) The Defense Base Closure and Realignment Act of 2015.”.

5 (3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year
6 1994 (Public Law 103-160; 10 U.S.C. 2687 note) is amended by adding at the end the
7 following new subparagraph:

8 “(C) The Defense Base Closure and Realignment Act of 2015.”.

9 **SEC. 2912. CONFORMING AMENDMENTS.**

10 (a) DEPOSIT AND USE OF LEASE PROCEEDS.—Section 2667(e) of title 10, United States
11 Code, is amended—

12 (1) in paragraph (5), by striking “on or after January 1, 2005,” and inserting “from
13 January 1, 2005 through December 31, 2005,”; and

14 (2) by adding at the end the following new paragraph:

15 “(6) Money rentals received by the United States from a lease under subsection (g) at a
16 military installation approved for closure or realignment under a base closure law on or after
17 January 1, 2006, shall be deposited into the account established under section 2906 of the
18 Defense Base Closure and Realignment Act of 2015.”.

19 (b) REQUESTS BY PUBLIC AGENCIES FOR PROPERTY FOR PUBLIC AIRPORTS.—Section
20 47151(g) of title 49, United States Code, is amended by striking “section 2687 of title 10, section
21 201 of the Defense Authorization Amendments and Base Closure and Realignment Act (10
22 U.S.C. 2687 note), or section 2905 of the Defense Base Closure and Realignment Act of 1990

1 (10 U.S.C. 2687 note)” and inserting “a base closure law, as that term is defined in section
2 101(a)(17) of title 10,”.

3 (c) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended
4 by striking “the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of
5 Public Law 101–510; 10 U.S.C. 2687 note)” and inserting “a base closure law, as that term is
6 defined in section 101(a)(17) of title 10,”.

7 **TITLE XXX—MILITARY CONSTRUCTION FUNDING**

8 **SEC. 3001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

9 (a) IN GENERAL.—Whenever a funding table in this title specifies a dollar amount
10 authorized for a project, program, or activity, the obligation and expenditure of the specified
11 dollar amount for the project, program, or activity is hereby authorized, subject to the availability
12 of appropriations.

13 (b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or
14 to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

15 (1) be based on merit-based selection procedures in accordance with the
16 requirements of sections 2304(k) and 2374 of title 10, United States Code, or on
17 competitive procedures; and

18 (2) comply with other applicable provisions of law.

19 (c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified
20 in the funding tables in this title may be transferred or reprogrammed under a transfer or
21 reprogramming authority provided by another provision of this Act or by other law. The transfer
22 or reprogramming of an amount specified in such funding tables shall not count against a ceiling
23 on such transfers or reprogrammings under any other provision of this Act or any other provision

1 of law, unless such transfer or reprogramming would move funds between appropriation
 2 accounts.

3 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex
 4 that accompanies this Act.

5 (e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication
 6 concerning any amount specified in the funding tables in this division shall supersede the
 7 requirements of this section.

8 **SEC. 3002. MILITARY CONSTRUCTION TABLE.**

SEC. 3002. MILITARY CONSTRUCTION			
(In Thousands of Dollars)			
Account	State/Country and Installation	Project Title	FY 2016 Budget Request
	Alaska		
Army	Fort Greely	Physical Readiness Training Facility	\$7,800
	California		
Army	Concord	Pier	\$98,000
	Colorado		
Army	Fort Carson	Rotary Wing Taxiway	\$5,800
	Georgia		
Army	Fort Gordon	Command and Control Facility	\$90,000
	Germany		
Army	Grafenwoehr	Vehicle Maintenance Shop	\$51,000
	New York		
Army	Fort Drum	NCO Academy Complex	\$19,000
Army	U.S. Military Academy	Waste Water Treatment Plant	\$70,000
	Oklahoma		
Army	Fort Sill	Reception Barracks Complex Ph2	\$56,000
Army	Fort Sill	Training Support Facility	\$13,400
	Texas		
Army	Corpus Christi	Powertrain Facility (Infrastructure/Metal)	\$85,000
Army	Joint Base San Antonio	Homeland Defense Operations Center	\$43,000
	Virginia		
Army	Fort Lee	Training Support Facility	\$33,000
Army	Joint Base Myer-Henderson	Instruction Building	\$37,000
	Worldwide Unspecified		
Army	Unspecified Worldwide	Host Nation Support	\$36,000

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Budget Request
	Locations		
	Unspecified Worldwide		
Army	Locations	Minor Construction	\$25,000
	Unspecified Worldwide		
Army	Locations	Planning and Design	\$73,245
Total Military Construction, Army			\$743,245
	Arizona		
Navy	Yuma	Aircraft Maint. Facilities & Apron (So. CALA)	\$50,635
	Bahrain Island		
Navy	SW Asia	Mina Salman Pier Replacement	\$37,700
Navy	SW Asia	Ship Maintenance Support Facility	\$52,091
	California		
Navy	Camp Pendleton	Raw Water Pipeline Pendleton to Fallbrook	\$44,540
Navy	Coronado	Coastal Campus Utilities	\$4,856
Navy	Lemoore	F-35C Hangar Modernization and Addition	\$56,497
Navy	Lemoore	F-35C Training Facilities	\$8,187
Navy	Lemoore	RTO and Mission Debrief Facility	\$7,146
Navy	Point Mugu	E-2C/D Hangar Additions and Renovations	\$19,453
Navy	Point Mugu	Triton Avionics and Fuel Systems Trainer	\$2,974
Navy	San Diego	LCS Support Facility	\$37,366
Navy	Twenty-nine Palms	Microgrid Expansion	\$9,160
	Florida		
Navy	Jacksonville	Fleet Support Facility Addition	\$8,455
Navy	Jacksonville	Triton Mission Control Facility	\$8,296
Navy	Mayport	LCS Mission Module Readiness Center A-School Unaccompanied Housing (Corry Station)	\$16,159
Navy	Pensacola		\$18,347
Navy	Whiting Field	T-6B JPATS Training Operations Facility	\$10,421
	Georgia		
Navy	Albany	Ground Source Heat Pumps	\$7,851
Navy	Kings Bay	Industrial Control System Infrastructure	\$8,099
Navy	Townsend	Townsend Bombing Range Expansion Phase 2	\$48,279
	Guam		
Navy	Joint Region Marianas	Live-Fire Training Range Complex (NW Field)	\$125,677
Navy	Joint Region Marianas	Municipal Solid Waste Landfill Closure	\$10,777
Navy	Joint Region Marianas	Sanitary Sewer System Recapitalization	\$45,314
	Hawaii		
Navy	Barking Sands	PMRF Power Grid Consolidation	\$30,623
Navy	Joint Base Pearl Harbor-	UEM Interconnect Sta C to Hickam	\$6,335

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Budget Request
	Hickam		
	Joint Base Pearl Harbor-		
Navy	Hickam	Welding School Shop Consolidation	\$8,546
Navy	Kaneohe Bay	Airfield Lighting Modernization	\$26,097
Navy	Kaneohe Bay	Bachelor Enlisted Quarters	\$68,092
Navy	Kaneohe Bay	P-8A Detachment Support Facilities	\$12,429
	Italy		
Navy	Sigonella	P-8A Hangar and Fleet Support Facility	\$62,302
Navy	Sigonella	Triton Hangar and Operation Facility	\$40,641
	Japan		
Navy	Camp Butler	Military Working Dog Facilities (Camp Hansen)	\$11,697
Navy	Iwakuni	E-2D Operational Trainer Complex	\$8,716
Navy	Iwakuni	Security Modifications - CVW5/MAG12 HQ	\$9,207
Navy	Kadena AB	Aircraft Maint. Shelters & Apron	\$23,310
Navy	Yokosuka	Child Development Center	\$13,846
	Maryland		
Navy	Patuxent River	Unaccompanied Housing	\$40,935
	North Carolina		
Navy	Camp Lejeune	Simulator Integration/Range Control Facility	\$54,849
Navy	Cherry Point Marine Corps		
Navy	Air Station	KC130J Enlisted Air Crew Trainer Facility	\$4,769
Navy	Cherry Point Marine Corps		
Navy	Air Station	Unmanned Aircraft System Facilities	\$29,657
Navy	New River	Operational Trainer Facility	\$3,312
Navy	New River	Radar Air Traffic Control Facility Addition	\$4,918
	Poland		
Navy	RedziKowo Base	AEGIS Ashore Missile Defense Complex	\$51,270
	South Carolina		
Navy	Parris Island	Range Safety Improvements & Modernization	\$27,075
	Virginia		
Navy	Dam Neck	Maritime Surveillance System Facility	\$23,066
Navy	Norfolk	Communications Center	\$75,289
Navy	Norfolk	Electrical Repairs to Piers 2,6,7, and 11	\$44,254
Navy	Norfolk	MH60 Helicopter Training Facility	\$7,134
Navy	Portsmouth	Waterfront Utilities	\$45,513
Navy	Quantico	ATFP Gate	\$5,840
Navy	Quantico	Electrical Distribution Upgrade	\$8,418
Navy	Quantico	Embassy Security Guard BEQ & Ops Facility	\$43,941
	Washington		
Navy	Bangor	WRA Land/Water Interface	\$34,177

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
Navy	Bremerton	Dry Dock 6 Modernization & Utility Improve.	\$22,680
Navy	Indian Island	Shore Power to Ammunition Pier	\$4,472
	Worldwide Unspecified		
	Unspecified Worldwide		
Navy	Locations	MCON Design Funds	\$91,649
	Unspecified Worldwide		
Navy	Locations	Unspecified Minor Construction	\$22,590
Total Military Construction, Navy			\$1,605,929
	Alaska		
AF	Eielson AFB	F-35A Flight Sim/Alter Squad Ops/AMU Facility	\$37,000
AF	Eielson AFB	Rpr Central Heat & Power Plant Boiler Ph3	\$34,400
	Arizona		
AF	Davis-Monthan AFB	HC-130J AGE Covered Storage	\$4,700
AF	Davis-Monthan AFB	HC-130J Wash Rack	\$12,200
AF	Luke AFB	F-35A ADAL Fuel Offload Facility	\$5,000
AF	Luke AFB	F-35A Aircraft Maintenance Hangar/Sq 3	\$13,200
AF	Luke AFB	F-35A Bomb Build-Up Facility	\$5,500
AF	Luke AFB	F-35A Sq Ops/AMU/Hangar/Sq 4	\$33,000
	Colorado		
AF	U.S. Air Force Academy	Front Gates Force Protection Enhancements	\$10,000
	Florida		
AF	Cape Canaveral AFS	Range Communications Facility	\$21,000
AF	Eglin AFB	F-35A Consolidated HQ Facility	\$8,700
AF	Hurlburt Field	ADAL 39 Information Operations Squad Facility	\$14,200
	Greenland		
AF	Thule AB	Thule Consolidation Ph 1	\$41,965
	Guam		
AF	Joint Region Marianas	APR - Dispersed Maint Spares & SE Storage Fac	\$19,000
AF	Joint Region Marianas	APR - Installation Control Center	\$22,200
AF	Joint Region Marianas	APR - South Ramp Utilities Phase 2	\$7,100
AF	Joint Region Marianas	PRTC Roads	\$2,500
	Hawaii		
AF	Joint Base Pearl Harbor-Hickam	F-22 Fighter Alert Facility	\$46,000
	Japan		
AF	Kadena AB	Munitions Storage	\$3,000
AF	Yokota AB	C-130J Flight Simulator Facility	\$8,461
	Kansas		
AF	McConnell AFB	KC-46A ADAL Deicing Pads	\$4,300

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
	Maryland		
AF	Fort Meade	CYBERCOM Joint Operations Center, Increment 3	\$86,000
	Missouri		
AF	Whiteman AFB	Consolidated Stealth Ops & Nuclear Alert Fac	\$29,500
	Montana		
AF	Malmstrom AFB	Tactical Response Force Alert Facility	\$19,700
	Nebraska		
AF	Offutt AFB	Dormitory (144 RM)	\$21,000
	Nevada		
AF	Nellis AFB	F-35A Airfield Pavements	\$31,000
AF	Nellis AFB	F-35A Live Ordnance Loading Area	\$34,500
AF	Nellis AFB	F-35A Munitions Maintenance Facilities	\$3,450
	New Mexico		
AF	Cannon AFB	Construct AT/FP Gate - Portales	\$7,800
AF	Holloman AFB	Marshalling Area ARM/DE-ARM Pad D	\$3,000
AF	Kirtland AFB	Space Vehicles Component Development Lab	\$12,800
	Niger		
AF	Agadez	Construct Airfield and Base Camp	\$50,000
	North Carolina		
AF	Seymour Johnson AFB	Air Traffic Control Tower/Base Ops Facility	\$17,100
	Oklahoma		
AF	Altus AFB	Dormitory (120 RM)	\$18,000
AF	Altus AFB	KC-46A FTU ADAL Fuel Cell Maint Hangar	\$10,400
AF	Tinker AFB	Air Traffic Control Tower	\$12,900
AF	Tinker AFB	KC-46A Depot Maintenance Dock	\$37,000
	Oman		
AF	Al Musannah AB	Airlift Apron	\$25,000
	South Dakota		
AF	Ellsworth AFB	Dormitory (168 RM)	\$23,000
	Texas		
AF	Joint Base San Antonio	BMT Classrooms/Dining Facility 3	\$35,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 5	\$71,000
	United Kingdom		
AF	Croughton RAF	Consolidated SATCOM/Tech Control Facility	\$36,424
AF	Croughton RAF	JIAC Consolidation - Ph 2	\$94,191
	Utah		
AF	Hill AFB	F-35A Flight Simulator Addition Phase 2	\$5,900
AF	Hill AFB	F-35A Hangar 40/42 Additions and AMU	\$21,000

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
AF	Hill AFB	Hayman Igloos	\$11,500
	CONUS Classified		
AF	Classified Location	Long Range Strike Bomber	\$77,130
	Worldwide Unspecified		
AF	Various Worldwide Locations	Planning and Design	\$89,164
AF	Various Worldwide Locations	Unspecified Minor Military Construction	\$22,900
	Wyoming		
AF	F. E. Warren AFB	Weapon Storage Facility	\$95,000
Total Military Construction, Air Force			\$1,354,785
	Alabama		
Def-Wide	Fort Rucker	Fort Rucker ES/PS Consolidation/Replacement	\$46,787
Def-Wide	Maxwell AFB	ES/MS Replacement/Renovation	\$32,968
	Arizona		
Def-Wide	Fort Huachuca	JITC Buildings 52101/52111 Renovations	\$3,884
	California		
Def-Wide	Camp Pendleton	SOF Combat Service Support Facility	\$10,181
Def-Wide	Camp Pendleton	SOF Performance Resiliency Center-West	\$10,371
Def-Wide	Coronado	SOF Logistics Support Unit One Ops Fac. #2	\$47,218
Def-Wide	Fresno Yosemite IAP ANG	Replace Fuel Storage and Distrib. Facilities	\$10,700
	Colorado		
Def-Wide	Fort Carson	SOF Language Training Facility	\$8,243
	CONUS Classified		
Def-Wide	Classified Location	Operations Support Facility	\$20,065
	Delaware		
Def-Wide	Dover AFB	Construct Hydrant Fuel System	\$21,600
	Djibouti		
Def-Wide	Camp Lemonier	Construct Fuel Storage & Distrib. Facilities	\$43,700
	Florida		
Def-Wide	Hurlburt Field	SOF Fuel Cell Maintenance Hangar	\$17,989
Def-Wide	MacDill AFB	SOF Operational Support Facility	\$39,142
	Georgia		
Def-Wide	Moody AFB	Replace Pumphouse and Truck Fillstands	\$10,900
	Germany		
Def-Wide	Garmisch	Garmisch E/MS-Addition/Modernization	\$14,676
Def-Wide	Grafenwoehr	Grafenwoehr Elementary School Replacement	\$38,138
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 5	\$85,034
Def-Wide	Spangdahlem AB	Construct Fuel Pipeline	\$5,500
Def-Wide	Spangdahlem AB	Medical/Dental Clinic Addition	\$34,071

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
Def-Wide	Stuttgart-Patch Barracks	Patch Elementary School Replacement	\$49,413
	Hawaii		
Def-Wide	Kaneohe Bay	Medical/Dental Clinic Replacement	\$122,071
Def-Wide	Schofield Barracks	Behavioral Health/Dental Clinic Addition	\$123,838
	Japan		
Def-Wide	Kadena AB	Airfield Pavements	\$37,485
	Kentucky		
Def-Wide	Fort Campbell	SOF Company HQ/Classrooms	\$12,553
Def-Wide	Fort Knox	Fort Knox HS Renovation/MS Addition	\$23,279
	Maryland		
Def-Wide	Fort Meade	NSAW Campus Feeders Phase 2	\$33,745
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Incr 1	\$34,897
	Nevada		
Def-Wide	Nellis AFB	Replace Hydrant Fuel System	\$39,900
	New Mexico		
Def-Wide	Cannon AFB	Construct Pumphouse and Fuel Storage	\$20,400
Def-Wide	Cannon AFB	SOF Squadron Operations Facility	\$11,565
Def-Wide	Cannon AFB	SOF ST Operational Training Facilities	\$13,146
	New York		
Def-Wide	West Point	West Point Elementary School Replacement	\$55,778
	North Carolina		
Def-Wide	Camp Lejeune	SOF Combat Service Support Facility	\$14,036
Def-Wide	Camp Lejeune	SOF Marine Battalion Company/Team Facilities	\$54,970
Def-Wide	Fort Bragg	Butner Elementary School Replacement	\$32,944
Def-Wide	Fort Bragg	SOF 21 STS Operations Facility	\$16,863
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	\$38,549
Def-Wide	Fort Bragg	SOF Indoor Range	\$8,303
Def-Wide	Fort Bragg	SOF Intelligence Training Center	\$28,265
Def-Wide	Fort Bragg	SOF Special Tactics Facility (PH 2)	\$43,887
	Ohio		
Def-Wide	Wright-Patterson AFB	Satellite Pharmacy Replacement	\$6,623
	Oregon		
Def-Wide	Klamath Falls IAP	Replace Fuel Facilities	\$2,500
	Pennsylvania		
Def-Wide	Philadelphia	Replace Headquarters	\$49,700
	Poland		
Def-Wide	RedziKowo Base	Aegis Ashore Missile Defense System Complex	\$169,153
	South Carolina		
Def-Wide	Fort Jackson	Pierce Terrace Elementary School Replacement	\$26,157

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
	Spain		
Def-Wide	Rota	Rota ES and HS Additions	\$13,737
	Texas		
Def-Wide	Fort Bliss	Hospital Replacement Incr 7	\$239,884
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 4	\$61,776
	Virginia		
Def-Wide	Fort Belvoir	Construct Visitor Control Center	\$5,000
Def-Wide	Fort Belvoir	Replace Ground Vehicle Fueling Facility	\$4,500
Def-Wide	Joint Base Langley-Eustis	Replace Fuel Pier and Distribution Facility	\$28,000
	Joint Expeditionary Base		
Def-Wide	Little Creek-Story	SOF Applied Instruction Facility	\$23,916
	Worldwide Unspecified		
	Unspecified Worldwide		
Def-Wide	Locations	Contingency Construction	\$10,000
	Unspecified Worldwide		
Def-Wide	Locations	ECIP Design	\$10,000
	Unspecified Worldwide		
Def-Wide	Locations	Energy Conservation Investment Program	\$150,000
	Unspecified Worldwide		
Def-Wide	Locations	Exercise Related Minor Construction	\$8,687
	Unspecified Worldwide		
Def-Wide	Locations	Planning and Design	\$118,632
	Unspecified Worldwide		
Def-Wide	Locations	Unspecified Minor Construction	\$23,676
Def-Wide	Various Worldwide Locations	Planning & Design	\$31,772
Total Military Construction, Defense-Wide			\$2,300,767
	Worldwide Unspecified		
	NATO Security Investment		
NATO	Program	NATO Security Investment Program	\$120,000
Total NATO Security Investment Program Total			\$120,000
	Connecticut		
Army NG	Camp Hartell	Ready Building	\$11,000
	Delaware		
Army NG	Dagsboro	National Guard Vehicle Maintenance Shop	\$10,800
	Florida		
Army NG	Palm Coast	National Guard Readiness Center	\$18,000
	Illinois		
Army NG	Sparta	Basic 10M-25M Firing Range (Zero)	\$1,900
	Kansas		
Army NG	Salina	Automated Combat Pistol/MP Firearms	\$2,400

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
		Qualification Course	
Army NG	Salina Maryland	Modified Record Fire Range	\$4,300
Army NG	Easton Nevada	National Guard Readiness Center	\$13,800
Army NG	Reno Ohio	National Guard Vehicle Maintenance Shop Add/Alt	\$8,000
Army NG	Camp Ravenna Oregon	Modified Record Fire Range	\$3,300
Army NG	Salem Pennsylvania	National Guard/Reserve Center Bldg Add/Alt (JFHQ)	\$16,500
Army NG	Fort Indiantown Gap Vermont	Training Aids Center	\$16,000
Army NG	North Hyde Park Virginia	National Guard Vehicle Maintenance Shop Add	\$7,900
Army NG	Richmond Washington	National Guard/Reserve Center Building (JFHQ)	\$29,000
Army NG	Yakima Worldwide Unspecified	Enlisted Barracks, Transient Training	\$19,000
Army NG	Locations Unspecified Worldwide	Planning and Design	\$20,337
		Unspecified Minor Construction	\$15,000
Total Military Construction, Army National Guard			\$197,237
	California		
Army Res	Miramar Florida	Army Reserve Center	\$24,000
Army Res	MacDill AFB Mississippi	Army Reserve Center/Aviation Support Facility	\$55,000
Army Res	Starkville New York	Army Reserve Center	\$9,300
Army Res	Orangeburg Pennsylvania	Organizational Maintenance Shop	\$4,200
Army Res	Conneaut Lake Worldwide Unspecified	DAR Highway Improvement	\$5,000
Army Res	Locations Unspecified Worldwide	Planning and Design	\$9,318
Army Res	Locations	Unspecified Minor Construction	\$6,777

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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
Total Military Construction, Army Reserve			\$113,595
N/MC Res	Nevada Fallon	NAVOPSPTCEN Fallon	\$11,480
N/MC Res	New York Brooklyn	Reserve Center Storage Facility	\$2,479
N/MC Res	Virginia Dam Neck	Reserve Training Center Complex	\$18,443
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	MCNR Planning & Design	\$2,208
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	\$1,468
Total Military Construction, Navy and Marine Corps Reserve			\$36,078
Air NG	Alabama Dannelly Field	TFI - Replace Squadron Operations Facility	\$7,600
Air NG	Arkansas Fort Smith MAP	Consolidated SCIF	\$15,200
Air NG	California Moffett Field	Replace Vehicle Maintenance Facility	\$6,500
Air NG	Colorado Buckley Air Force Base	ASE Maintenance and Storage Facility	\$5,100
Air NG	Georgia Savannah/Hilton Head IAP	C-130 Squadron Operations Facility	\$9,000
Air NG	Iowa Des Moines MAP	Air Operations Grp/CYBER Beddown-Reno Bldg 430	\$6,700
Air NG	Kansas Smokey Hill ANG Range	Range Training Support Facilities	\$2,900
Air NG	Louisiana New Orleans	Replace Squadron Operations Facility	\$10,000
Air NG	Maine Bangor IAP	Add to and Alter Fire Crash/Rescue Station	\$7,200
Air NG	New Hampshire Pease International Trade Port	KC-46A ADAL Flight Simulator Bldg 156	\$2,800
Air NG	New Jersey Atlantic City IAP	Fuel Cell and Corrosion Control Hangar	\$10,200
Air NG	New York Niagara Falls IAP	Remotely Piloted Aircraft Beddown Bldg 912	\$7,700

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Budget Request
	North Carolina		
Air NG	Charlotte/Douglas IAP	Replace C-130 Squadron Operations Facility	\$9,000
	North Dakota		
Air NG	Hector IAP	Intel Targeting Facilities	\$7,300
	Oklahoma		
Air NG	Will Rogers World Airport	Medium Altitude Manned ISR Beddown	\$7,600
	Oregon		
Air NG	Klamath Falls IAP	Replace Fire Crash/Rescue Station	\$7,200
	West Virginia		
Air NG	Yeager Airport	Force Protection- Relocate Coonskin Road	\$3,900
	Worldwide Unspecified		
Air NG	Various Worldwide Locations	Planning and Design	\$5,104
Air NG	Various Worldwide Locations	Unspecified Minor Construction	\$7,734
Total Military Construction, Air National Guard			\$138,738
	Arizona		
AF Res	Davis-Monthan AFB	Guardian Angel Operations	\$18,200
	California		
AF Res	March AFB	Satellite Fire Station	\$4,600
	Florida		
AF Res	Patrick AFB	Aircrew Life Support Facility	\$3,400
	Ohio		
AF Res	Youngstown	Indoor Firing Range	\$9,400
	Texas		
AF Res	Joint Base San Antonio	Consolidate 433 Medical Facility	\$9,900
	Worldwide Unspecified		
AF Res	Various Worldwide Locations	Planning and Design	\$13,400
AF Res	Various Worldwide Locations	Unspecified Minor Military Construction	\$6,121
Total Military Construction, Air Force Reserve			\$65,021
	Florida		
FH Con Army	Camp Rudder	Family Housing Replacement Construction	\$8,000
	Germany		
FH Con Army	Wiesbaden Army Airfield	Family Housing Improvements	\$3,500
	Illinois		
FH Con Army	Rock Island	Family Housing Replacement Construction	\$20,000
	Korea		

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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
FH Con Army	Camp Walker	Family Housing New Construction	\$61,000
	Worldwide Unspecified		
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	\$7,195
Total Family Housing Construction, Army			\$99,695
	Worldwide Unspecified		
FH Ops Army	Unspecified Worldwide Locations	Furnishings	\$25,552
FH Ops Army	Unspecified Worldwide Locations	Leased Housing	\$144,879
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	\$75,197
FH Ops Army	Unspecified Worldwide Locations	Management Account	\$48,515
FH Ops Army	Unspecified Worldwide Locations	Military Housing Privatization Initiative	\$22,000
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	\$840
FH Ops Army	Unspecified Worldwide Locations	Services	\$10,928
FH Ops Army	Unspecified Worldwide Locations	Utilities	\$65,600
Total Family Housing Operation & Maintenance, Army			\$393,511
	Virginia		
FHC Con Navy	Wallops Island	Construct Housing Welcome Center	\$438
	Worldwide Unspecified		
FHC Con Navy	Unspecified Worldwide Locations	Design	\$4,588
FHC Con Navy	Unspecified Worldwide Locations	Improvements	\$11,515
Family Housing Construction, Navy & Marine Corps Total			\$16,541
	Worldwide Unspecified		
FH Ops Navy	Unspecified Worldwide Locations	Furnishings Account	\$17,534
FH Ops Navy	Unspecified Worldwide Locations	Leasing	\$64,108
FH Ops Navy	Unspecified Worldwide Locations	Maintenance of Real Property	\$99,323
FH Ops Navy	Unspecified Worldwide Locations	Management Account	\$56,189

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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
FH Ops	Unspecified Worldwide		
Navy	Locations	Miscellaneous Account	\$373
FH Ops	Unspecified Worldwide		
Navy	Locations	Privatization Support Costs	\$28,668
FH Ops	Unspecified Worldwide		
Navy	Locations	Services Account	\$19,149
FH Ops	Unspecified Worldwide		
Navy	Locations	Utilities Account	\$67,692
Total Family Housing Operation & Maintenance, Navy & Marine Corps Total			\$353,036
	Worldwide Unspecified		
FH Con	Unspecified Worldwide		
AF	Locations	Improvements	\$150,649
FH Con	Unspecified Worldwide		
AF	Locations	Planning and Design	\$9,849
Total Family Housing Construction, Air Force			\$160,498
	Worldwide Unspecified		
FH Ops	Unspecified Worldwide		
AF	Locations	Furnishings Account	\$38,746
FH Ops	Unspecified Worldwide		
AF	Locations	Housing Privatization	\$41,554
FH Ops	Unspecified Worldwide		
AF	Locations	Leasing	\$28,867
FH Ops	Unspecified Worldwide		
AF	Locations	Maintenance	\$114,129
FH Ops	Unspecified Worldwide		
AF	Locations	Management Account	\$52,153
FH Ops	Unspecified Worldwide		
AF	Locations	Miscellaneous Account	\$2,032
FH Ops	Unspecified Worldwide		
AF	Locations	Services Account	\$12,940
FH Ops	Unspecified Worldwide		
AF	Locations	Utilities Account	\$40,811
Total Family Housing Operation & Maintenance, Air Force Total			\$331,232
	Worldwide Unspecified		
FH Ops	Unspecified Worldwide		
DW	Locations	Furnishings Account	\$4,203
FH Ops	Unspecified Worldwide		
DW	Locations	Leasing	\$51,952
FH Ops	Unspecified Worldwide		
DW	Locations	Maintenance of Real Property	\$1,448
FH Ops	Unspecified Worldwide		
DW	Locations	Management Account	\$388
FH Ops	Unspecified Worldwide		
		Services Account	\$31

SEC. 3002. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2016 Budget Request
DW	Locations		
FH Ops	Unspecified Worldwide		
DW	Locations	Utilities Account	\$646
Total Family Housing Operation & Maintenance, Defense-Wide			\$58,668
	Worldwide Unspecified		
	Base Realignment & Closure,		
BRAC	Army	Base Realignment & Closure	\$29,691
	Base Realignment & Closure,		
BRAC	Navy	Base Realignment & Closure	\$118,906
	Unspecified Worldwide		
BRAC	Locations	DON-100: Planing, Design and Management	\$7,787
	Unspecified Worldwide		
BRAC	Locations	DON-101: Various Locations	\$20,871
	Unspecified Worldwide		
BRAC	Locations	DON-138: NAS Brunswick, ME	\$803
	Unspecified Worldwide		
BRAC	Locations	DON-157: MCSA Kansas City, MO	\$41
	Unspecified Worldwide		
BRAC	Locations	DON-172: NWS Seal Beach, Concord, CA	\$4,872
	Unspecified Worldwide		
BRAC	Locations	DON-84: JRB Willow Grove & Cambria Reg AP	\$3,808
	Unspecified Worldwide		
BRAC	Locations	DoD BRAC Activities - Air Force	\$64,555
Total Base Realignment and Closure Account			\$251,334