

**H.R. 2500—FY20 NATIONAL DEFENSE  
AUTHORIZATION BILL**

**SUBCOMMITTEE ON READINESS**

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# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE III—OPERATION AND MAINTENANCE

### LEGISLATIVE PROVISIONS

#### SUBTITLE B—ENERGY AND ENVIRONMENT

##### Section 3XX—Prohibition of Uncontrolled Release of Fluorinated Aqueous Film Forming Foam at Military Installations

This section would require the Secretary of Defense to prohibit uncontrolled release of fluorinated Aqueous Film Forming Foam (AFFF) at military installations except in cases of emergency response and limited non-emergency use for training or testing of equipment where complete containment, capture, and proper disposal mechanisms are in place to ensure no AFFF is released into the environment.

##### Section 3XX—Replacement of Fluorinated Aqueous Film Forming Foam with Fluorine-Free Fire Fighting Agent

This section would require the Secretary of the Navy to complete a military specification for a fluorine-free fire fighting agent to be used at all Department of Defense installations not later than January 2025. This provision would ban use of fluorinated foams on military installations by September 2029.

##### Section 3XX—Five-Year Authority for National Guard Environmental Restoration Projects for Environmental Responses

This section would amend section 2707 of title 10, United States Code, to allow the Chief of the National Guard Bureau to access Defense Environmental Remediation Account funds for the limited purpose of addressing perfluorooctanoic acid and perfluorooctane sulfonate exposure and contamination resulting from National Guard activities in and around National Guard bases. This authority would sunset 5 years after the date of the enactment of this Act.

##### Section 3XX—Real-Time Noise Monitoring Study at Navy and Air Force Installations where Tactical Fighter Aircraft Operate

This section would require the Secretary of the Navy and Secretary of the Air Force to conduct real-time noise monitoring at no fewer than three installations per military department where tactical fighter aircraft operate regularly and noise contours have been developed through noise modeling. The purpose of this monitoring would be to assess the validity of the noise contours developed through virtual analysis and modeling at those installations. In addition, this section would



require the Secretary of the Navy and the Secretary of the Air Force to submit a report to the House Committee on Armed Services on the results of the noise monitoring study.

#### Section 3XX—Inclusion of Over-the-Horizon Radars in Early Outreach Procedures

This section would amend section 183a(c)(6) of title 10, United States Code, to include over-the-horizon radar in the coverage of early outreach procedures issues by the Military Aviation and Installation Assurance Siting Clearinghouse.

#### Section 3XX—Public Events about Red Hill Bulk Fuel Storage Facility

This section would require the Department of the Navy to hold quarterly events open to the public which provide information and updates on the Red Hill Bulk Fuel Storage Facility.

### SUBTITLE C—LOGISTICS AND SUSTAINMENT

#### Section 3XX—F-35 Joint Strike Fighter Sustainment

This section would require the Under Secretary of Defense for Acquisition and Sustainment to submit a report on steps being taken to improve the availability and accountability of F-35 parts within the supply chain. In addition, this section would limit funds available to the Under Secretary until such time as the report is delivered.

#### Section 3XX—Report on Strategic Policy for Prepositioned Materiel and Equipment

This section would require the Assistant Secretary of Defense for Sustainment, in coordination with the Joint Staff, to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2020, on the implementation plan for prepositioned materiel and equipment as required by section 321 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66).

#### Section 3XX—Material Readiness Metrics and Objectives

This section would add a new section to chapter 2 of title 10, United States Code, and would require the Secretary of Defense to develop material readiness metrics that would support the National Defense Strategy by requiring product support managers to develop product support strategies to meet material readiness objectives for major weapon systems.

#### Section 3XX—Limitation on Use of Funds for Implementation of Elements of Master Plan for Redevelopment of Former Ship Repair Facility in Guam

This section would continue the limitations established by section 325 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) on expending Department of the Navy funds to modify the Former Ship Repair Facility in Guam except in certain circumstances through fiscal year 2020.

#### Section 3XX—Report on Navy Ship Depot Maintenance Budget

This section would require the Secretary of the Navy to submit reports for fiscal years 2021, 2022, and 2023 that provide additional information related to ship and submarine depot maintenance.

### SUBTITLE D—REPORTS

#### Section 3XX—Readiness Reporting

This section would amend sections 117 and 482 of title 10, United States Code, to modify the delivery method, timeline, and required elements of the Quarterly Readiness Report to Congress and the Joint Forces Readiness Review.

#### Section 3XX—Extension of Deadline for Transition from Service-Specific Defense Readiness Reporting Systems

This section would amend section 358 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) to allow the the military services to complete the transition to the Defense Readiness Reporting Systems-Strategic by October 1, 2020.

### SUBTITLE E—OTHER MATTERS

#### Section 3XX—Expanded Transfer and Adoption of Military Animals

This section would amend section 2583 of title 10, United States Code, to allow for the transfer and adoption of Department of Defense-owned mules and donkeys and provide consistency for use of the word “transfer.”

#### Section 3XX—Defense Personal Property Program

This section would require the Commander of U.S. Transportation Command (TRANSCOM) to prepare a business case analysis for the proposed award of a Global Household Goods Contract (GHC) for the Defense Personal Property Program. In addition, this section would require that the Secretary of Defense establish an advisory council of outside stakeholders to provide feedback throughout contract execution and advice on recommended modifications to the

contract, and would require the council to submit quarterly reports to the congressional defense committees on its activities. This section would also withhold funding for the single move manager contract until 30 days after the Commander of TRANSCOM has provided a briefing to the congressional defense committees on the business case analysis and proposed advisory council.

Section 3XX—Extension of Authority for Secretary of Defense to Use Department of Defense Reimbursement Rate for Transportation Services Provided to Certain Non-Department of Defense Entities

This section would amend section 2642 of title 10, United States Code, to extend the date that the Secretary of Defense may use the Department of Defense reimbursement rate for military transportation services provided to certain non-Department of Defense entities until October 1, 2024.

## TITLE V—MILITARY PERSONNEL POLICY

### LEGISLATIVE PROVISIONS

#### SUBTITLE B—RESERVE COMPONENT MANAGEMENT

Section 5xx—Sense of Congress regarding the National Guard Youth Challenge Program

This section would express the sense of Congress that the National Guard Youth Challenge Program provides a vital service to at-risk youth and would encourage the Secretary of Defense to use the authority provided in section 519 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) to use equipment and facilities of the Department of Defense in this program.

## TITLE X—GENERAL PROVISIONS

### LEGISLATIVE PROVISIONS

#### SUBTITLE G—OTHER MATTERS

Section 10XX—Explosive Ordnance Defense Disposal Program

This section would amend section 2284 of title 10, United States Code, to make technical changes regarding the responsibilities of the executive agent for the explosive ordnance disposal training and technology program. This section would also eliminate the requirement to designate a combat support agency to manage a defense-wide program element for certain explosive ordnance disposal activities.

## TITLE XI—CIVILIAN PERSONNEL MATTERS

### LEGISLATIVE PROVISIONS

#### Section 11xx—Defense Advanced Research Projects Agency Personnel Management Authority

This section would amend section 1599(h) of title 10, United States Code, to allow the Director of the Defense Advanced Research Projects Agency to appoint additional employees to the agency using the personnel management authority codified in section 1599(h) of title 10, United States Code.

#### Section 11xx—Modification of Probationary Period for Certain Department of Defense Employees

This section would amend section 1599e of title 10, United States Code, to change the probationary period for Department of Defense civilian employees from 2 years to 1 year.

#### Section 11XX—Civilian Personnel Management

This section would amend section 129 of title 10, United States Code, to clarify that civilian personnel of the Department of Defense may not be managed on the basis of man-years, end strength, or full-time equivalent positions, or maximum number of employees, and instead will be managed based on the total force management policies and procedures established under section 129a of title 10, United States Code, the workload required to carry out the functions and activities of the Department, and the funds made available to the Department for each fiscal year.

#### Section 11xx—One-Year Extension of Temporary Authority to Grant Allowances, Benefits, and Gratuities to Civilian Personnel on Official Duty in a Combat Zone

This section would amend section 1115 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) by extending until 2021 the temporary authority granting allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

#### Section 11xx—One-Year Extension of Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas

This section would amend section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) by extending premium pay for Federal civilian employees working overseas until the end of 2020.

## Section 11XX—Performance of Civilian Functions by Military Personnel

This section would amend section 129a of title 10, United States Code, to ensure that before the Secretary of a military department directs military personnel to perform the functions of civilian personnel, the military department concerned is in compliance with section 129 of title 10, United States Code.

## Section 11XX—Extension of Direct Hire Authority for Domestic Industrial Base Facilities and Major Range and Test Facilities Base

This section would amend section 1125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) to extend the authority of the Secretary of Defense to use direct hire procedures for civilian personnel at domestic defense industrial base facilities and the Major Range and Test Facilities Base until 2025.

# **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

## Section 2001—Short Title

This section would cite division B of this Act as the "Military Construction Authorization Act for Fiscal Year 2020."

# **TITLE XXI—ARMY MILITARY CONSTRUCTION**

## **LEGISLATIVE PROVISIONS**

### Section 2101—Authorized Army Construction and Land Acquisition Projects

This section would contain a list of authorized Army construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

### Section 2102—Family Housing

This section would authorize new construction and planning and design of family housing units for the Army for fiscal year 2020.

### Section 2103—Authorization of Appropriations, Army

This section would authorize appropriations for Army military construction levels identified in section 4601 of division D of this Act.

Section 21xx—Modification of Authority to Carry Out Certain Fiscal Year 2019  
Projects

This section would modify the authority provided by section 2101 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232) and authorize the Secretary of the Army to make certain modifications to the scope of previously authorized construction projects.

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**LEGISLATIVE PROVISIONS**

Section 2201—Authorized Navy Construction and Land Acquisition Projects

This section would contain a list of authorized Department of Navy construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2202—Family Housing

This section would authorize new construction and planning and design of family housing units for the Department of the Navy for fiscal year 2020.

Section 2203—Improvements to Military Family Housing Units

This section would authorize the Secretary of the Navy to make improvements to existing units of family housing for fiscal year 2020.

Section 2204—Authorization of Appropriations, Navy

This section would authorize appropriations for Department of Navy military construction at the levels identified in section 4601 of division D of this Act.

Section 2205—Modification of Authority to Carry Out Certain Fiscal Year 2017  
Project

This section would modify the authority provided by section 2201 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328) and authorize the Secretary of the Navy to make certain modifications to the authorized cost of a previously authorized construction project.

**TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

**LEGISLATIVE PROVISIONS**

## Section 2301—Authorized Air Force Construction and Land Acquisition Projects

This section would contain a list of authorized Air Force construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

## Section 2302—Family Housing

This section would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2020.

## Section 2303—Improvements to Military Family Housing Units

This section would authorize the Secretary of the Air Force to make improvements to existing units of family housing for fiscal year 2020.

## Section 2304—Authorization of Appropriations, Air Force

This section would authorize appropriations for Air Force military construction at the levels identified in section 4601 of division D of this Act.

## Section 2305—Modification of Authorities to Carry Out Phased Joint Intelligence Analysis Complex Consolidation

This section would modify the authorities provided by section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291), section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92), and section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328), and authorize the Secretary of the Air Force to make certain modifications to the location and scope of previously authorized construction projects related to the Joint Intelligence Analysis Complex.

## Section 23XX—Modification of Authority to Carry Out Certain Fiscal Year 2016 Project

This section would modify the authority provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92) and authorize the Secretary of the Air Force to make certain modifications to the authorized cost of a previously authorized construction project.

## Section 23XX—Modification of Authority to Carry Out Certain Fiscal Year 2017 Project

This section would modify the authority provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328) and authorize the Secretary of the Air Force to make certain modifications to the authorized cost of a previously authorized construction project.

Section 23XX—Modification of Authority to Carry Out Certain Fiscal Year 2018 Projects

This section would modify the authority provided by sections 2301 and 2903 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91) and authorize the Secretary of the Air Force to make certain modifications to the scope and authorized cost of previously authorized construction projects.

Section 23XX—Modification of Authority to Carry Out Certain Fiscal Year 2019 Projects

This section would modify the authority provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115-232) and authorize the Secretary of the Air Force to make certain modifications to the scope and authorized cost of a previously authorized construction projects.

## TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

Section 2401—Authorized Defense Agencies Construction and Land Acquisition Projects

This section would contain a list of authorized defense agencies' construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2402—Authorized Energy Resiliency and Energy Conservation Projects

This section would authorize the Secretary of Defense to carry out energy resilience and conservation projects.

Section 2403—Authorization of Appropriations, Defense Agencies

This section would authorize appropriations for defense agencies' military construction at the levels identified in section 4601 of division D of this Act.



## TITLE XXV—INTERNATIONAL PROGRAMS

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

##### Section 2501—Authorized NATO Construction and Land Acquisition Projects

This section would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount not to exceed the sum of the amount specifically authorized in section 2502 of this Act and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

##### Section 2502—Authorization of Appropriations, NATO

This section would authorize appropriations for the North Atlantic Treaty Organization Security Investment Program at the levels identified in section 4601 of division D of this Act.

#### SUBTITLE B—HOST COUNTRY IN-KIND CONTRIBUTIONS

##### Section 2511—Republic of Korea Funded Construction Projects

This section would authorize the Secretary of Defense to accept 8 military construction projects totaling \$542.2 million pursuant to agreement with the Republic of Korea for required in-kind contributions.

## TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—PROJECT AUTHORIZATIONS AND AUTHORIZATION OF APPROPRIATIONS

##### Section 2601—Authorized Army National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Army National Guard construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

##### Section 2602—Authorized Army Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Army Reserve construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2603—Authorized Navy Reserve and Marine Corps Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Navy Reserve and Marine Corps Reserve construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2604—Authorized Air National Guard Construction and Land Acquisition Projects

This section would contain the list of authorized Air National Guard construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2605—Authorized Air Force Reserve Construction and Land Acquisition Projects

This section would contain the list of authorized Air Force Reserve construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The State list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2606—Authorization of Appropriations, National Guard and Reserve

This section would authorize appropriations for the National Guard and Reserve military construction at the levels identified in section 4601 of division D of this Act.

## TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

### LEGISLATIVE PROVISIONS

Section 2701—Authorization of Appropriations for Base Realignment and Closure Activities Funded through Department of Defense Base Closure Account

This section would authorize appropriations for ongoing activities that are required to implement the base realignment and closure activities authorized by the

Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), at the levels identified in section 4601 of division D of this Act.

## TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—MILITARY CONSTRUCTION PROGRAM CHANGES

##### Section 28XX—Modification to Department of Defense Form 1391 regarding Consideration of Potential Long-Term Adverse Environmental Effects

This provision would ensure that prior to submitting a military construction project for consideration, the Department of Defense or service secretary must certify that the construction takes into account known extreme weather risks and employs best practices and local building code requirements for resiliency in the face of those risks.

##### Section 28XX—Amendment of Unified Facilities Criteria to Promote Military Installation Resilience, Energy Resilience, Energy and Climate Resiliency, and Cyber Resilience

This section would prohibit the Department of Defense from spending more than 25 percent of the funds available for military construction planning and design until the Secretary of Defense submits a certification to Congress that the Tri-Service Engineering Senior Executive Board has initiated the process of updating the Unified Facility Criteria to ensure building practices and standards promote military installation resilience, energy resilience, energy and climate resiliency, and cyber resilience. The Secretary of Defense would further certify that the review and revision process will be complete by September 1, 2020.

##### Section 28XX—Inclusion of Information regarding Military Installation Resilience in Master Plans for Major Military Installations

This section would amend section 2864 of title 10, United States Code, to provide additional clarity on the required elements of military installation resilience plans; encourage coordination with relevant local, State, and Federal entities in the development of plans; and require an assessment of resiliency gaps and best practices. This section would further require the Secretary of Defense to provide a report to the House Committee on Armed Services by March 1, 2020, listing the installation master plans completed or in progress during the previous 12 months.

#### SUBTITLE B—MILITARY FAMILY HOUSING REFORMS

Section 28XX—Enhanced Protections for Members of the Armed Forces and Their Dependents Residing in Privatized Military Housing Units

This section would amend section 2886 of title 10, United States Code, to require the military services to have a tenant bill of rights for military residents of privatized military family housing that would include but not be limited to the following:

- (1) a prohibition on reprisal by either the private partner or military chain of command;
- (2) provision of a housing advocate that is not co-located with or employed by the private partner;
- (3) a dispute resolution mechanism;
- (4) prompt provision of maintenance by qualified personnel;
- (5) effective communication regarding the status of their work orders;
- (6) professional and courteous property management services; and
- (7) information about known and potential hazards at the time of home selection, to include mold, lead, rodent infestation, and history of sickened residents.

Finally, the section would direct the Secretary of Defense to submit a report to the Senate Committee on Armed Services and the House Committee on Armed Services by March 1, 2020, on implementation of this provision.

Section 28XX—Prohibition on Use of Non-Disclosure Agreements in Connection with Leases of Military Housing Constructed or Acquired Using Alternative Authority for Acquisition and Improvement of Military Housing

This section would amend section 2882 of title 10, United States Code, to prohibit the use of non-disclosure agreements in connection with entering into, continuing, or terminating a lease for a housing unit covered under the Military Housing Privatization Initiative.

Section 28XX—Report on Civilian Personnel Shortages for Appropriate Oversight of Management of Military Housing Constructed or Acquired Using Alternative Authority for Acquisition and Improvement of Military Housing

This section would require the Department of Defense, in coordination with the Secretaries of the military departments, to provide a report to the congressional defense committees by September 30, 2020, on the manpower requirements and execution plan to staff military housing offices and headquarters to fill gaps in oversight personnel. The report shall include an assessment of what and where additional personnel are required, the positions these additional personnel will be filling, the job description associated with these positions, the estimated cost of hiring these personnel, the number of personnel already hired and their locations, and the timeline for hiring the remaining required personnel.

The committee notes that additional funding is authorized elsewhere in this Act for the hiring of additional civilian personnel for the oversight and management of military family housing. The committee further notes that a lack of oversight personnel at housing management offices has been a significant cause of the problems plaguing privatized military family housing. The chronic undermanning of housing offices has led to a lack of oversight of the maintenance work order process leading to environmental health and safety concerns, frustration amongst tenants, and a degradation in the overall quality of the tenant's experience in military family housing. The committee also notes that a lack of housing personnel at the headquarters level also contributed to an inability to assess data, track housing trends, and provide policy guidance, further exacerbating the problems with privatized housing.

Section 28XX—Authority to Furnish Certain Services in Connection with Use of Alternative Authority for Acquisition and Improvement of Military Housing

This section would amend section 2872a of title 10, United States Code, to add street sweeping and tree trimming and removal to the list of reimbursable services that may be furnished under that section.

SUBTITLE D—LAND CONVEYANCES

Section 28XX—Land Conveyance, Hill Air Force Base, Utah

This section would authorize the Secretary of the Air Force to convey 35 acres on Hill Air Force Base to the State of Utah for the purposes of permitting the State to construct a new interchange for Highway 15.

SUBTITLE E—MILITARY LAND WITHDRAWALS

Section 28xx—Public Notice regarding Upcoming Periods of Secretary of the Navy Management of Shared Use Area of the Johnson Valley Off-Highway Vehicle Recreation Area

This section would amend section 2942 of the Military Land Withdrawals Act of 2013 to require the Secretary of the Navy to provide public notice prior to the use of the Shared Use Area for military training purposes.

SUBTITLE H—OTHER MATTERS

Section 28XX—Installation and Maintenance of Fire Extinguishers in Department of Defense Facilities

This section would require the Secretary of Defense to ensure that portable fire extinguishers are installed and maintained at Department of Defense facilities in accordance with the requirements of national model fire codes.

#### Section 28xx—Improved Energy Security for Main Operating Bases in Europe

This section would prohibit the use of Russian Federation-sourced natural gas at main operating bases in Europe.

## TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

### LEGISLATIVE PROVISIONS

#### Section 2901—Authorized Army Construction and Land Acquisition Projects

This section would contain the list of certain authorized Army construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The country list contained in this Act is intended to be the binding list of the specific projects authorized at each location. This section would also require the Secretary of the Army to submit a report to the congressional defense committees containing a plan to carry out each military construction project authorized in the final item in the table in this section for an unspecific location for the European Deterrence Initiative.

#### Section 2902—Authorized Navy Construction and Land Acquisition Projects

This section would contain the list of authorized Department of Navy construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The country list contained in this Act is intended to be the binding list of the specific projects authorized at each location. This section would also require the Secretary of the Navy to submit a report to the congressional defense committees containing a plan to carry out each military construction project authorized in the final item in the table in this section for an unspecific location for the European Deterrence Initiative.

#### Section 2903—Authorized Air Force Construction and Land Acquisition Projects

This section would contain the list of authorized Air Force construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The country list contained in this Act is intended to be the binding list of the specific projects authorized at each location. This section would also require the Secretary of the Air Force to submit a report to the congressional defense committees containing a plan to carry out each military construction project

authorized in the final item in the table in this section for an unspecified location for the European Deterrence Initiative.

Section 2904—Authorized Defense Agencies Construction and Land Acquisition Projects

This section would contain the list of authorized defense agencies' construction projects for fiscal year 2020. The authorized amounts are listed on an installation-by-installation basis. The country list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

Section 2905—Authorization of Appropriations

This section would authorize appropriations for Overseas Contingency Operations military construction at the levels identified in section 4602 of division D.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL  
SECURITY AUTHORIZATIONS AND OTHER  
AUTHORIZATIONS**

**TITLE XXXIV—NAVAL PETROLEUM RESERVES**

**LEGISLATIVE PROVISIONS**

Section 3401—Authorization of Appropriations

This section would authorize \$14.0 million for fiscal year 2020 for operation and maintenance of the Naval Petroleum Reserves.

# **BILL LANGUAGE**



1 **SEC. 3** [Log 69389]. **PROHIBITION OF UNCONTROLLED**  
2 **RELEASE OF FLUORINATED AQUEOUS FILM**  
3 **FORMING FOAM AT MILITARY INSTALLA-**  
4 **TIONS.**

5 (a) **PROHIBITION.**—Except as provided by subsection  
6 (b), the Secretary of Defense shall prohibit the uncon-  
7 trolled release of fluorinated Aqueous Film Forming Foam  
8 (hereinafter in this section referred to as “AFFF”) at  
9 military installations.

10 (b) **EXCEPTIONS.**—Notwithstanding subsection (a),  
11 fluorinated AFFF may be released at military installa-  
12 tions as follows:

13 (1) AFFF may be released for purposes of an  
14 emergency response.

15 (2) A non-emergency release of AFFF may be  
16 made for the purposes of testing of equipment or  
17 training of personnel, if complete containment, cap-  
18 ture, and proper disposal mechanisms are in place to  
19 ensure no AFFF is released into the environment.

1 **SEC. 3** [Log 69388]. **REPLACEMENT OF FLUORINATED**  
2 **AQUEOUS FILM FORMING FOAM WITH FLUO-**  
3 **RINE-FREE FIRE FIGHTING AGENT.**

4 (a) **USE OF FLUORINE-FREE FOAM AT MILITARY IN-**  
5 **STALLATIONS.**—Not later than January 31, 2025, the  
6 Secretary of the Navy shall publish a military specification  
7 for a fluorine-free fire fighting agent for use at all military  
8 installations to ensure such agent is available for use by  
9 not later than 2027.

10 (b) **PROHIBITION ON USE.**—Fluorinated aqueous  
11 film forming foam may not be used at any military instal-  
12 lation on or after September 30, 2029.

13 (c) **WAIVER.**—

14 (1) **IN GENERAL.**—Subject to paragraph (2),  
15 the Secretary of Defense may grant a waiver to the  
16 prohibition under subsection (b) with respect to the  
17 use of fluorinated aqueous film forming foam at a  
18 specific military installation if the Secretary submits  
19 to the congressional defense committees, by not later  
20 than 30 days prior to issuing the waiver—

21 (A) notice of the waiver; and

22 (B) certification, in writing, that the wai-  
23 ver is necessary for the protection of life and  
24 safety.

1           (2) LIMITATION.—A waiver under this sub-  
2           section shall apply for a period that does not exceed  
3           three years. The Secretary may extend any such  
4           waiver once for an additional period that does not  
5           exceed three years.

1 **SEC. 3** [Log 69640]. **FIVE-YEAR AUTHORITY FOR NA-**  
2 **TIONAL GUARD ENVIRONMENTAL RESTORA-**  
3 **TION PROJECTS FOR ENVIRONMENTAL RE-**  
4 **SPONSES.**

5 (a) **IN GENERAL.**—Section 2707 of title 10, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing new subsection:

8 “(e) **TEMPORARY AUTHORITY FOR NATIONAL GUARD**  
9 **PROJECTS.**—Notwithstanding subsection (a) of this sec-  
10 tion and section 2701(e)(1) of this title, during the five-  
11 year period beginning on the date of the enactment of this  
12 subsection, the Secretary concerned may carry out an en-  
13 vironmental restoration project if the Secretary deter-  
14 mines that the project is necessary to carry out a response  
15 to perfluorooctanoic acid or perfluorooctane sulfonate con-  
16 tamination under this chapter or CERCLA.”.

17 (b) **SAVINGS CLAUSE.**—Nothing in this section, or  
18 the amendment made by this section, shall affect any re-  
19 quirement or authority under the Comprehensive Environ-  
20 mental Response, Compensation, and Liability Act of  
21 1980 (42 U.S.C. 9601 et seq.).

1 **SEC. 3** [Log 69807]. **REAL-TIME NOISE MONITORING**  
2 **STUDY AT NAVY AND AIR FORCE INSTALLA-**  
3 **TIONS WHERE TACTICAL FIGHTER AIRCRAFT**  
4 **OPERATE.**

5 (a) **REAL-TIME MONITORING.**—The Secretary of the  
6 Navy and the Secretary of the Air Force shall each con-  
7 duct a real-time noise monitoring study at no fewer than  
8 three Navy installations and three Air Force installations.  
9 In conducting such study, the Secretaries shall—

10 (1) select installations where tactical fighter air-  
11 craft operate and noise contours have been developed  
12 through noise modeling to validate the noise con-  
13 tours developed through analysis and modeling at  
14 those installations; and

15 (2) ensure that such monitoring is conducted  
16 during times of high, medium and low activity.

17 (b) **REPORT REQUIRED.**—Not later than December  
18 1, 2020, the Secretary of the Navy and the Secretary of  
19 the Air Force shall jointly submit to the Committees on  
20 Armed Services of the Senate and House of Representa-  
21 tives a report on the real-time noise monitoring required  
22 under subsection (a). Such report shall include—

23 (1) the results of such monitoring;

1           (2) a comparison of such monitoring and the  
2           noise contours previously developed with the analysis  
3           and modeling methods previously used;

4           (3) an overview of any changes to the analysis  
5           and modeling process that have been made or are  
6           being considered as a result of the findings of such  
7           monitoring; and

8           (4) any other matters that the Secretaries de-  
9           termines appropriate.

1 **SEC. 3** [Log 69674]. **INCLUSION OF OVER-THE-HORIZON**

2 **RADARS IN EARLY OUTREACH PROCEDURES.**

3 Section 183a(e)(6) of title 10, United States Code,  
4 is amended by striking “or airport surveillance radar” and  
5 inserting “, airport surveillance radar, or wide area sur-  
6 veillance over-the-horizon radar”.

1 **SEC. 3** [Log 69718]. **PUBLIC EVENTS ABOUT RED HILL**  
2 **BULK FUEL STORAGE FACILITY.**

3 (a) **REQUIREMENT.**—At least once every calendar  
4 quarter, the Secretary of the Navy, or the designee of the  
5 Secretary, shall hold an event that is open to the public  
6 at which the Secretary shall provide up-to-date informa-  
7 tion about the Red Hill Bulk Fuel Storage Facility.

8 (b) **TERMINATION.**—The requirement to hold events  
9 under subsection (a) shall terminate on the earlier of the  
10 following dates:

11 (1) September 30, 2025.

12 (2) The date on which the Red Hill Bulk Fuel  
13 Storage Facility ceases operation.



1 **SEC. 3** [Log 69427]. **F-35 JOINT STRIKE FIGHTER**  
2 **SUSTAINMENT.**

3 (a) **LIMITATION ON USE OF FUNDS.**—Of the  
4 amounts authorized to be appropriated or otherwise made  
5 available in this Act for the Office of the Under Secretary  
6 of Defense for Acquisition and Sustainment for fiscal year  
7 2020, not more than 75 percent may be obligated or ex-  
8 pended until the date on which the Under Secretary sub-  
9 mits the report required by subsection (b).

10 (b) **REPORT REQUIRED.**—The Under Secretary of  
11 Defense for Acquisition and Sustainment shall submit to  
12 the Committees on Armed Services of the Senate and  
13 House of Representatives a report on steps being taken  
14 to improve the availability and accountability of F-35  
15 parts within the supply chain. At a minimum, the report  
16 shall include a detailed plan for each of the following ele-  
17 ments:

18 (1) How the accountable property system of  
19 record will be updated with information from the  
20 prime contractors supplying such parts on required  
21 cost and related data with respect to the parts and  
22 how the F-35 Program Office will ensure such con-  
23 tractors are adhering to contractual requirements  
24 for the management, reporting, visibility, and ac-

1       countability of all such parts supplied by the prime  
2       contractors.

3           (2) How the accountability property system of  
4       record will have interfaces that allow the F-35 Pro-  
5       gram Office and other authorized entities to have  
6       proper accountability of assets in accordance with  
7       applicable Department of Defense Instructions, De-  
8       partment of Defense Manuals, and other applicable  
9       regulations.

10          (3) How the F-35 Program Office and the Sec-  
11       retary of each of the military departments will en-  
12       sure business rules for the prioritization of F-35  
13       parts across all program participants is sufficient,  
14       effective, and responsive.

15          (4) Steps being taken to ensure parts within  
16       the base, afloat, and deployment spares packages are  
17       compatible for deploying F-35 aircraft and account  
18       for updated parts demand.

1 **SEC. 3** [Log 69490]. **REPORT ON STRATEGIC POLICY FOR**  
2 **PREPOSITIONED MATERIEL AND EQUIP-**  
3 **MENT.**

4 (a) **REPORT REQUIRED.**—Not later than March 1,  
5 2020, the Assistant Secretary of Defense for Sustainment,  
6 in coordination with the Joint Staff, shall submit to the  
7 Committees on Armed Services of the Senate and House  
8 of Representatives a report on the implementation plan  
9 for prepositioned materiel and equipment required by sec-  
10 tion 321(b) of the National Defense Authorization Act for  
11 Fiscal Year 2014 (Public Law 113–66; 127 Stat. 730; 10  
12 U.S.C. 2229 note). Such report shall include each of the  
13 following:

14 (1) A comprehensive list of the prepositioned  
15 materiel and equipment programs of the Department  
16 of Defense.

17 (2) A detailed description of how the plan will  
18 be implemented.

19 (3) A description of the resources required to  
20 implement the plan, including the amount of funds  
21 and personnel.

22 (4) A description of how the plan will be re-  
23 viewed and assessed to monitor progress.

1           (5) Guidance on applying a consistent definition  
2           of prepositioning across the Department, including  
3           the military departments, the combatant commands,  
4           and the Defense Agencies.

5           (6) A detailed description of how the Secretary  
6           will implement a joint oversight approach of the  
7           prepositioning programs of the military departments.

8           (b) LIMITATION ON USE OF FUNDS.—Of the  
9           amounts authorized to be appropriated or otherwise made  
10          available in this Act for the Office of the Assistant Sec-  
11          retary of Defense for Sustainment for fiscal year 2020,  
12          not more than 75 percent may be obligated or expended  
13          until the date on which the Assistant Secretary submits  
14          the report required by subsection (a).

1 **SEC. 3** [Log 69432]. **MATERIAL READINESS METRICS AND**  
2 **OBJECTIVES.**

3 (a) MATERIAL READINESS METRICS AND OBJEC-  
4 TIVES.—

5 (1) IN GENERAL.—Chapter 2 of title 10, United  
6 States Code, is amended by inserting after section  
7 117 the following new section:

8 **“§ 118. Material readiness metrics and objectives**

9 “(a) GUIDANCE.—(1) The Secretary of Defense shall  
10 issue and maintain guidance requiring the implementation  
11 and use of material readiness metrics to enable assessment  
12 of the readiness of armed forces to carry out the national  
13 defense strategy required by section 113 of this title.

14 “(2) Guidance issued pursuant to this section shall  
15 ensure that such material readiness metrics—

16 “(A) are based on standardized and consistent  
17 criteria; and

18 “(B) are applied, used, recorded, and reported  
19 in same manner by all components of the Depart-  
20 ment of Defense.

21 “(b) METRICS.—At a minimum, the material readi-  
22 ness metrics required by subsection (a) shall address the  
23 material availability, operational availability, and material

1 reliability of each major weapon system by designated mis-  
2 sion design series, variant, or class.

3 “(c) MATERIAL READINESS OBJECTIVES.—(1) The  
4 Secretary of Defense shall establish, and annually review  
5 and revise, an objective value for each metric required by  
6 subsection (b) as a necessary component to support the  
7 review and revision of the national defense strategy re-  
8 quired by section 113 of this title.

9 “(2) To the maximum extent practicable, the Sec-  
10 retary shall ensure that objective values established under  
11 this subsection are unclassified.

12 “(d) DEFINITIONS.—In this section:

13 “(1) The term ‘major weapons system’ has the  
14 meaning given the term ‘major system’ under section  
15 2302(5) of this title, except that such term does not  
16 include an acquisition program for a defense busi-  
17 ness system (as defined in section 2222(i)(1) of this  
18 title).

19 “(2) The term ‘material availability’ means the  
20 measure of the percentage of the total inventory of  
21 a system that is operationally capable of performing  
22 an assigned mission.

23 “(3) The term ‘material reliability’ means the  
24 probability that a covered asset will perform without  
25 failure over a specified interval.

1           “(4) The term ‘operational availability’ means  
2           the measure of the percentage of time a covered  
3           asset is operationally capable.”.

4           (2) CLERICAL AMENDMENT.—The table of sec-  
5           tions at the beginning of such chapter is amended  
6           by inserting after the item relating to section 117  
7           the following new item:

          “118. Material readiness metrics and objectives.”.

8           (b)           CONFORMING           AMENDMENT.—Section  
9           2337(b)(2)(A) of title 10, United States Code, is amend-  
10          ed—

11           (1) by inserting “to meet the material readiness  
12           objectives” before “for the weapon system”; and

13           (2) by inserting “under section 118 of this  
14           title” after “weapon system”.

15          (c) DEADLINES.—

16           (1) DEADLINE FOR GUIDANCE.—The guidance  
17           required by section 118(a) of title 10, United States  
18           Code, as added by subsection (a), shall be issued by  
19           not later than 180 days after the date of the enact-  
20           ment of this Act.

21           (2) DEADLINE FOR ESTABLISHMENT OF MATE-  
22           RIAL READINESS OBJECTIVES.—The material readi-  
23           ness objectives required by section 118(c)(1) of title  
24           10, United States Code, as added by subsection (a),

- 1 shall be established by not later than one year after
- 2 the date of the enactment of this Act.



1 **SEC. 3** [Log 69930]. **LIMITATION ON USE OF FUNDS FOR**  
2 **IMPLEMENTATION OF ELEMENTS OF MASTER**  
3 **PLAN FOR REDEVELOPMENT OF FORMER**  
4 **SHIP REPAIR FACILITY IN GUAM.**

5 (a) **LIMITATION.**—Except as provided in subsection  
6 (b), none of the funds authorized to be appropriated by  
7 this Act or otherwise made available for the Navy for fiscal  
8 year 2020 may be obligated or expended for any construc-  
9 tion, alteration, repair, or development of the real property  
10 consisting of the Former Ship Repair Facility in Guam.

11 (b) **EXCEPTION.**—The limitation under subsection  
12 (a) does not apply to any project that directly supports  
13 depot-level ship maintenance capabilities, including the  
14 mooring of a floating dry dock.

15 (c) **FORMER SHIP REPAIR FACILITY IN GUAM.**—In  
16 this section, the term “Former Ship Repair Facility in  
17 Guam” means the property identified by that name under  
18 the base realignment and closure authority carried out  
19 under the Defense Base Closure and Realignment Act of  
20 1990 (part A of title XXIX of Public Law 101–510; 10  
21 U.S.C. 2687 note).

1 **SEC. 3** [Log 70064]. **REPORT ON NAVY SHIP DEPOT MAIN-**  
2 **TENANCE BUDGET.**

3 (a) IN GENERAL.—Not later than March 1 of each  
4 of 2020, 2021, and 2022, the Secretary of the Navy shall  
5 submit to the Committees on Armed Services of the Sen-  
6 ate and the House of Representatives a report on the Op-  
7 eration and Maintenance Ship Depot Maintenance budget  
8 sub-activity group.

9 (b) ELEMENTS.—The report required under sub-  
10 section (a) shall include each of the following elements:

11 (1) A breakdown of funding, categorized by  
12 class of ship, requested for ship and submarine  
13 maintenance.

14 (2) A description of how the requested funding,  
15 categorized by class of ship, compares to the identi-  
16 fied ship maintenance requirement.

17 (3) The amount of funds appropriated for each  
18 class of ship for the preceding fiscal year.

19 (4) The amount of funds obligated and ex-  
20 pended for each class of ship for each of the three  
21 preceding fiscal years.

22 (5) The cost, categorized by class of ship, of  
23 unplanned growth work for each of the three pre-  
24 ceding fiscal years.

1 **SEC. 3** [Log 69136]. **READINESS REPORTING.**

2 (a) **READINESS REPORTING SYSTEM.**—Section 117  
3 of title 10, United State Code, is amended—

4 (1) by striking subsections (d) through (g); and

5 (2) by redesignating subsection (h) as sub-  
6 section (d).

7 (b) **QUARTERLY REPORTS.**—Section 482 of title 10,  
8 United States Code, is amended—

9 (1) in the section heading, by striking “**Quar-**  
10 **terly reports: personnel and unit readi-**  
11 **ness**” and inserting “**Readiness reports**”;

12 (2) in subsection (a)—

13 (A) In the subsection heading, by striking  
14 “ **QUARTERLY REPORTS REQUIRED**” and in-  
15 serting “**REPORTS AND BRIEFINGS**”;

16 (B) In the first sentence—

17 (i) by striking “Not later” and insert-  
18 ing “(1) Not later”; and

19 (ii) by striking “each calendar-year  
20 quarter” and inserting “the second and  
21 fourth quarter of each calendar year”;

22 (C) by striking the second and third sen-  
23 tences and inserting “The Secretary of Defense  
24 shall submit each such report in writing and

1           shall also submit a copy of each such report to  
2           the Chairman of the Joint Chiefs of Staff.”;  
3           and

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

6           “(2) Not later than 30 days after the end of the first  
7           and third quarter of each calendar year, the Secretary of  
8           Defense shall provide to Congress a briefing regarding the  
9           military readiness of the active and reserve components.

10           “(3) Each report under this subsection shall contain  
11           the elements required by subsection (b) for the quarter  
12           covered by the report, and each briefing shall address any  
13           changes to the elements described in subsection (b) since  
14           the submittal of the most recently submitted report.”.

15                   (3) by striking subsection (b) and inserting the  
16           following:

17           “(b) **REQUIRED ELEMENTS.**—The elements de-  
18           scribed in this subsection are each of the following:

19                   “(1) A description of each readiness problem or  
20           deficiency that affects the ground, sea, air, space,  
21           cyber, or special operations forces, and any other  
22           area determined appropriate by the Secretary of De-  
23           fense.

1           “(2) The key contributing factors, indicators,  
2           and other relevant information related to each iden-  
3           tified problem or deficiency.

4           “(3) The short-term mitigation strategy the De-  
5           partment will employ to address each readiness  
6           problem or deficiency until a resolution is in place,  
7           as well as the timeline, cost, and any legislative rem-  
8           edies required to support the resolution.

9           “(4) A summary of combat readiness ratings  
10          for the key force elements assessed, including spe-  
11          cific information on personnel, supply, equipment,  
12          and training problems or deficiencies that affect the  
13          combat readiness ratings for each force element.

14          “(5) A summary of each upgrade or downgrade  
15          of the combat readiness of a unit that was issued by  
16          the commander of the unit, together with the ration-  
17          ale of the commander for the issuance of such up-  
18          grade or downgrade.

19          “(6) A summary of the readiness of supporting  
20          capabilities, including infrastructure, prepositioned  
21          equipment and supplies, and mobility assets, and  
22          other supporting logistics capabilities.

23          “(7) A summary of the readiness of the combat  
24          support and related agencies, any readiness problem  
25          or deficiency affecting any mission essential tasks of

1 any such agency, and actions recommended to ad-  
2 dress any such problem or deficiency.

3 “(8) A list of all Class A, Class B, and Class  
4 C mishaps that occurred in operations related to  
5 combat support and training events involving avia-  
6 tion, ground, or naval platforms, weapons, space, or  
7 government vehicles, as defined by Department of  
8 Defense Instruction 6055.07, or a successor instruc-  
9 tion.

10 “(9) Information on the extent to which units  
11 of the armed forces have removed serviceable parts,  
12 supplies, or equipment from one vehicle, vessel, or  
13 aircraft in order to render a different vehicle, vessel,  
14 or aircraft operational.

15 “(10) Such other information as determined  
16 necessary or appropriate by the Secretary of De-  
17 fense.”;

18 (4) by striking subsections (d) through (h) and  
19 subsection (j);

20 (5) by redesignating subsection (i) as subsection  
21 (e); and

22 (6) by inserting after subsection (c) the fol-  
23 lowing new subsections (d):

24 “(d) SEMI-ANNUAL JOINT FORCE READINESS RE-  
25 VIEW.—(1) Not later than 30 days after the last day of

1 the first and third quarter of each calendar year, the  
2 Chairman of the Joint Chiefs of Staff shall submit to Con-  
3 gress a written report on the capability of the armed  
4 forces, the combat support and related agencies, oper-  
5 ational contract support, and the geographic and func-  
6 tional combatant commands to execute their wartime mis-  
7 sions based upon their posture and readiness as of the  
8 time the review is conducted.

9 “(2) The Chairman shall produce the report required  
10 under this subsection using information derived from the  
11 quarterly reports required by subsection (a).

12 “(3) Each report required by this subsection shall in-  
13 clude an assessment by each commander of a geographic  
14 or functional combatant command of the readiness of the  
15 command to conduct operations in a multidomain battle  
16 that integrates ground, sea, air, space, cyber, and special  
17 operations forces.

18 “(4) The Chairman shall submit to the Secretary of  
19 Defense a copy of each report under this subsection.”.

20 (c) CLERICAL AMENDMENT.—The table of sections  
21 at the beginning of chapter 23 of such title is amended  
22 by striking the item relating to section 482 and inserting  
23 the following new item:

“482. Readiness reports.”.

1 **SEC. 3** [Log 69179]. **EXTENSION OF DEADLINE FOR TRAN-**  
2 **SITION FROM SERVICE-SPECIFIC DEFENSE**  
3 **READINESS REPORTING SYSTEMS.**

4 Section 358(c) of the John S. McCain National De-  
5 fense Authorization Act for Fiscal Year 2019 (Public Law  
6 115-232) is amended by striking “October 1, 2019” and  
7 inserting “October 1, 2020”.



1 **SEC. 3** [Log 69392]. **EXPANDED TRANSFER AND ADOPTI-**  
2 **ON OF MILITARY ANIMALS.**

3 Section 2583 of title 10, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) in the subsection heading, by inserting  
7 “TRANSFER OR” before “ADOPTION”; and

8 (B) by striking “adoption” each place it  
9 appears and inserting “transfer or adoption”;

10 (2) in subsection (b)—

11 (A) in the subsection heading, by inserting  
12 “TRANSFER OR” before “ADOPTION”;

13 (B) in the first sentence, by striking  
14 “adoption” and inserting “transfer or adop-  
15 tion”; and

16 (C) in the second sentence, striking  
17 “adoptability” and inserting “transferability or  
18 adoptability”;

19 (3) in subsection (c)(1)—

20 (A) in the matter preceding subparagraph  
21 (A), by inserting “transfer or” before “adop-  
22 tion”;

23 (B) in subparagraphs (A) and (B), by in-  
24 serting “adoption” before “by”;

1 (C) in subparagraph (B), by inserting “or  
2 organizations” after “persons”; and

3 (D) in subparagraph (C), by striking “by”  
4 and inserting “transfer to”;

5 (4) in subsection (e)—

6 (A) in the subsection heading, by inserting  
7 “OR ADOPTED” after “TRANSFERRED”;

8 (B) in paragraphs (1) and (2), by striking  
9 “transferred” each place it appears and insert-  
10 ing “transferred or adopted”; and

11 (C) in paragraph (2), by striking “trans-  
12 fer” each place it appears and inserting “trans-  
13 fer or adoption”;

14 (5) in subsection (f)—

15 (A) in the subsection heading, by striking  
16 “TRANSFER OF RETIRED” and inserting  
17 “TRANSPORTATION OF RETIRING”; and

18 (B) in paragraph (1), by striking “trans-  
19 fer” and inserting “transport”;

20 (6) in subsection (g)(3), by striking “adoption  
21 of military working dogs” and all that follows  
22 through the period at the end and inserting “trans-  
23 fer of military working dogs to law enforcement  
24 agencies before the end of the dogs’ useful working  
25 lives.”; and

- 1 (7) in subsection (h)(2), by striking “A horse”
- 2 and inserting “An equid (horse, mule, or donkey)”.

1 **SEC. 3** [Log 69400]. **DEFENSE PERSONAL PROPERTY PRO-**  
2 **GRAM.**

3 (a) **ADVISORY GROUP.**—

4 (1) **ESTABLISHMENT.**—There is established an  
5 advisory group on the defense personal property pro-  
6 gram, to be known as the “Global Household Relo-  
7 cation Services Advisory Committee”.

8 (2) **MEMBERSHIP.**—The advisory group shall be  
9 comprised of 15 members appointed from among in-  
10 dividuals who represent appropriate entities as fol-  
11 lows:

12 (A) One member representing United  
13 States Transportation Command appointed by  
14 the Commander of United States Transpor-  
15 tation Command.

16 (B) A flag or general officer of the Armed  
17 Forces representing each of the Army, Navy,  
18 Air Force, Marine Corps, and Coast Guard ap-  
19 pointed by the Vice Chief of Staff of the Army,  
20 Vice Chief of Naval Operations, Vice Chief of  
21 Staff of the Air Force, the Assistant Com-  
22 mandant of the Marine Corps, and Vice Com-  
23 mandant of the Coast Guard, respectively.

1 (C) Four members representing appro-  
2 priate transportation service providers, includ-  
3 ing two small business concerns, appointed by  
4 the Assistant Secretary of Defense for  
5 Sustainment.

6 (D) Five members representing consumer  
7 representatives who are members of the Armed  
8 Forces or spouses of members of the Armed  
9 Forces, one of whom is appointed by the senior  
10 non-commissioned officer of each of the Army,  
11 Navy, Air Force, Marine Corps, and Coast  
12 Guard.

13 (3) MEETINGS.—The advisory group shall con-  
14 vene regularly to provide to the Secretary of Defense  
15 feedback on the execution of, and any recommended  
16 changes to, the global household goods contract.

17 (4) REPORTS.—

18 (A) QUARTERLY REPORTS.—Not later  
19 than 30 days after the last day of a fiscal quar-  
20 ter, the advisory group shall submit to the con-  
21 gressional defense committees a report on the  
22 activities and recommendations of the advisory  
23 group during such fiscal quarter.

24 (B) TERMINATION OF REPORT REQUIRE-  
25 MENT.—The requirement to submit a report

1           under subparagraph (A) shall terminate on the  
2           termination date specified under paragraph  
3           (5)(A).

4           (5) TERMINATION.—The advisory group shall  
5           terminate on the date that is five years after the  
6           date of the enactment of this Act.

7           (b) BUSINESS CASE ANALYSIS.—Not later than 60  
8           days after the date of the enactment of this Act, the Com-  
9           mander of United States Transportation Command shall  
10          prepare a business case analysis for the proposed award  
11          of a global household goods contract for the defense per-  
12          sonal property program.

13          (c) LIMITATION.—None of the funds authorized to be  
14          appropriated in this Act for fiscal year 2020 shall be avail-  
15          able to enter into a global household goods contract until  
16          the date that is 30 days after the date on which the Com-  
17          mander of United States Transportation Command pro-  
18          vides to the congressional defense committees a briefing  
19          on—

20                 (1) the business case analysis required by sub-  
21                 section (b);

22                 (2) the proposed structure and meeting sched-  
23                 ule for the advisory group established under sub-  
24                 section (a).

25          (d) DEFINITIONS.—In this section:

1           (1) The term “global household goods contract”  
2 means the solicitation managed by United States  
3 Transportation Command to engage a private entity  
4 to manage the defense personal property program.

5           (2) The term “defense personal property pro-  
6 gram” means the Department of Defense program  
7 used to manage the shipment of the baggage and  
8 household effects of members of the Armed Forces  
9 under section 476 of title 37, United States Code.

1 **SEC. 3** [Log 69880]. **EXTENSION OF AUTHORITY FOR SEC-**  
2 **RETARY OF DEFENSE TO USE DEPARTMENT**  
3 **OF DEFENSE REIMBURSEMENT RATE FOR**  
4 **TRANSPORTATION SERVICES PROVIDED TO**  
5 **CERTAIN NON-DEPARTMENT OF DEFENSE**  
6 **ENTITIES.**

7 Section 2642(b) of title 10, United States Code, is  
8 amended by striking “October 1, 2019” and inserting  
9 “October 1, 2024”.



1 **SEC. 5**      **[log69877]. SENSE OF CONGRESS REGARDING THE**  
2 **NATIONAL GUARD YOUTH CHALLENGE PRO-**  
3 **GRAM.**

4 It is the Sense of Congress that—

5 (1) the National Guard Youth Challenge Pro-  
6 gram provides a vital service to at-risk youth by pro-  
7 viding life-changing mentorship, developing self-dis-  
8 cipline, and providing education in valuable skills;  
9 and

10 (2) the Secretary of Defense should use the au-  
11 thority provided under section 509(h)(2) of title 32,  
12 United States Code, to allow Department of Defense  
13 equipment and facilities to be used by the National  
14 Guard to maximize the support of the Department  
15 for the Youth Challenge Program.

1 **SEC. 10** \_\_\_ [Log 69651]. **EXPLOSIVE ORDNANCE DEFENSE**  
2 **DISPOSAL PROGRAM.**

3 (a) **ROLES, RESPONSIBILITIES, AND AUTHORITIES.**—  
4 Subsection (b) of section 2284 of title 10, United States  
5 Code, is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (B), by inserting  
8 “and” after the semicolon;

9 (B) in subparagraph (C),

10 (i) by striking “joint program execu-  
11 tive officer who” and inserting “training  
12 and technology program that”;

13 (ii) by inserting “, provides common  
14 individual training,” after “explosive ord-  
15 nance disposal”;

16 (iii) by striking “and procurement”;

17 (iv) by inserting “for common tools”  
18 after “activities”;

19 (v) by striking “and combatant com-  
20 mands”; and

21 (vi) by inserting “and” after the semi-  
22 colon; and

23 (C) by striking subparagraphs (D) and  
24 (E);

1           (2) in paragraph (2), by striking “such as  
2           weapon systems, manned and unmanned vehicles  
3           and platforms, cyber and communication equipment,  
4           and the integration of explosive ordnance disposal  
5           sets, kits and outfits and explosive ordnance disposal  
6           tools, equipment, sets, kits, and outfits developed by  
7           the department.” and inserting “; and”; and

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

10           “(3) the Secretary of the Army shall designate  
11           an Army explosive ordnance disposal-qualified gen-  
12           eral officer to serve as the co-chair of the Depart-  
13           ment of Defense explosive ordnance disposal defense  
14           program.”.

15           (b) DEFINITIONS.—Such section is further amended  
16           by adding at the end the following new subsection:

17           “(d) DEFINITIONS.—In this section:

18           “(1) The term ‘explosive ordnance’ has the  
19           meaning given such term in section 283(d) of this  
20           title.

21           “(2) The term ‘explosive ordnance disposal’  
22           means the detection, identification, on-site evalua-  
23           tion, rendering safe, exploitation, recovery, and final  
24           disposal of explosive ordnance.”.

1 **SEC. 11\_\_\_ [Log 69245]. DEFENSE ADVANCED RESEARCH**  
2 **PROJECTS AGENCY PERSONNEL MANAGE-**  
3 **MENT AUTHORITY.**

4 Section 1599h(b)(1)(B) of title 10, United States  
5 Code, is amended by striking “100 positions” and insert-  
6 ing “140 positions”.

1 **SEC. 11\_\_\_ [Log 69434]. MODIFICATION OF PROBATIONARY**  
2 **PERIOD FOR CERTAIN DEPARTMENT OF DE-**  
3 **FENSE EMPLOYEES.**

4 (a) IN GENERAL.—Section 1599e of title 10, United  
5 States Code, is amended by—

6 (1) striking subsection (a) and inserting the fol-  
7 lowing:

8 “(a) IN GENERAL.—Notwithstanding sections 3321  
9 and 3393(d) of title 5, the probationary period applicable  
10 under those sections to a covered employee may be ex-  
11 tended by the Secretary concerned at the discretion of  
12 such Secretary.”; and

13 (2) by striking subsection (d).

14 (b) CONFORMING AMENDMENTS.—Title 5, United  
15 States Code, is amended—

16 (1) in section 7501(1), by striking “, except as  
17 provided in section 1599e of title 10,”; and

18 (2) in section 7511(a)(1)(A)(ii), by striking  
19 “except as provided in section 1599e of title 10,”.

20 (c) APPLICATION.—The amendments made by this  
21 section shall apply to any covered employee (as that term  
22 is defined in paragraph (1) of section 1599e(b) of title  
23 10, United States Code) appointed to a position described

- 1 under subparagraph (A) or (B) of such paragraph on or
- 2 after the date of the enactment of this Act.

1 **SEC. 11**\_\_\_\_ **[Log 69438]. CIVILIAN PERSONNEL MANAGE-**  
2 **MENT.**

3 Section 129 of title 10, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) in the first sentence, by striking “each  
7 fiscal year” and inserting “each fiscal year sole-  
8 ly”; and

9 (B) in the second sentence—

10 (i) by striking “Any” and inserting  
11 “The management of such personnel in  
12 any fiscal year shall not be subject to  
13 any”; and

14 (ii) by striking “shall be developed”  
15 and all that follows through “changed cir-  
16 cumstances”; and

17 (2) in subsection (c)(2)—

18 (A) in each of subparagraphs (A) and (B),  
19 by inserting “and associated costs” after each  
20 instance of “projected size”; and

21 (B) in subparagraph (B), by striking “that  
22 have been taken” and all that follows through  
23 the period and inserting “to reduce the overall

- 1 costs of the total force of military, civilian, and
- 2 contract workforces.”.



1 **SEC. 11**\_\_\_\_ **[Log 69439]. ONE-YEAR EXTENSION OF TEM-**  
2 **PORARY AUTHORITY TO GRANT ALLOW-**  
3 **ANCES, BENEFITS, AND GRATUITIES TO CI-**  
4 **VILIAN PERSONNEL ON OFFICIAL DUTY IN A**  
5 **COMBAT ZONE.**

6 Paragraph (2) of section 1603(a) of the Emergency  
7 Supplemental Appropriations Act for Defense, the Global  
8 War on Terror, and Hurricane Recovery, 2006 (Public  
9 Law 109–234; 120 Stat. 443), as added by section 1102  
10 of the Duncan Hunter National Defense Authorization  
11 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.  
12 4616) and as most recently amended by section 1115 of  
13 the John S. McCain National Defense Authorization Act  
14 for Fiscal Year 2019 (Public Law 115–232), is further  
15 amended by striking “2020” and inserting “2021”.

1 **SEC. 11** [Log 69440]. **ONE-YEAR EXTENSION OF AUTHOR-**  
2 **ITY TO WAIVE ANNUAL LIMITATION ON PRE-**  
3 **MIUM PAY AND AGGREGATE LIMITATION ON**  
4 **PAY FOR FEDERAL CIVILIAN EMPLOYEES**  
5 **WORKING OVERSEAS.**

6 (a) **EXTENSION OF AUTHORITY.**—Section 1101(a) of  
7 the Duncan Hunter National Defense Authorization Act  
8 for Fiscal Year 2009 (Public Law 110–417; 122 Stat.  
9 4615), as most recently amended by section 1104 of the  
10 John S. McCain National Defense Authorization Act for  
11 Fiscal Year 2019 (Public Law 115–232), is further  
12 amended by striking “through 2019” and inserting  
13 “through 2020”.

14 (b) **EFFECTIVE DATE.**—The amendment made by  
15 this section shall take effect on January 1, 2020.

1 **SEC. 11** [Log 69705]. **PERFORMANCE OF CIVILIAN FUNC-**  
2 **TIONS BY MILITARY PERSONNEL.**

3 Subparagraph (B) of paragraph (1) of subsection (g)  
4 of section 129a of title 10, United States Code, is amend-  
5 ed to read as follows:

6 “(B) such functions may be performed by  
7 military personnel for a period that does not ex-  
8 ceed one year if the Secretary of the military  
9 department concerned determines that—

10 “(i) the performance of such functions  
11 by military personnel is required to ad-  
12 dress critical staffing needs resulting from  
13 a reduction in personnel or budgetary re-  
14 sources by reason of an Act of Congress;  
15 and

16 “(ii) the military department con-  
17 cerned is in compliance with the policies,  
18 procedures, and analysis required by this  
19 section and section 129 of this title.”.

1 **SEC. 11** \_\_\_\_ [Log 70009]. **EXTENSION OF DIRECT HIRE AU-**  
2 **THORITY FOR DOMESTIC INDUSTRIAL BASE**  
3 **FACILITIES AND MAJOR RANGE AND TEST**  
4 **FACILITIES BASE.**

5 (a) **IN GENERAL.**—Subsection (a) of section 1125 of  
6 the National Defense Authorization Act for Fiscal Year  
7 2017 (Public Law 114–328), as amended by subsection  
8 (a) of section 1102 of the National Defense Authorization  
9 Act for Fiscal Year 2018 (Public Law 115–91), is further  
10 amended by striking “through 2021,” and inserting  
11 “through 2025,”.

12 (b) **BRIEFING.**—Subsection (b) of such section 1102  
13 is amended by striking “fiscal years 2019 and 2021” and  
14 inserting “fiscal years 2019 through 2025”.

1 **SEC. 2001 [Log 69370]. SHORT TITLE.**

2       This division may be cited as the “Military Construc-  
3 tion Authorization Act for Fiscal Year 2020”.

1 **SEC. 2101 [Log 69338]. AUTHORIZED ARMY CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2103(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Army may acquire real property and carry out military  
 9 construction projects for the installations or locations in-  
 10 side the United States, and in the amounts, set forth in  
 11 the following table:

**Army: Inside the United States**

<b>State</b>	<b>Installation</b>	<b>Amount</b>
Alabama .....	Redstone Arsenal .....	\$38,000,000
Colorado .....	Fort Carson .....	\$71,000,000
Georgia .....	Fort Gordon .....	\$107,000,000
	Hunter Army Airfield .....	\$62,000,000
Kentucky .....	Fort Campbell .....	\$61,300,000
Kwajalein .....	Kwajalein Atoll .....	\$40,000,000
Massachusetts .....	Natick Soldier Systems Center .....	\$50,000,000
Michigan .....	Detroit Arsenal .....	\$24,000,000
New York .....	Fort Drum .....	\$44,000,000
North Carolina .....	Fort Bragg .....	\$12,500,000
Oklahoma .....	Fort Sill .....	\$73,000,000
Pennsylvania .....	Carlisle Barracks .....	\$98,000,000
South Carolina .....	Fort Jackson .....	\$88,000,000
Texas .....	Corpus Christi Army Depot .....	\$86,000,000
	Fort Hood .....	\$50,500,000
Virginia .....	Fort Belvoir .....	\$60,000,000
	Joint Base Langley-Eustis .....	\$55,000,000
Washington .....	Joint Base Lewis-McChord .....	\$46,000,000

12 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 13 appropriated pursuant to the authorization of appropria-  
 14 tions in section 2103(a) and available for military con-  
 15 struction projects outside the United States as specified

1 in the funding table in section 4601, the Secretary of the  
2 Army may acquire real property and carry out the military  
3 construction project for the installation or location outside  
4 the United States, and in the amount, set forth in the  
5 following table:

**Army: Outside the United States**

<b>Country</b>	<b>Installation</b>	<b>Amount</b>
Honduras .....	Soto Cano Air Base .....	\$34,000,000

1 **SEC. 2102 [Log69339]. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
3 amounts appropriated pursuant to the authorization of ap-  
4 propriations in section 2103(a) and available for military  
5 family housing functions as specified in the funding table  
6 in section 4601, the Secretary of the Army may construct  
7 or acquire family housing units (including land acquisition  
8 and supporting facilities) at the installations or locations,  
9 in the number of units, and in the amounts set forth in  
10 the following table:

**Army: Family Housing**

<b>State/Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
Pennsylvania .....	Tobyhanna Army Depot.	Family Housing Replacement Construction .....	\$19,000,000

11 (b) PLANNING AND DESIGN.—Using amounts appro-  
12 priated pursuant to the authorization of appropriations in  
13 section 2103(a) and available for military family housing  
14 functions as specified in the funding table in section 4601,  
15 the Secretary of the Army may carry out architectural and  
16 engineering services and construction design activities  
17 with respect to the construction or improvement of family  
18 housing units in an amount not to exceed \$9,222,000.



1 **SEC. 2103 [Log69340]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, ARMY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2019, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of the Army as specified in  
8 the funding table in section 4601.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
10 PROJECTS.—Notwithstanding the cost variations author-  
11 ized by section 2853 of title 10, United States Code, and  
12 any other cost variation authorized by law, the total cost  
13 of all projects carried out under section 2101 of this Act  
14 may not exceed the total amount authorized to be appro-  
15 priated under subsection (a), as specified in the funding  
16 table in section 4601.

1 **SEC. 21**\_\_\_\_ **[Log 69341]. MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2019**  
3 **PROJECTS.**

4 (a) ANNISTON ARMY DEPOT, ALABAMA.—In the case  
5 of the authorization contained in the table in section  
6 2101(a) of the National Defense Authorization Act for  
7 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2241)  
8 for Anniston Army Depot, Alabama, for construction of  
9 a weapon maintenance shop, as specified in the funding  
10 table in section 4601 of such Act (132 Stat. 2401), the  
11 Secretary of the Army may construct a 21,000-square foot  
12 weapon maintenance shop.

13 (b) UNITED STATES MILITARY ACADEMY, NEW  
14 YORK.—The table in section 2101(a) of the National De-  
15 fense Authorization Act for Fiscal Year 2019 (Public Law  
16 115–232; 132 Stat. 2241) is amended in the item relating  
17 to the United States Military Academy, New York, by  
18 striking “\$160,000,000” and inserting “\$197,000,000”  
19 for construction of a Consolidated Engineering Center and  
20 Parking Structure rather than the separate projects speci-  
21 fied in the funding table in section 4601 of such Act (132  
22 Stat. 2401).

1 **SEC. 2201 [Log 69342]. AUTHORIZED NAVY CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2204(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Navy may acquire real property and carry out military  
 9 construction projects for the installations or locations in-  
 10 side the United States, and in the amounts, set forth in  
 11 the following table:

**Navy: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Marine Corps Air Station Yuma .....	\$ 189,760,000
California .....	Camp Pendleton .....	\$185,569,000
	Marine Corps Air Station Miramar .....	\$37,400,000
	Naval Air Weapons Station China Lake .....	\$64,500,000
	Navel Base Coronado .....	\$165,830,000
	Naval Base San Diego .....	\$9,900,000
	Naval Weapons Station Seal Beach .....	\$123,310,000
	Travis Air Force Base .....	\$64,000,000
Connecticut .....	Naval Submarine Base New London .....	\$72,260,000
Florida .....	Blount Island .....	\$18,700,000
	Naval Air Station Jacksonville .....	\$32,420,000
Guam .....	Joint Region Marianas .....	\$226,000,000
Hawaii .....	Marine Corps Air Station Kaneohe Bay .....	\$134,050,000
	Naval Ammunition Depot West Loch .....	\$53,790,000
Maryland .....	Saint Inigoes .....	\$15,000,000
North Carolina .....	Camp Lejeune .....	\$217,440,000
	Marine Corps Air Station Cherry Point .....	\$114,570,000
	Marine Corps Air Station New River .....	\$11,320,000
Pennsylvania .....	Philadelphia .....	\$66,000,000
South Carolina .....	Parris Island .....	\$37,200,000
Virginia .....	Marine Corps Base Quantico .....	\$143,350,000
	Naval Station Norfolk .....	\$128,100,000
	Portsmouth Naval Shipyard .....	\$48,930,000
	Yorktown Naval Weapons Station .....	\$59,000,000
Washington .....	Bremerton .....	\$51,010,000
	Keyport .....	\$25,050,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2204(a) and available for military con-  
4 struction projects outside the United States as specified  
5 in the funding table in section 4601, the Secretary of the  
6 Navy may acquire real property and carry out military  
7 construction projects for the installations or locations out-  
8 side the United States, and in the amounts, set forth in  
9 the following table:

**Navy: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Japan .....	Fleet Activities Yokosuka .....	\$174,692,000
	Marine Corps Air Station Iwakuni .....	\$15,870,000

1 **SEC. 2202 [Log69343]. FAMILY HOUSING.**

2       Using amounts appropriated pursuant to the author-  
3 ization of appropriations in section 2204(a) and available  
4 for military family housing functions as specified in the  
5 funding table in section 4601, the Secretary of the Navy  
6 may carry out architectural and engineering services and  
7 construction design activities with respect to the construc-  
8 tion or improvement of family housing units in an amount  
9 not to exceed \$5,863,000.

1 **SEC. 2203 [Log69344]. IMPROVEMENTS TO MILITARY FAMILY**

2 **HOUSING UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2204(a) and  
6 available for military family housing functions as specified  
7 in the funding table in section 4601, the Secretary of the  
8 Navy may improve existing military family housing units  
9 in an amount not to exceed \$41,798,000.

1 **SEC. 2204 [Log69345]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, NAVY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2019, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of the Navy, as specified in  
8 the funding table in section 4601.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
10 PROJECTS.—Notwithstanding the cost variations author-  
11 ized by section 2853 of title 10, United States Code, and  
12 any other cost variation authorized by law, the total cost  
13 of all projects carried out under section 2201 of this Act  
14 may not exceed the total amount authorized to be appro-  
15 priated under subsection (a), as specified in the funding  
16 table in section 4601.

1 **SEC. 2205 [Log 69701]. MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2017**  
3 **PROJECT.**

4 The table in section 2201(a) of the National Defense  
5 Authorization Act for Fiscal Year 2017 (Public Law 114–  
6 328; 130 Stat. 2691) is amended in the item relating to  
7 Bangor, Washington, by striking “\$113,415,000” and in-  
8 serting “\$161,415,000” for construction of a SEAWOLF  
9 Class Service Pier, as specified in the funding table in sec-  
10 tion 4601 of such Act (130 Stat. 2876).



1 **SEC. 2301 [Log 69346]. AUTHORIZED AIR FORCE CONSTRUC-**  
 2 **TION AND LAND ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2304(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Air Force may acquire real property and carry out mili-  
 9 tary construction projects for the installations or locations  
 10 inside the United States, and in the amounts, set forth  
 11 in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Alaska .....	Eielson Air Force Base .....	\$8,600,000
Arkansas .....	Little Rock Air Force Base .....	\$47,000,000
California .....	Travis Air Force Base .....	\$43,100,000
Colorado .....	Peterson Air Force Base .....	\$54,000,000
	Schriever Air Force Base .....	\$148,000,000
	United States Air Force Acad- emy .....	\$49,000,000
Georgia .....	Moody Air Force Base .....	\$12,500,000
Guam .....	Joint Region Marianas .....	\$65,000,000
Illinois .....	Scott Air Force Base .....	\$100,000,000
Mariana Islands .....	Tinian .....	\$316,000,000
Missouri .....	Whiteman Air Force Base .....	\$27,000,000
Montana .....	Malmstrom Air Force Base .....	\$235,000,000
Nevada .....	Nellis Air Force Base .....	\$65,200,000
New Mexico .....	Holloman Air Force Base .....	\$20,000,000
	Kirtland Air Force Base .....	\$37,900,000
Texas .....	Joint Base San Antonio .....	\$207,300,000
	Joint Base San Antonio-Ran- dolph .....	\$36,000,000
Utah .....	Hill Air Force Base .....	\$114,500,000
Washington .....	Fairechild-White Bluff .....	\$31,000,000

12 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 13 appropriated pursuant to the authorization of appropria-  
 14 tions in section 2304(a) and available for military con-

1 struction projects outside the United States as specified  
2 in the funding table in section 4601, the Secretary of the  
3 Air Force may acquire real property and carry out mili-  
4 tary construction projects for the installations or locations  
5 outside the United States, and in the amounts, set forth  
6 in the following table:

**Air Force: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Australia .....	Tindal .....	\$70,600,000
Cyprus .....	Royal Air Force Akrotiri .....	\$27,000,000
Japan .....	Yokota Air Base .....	\$12,400,000
United Kingdom .....	Royal Air Force Lakenheath ..	\$14,300,000

1 **SEC. 2302 [Log 69347]. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
3 amounts appropriated pursuant to the authorization of ap-  
4 propriations in section 2304(a) and available for military  
5 family housing functions as specified in the funding table  
6 in section 4601, the Secretary of the Air Force may con-  
7 struct or acquire family housing units (including land ac-  
8 quisition and supporting facilities) at the installation, and  
9 in the amount, set forth in the following table:

**Air Force: Family Housing**

<b>Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
Germany .....	Spangdahlem Air Base .....	Family Housing Construction .....	\$53,584,000

10 (b) PLANNING AND DESIGN.—Using amounts appro-  
11 priated pursuant to the authorization of appropriations in  
12 section 2304(a) and available for military family housing  
13 functions as specified in the funding table in section 4601,  
14 the Secretary of the Air Force may carry out architectural  
15 and engineering services and construction design activities  
16 with respect to the construction or improvement of family  
17 housing units in an amount not to exceed \$3,409,000.

1 **SEC. 2303 [Log69348]. IMPROVEMENTS TO MILITARY FAMILY**  
2 **HOUSING UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2304(a) and  
6 available for military family housing functions as specified  
7 in the funding table in section 4601, the Secretary of the  
8 Air Force may improve existing military family housing  
9 units in an amount not to exceed \$53,584,000.

1 **SEC. 2304 [Log69349]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, AIR FORCE.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2019, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of the Air Force, as specified  
8 in the funding table in section 4601.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
10 PROJECTS.—Notwithstanding the cost variations author-  
11 ized by section 2853 of title 10, United States Code, and  
12 any other cost variation authorized by law, the total cost  
13 of all projects carried out under section 2301 of this Act  
14 may not exceed the total amount authorized to be appro-  
15 priated under subsection (a), as specified in the funding  
16 table in section 4601.

1 **SEC. 2305 [Log 69746]. MODIFICATION OF AUTHORITIES TO**  
2 **CARRY OUT PHASED JOINT INTELLIGENCE**  
3 **ANALYSIS COMPLEX CONSOLIDATION.**

4 (a) FISCAL YEAR 2015 PROJECT AUTHORITY.—In  
5 the case of the authorization contained in the table in sec-  
6 tion 2301(b) of the National Defense Authorization Act  
7 for Fiscal Year 2015 (Public Law 113–291; 128 Stat.  
8 3679) for Royal Air Force Croughton, United Kingdom,  
9 for Phase 1 of the Joint Intelligence Analysis Complex  
10 consolidation, as specified in the funding table in section  
11 4601 of such Act (128 Stat. 3973), the Secretary of the  
12 Air Force shall carry out the construction at Royal Air  
13 Force Molesworth, United Kingdom.

14 (b) FISCAL YEAR 2016 PROJECT AUTHORITY.—In  
15 the case of the authorization contained in the table in sec-  
16 tion 2301(b) of the National Defense Authorization Act  
17 for Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
18 1153), for Royal Air Force Croughton, United Kingdom,  
19 for Phase 2 of the Joint Intelligence Analysis Complex  
20 consolidation, as specified in the funding table in section  
21 4601 of such Act (129 Stat. 1294), the Secretary of the  
22 Air Force may construct a 5,152-square meter Intelligence  
23 Analytic Center, a 5,234-square meter Intelligence Fusion  
24 Center, and a 807-square meter Battlefield Information

1 Collection and Exploitation System Center at Royal Air  
2 Force Molesworth, United Kingdom.

3 (c) FISCAL YEAR 2017 PROJECT AUTHORITY.—In  
4 the case of the authorization contained in the table in sec-  
5 tion 2301(b) of the National Defense Authorization Act  
6 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
7 2697), for Royal Air Force Croughton, United Kingdom,  
8 for Phase 3 of the Joint Intelligence Analysis Complex  
9 consolidation, as specified in the funding table in section  
10 4601 of such Act (130 Stat. 2878), the Secretary of the  
11 Air Force may construct a 1,562-square meter Regional  
12 Joint Intelligence Training Facility and a 4,495-square  
13 meter Combatant Command Intelligence Facility at Royal  
14 Air Force Molesworth, United Kingdom.

15 (d) CONFORMING REPEAL.—Section 2305 of the Na-  
16 tional Defense Authorization Act for Fiscal Year 2019  
17 (Public Law 115–232; 132 Stat. 2247) is repealed.

1 **SEC. 23**\_\_\_\_ [Log 69700]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2016**  
3 **PROJECT.**

4 The table in section 2301(a) of the National Defense  
5 Authorization Act for Fiscal Year 2016 (Public Law 114–  
6 92; 129 Stat. 1152) is amended in the item relating to  
7 Nellis Air Force Base, Nevada, by striking “\$68,950,000”  
8 and inserting “\$72,050,000” for construction of F-35A  
9 Munitions Maintenance Facilities, as specified in the fund-  
10 ing table in section 4601 of such Act (129 Stat. 1293).



1 **SEC. 23** \_\_\_\_ [Log 69699]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2017**  
3 **PROJECT.**

4 The table in section 2301(a) of the National Defense  
5 Authorization Act for Fiscal Year 2017 (Public Law 114–  
6 328; 130 Stat. 2696) is amended in the item relating to  
7 Fairchild Air Force Base, Washington, by striking  
8 “\$27,000,000” and inserting “\$31,800,000” for construc-  
9 tion of a SERE School Pipeline Dormitory, as specified  
10 in the funding table in section 4601 of such Act (130 Stat.  
11 2878).

1 **SEC. 23** \_\_\_\_ [Log 69350]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2018**  
3 **PROJECTS.**

4 (a) **LITTLE ROCK AIR FORCE BASE, ARKANSAS.**—  
5 The table in section 2301(a) of the National Defense Au-  
6 thorization Act for Fiscal Year 2018 (Public Law 115–  
7 91; 131 Stat. 1825) is amended in the item relating to  
8 Little Rock Air Force Base, Arkansas, by striking  
9 “\$20,000,000” and inserting “\$27,000,000” for construc-  
10 tion of a dormitory facility, as specified in the funding  
11 table in section 4601 of such Act (131 Stat. 2002).

12 (b) **JOINT BASE SAN ANTONIO, TEXAS.**—In the case  
13 of the authorization contained in the table in section  
14 2301(a) of the National Defense Authorization Act for  
15 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826)  
16 for Joint Base San Antonio, Texas, the Secretary of the  
17 Air Force may construct—

18 (1) a 750-square meter equipment building for  
19 construction of a Classrooms/Dining Facility, as  
20 specified in the funding table in section 4601 of such  
21 Act (131 Stat. 2003); and

22 (2) a 636-square meter air traffic control tower  
23 for construction of an Air Traffic Control Tower, as

1 specified in the funding table in section 4601 of such  
2 Act (131 Stat. 2003).

3 (c) F.E. WARREN AIR FORCE BASE, WYOMING.—  
4 The table in section 2301(a) of the National Defense Au-  
5 thorization Act for Fiscal Year 2018 (Public Law 115–  
6 91; 131 Stat. 1825) is amended in the item relating to  
7 F.E. Warren Air Force Base, Wyoming, by striking  
8 “\$62,000,000” and inserting “\$80,100,000” for construc-  
9 tion of a Consolidated Helo/TRF Ops/AMU and Alert Fa-  
10 cility, as specified in the funding table in section 4601 of  
11 such Act (131 Stat. 2004).

12 (d) RYGGE AIR STATION, NORWAY.—In the case of  
13 the authorization contained in the table in section 2903  
14 of the National Defense Authorization Act for Fiscal Year  
15 2018 (Public Law 115–91; 131 Stat. 1876) for Rygge Air  
16 Station, Norway, for replacement/expansion of a Quick  
17 Reaction Alert Pad, as specified in the funding table in  
18 section 4602 of such Act (131 Stat. 2014), the Secretary  
19 of the Air Force may construct 1,327 square meters of  
20 aircraft shelter and a 404-square meter fire protection  
21 support building.

22 (e) INCIRLIK AIR BASE, TURKEY.—In the case of the  
23 authorization contained in the table in section 2903 of the  
24 National Defense Authorization Act for Fiscal Year 2018  
25 (Public Law 115–91; 131 Stat. 1876) for Incirlik Air

1 Base, Turkey, for Relocating Base Main Access Control  
2 Point, as specified in the funding table in section 4602  
3 of such Act (131 Stat. 2015), the Secretary of the Air  
4 Force may construct a 176-square meter pedestrian  
5 search building.

1 **SEC. 23** \_\_\_\_ [Log 69351]. **MODIFICATION OF AUTHORITY TO**  
2 **CARRY OUT CERTAIN FISCAL YEAR 2019**  
3 **PROJECTS.**

4 (a) HANSCOM AIR FORCE BASE, MASSACHUSETTS.—  
5 In the case of the authorization contained in the table in  
6 section 2301(a) of the National Defense Authorization Act  
7 for Fiscal Year 2019 (Public Law 115–232; 132 Stat.  
8 2246) for Hanscom Air Force Base, Massachusetts, for  
9 the construction of a semi-conductor/microelectronics lab-  
10 oratory facility, as specified in the funding table in section  
11 4601 of such Act (132 Stat. 2405), the Secretary of the  
12 Air Force may construct a 1,000 kilowatt stand-by gener-  
13 ator.

14 (b) MINOT AIR FORCE BASE, NORTH DAKOTA.—The  
15 table in section 2301(a) of the National Defense Author-  
16 ization Act for Fiscal Year 2019 (Public Law 115–232;  
17 132 Stat. 2246) is amended in the item relating to Minot  
18 Air Force Base, North Dakota, by striking “\$66,000,000”  
19 and inserting “\$71,500,000” for construction of a Con-  
20 solidated Helo/TRF Ops/AMU and Alert Facility, as spec-  
21 ified in the funding table in section 4601 of such Act (132  
22 Stat. 2405).

23 (c) ROYAL AIR FORCE LAKENHEATH, UNITED KING-  
24 DOM.—In the case of the authorization contained in the

1 table in section 2301(b) of the National Defense Author-  
2 ization Act for Fiscal Year 2019 (Public Law 115–232;  
3 132 Stat. 2247) for Royal Air Force Lakenheath, United  
4 Kingdom, for the construction of an F–35A Dormitory,  
5 as specified in the funding table in section 4601 of such  
6 Act (132 Stat. 2405), the Secretary of the Air Force may  
7 construct a 5,900-square meter dormitory.

1 **SEC. 2401 [Log69352]. AUTHORIZED DEFENSE AGENCIES**  
 2 **CONSTRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 (a) INSIDE THE UNITED STATES.—Using amounts  
 5 appropriated pursuant to the authorization of appropria-  
 6 tions in section 2403(a) and available for military con-  
 7 struction projects inside the United States as specified in  
 8 the funding table in section 4601, the Secretary of De-  
 9 fense may acquire real property and carry out military  
 10 construction projects for the installations or locations in-  
 11 side the United States, and in the amounts, set forth in  
 12 the following table:

**Defense Agencies: Inside the United States**

State	Installation or Location	Amount
California .....	Beale Air Force Base .....	\$33,700,000
	Camp Pendleton .....	\$17,700,000
Florida .....	Eglin Air Force Base .....	\$16,500,000
	Hurlburt Field .....	\$108,386,000
	Naval Air Station Key West .....	\$16,000,000
Guam .....	Joint Region Marianas .....	\$19,200,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$67,700,000
Maryland .....	Fort Detrick .....	\$27,846,000
Mississippi .....	Columbus Air Force Base .....	\$16,800,000
North Carolina .....	Camp Lejeune .....	\$13,400,000
	Fort Bragg .....	\$84,103,000
	Tulsa IAP .....	\$18,900,000
Rhode Island .....	Quonset State Airport .....	\$11,600,000
South Carolina .....	Joint Base Charleston .....	\$33,300,000
South Dakota .....	Ellsworth Air Force Base .....	\$24,800,000
Virginia .....	Defense Distribution Depot Richmond ...	\$98,800,000
	Joint Expeditionary Base Little Creek - Fort Story .....	\$45,604,000
	Pentagon .....	\$28,802,000
	Training Center Dam Neck .....	\$12,770,000
Washington .....	Joint Base Lewis-McChord .....	\$47,700,000
Wisconsin .....	General Mitchell IAP .....	\$25,900,000
CONUS Classified .....	Classified Location .....	\$82,200,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2403(a) and available for military con-  
4 struction projects outside the United States as specified  
5 in the funding table in section 4601, the Secretary of De-  
6 fense may acquire real property and carry out military  
7 construction projects for the installations or locations out-  
8 side the United States, and in the amounts, set forth in  
9 the following table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Germany .....	Geilenkirchen Air Base .....	\$30,479,000
Japan .....	Yokota Air Base .....	\$136,411,000



1 **SEC. 2402 [Log69353]. AUTHORIZED ENERGY RESILIENCY**  
2 **AND ENERGY CONSERVATION PROJECTS.**

3 Using amounts appropriated pursuant to the author-  
4 ization of appropriations in section 2403(a), the Secretary  
5 of Defense may carry out energy resiliency and energy  
6 conservation projects under chapter 173 of title 10,  
7 United States Code, as specified in the funding table in  
8 section 4601.

1 **SEC. 2403 [Log69354]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, DEFENSE AGENCIES.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for fiscal years  
5 beginning after September 30, 2019, for military con-  
6 struction, land acquisition, and military family housing  
7 functions of the Department of Defense (other than the  
8 military departments), as specified in the funding table  
9 in section 4601.

10 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
11 PROJECTS.—Notwithstanding the cost variations author-  
12 ized by section 2853 of title 10, United States Code, and  
13 any other cost variation authorized by law, the total cost  
14 of all projects carried out under section 2401 of this Act  
15 may not exceed the total amount authorized to be appro-  
16 priated under subsection (a), as specified in the funding  
17 table in section 4601.

1 **SEC. 2501 [Log69355]. AUTHORIZED NATO CONSTRUCTION**  
2 **AND LAND ACQUISITION PROJECTS.**

3 The Secretary of Defense may make contributions for  
4 the North Atlantic Treaty Organization Security Invest-  
5 ment Program as provided in section 2806 of title 10,  
6 United States Code, in an amount not to exceed the sum  
7 of the amount authorized to be appropriated for this pur-  
8 pose in section 2502 and the amount collected from the  
9 North Atlantic Treaty Organization as a result of con-  
10 struction previously financed by the United States.

1 **SEC. 2502 [Log69356]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, NATO.**

3 (a) AUTHORIZATION.—Funds are hereby authorized  
4 to be appropriated for fiscal years beginning after Sep-  
5 tember 30, 2019, for contributions by the Secretary of De-  
6 fense under section 2806 of title 10, United States Code,  
7 for the share of the United States of the cost of projects  
8 for the North Atlantic Treaty Organization Security In-  
9 vestment Program authorized by section 2501 as specified  
10 in the funding table in section 4601.

11 (b) AUTHORITY TO RECOGNIZE NATO AUTHORIZA-  
12 TION AMOUNTS AS BUDGETARY RESOURCES FOR  
13 PROJECT EXECUTION.—When the United States is des-  
14 ignated as the Host Nation for the purposes of executing  
15 a project under the NATO Security Investment Program  
16 (NSIP), the Department of Defense construction agent  
17 may recognize the NATO project authorization amounts  
18 as budgetary resources to incur obligations for the pur-  
19 poses of executing the NSIP project.

1 **SEC. 2511 [Log69357]. REPUBLIC OF KOREA FUNDED CON-**  
 2 **STRUCTION PROJECTS.**

3 Pursuant to agreement with the Republic of Korea  
 4 for required in-kind contributions, the Secretary of De-  
 5 fense may accept military construction projects for the in-  
 6 stallations or locations in the Republic of Korea, and in  
 7 the amounts, set forth in the following table:

**Republic of Korea Funded Construction Projects**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Army .....	Camp Carroll .....	Army Prepositioned Stock-4 Wheeled Vehicle Maintenance Facility .....	\$51,000,000
Army .....	Camp Humphreys .....	Unaccompanied Enlisted Personnel Housing, P1 .....	\$154,000,000
Army .....	Camp Humphreys .....	Unaccompanied Enlisted Personnel Housing, P2 .....	\$211,000,000
Army .....	Camp Humphreys .....	Satellite Communications Facility	\$32,000,000
Air Force ...	Gwangju Air Base .....	Hydrant Fuel System .....	\$35,000,000
Air Force ...	Kunsan Air Base	Upgrade Electrical Distribution System .....	\$14,200,000
Air Force ...	Kunsan Air Base	Dining Facility .....	\$21,000,000
Air Force ...	Suwon Air Base	Hydrant Fuel System .....	\$24,000,000

1 **SEC. 2601 [Log69359]. AUTHORIZED ARMY NATIONAL GUARD**  
 2 **CONSTRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Army may  
 8 acquire real property and carry out military construction  
 9 projects for the Army National Guard locations inside the  
 10 United States, and in the amounts, set forth in the fol-  
 11 lowing table:

**Army National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Alabama .....	Anniston Army Depot .....	\$34,000,000
	Foley .....	\$12,000,000
California .....	Camp Roberts .....	\$12,000,000
Idaho .....	Orchard Combat Training Center .....	\$29,000,000
Maryland .....	Havre De Grace .....	\$12,000,000
Massachusetts .....	Camp Edwards .....	\$9,700,000
Minnesota .....	New Ulm .....	\$11,200,000
Mississippi .....	Camp Shelby .....	\$8,100,000
Missouri .....	Springfield .....	\$12,000,000
Nebraska .....	Bellevue .....	\$29,000,000
New Hampshire .....	Concord .....	\$5,950,000
New York .....	Jamaica Armory .....	\$91,000,000
Pennsylvania .....	Moon Township .....	\$23,000,000
Vermont .....	Jericho .....	\$30,000,000
Washington .....	Richland .....	\$11,400,000

1 **SEC. 2602 [Log69360]. AUTHORIZED ARMY RESERVE CON-**  
2 **STRUCTION AND LAND ACQUISITION**  
3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
5 ization of appropriations in section 2606 and available for  
6 the National Guard and Reserve as specified in the fund-  
7 ing table in section 4601, the Secretary of the Army may  
8 acquire real property and carry out military construction  
9 projects for the Army Reserve locations inside the United  
10 States, and in the amounts, set forth in the following  
11 table:

**Army Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Deleware .....	Dover Air Force Base .....	\$21,000,000
Wisconsin .....	Fort McCoy .....	\$25,000,000

1 **SEC. 2603 [Log69361]. AUTHORIZED NAVY RESERVE AND MA-**  
2 **RINE CORPS RESERVE CONSTRUCTION AND**  
3 **LAND ACQUISITION PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
5 ization of appropriations in section 2606 and available for  
6 the National Guard and Reserve as specified in the fund-  
7 ing table in section 4601, the Secretary of the Navy may  
8 acquire real property and carry out military construction  
9 projects for the Navy Reserve and Marine Corps Reserve  
10 locations inside the United States, and in the amounts,  
11 set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Louisiana .....	New Orleans .....	\$25,260,000



1 **SEC. 2604 [Log 69362]. AUTHORIZED AIR NATIONAL GUARD**  
2 **CONSTRUCTION AND LAND ACQUISITION**  
3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
5 ization of appropriations in section 2606 and available for  
6 the National Guard and Reserve as specified in the fund-  
7 ing table in section 4601, the Secretary of the Air Force  
8 may acquire real property and carry out military construc-  
9 tion projects for the Air National Guard locations inside  
10 the United States, and in the amounts, set forth in the  
11 following table:

**Air National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
California .....	Moffett Air National Guard Base .....	\$57,000,000
Georgia .....	Savannah/Hilton Head International Airport .....	\$24,000,000
Missouri .....	Rosecrans Memorial Airport .....	\$9,500,000
Puerto Rico .....	Luis Munoz-Marin International Airport .....	\$50,000,000
Wisconsin .....	Truax Field .....	\$34,000,000

1 **SEC. 2605 [Log69363]. AUTHORIZED AIR FORCE RESERVE**  
2 **CONSTRUCTION AND LAND ACQUISITION**  
3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
5 ization of appropriations in section 2606 and available for  
6 the National Guard and Reserve as specified in the fund-  
7 ing table in section 4601, the Secretary of the Air Force  
8 may acquire real property and carry out military construc-  
9 tion projects for the Air Force Reserve locations inside  
10 the United States, and in the amounts, set forth in the  
11 following table:

**Air Force Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Georgia .....	Robins Air Force Base .....	\$43,000,000
Maryland .....	Joint Base Andrews .....	\$15,000,000
Minnesota .....	Minneapolis-St. Paul IAP .....	\$9,800,000

1 **SEC. 2606 [Log69364]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS, NATIONAL GUARD AND RESERVE.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal years beginning after September 30, 2019, for the  
5 costs of acquisition, architectural and engineering services,  
6 and construction of facilities for the Guard and Reserve  
7 Forces, and for contributions therefor, under chapter  
8 1803 of title 10, United States Code (including the cost  
9 of acquisition of land for those facilities), as specified in  
10 the funding table in section 4601.

1 **SEC. 2701 [Log69358]. AUTHORIZATION OF APPROPRIATIONS**  
2 **FOR BASE REALIGNMENT AND CLOSURE AC-**  
3 **TIVITIES FUNDED THROUGH DEPARTMENT**  
4 **OF DEFENSE BASE CLOSURE ACCOUNT.**

5 Funds are hereby authorized to be appropriated for  
6 fiscal years beginning after September 30, 2019, for base  
7 realignment and closure activities, including real property  
8 acquisition and military construction projects, as author-  
9 ized by the Defense Base Closure and Realignment Act  
10 of 1990 (part A of title XXIX of Public Law 101–510;  
11 10 U.S.C. 2687 note) and funded through the Department  
12 of Defense Base Closure Account established by section  
13 2906 of such Act (as amended by section 2711 of the Mili-  
14 tary Construction Authorization Act for Fiscal Year 2013  
15 (division B of Public Law 112–239; 126 Stat. 2140)), as  
16 specified in the funding table in section 4601.

1 **SEC. 28** \_\_\_\_ [Log 69223]. **MODIFICATION TO DEPARTMENT OF**  
2 **DEFENSE FORM 1391 REGARDING CONSIDER-**  
3 **ATION OF POTENTIAL LONG-TERM ADVERSE**  
4 **ENVIRONMENTAL EFFECTS.**

5 (a) MODIFICATION.—

6 (1) CERTIFICATION REQUIREMENT.—The Sec-  
7 retary of Defense shall modify Department of De-  
8 fense Form 1391 to require, with respect to any pro-  
9 posed major or minor military construction project  
10 requiring congressional notification or approval, the  
11 inclusion of a certification by the Secretary of De-  
12 fense or the Secretary of the military department  
13 concerned that the proposed military construction  
14 project takes into consideration—

15 (A) the potential adverse consequences of  
16 long-term changes in environmental conditions,  
17 such as increasingly frequent extreme weather  
18 events, that could affect the military installation  
19 resilience of the installation for which the mili-  
20 tary construction project is proposed; and

21 (B) building requirements in effect for the  
22 locality in which the military construction  
23 project is proposed and industry best practices  
24 that are developed to withstand extreme weath-

1 er events and other consequences of changes in  
2 environmental conditions.

3 (2) ELEMENTS OF CERTIFICATION.—As part of  
4 the certification required by paragraph (1) for a pro-  
5 posed military construction project, the Secretary  
6 concerned shall identify the potential changes in en-  
7 vironmental conditions, such as increasingly frequent  
8 extreme weather events, considered and addressed  
9 under subparagraphs (A) and (B) of paragraph (1).

10 (b) RELATION TO RECENT MODIFICATION REQUIRE-  
11 MENT.—The modification of Department of Defense Form  
12 1391 required by subsection (a) is in addition to, and ex-  
13 pands upon, the modification of Department of Defense  
14 Form 1391 with respect to flood risk disclosure for mili-  
15 tary construction required by section 2805(a) of the Mili-  
16 tary Construction Authorization Act for Fiscal Year 2019  
17 (division B of Public Law 115–232; 132 Stat. 2262; 10  
18 U.S.C. 2802 note).

19 (c) MILITARY INSTALLATION RESILIENCE DE-  
20 FINED.—In this section, the term “military installation re-  
21 silience” has the meaning given that term in section  
22 101(e)(8) of title 10, United States Code.

1 **SEC. 28** \_\_\_\_ [Log 69385]. **AMENDMENT OF UNIFIED FACILI-**  
2 **TIES CRITERIA TO PROMOTE MILITARY IN-**  
3 **STALLATION RESILIENCE, ENERGY RESIL-**  
4 **IENCE, ENERGY AND CLIMATE RESILIENCY,**  
5 **AND CYBER RESILIENCE.**

6 (a) AMENDMENT REQUIRED.—Not later than Sep-  
7 tember 1, 2020, the Secretary of Defense shall amend the  
8 Unified Facility Criteria related to military construction  
9 planning and design to ensure that building practices and  
10 standards promote military installation resilience, energy  
11 resilience, energy and climate resiliency, and cyber resil-  
12 ience.

13 (b) CONDITIONAL AVAILABILITY OF FUNDS PEND-  
14 ING INITIATION OF AMENDMENT PROCESS.—Not more  
15 than 25 percent of the funds authorized to be appro-  
16 priated for fiscal year 2020 for Department of Defense  
17 planning and design accounts related to military construc-  
18 tion projects may be obligated until the date on which the  
19 Secretary of Defense submits to the Committees on Armed  
20 Services of the House of Representatives and the Senate  
21 a certification that the Secretary has initiated the process  
22 to amend the Unified Facility Criteria to comply with the  
23 requirements of subsection (a) and intends to complete the

1 amendment process by the date specified in such sub-  
2 section.

3 (c) IMPLEMENTATION OF UNIFIED FACILITIES CRI-  
4 TERIA AMENDMENT.—

5 (1) IMPLEMENTATION.—Any Department of  
6 Defense Form 1391 submitted to Congress after the  
7 date specified in subsection (a) must be in compli-  
8 ance with the Unified Facility Criteria, amended as  
9 required by subsection (a).

10 (2) CERTIFICATION.—Not later than March 1,  
11 2021, the Secretary of Defense shall certify to the  
12 Committees on Armed Services of the House of Rep-  
13 resentatives and the Senate that the amendment re-  
14 quired by subsection (a) and the amendment re-  
15 quired by section 2805(c) of the Military Construc-  
16 tion Authorization Act for Fiscal Year 2019 (divi-  
17 sion B of Public Law 115–232; 132 Stat. 2262; 10  
18 U.S.C. 2864 note) have been completed and fully in-  
19 corporated into military construction planning and  
20 design.

21 (d) ANNUAL REVIEW.—Beginning with fiscal year  
22 2022, and annually thereafter, the Secretary of Defense  
23 shall conduct a review comparing the Unified Facility Cri-  
24 teria and industry best practices to ensure that military  
25 construction building practices and standards related to



1 military installation resilience, energy resilience, energy  
2 and climate resiliency, and cyber resilience remain current.

3 (e) DEFINITIONS.—In this section:

4 (1) The terms “energy resilience” and “military  
5 installation resilience” have the meanings given  
6 those terms in section 101(e) of title 10, United  
7 States Code.

8 (2) The term “energy and climate resiliency”  
9 has the meaning given that term in section 2864 of  
10 title 10, United States Code.

1 **SEC. 28** \_\_\_\_ **[Log 69714]. INCLUSION OF INFORMATION RE-**  
2 **GARDING MILITARY INSTALLATION RESIL-**  
3 **IENCE IN MASTER PLANS FOR MAJOR MILI-**  
4 **TARY INSTALLATIONS.**

5 (a) **MILITARY INSTALLATION RESILIENCE.**—Section  
6 2864 of title 10, United States Code, is amended—

7 (1) in subsection (a)(1), by inserting “military  
8 installation resilience,” after “master planning,”;

9 (2) by redesignating subsections (c) and (d) as  
10 subsections (e) and (f), respectively; and

11 (3) by inserting after subsection (b) the fol-  
12 lowing new subsection:

13 “(c) **MILITARY INSTALLATION RESILIENCE COMPO-**  
14 **NENT.**—To address military installation resilience under  
15 subsection (a)(1), each installation master plan shall dis-  
16 cuss the following:

17 “(1) Risks and threats to military installation  
18 resilience that exist at the time of the development  
19 of the plan and that are projected for the future, in-  
20 cluding from extreme weather events, mean sea level  
21 fluctuation, wildfires, flooding, and other changes in  
22 environmental conditions.

23 “(2) Assets or infrastructure located on the  
24 military installation vulnerable to the risks and

1 threats described in paragraph (1), with a special  
2 emphasis on assets or infrastructure critical to the  
3 mission of the installation and the mission of mem-  
4 bers of the armed forces.

5 “(3) Lessons learned from the impacts of ex-  
6 tremе weather events, including changes made to the  
7 military installation to address such impacts, since  
8 the prior master plan developed under this section.

9 “(4) Ongoing or planned infrastructure projects  
10 or other measures, as of the time of the development  
11 of the plan, to mitigate the impacts of the risks and  
12 threats described in paragraph (1).

13 “(5) Community infrastructure and resources  
14 located outside the installation (such as medical fa-  
15 cilities, transportation systems, and energy infra-  
16 structure) that are—

17 “(A) necessary to maintain mission capa-  
18 bility or that impact the resilience of the mili-  
19 tary installation; and

20 “(B) vulnerable to the risks and threats  
21 described in paragraph (1).

22 “(6) Agreements in effect or planned, as of the  
23 time of the development of the plan, with public or  
24 private entities for the purpose of maintaining or en-  
25 hancing military installation resilience or resilience

1 of the community infrastructure and resources de-  
2 scribed in paragraph (5).

3 “(7) Projections from recognized governmental  
4 and scientific entities such as the Census Bureau,  
5 the National Academies of Sciences, the United  
6 States Geological Survey, and the United States  
7 Global Change Research Office (or any similar suc-  
8 cessor entities) with respect to future risks and  
9 threats (including the risks and threats described in  
10 paragraph (1)) to the resilience of any project con-  
11 sidered in the installation master plan during the  
12 50-year lifespan of the installation.”.

13 (b) REPORT ON MASTER PLANS.—Section 2864 of  
14 title 10, United States Code, is amended by inserting after  
15 subsection (c), as added by subsection (a), the following  
16 new subsection:

17 “(d) REPORT.—Not later than March 1 of each year,  
18 the Secretary of Defense shall submit to the congressional  
19 defense committees a report listing all master plans com-  
20 pleted pursuant to this section in the prior calendar  
21 year.”.

1 **SEC. 28** [Log 69221]. **ENHANCED PROTECTIONS FOR**  
2 **MEMBERS OF THE ARMED FORCES AND**  
3 **THEIR DEPENDENTS RESIDING IN**  
4 **PRIVATIZED MILITARY HOUSING UNITS.**

5 (a) SPECIFIED RIGHTS OF TENANCY IN PRIVATIZED  
6 MILITARY HOUSING UNITS.—

7 (1) IN GENERAL.—Section 2886 of title 10,  
8 United States Code, is amended to read as follows:

9 **“§ 2886. Specified rights of tenancy in military hous-**  
10 **ing units**

11 **“(a) CONTRACT REQUIREMENT FOR MILITARY**  
12 **HOUSING UNITS.—**

13 **“(1) INCLUSION OF RIGHTS OF TENANCY.—**

14 Each contract between the Secretary concerned and  
15 a landlord shall guarantee the rights of tenancy  
16 specified in this section for military tenants who re-  
17 side in military housing units covered by the con-  
18 tract.

19 **“(2) RULE OF CONSTRUCTION.—**The rights of

20 tenancy in military housing units specified in this  
21 section are not intended to be exclusive. The omis-  
22 sion of a tenant right or protection shall not be con-  
23 strued to deny the existence of such a right or pro-  
24 tection for military tenants.

1           “(3) WRITTEN LEASE AND EXPLANATION OF  
2           TENANCY.—(A) The lease between a landlord and  
3           military tenant shall be in writing to establish ten-  
4           ancy in a military housing unit. The landlord shall  
5           provide the military tenant with a copy of the lease,  
6           any addendums, and any other regulations imposed  
7           by the landlord regarding occupancy of the military  
8           housing unit and use of common areas.

9           “(B) The Secretary concerned shall require that  
10          a military tenant receive a plain-language briefing  
11          regarding the rights of tenancy guaranteed by this  
12          section and the respective responsibilities of land-  
13          lords and military tenants related to tenancy, includ-  
14          ing the existence of any additional fees authorized by  
15          subsection (c)(2), any utilities payments, the proce-  
16          dures for submitting and tracking work orders, the  
17          identity of the military tenant advocate, and the dis-  
18          pute resolution process.

19          “(b) PROTECTION AGAINST RETALIATION.—

20          “(1) IN GENERAL.—A landlord may not retali-  
21          ate against a military tenant, directly or through the  
22          chain-of-command of a member of the armed forces  
23          who is a military tenant, in response to a military  
24          tenant making a complaint relating to a military  
25          housing unit or common areas. Evidence of retalia-

1           tion may include any of the following actions, includ-  
2           ing unsuccessful attempts to commit such an action:

3                   “(A) Unlawful recovery of, or attempt to  
4                   recover, possession of a military housing unit.

5                   “(B) Unlawfully increasing the rent, de-  
6                   creasing services, or increasing the obligations  
7                   of a military tenant.

8                   “(C) Interference with a military tenant’s  
9                   right to privacy.

10                  “(D) Harassment of a military tenant.

11                  “(E) Refusal to honor the terms of the  
12                  lease.

13                  “(F) Interference with the career of a mili-  
14                  tary tenant.

15                  “(2) INVESTIGATION.—The Inspector General  
16                  of the Department of Defense and the Inspector  
17                  General of a military department may investigate al-  
18                  legations of retaliation against a military tenant in  
19                  connection with a complaint relating to a military  
20                  housing unit.

21                  “(c) PROHIBITION AGAINST COLLECTION OF  
22                  AMOUNTS IN ADDITION TO RENT.—

23                   “(1) IN GENERAL.—A landlord may not impose  
24                   on a military tenant a supplemental payment, such  
25                   as an out-of-pocket fee, in addition to the amount of

1 rent the landlord charges for a unit of similar size  
2 and composition to the military housing unit, with-  
3 out regard to whether or not the amount of the  
4 member's basic allowance for housing under section  
5 403 of title 37 is less than the amount of the rent.

6 “(2) EXCEPTIONS.—Nothing in paragraph (1)  
7 shall be construed—

8 “(A) to prohibit a landlord from imposing  
9 an additional payment—

10 “(i) for optional services provided to  
11 military tenants, such as access to a gym  
12 or a parking space;

13 “(ii) for non-essential utility services,  
14 as determined in accordance with regula-  
15 tions promulgated by the Secretary con-  
16 cerned; or

17 “(iii) to recover damages associated  
18 with tenant negligence.

19 “(B) to limit or otherwise affect the au-  
20 thority of the Secretary concerned to enter into  
21 rental guarantee agreements under section  
22 2876 of this title or to make differential lease  
23 payments under section 2877 of this title, so  
24 long as such agreements or payments do not re-  
25 quire a military tenant to pay an out-of-pocket



1 fee or payment in addition to the basic allow-  
2 ance for housing of the member.

3 “(d) DISPUTE RESOLUTION PROCESS.—

4 “(1) ESTABLISHMENT.—The Secretary con-  
5 cerned shall establish a dispute resolution process  
6 for the resolution of disputes between landlords and  
7 military tenants related to military housing units.  
8 The resolution process shall use neutral arbitrators  
9 and minimize costs incurred by military tenants to  
10 participate.

11 “(2) TREATMENT OF BASIC ALLOWANCE FOR  
12 HOUSING.—During the dispute resolution process  
13 between a landlord and military tenant, the Sec-  
14 retary concerned may withhold from the landlord  
15 amounts of the military tenant’s basic allowance for  
16 housing under section 403 of title 37 that otherwise  
17 would be paid to the landlord directly by the military  
18 tenant or through allotments of the pay of the mili-  
19 tary tenant under section 701 of such title.

20 “(3) MILITARY TENANT ADVOCATES.—The Sec-  
21 retary concerned shall assign personnel of the De-  
22 partment of Defense or contractor personnel to serve  
23 as a military tenant advocate to assist in the resolu-  
24 tion of a dispute between a landlord and a military  
25 tenant. A military tenant advocate may not be an

1 employee of a landlord or occupy office-space pro-  
2 vided by a landlord.

3 “(e) PROMPT MAINTENANCE AND REPAIRS.—

4 “(1) IN GENERAL.—The Secretary concerned  
5 shall ensure that landlords—

6 “(A) respond promptly to requests for the  
7 maintenance or repair of a military housing  
8 unit; and

9 “(B) communicate effectively with military  
10 tenants regarding the schedule and status of  
11 maintenance or repair requests.

12 “(2) ELECTRONIC WORK ORDER SYSTEM.—To  
13 promote the policy objective described in paragraph  
14 (1), the Secretary concerned shall require the estab-  
15 lishment of an electronic work order system through  
16 which a military tenant may request maintenance or  
17 repairs of a military housing unit and track the  
18 progress of the work.

19 “(3) ACCESS TO SYSTEM.—The electronic work  
20 order system shall be accessible—

21 “(A) to a military tenant to track a work  
22 request made through the system by the mili-  
23 tary tenant;

24 “(B) to military tenant advocates or a  
25 commander of the relevant military installation

1 to track a work request made through the sys-  
2 tem; and

3 “(C) to the landlord responsible for the  
4 military housing unit to track a work request  
5 made through the system by a military tenant.

6 “(f) DISCLOSURE OF HOUSING CODE VIOLATIONS  
7 AND HAZARDS.—

8 “(1) IN GENERAL.—Before accepting a rental  
9 application from a prospective military tenant to  
10 lease a military housing unit, the landlord must dis-  
11 close to the prospective military tenant the following:

12 “(A) Any housing code violations with re-  
13 spect to the military housing unit incurred  
14 within the previous three years.

15 “(B) Either a three-year history of mold  
16 contamination with respect to the military hous-  
17 ing unit and common areas or proof of proper  
18 remediation.

19 “(C) Either a three-year history of lead  
20 contamination in water with respect to the mili-  
21 tary housing unit and common areas or proof  
22 of proper remediation.

23 “(D) Either a three-year history of rodent  
24 infestation with respect to the military housing

1 unit and common areas or proof of proper re-  
2 mediation.

3 “(E) Any information regarding health-re-  
4 lated symptoms among previous residents of the  
5 military housing unit that may have been the  
6 result of exposure to environmental hazards in  
7 the military housing unit or common areas, if  
8 such residents agreed to voluntarily disclose  
9 such information. The military tenant advocate  
10 shall inform military tenants of their option to  
11 disclose or decline to disclose such information.

12 “(2) CONTINUED REQUIREMENT.—The landlord  
13 must make the information referred to in paragraph  
14 (1) accessible to the military tenant throughout the  
15 lease of the military housing unit.

16 “(g) UNIT INSPECTIONS.—

17 “(1) MOVE-IN.—A military tenant is entitled to  
18 be present for an inspection of a military housing  
19 unit before accepting occupancy of the military hous-  
20 ing unit to ensure that the military housing unit is  
21 habitable and that facilities and common areas of  
22 the building are in good repair.

23 “(2) MOVE-OUT.—A military tenant is entitled  
24 to be present for the move-out inspection and must  
25 be given sufficient time to address any concerns re-

1       lated to the military tenant’s occupancy of the mili-  
2       tary housing unit.”.

3           (2) CLERICAL AMENDMENT.—The table of sec-  
4       tions at the beginning of subchapter IV of title 10,  
5       United States Code, is amended by striking the item  
6       relating to section 2886 and inserting the following  
7       new item:

“2886. Specified rights of tenancy in military housing units.”.

8           (b) DEFINITIONS.—Section 2871 of title 10, United  
9       States Code, is amended—

10          (1) by redesignating paragraphs (7) and (8) as  
11       paragraphs (10) and (11), respectively; and

12          (2) by inserting after paragraph (6) the fol-  
13       lowing new paragraphs:

14           “(7) The term ‘landlord’ means an eligible enti-  
15       ty that enters into a contract as a partner with the  
16       Secretary concerned for the acquisition or construc-  
17       tion of a military housing unit under this subchapter  
18       or any subsequent lessor who owns, manages, or is  
19       otherwise responsible for a military housing unit.

20           “(8) The term ‘military housing unit’ means a  
21       unit of military family housing or military unaccom-  
22       panied housing acquired or constructed under this  
23       subchapter.

24           “(9) The term ‘military tenant’ means a mem-  
25       ber of the armed forces who occupies a military

1 housing unit and any dependent of the member who  
2 is a party to a lease for a military housing unit or  
3 is authorized to act on behalf of the member in the  
4 event of the assignment or deployment of the mem-  
5 ber.”.

6 (c) IMPLEMENTATION REPORT.—Not later than  
7 March 1, 2020, the Secretary of Defense shall submit to  
8 the Committees on Armed Services of the House of Rep-  
9 resentatives and the Senate a report containing a plan to  
10 implement section 2886 of title 10, United States Code,  
11 as amended by subsection (a). In the report, the Secretary  
12 shall identify any circumstances that would impede appli-  
13 cation of the requirements of such section to existing con-  
14 tracts for the acquisition or construction of military family  
15 housing units or military unaccompanied housing units  
16 under subchapter IV of chapter 169 of such title, and to  
17 existing contracts for the management of such military  
18 housing units.

1 **SEC. 28** [Log 69713]. **PROHIBITION ON USE OF NON-**  
2 **DISCLOSURE AGREEMENTS IN CONNECTION**  
3 **WITH LEASES OF MILITARY HOUSING CON-**  
4 **STRUCTED OR ACQUIRED USING ALTER-**  
5 **NATIVE AUTHORITY FOR ACQUISITION AND**  
6 **IMPROVEMENT OF MILITARY HOUSING.**

7 (a) **NONDISCLOSURE AGREEMENTS PROHIBITED.**—  
8 Section 2882 of title 10, United States Code, is amended  
9 by adding at the end the following new subsection:

10 “(d) **PROHIBITION ON USE OF NONDISCLOSURE**  
11 **AGREEMENTS.**—(1) A member of the armed forces who  
12 leases a housing unit acquired or constructed under this  
13 subchapter, and any dependent of the member who is a  
14 party to a lease for such a unit or is authorized to act  
15 on behalf of the member in the event of the assignment  
16 or deployment of the member, may not be required to sign  
17 a nondisclosure agreement in connection with entering  
18 into, continuing, or terminating the lease. Any such agree-  
19 ment against the interests of the member is invalid.

20 “(2) Paragraph (1) shall not apply to a nondisclosure  
21 agreement executed as part of the settlement of litiga-  
22 tion.”.

23 (b) **IMPLEMENTATION.**—The Secretary of Defense  
24 and the Secretaries of the military departments shall pro-

1 mulgate regulations necessary to give full force and effect  
2 to subsection (d) of section 2882 of title 10, United States  
3 Code, as added by subsection (a).

4 (c) RETROACTIVE APPLICATION OF AMENDMENT.—  
5 Subsection (d) of section 2882 of title 10, United States  
6 Code, as added by subsection (a), shall apply with respect  
7 to any nondisclosure agreement covered by the terms of  
8 such subsection (d) regardless of the date on which the  
9 agreement was executed.



1 **SEC. 28** \_\_\_ [Log 69788]. **REPORT ON CIVILIAN PERSONNEL**  
2 **SHORTAGES FOR APPROPRIATE OVERSIGHT**  
3 **OF MANAGEMENT OF MILITARY HOUSING**  
4 **CONSTRUCTED OR ACQUIRED USING ALTER-**  
5 **NATIVE AUTHORITY FOR ACQUISITION AND**  
6 **IMPROVEMENT OF MILITARY HOUSING.**

7 (a) **REPORT REQUIRED.**—Not later than six months  
8 after the date of the enactment of this Act, the Secretary  
9 of Defense, in coordination with the Secretaries of the  
10 military departments, shall submit to the congressional de-  
11 fense committees a report the following:

12 (1) An evaluation of the extent to which short-  
13 ages in the number of civilian personnel performing  
14 oversight functions at Department of Defense hous-  
15 ing management offices or assigned to housing-re-  
16 lated functions at headquarters levels contribute to  
17 problems regarding the management of military  
18 housing constructed or acquired using the alter-  
19 native authority for the acquisition and improvement  
20 of military housing under subchapter IV of chapter  
21 169 of title 10, United States Code.

22 (2) Recommendations to address such personnel  
23 shortages in order to eliminate management prob-  
24 lems regarding such military housing, ensure over-

1 sight of the partner's execution of the housing agree-  
2 ment and the delivery of all requirements in accord-  
3 ance with implementing guidance provided by the  
4 Secretaries of the military departments, improve  
5 oversight of and expedite the work-order process,  
6 and facilitate a positive experience for members of  
7 the Armed Forces and their dependents who reside  
8 in military housing.

9 (b) PERSONNEL RECOMMENDATIONS.—As part of  
10 the recommendations required by subsection (a)(2), the  
11 Secretary of Defense shall—

12 (1) determine the number of additional per-  
13 sonnel who are required, the installation and head-  
14 quarter locations at which they will be employed, the  
15 employment positions they will fill, and the duties  
16 they will perform;

17 (2) identify the number of additional personnel  
18 already hired as of the date on which the report is  
19 submitted and their locations and the timeline for  
20 employing the remaining required personnel; and

21 (3) estimate the cost of employing the addi-  
22 tional personnel.

1 **SEC. 28**\_\_\_\_ [Log 69673]. **AUTHORITY TO FURNISH CERTAIN**  
2 **SERVICES IN CONNECTION WITH USE OF AL-**  
3 **TERNATIVE AUTHORITY FOR ACQUISITION**  
4 **AND IMPROVEMENT OF MILITARY HOUSING.**

5 Section 2872a(b) of title 10, United States Code, is  
6 amended by adding at the end the following new para-  
7 graphs:

8 “(13) Street sweeping.

9 “(14) Tree trimming and removal.”.

1 **SEC. 28** \_\_\_\_ **[Log 69568]. LAND CONVEYANCE, HILL AIR**  
2 **FORCE BASE, UTAH.**

3 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
4 the Air Force may convey, without consideration, to the  
5 State of Utah or a designee of the State of Utah (in this  
6 section referred to as the “State”) all right, title, and in-  
7 terest of the United States in and to a parcel of real prop-  
8 erty, including improvements thereon, consisting of ap-  
9 proximately 35 acres located at Hill Air Force Base (com-  
10 monly known as the Defense Nontactical Generator and  
11 Rail Center), and such real property adjacent to the Cen-  
12 ter as the parties consider to be appropriate, for the pur-  
13 pose of permitting the State to construct a new inter-  
14 change for Interstate 15.

15 (b) CONDITION OF CONVEYANCE.—As a condition on  
16 the conveyance authorized by subsection (a), the State  
17 shall agree to the following:

18 (1) That, not later than two years after the  
19 date of the conveyance of the property under such  
20 subsection, the State, at no cost to the United  
21 States, shall—

22 (A) demolish all improvements, and infra-  
23 structure associated with the improvements, in

1 existence on the property as of the date of the  
2 conveyance; and

3 (B) subject to subsection (c), complete all  
4 environmental cleanup and remediation activi-  
5 ties as may be required for the planned redev-  
6 opment and use of the property.

7 (2) That, as part of the construction of the new  
8 Interstate 15 interchange referred to in subsection  
9 (a), the State, at no cost to the United States, shall  
10 construct on the property a new gate for Hill Air  
11 Force Base in compliance with such construction, se-  
12 curity, and other requirements as the Secretary of  
13 the Air Force considers to be necessary.

14 (3) That the State shall coordinate any demoli-  
15 tion, cleanup, remediation, design, redevelopment,  
16 and construction activities performed pursuant to  
17 the conveyance of property under subsection (a) with  
18 the Secretary and the Utah Department of Trans-  
19 portation.

20 (c) ENVIRONMENTAL OBLIGATIONS.—The State  
21 shall not have any obligation in relation to any environ-  
22 mental conditions on the property to be conveyed under  
23 subsection (a) unless—

1           (1) the conditions were in existence and known  
2 before the date of the conveyance of the property;  
3 and

4           (2) the State agrees to address the conditions  
5 under subsection (b)(1)(B).

6           (d) PAYMENT OF COSTS OF CONVEYANCE.—

7           (1) PAYMENT REQUIRED.—The Secretary of  
8 the Air Force shall require the State to cover costs  
9 to be incurred by the Secretary, or to reimburse the  
10 Secretary for such costs incurred, to carry out the  
11 conveyance under subsection (a), including survey  
12 costs, costs for environmental documentation, and  
13 other administrative costs related to the conveyance.  
14 If amounts collected are in advance of the Secretary  
15 incurring actual costs, and the amount collected ex-  
16 ceeds the costs actually incurred by the Secretary to  
17 carry out the conveyance, the Secretary shall refund  
18 the excess amount.

19           (2) TREATMENT OF AMOUNTS RECEIVED.—  
20 Amounts received under paragraph (1) as reim-  
21 bursement for costs incurred by the Secretary to  
22 carry out the conveyance under subsection (a) shall  
23 be credited to the fund or account that was used to  
24 cover the costs incurred by the Secretary in carrying  
25 out the conveyance, or to an appropriate fund or ac-

1 count currently available to the Secretary for the  
2 purposes for which the costs were paid. Amounts so  
3 credited shall be merged with amounts in such fund  
4 or account and shall be available for the same pur-  
5 poses, and subject to the same conditions and limita-  
6 tions, as amounts in such fund or account.

7 (e) DESCRIPTION OF PROPERTY.—The exact acreage  
8 and legal description of the property to be conveyed under  
9 subsection (a) shall be determined by a survey satisfactory  
10 to the Secretary of the Air Force.

11 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
12 retary of the Air Force may require such additional terms  
13 and conditions in connection with the conveyance under  
14 subsection (a) as the Secretary considers appropriate to  
15 protect the interests of the United States.

1 **SEC. 28** \_\_\_\_ [Log 69636]. **PUBLIC NOTICE REGARDING UP-**  
2 **COMING PERIODS OF SECRETARY OF THE**  
3 **NAVY MANAGEMENT OF SHARED USE AREA**  
4 **OF THE JOHNSON VALLEY OFF-HIGHWAY VE-**  
5 **HICLE RECREATION AREA.**

6 (a) **PUBLIC NOTICE REQUIRED.**—Section 2942(b)(2)  
7 of the Military Land Withdrawals Act of 2013 (title XXIX  
8 of Public Law 113–66; 127 Stat. 1036) is amended by  
9 adding at the end the following new subparagraph:

10 “(D) **PUBLIC NOTICE.**—Not later than one  
11 year before the date on which a 30-day period  
12 of Secretary of the Navy management of the  
13 Shared Use Area will start, the Secretary of the  
14 Navy, acting through the Resource Manage-  
15 ment Group established pursuant to section  
16 2944, shall notify the public of the start date  
17 and the intention of the Armed Forces to use  
18 the Shared Use Area for military training pur-  
19 poses. The Secretary of the Navy, upon notice  
20 to the Secretary of the Interior, may waive such  
21 public notice in the event of an emergent mili-  
22 tary training requirement.”.

23 (b) **APPLICATION OF AMENDMENT.**—Subparagraph  
24 (D) of section 2942(b)(2) of the Military Land With-



1 drawals Act of 2013 (title XXIX of Public Law 113–66;  
2 127 Stat. 1036), as added by subsection (a), shall apply  
3 to periods of Secretary of the Navy management of the  
4 Shared Use Area of the Johnson Valley Off-Highway Ve-  
5 hicle Recreation Area under such section that start on or  
6 after January 1, 2021.

1 **SEC. 28** [Log 70145]. **INSTALLATION AND MAINTENANCE**  
2 **OF FIRE EXTINGUISHERS IN DEPARTMENT**  
3 **OF DEFENSE FACILITIES.**

4 The Secretary of Defense shall ensure that portable  
5 fire extinguishers are installed and maintained in all De-  
6 partment of Defense facilities in accordance with require-  
7 ments of national model fire codes developed by the Na-  
8 tional Fire Protection Association and the International  
9 Code Council that require redundancy and extinguishers  
10 throughout occupancies regardless of the presence of other  
11 suppression systems or alarm systems.

1 **SEC. 28** \_\_\_\_ [Log 69639]. **IMPROVED ENERGY SECURITY FOR**  
2 **MAIN OPERATING BASES IN EUROPE.**

3 (a) PROHIBITION ON USE OF CERTAIN ENERGY  
4 SOURCE.—The Secretary of Defense shall ensure that  
5 each contract for the acquisition of furnished energy for  
6 a covered military installation in Europe does not use nat-  
7 ural gas sourced from inside the Russian Federation as  
8 a means of generating the furnished energy for the cov-  
9 ered military installation.

10 (b) WAIVER FOR NATIONAL SECURITY INTERESTS.—

11 (1) WAIVER AUTHORITY; CERTIFICATION.—The  
12 Secretary of Defense may waive application of sub-  
13 section (a) to a specific contract for the acquisition  
14 of furnished energy for a covered military installa-  
15 tion if the Secretary certifies to the congressional  
16 defense committees that—

17 (A) the waiver of such subsection is nec-  
18 essary to ensure an adequate supply of fur-  
19 nished energy for the covered military installa-  
20 tion; and

21 (B) the Secretary has balanced these na-  
22 tional security requirements against the poten-  
23 tial risk associated with reliance upon the Rus-  
24 sian Federation for furnished energy.

1           (2) SUBMISSION OF WAIVER NOTICE.—Not  
2 later than 14 days before the execution of any en-  
3 ergy contract for which a waiver is granted under  
4 paragraph (1), the Secretary of Defense shall submit  
5 to the congressional defense committees notice of the  
6 waiver. The waiver notice shall include the following:

7                   (A) The rationale for the waiver, including  
8 the basis for the certifications required by sub-  
9 paragraphs (A) and (B) of paragraph (1).

10                   (B) An assessment of how the waiver may  
11 impact the European energy resiliency strategy.

12                   (C) An explanation of the measures the  
13 Department of Defense is taking to mitigate  
14 the risk of using Russian Federation furnished  
15 energy.

16 (c) DEFINITIONS.—In this section:

17           (1) The term “covered military installation”  
18 means a military installation in Europe identified by  
19 the Department of Defense as a main operating  
20 base.

21           (2) The term “furnished energy” means energy  
22 furnished to a covered military installation in any  
23 form and for any purpose, including heating, cool-  
24 ing, and electricity.

1 **SEC. 2901 [Log69365]. AUTHORIZED ARMY CONSTRUCTION**  
2 **AND LAND ACQUISITION PROJECTS.**

3 (a) AUTHORIZATION.—Subject to subsection (b), the  
4 Secretary of the Army may acquire real property and  
5 carry out the military construction projects for the instal-  
6 lations outside the United States, and in the amounts, set  
7 forth in the following table:

**Army: Outside the United States**

<b>Country</b>	<b>Location</b>	<b>Amount</b>
Cuba .....	Guantanamo Bay Naval Station .....	\$33,800,000
Unspecified Europe .....	European Deterrence Initiative: Various Loca- tions.	\$98,342,000

8 (b) REPORT REQUIRED AS CONDITION OF AUTHOR-  
9 IZATION.—Not later than 90 days after the date of the  
10 enactment of this Act, the Secretary of the Army shall  
11 submit to the congressional defense committees a report  
12 containing a plan to carry out each military construction  
13 project authorized in the final item in the table in sub-  
14 section (a) for an unspecified location for the European  
15 Deterrence Initiative. The plan shall include a Department  
16 of Defense Form 1391 for each proposed project. The Sec-  
17 retary may not commence a project until the report has  
18 been submitted.

1 **SEC. 2902 [Log 69366]. AUTHORIZED NAVY CONSTRUCTION**  
2 **AND LAND ACQUISITION PROJECTS.**

3 (a) AUTHORIZATION.—Subject to subsection (b), the  
4 Secretary of the Navy may acquire real property and carry  
5 out the military construction projects for the installations  
6 outside the United States, and in the amounts, set forth  
7 in the following table:

**Navy: Outside the United States**

<b>Country</b>	<b>Location</b>	<b>Amount</b>
Bahrain .....	SW Asia .....	\$53,360,000
Italy .....	Sigonella .....	\$77,400,000
Spain .....	Rota .....	\$69,570,000
Unspecified Europe .....	European Deterrence Initiative: Various Locations .....	\$56,246,000

8 (b) REPORT REQUIRED AS CONDITION OF AUTHORIZATION.—Not later than 90 days after the date of the  
9 enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing a plan to carry out each military construction  
10 project authorized in the final item in the table in subsection (a) for an unspecified location for the European  
11 Deterrence Initiative. The plan shall include a Department of Defense Form 1391 for each proposed project. The Secretary may not commence a project until the report has  
12 been submitted.

1 **SEC. 2903 [Log69367]. AUTHORIZED AIR FORCE CONSTRUC-**  
2 **TION AND LAND ACQUISITION PROJECTS.**

3 (a) AUTHORIZATION.—Subject to subsection (b), the  
4 Secretary of the Air Force may acquire real property and  
5 carry out the military construction projects for the instal-  
6 lations outside the United States, and in the amounts, set  
7 forth in the following table:

**Air Force: Outside the United States**

<b>Country</b>	<b>Location</b>	<b>Amount</b>
Iceland .....	Keflavik .....	\$57,000,000
Jordan .....	Azraq .....	\$66,000,000
Spain .....	Moron .....	\$8,500,000
Unspecified Europe .....	European Deterrence Initiative: Various .....	\$231,246,000

8 (b) REPORT REQUIRED AS CONDITION OF AUTHOR-  
9 IZATION.—Not later than 90 days after the date of the  
10 enactment of this Act, the Secretary of the Air Force shall  
11 submit to the congressional defense committees a report  
12 containing a plan to carry out each military construction  
13 project authorized in the final item in the table in sub-  
14 section (a) for an unspecified location for the European  
15 Deterrence Initiative. The plan shall include a Department  
16 of Defense Form 1391 for each proposed project. The Sec-  
17 retary may not commence a project until the report has  
18 been submitted.

1 **SEC. 2904 [Log69368]. AUTHORIZED DEFENSE AGENCIES**  
2 **CONSTRUCTION AND LAND ACQUISITION**  
3 **PROJECTS.**

4 The Secretary of Defense may acquire real property  
5 and carry out the military construction projects for the  
6 installations outside the United States, and in the  
7 amounts, set forth in the following table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Location</b>	<b>Amount</b>
Germany .....	Germersheim .....	\$46,000,000



1 **SEC. 2905 [Log69369]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal years beginning after September 30, 2019, for the  
5 military construction projects outside the United States  
6 authorized by this title as specified in the funding table  
7 in section 4602.

1 **SEC. 3401 [Log 69433]. AUTHORIZATION OF APPROPRIA-**  
2 **TIONS.**

3 (a) **AMOUNT.**—There are hereby authorized to be ap-  
4 propriated to the Secretary of Energy \$14,000,000 for fis-  
5 cal year 2020 for the purpose of carrying out activities  
6 under chapter 869 of title 10, United States Code, relating  
7 to the naval petroleum reserves.

8 (b) **PERIOD OF AVAILABILITY.**—Funds appropriated  
9 pursuant to the authorization of appropriations in sub-  
10 section (a) shall remain available until expended.

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# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE III—OPERATION AND MAINTENANCE

### ITEMS OF SPECIAL INTEREST

#### ENERGY ISSUES

##### Enhancing Installation Energy Resiliency through Renewable Energy

The committee notes that the Department of Defense has a goal of 25 percent renewable energy for military facilities and institutions by 2025. The committee further notes that renewable energy can be an important element of ensuring energy resiliency and mission assurance at Department of Defense installations, and to that end some services have already exceeded the 25 percent goal in pursuit of enhanced energy resiliency. The committee encourages the Secretary of Defense to procure, construct, operate, maintain, test, and upgrade independent energy resilient systems for critical energy requirements on its military installations.

Additionally, the committee directs the Secretary of Defense to provide a report to the Senate Committee on Armed Services and the House Committee on Armed Services by February 1, 2020, on the following:

- (1) the Department's progress towards meeting the 25 percent goal by military service, the feasibility of increasing this goal as a means of enhancing energy resiliency, and the resources that would be required to accomplish a higher goal;
- (2) the extent the services share best practices in achieving energy resiliency through renewable energy sources; and
- (3) the Department's plans for achieving 100 percent energy resilience for its critical energy loads and the feasibility of achieving this goal by fiscal year 2030. If 2030 is not attainable, the report shall include a projection for when this goal will be attainable.

##### Fuel Resiliency Issues within the Department of Defense

The committee notes that the Federal Aviation Administration and commercial aviation industry are assessing sustainable alternative fuel options as a means to address fuel cost and energy security challenges. The committee understands that a commercial airline achieved enhanced performance and lower fuel consumption through use of a sustainable fuel blend. If these results can be replicated, sustainable fuel usage will likely increase in commercial aviation. The committee further notes that as these fuel options come into commercial use, military aircraft may encounter them when using commercial airfields either in the course of normal operations or as an emergency divert location. An assessment of

sustainable fuel blends for military aviation use will contribute to operational resiliency.

Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Director of the Defense Logistics Agency, to provide a report to the House Committee on Armed Services not later than December 1, 2019, on fuel resiliency and availability worldwide. The report shall include an assessment of the range of fuel formulations in use worldwide, particularly at divert locations where commercially available fuels may differ from military specifications; trends in the commercial aviation fuel market and how they may impact fuel resiliency; and what the Department is doing to ensure that it retains the maximum flexibility to refuel military aircraft worldwide.

#### Geothermal Revenue Sharing Process Improvements

The committee notes that section 313 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) amended section 2916 of title 10, United States Code, to require that half of the revenue generated by sale of geothermal energy resources be set aside for the installation that is the source of the geothermal energy to use on local energy, water, or military construction projects.

The committee is concerned that the process used by the Navy to distribute these funds to eligible installations is unwieldy and slow. Therefore, the committee directs the Secretary of the Navy to provide a report to the House Committee on Armed Services by December 1, 2019, describing the current process for distributing these funds, a plan to improve the process so that local commanders can rapidly address base-level needs, and the timeline for implementing process improvements.

#### Maintenance Availability for Destroyers for Hybrid Electric Drive Retrofit

The committee understands that hybrid electric drive (HED) propulsion systems operate with greater efficiency and facilitate greater range and on-station time. Given these benefits, the committee believes the Navy should make maximum use of the HED technology currently in its inventory. Accordingly, the committee directs the Secretary of the Navy to provide a report to the House Committee on Armed Services by September 30, 2019, on the availability of Flight II Arleigh Burke-class destroyers for retrofit with previously procured hybrid electric drive systems. The report shall include a description of upcoming maintenance availability periods that would be of adequate duration to allow for installation of the HED, any additional barriers to installation, and any plans the Department of the Navy has for use of the remaining HED systems that would not involve installation on a naval vessel.

#### Plug-in Hybrids and Electric Vehicles on Department of Defense Installations

The committee believes that military installations could improve resiliency through a network of microgrids supporting hybrid or fully electric administrative vehicles. Further, the committee notes that the majority of government administrative vehicles do not transit large distances, and are therefore ideally suited for plug-in hybrid or fully electric technology. Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services not later than September 30, 2019, on the feasibility of requiring Department of Defense installations to procure plug-in hybrids or fully electric vehicles for the government vehicle fleet and install appropriate microgrids to support charging infrastructure to charge the vehicles.

### Review of Offshore Energy Development Projects

The committee understands that the Department of Defense has streamlined its process for evaluating energy development projects to include both onshore and offshore energy development under the Military Aviation and Installation Assurance Siting Clearinghouse (Siting Clearinghouse). The committee applauds this consolidation and believes it will ensure a consistent process for evaluating energy development projects for their potential impacts to military activities. The committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services not later than September 30, 2019, on the consolidation of these functions under the Siting Clearinghouse. The briefing should address how offshore projects will be evaluated under the Siting Clearinghouse process, how the Siting Clearinghouse will interact with the Department of Interior when evaluating offshore projects, and whether any legislative changes to section 183a of title 10, United States Code, are required in order to support the Siting Clearinghouse review of offshore projects.

### LOGISTICS AND SUSTAINMENT ISSUES

#### Commercial Best Practices for Maintenance and Logistics

The committee notes that commercial industries, such as passenger and cargo airlines, maritime fleets, and retail merchants, must manage international maintenance and supply chain to stay competitive. As a result, private industry seeks to reduce sustainment costs and increase operational availability by implementing innovative solutions to areas such as supply chain management, inventory accountability, workload forecasting, and maintenance practices and procedures. The committee believes many of these industry best practices can and should be leveraged by the Department of Defense to reduce sustainment costs and increase readiness. Therefore, the committee directs the Assistant Secretary of Defense for Sustainment, in coordination with the Secretaries of the military departments, to provide a briefing to the House Committee on Armed Services not later than March 1, 2020, on initiatives to incorporate commercial best practices into weapon system maintenance, inventory accountability, workload forecasting,



and supply chain management. The briefing should address specific examples of commercial partnerships or best practices that have been adopted by the Department of Defense, areas of focus the Department of Defense is looking to industry for lessons learned or best practices, and barriers to implementing commercial best practices in areas of maintenance, inventory management, workload forecasting, and supply chain management.

### Comptroller General Report on F-35 Sustainment

The committee recognizes the importance of the F-35 Lightning II program to U.S. national defense and cooperation with foreign allies and partners. The F-35 is replacing a variety of aircraft in the Air Force, Navy, and Marine Corps, representing the future of tactical air for the Department of Defense. The F-35 program is the most ambitious and expensive weapon system in the Department's history, with total life-cycle costs estimated by the Department to be in excess of \$1.0 trillion. While the F-35 brings advanced, fifth-generation aviation capabilities to our military, the program faces sustainment challenges in areas including repair capacity, global spare parts availability and capability, mission capability, and functionality of its Autonomic Logistics Information System. In addition, affordability concerns have led the military services to identify a need to reduce total operation and support costs per aircraft by 43 percent for the Air Force, 24 percent for the Marine Corps, and 5 percent for the Navy.

Given the significance of the F-35 program to the future of tactical air for the military, the Department's need to operate and deploy the F-35 on a widespread basis in the coming years, the involvement of international partners and foreign military sales customers, and the importance of maintaining affordability, the committee directs the Comptroller General of the United States to review the Department's sustainment efforts related to the F-35 to include issues such as:

- (1) the status of the F-35 Lightning II aircraft program sustainment strategy.
- (2) Department oversight and prime contractor management of key sustainment functions.
- (3) the Department's ability to reduce costs or maintain affordability for F-35 fleet sustainment.
- (4) other matters regarding F-35 sustainment and affordability that the Comptroller General determines of critical importance to the long-term viability of the program.

The committee directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2020, with the preliminary findings of the Comptroller General's review, with successive reports to follow on March 1, 2021, and March 1, 2022, respectively.

### Comptroller General Report on Homeport of U.S. Aircraft Carriers

The committee notes that the Navy's 2018 Strategic Laydown and Dispersal Plan reversed a previous Navy decision to return an aircraft carrier to Naval Station Everett in fiscal year 2019. The Secretary of the Navy has stated the decision was made due to maintenance efficiencies and to minimize the impact to personnel. However, the committee is concerned that the Navy did not make this decision by fully considering operational impacts, installation capacity, or State and local plans that could mitigate impacts to the maintenance of, and personnel assigned to, the ship.

Therefore, the committee directs the Comptroller General of the United States to submit a report to the House Committee on Armed Services on recent changes to the Navy's west coast aircraft carrier homeporting. The review should address the following:

(1) a description of recent changes to west coast aircraft carrier homeporting plans and the process used to make those changes;

(2) the extent to which the Navy considered fleet dispersal, access to deep water and dredging requirements, man-made or natural restrictions to deployability, encroachment, installation capacity, and previous analyses of west coast aircraft carrier homeporting conducted pursuant to the National Environmental Policy Act (42 U.S.C. 4321);

(3) the degree to which State and local governments were consulted about alterations to previous homeporting plans and potential cost-sharing arrangements; and

(4) any other matter the Comptroller General determines appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2020, on the Comptroller General's preliminary findings and present final results in a format and timeframe agreed to at the time of the briefing.

#### Comptroller General Report on Littoral Combat Ship Operations and Sustainment

The committee notes that 16 of 33 planned littoral combat ships (LCS) have been delivered to the Navy, with at least 15 more under construction or in the pre-production phase. The LCS comprises a growing proportion of the surface fleet, yet the ship has limited operational experience and its mission packages remain behind schedule. In response to program challenges with executing the ships' unique operational and sustainment concepts, the Navy conducted an LCS program review in 2016 and announced fundamental changes to the ships' crewing, maintenance, and other operational concepts. As the Navy implemented these changes, it canceled planned 2018 LCS deployments but has announced three planned LCS deployments for 2019. These deployments will be another opportunity for the Navy to test the feasibility of revisions to its operational and sustainment concepts, even as more LCS enter the fleet.

Given these issues and the vital importance of affordably operating and sustaining the LCS, the committee directs the Comptroller General of the United States to conduct a study of the following topics:

(1) to what extent has the Navy implemented the LCS program changes announced in 2016;

(2) to what extent has the Navy demonstrated that revised LCS operational concepts and sustainment plans are executable; and what, if any, challenges did the Navy have on its initial deployments using this revised concept;

(3) how has the Navy prepared to support and maintain LCS while they are deployed overseas;

(4) what have been the operating and sustainment costs of the LCS program to date, how have these deviated from cost estimates, and to what extent has the Navy updated the LCS cost estimate to include the new operation and support strategy;

(5) what are LCS long-term contracting strategies for ship repair and maintenance and to what extent do they address challenges related to the cost of maintaining the vessels; and

(6) any other related matters the Comptroller General considers appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2020, on preliminary findings of the Comptroller General's review, and to present final results in a format and timeframe agreed to at the time of briefing.

#### Comptroller General Report on Ship Repair Capabilities and Capacity

The committee notes the Navy will seek to increase from 289 to 355 ships in order to meet the new National Defense Strategy. However, the committee is concerned that the current configuration and capacity of the U.S. industrial base, as well as maintenance capabilities overseas, may not be well-positioned to support the ship repair capabilities necessary to support a peacetime 355-ship Navy or to be successful in a protracted near-peer naval conflict. Of note, the Navy has consistently struggled to execute regularly scheduled maintenance on time with the size of the fleet it operates today. For example, over two-thirds of all aircraft carrier, submarine, and surface ship maintenance availabilities were completed late in the past 7 years. The Navy has also faced challenges in responding to emergent, unplanned ship maintenance work due to capability and capacity issues. The Navy's Long-Range Plan for the Maintenance and Modernization of Naval Vessels for Fiscal Year 2020 states that maintaining a 355-ship Navy will require a significant increase and upgrade of public and private industrial capability and capacity to meet the Navy's future ship repair needs.

Given these issues, and the critical importance ship repair plays in sustaining Navy readiness during both peacetime and conflict, the committee

directs the Comptroller General of the United States to submit a report to the congressional defense committees that addresses the following:

(1) to what extent has the Navy identified the resources and investments necessary to maintain and modernize a 355-ship Navy and ensure sufficient ship repair capabilities and capacity during a near-peer conflict;

(2) to what extent has the Navy identified or assessed challenges or risks in the U.S. ship repair industrial base and/or overseas Navy capacity as part of its planning to maintain a 355-ship Navy and respond to battle-damaged ships during a conflict;

(3) to what extent has the Navy developed plans to mitigate or address those challenges to ensure effective and efficient ship maintenance of a larger fleet and during conflict with a near-peer; and

(4) any other related matters the Comptroller General considers appropriate.

The Comptroller General shall provide a briefing to the House Committee on Armed Services not later than March 1, 2020, on preliminary findings of the Comptroller General's review and shall present final results in a format and timeframe agreed to at the time of the briefing.

#### Conditions Based Maintenance Plus

The committee is aware the Army, Marine Corps, Navy, and Air Force are each conducting, to differing degrees, pilot initiatives to assess the benefits of using a conditions based maintenance plus (CBM+) maintenance model on weapon systems. With CBM+, maintenance personnel can use algorithms that analyze data collected from onboard sensors or from historic data and maintenance trends to make informed decisions before a part fails. The committee believes that a CBM+ maintenance system can help reduce maintenance workloads, minimize the maintenance downtime of a weapon system, improve the management and response of the supply chain, reduce maintenance costs, and increase overall military readiness. The committee believes CBM+ has potential applications on both legacy weapon systems and new acquisition programs. Therefore, the committee directs the military service chiefs to each provide a briefing to the House Committee on Armed Services not later than November 1, 2019, on the use of conditions based maintenance systems and processes. The briefings should address specific weapon systems that are currently utilizing CBM+ approaches, observations on the impact CBM+ practices have had on the readiness of these weapon systems, plans to expand CBM+ to additional weapon systems, and any barriers to the expansion of CBM+.

#### Contracted Aerial Refueling Aircraft

The committee is aware that the Department of the Navy utilizes the contracted air services program to provide contractor-owned, contractor-operated aerial refueling in support of Navy pilot initial qualification, recurring pilot

training, operational test and evaluation, and cross-country and overwater refueling services. The Commander of U.S. Transportation Command testified that the Air Force's aerial refueling fleet is "the most stressed capability in terms of sufficiency." The committee is also aware that as many as 30,000 hours of aerial refueling missions are not being supported annually. Given the current demands placed on the Air Force's aerial refueling fleet, as well as the readiness rates associated with those aircraft, the committee believes the options to complement the Air Force's current and planned organic aerial refueling fleet should be assessed.

Therefore, the committee directs the Secretary of the Air Force, in coordination with the Commander of U.S. Transportation Command, to provide a report to the House Committee on Armed Services not later than March 1, 2020, assessing the feasibility, affordability, and advisability of expanding the use of contractor-operated aerial refueling aircraft to support Air Force receiver requirements. The assessment should consider the types of refueling missions that would be appropriate for support by a contractor-operated aircraft.

### Planning, Programming, and Budgeting for Sustainment

After several years of civilian and military leaders of the Department of Defense raising concerns about the readiness of the Armed Forces, the Congress passed a 2-year budget agreement that provided additional resources for the Department of Defense. Despite the readiness challenges raised, and additional resources provided, the committee is concerned that the Department failed to sufficiently plan, program, or budget for key readiness-enabling accounts that provide for the sustainment of weapon systems and equipment. For example, the budget request for fiscal year 2020 provides for only 82 percent of the Marine Corps ground depot requirement, 92 percent of the Navy ship depot maintenance requirement, and 90 percent of the Air Force weapon systems sustainment requirement. The committee is concerned that the military departments frequently state the accounts are funded to their "maximum executable rate" without being able to provide supporting analysis or describe what actions need to be taken to increase the execution rates. While the committee recognizes the need to invest in modernization and new weapon systems in support of long-term readiness, such investments must be appropriately balanced with the sustainment accounts that maintain and improve the materiel condition of today's weapon systems and equipment. Without sufficient investment in the sustainment accounts, the near-term readiness of the Department will continue to be challenged.

Therefore, the committee directs the Secretaries of the military departments to each provide a report to the House Committee on Armed Services not later than February 1, 2020, that provides a detailed plan for the planning, programming, budgeting, and execution of funding that support the sustainment of weapon systems and equipment. The reports should describe how the military departments calculate their sustainment requirements, how the maximum executable sustainment funding level is calculated, barriers to increasing

sustainment execution, and actions being taken to improve the planning, programming, budgeting, and execution of accounts that support the sustainment of weapon systems and equipment.

## READINESS ISSUES

### Army Urban Training

The committee remains concerned that the Department of Defense is not prepared to operate in complex, densely populated urban cities which are the likely terrain of future major conflict. The committee supports the Department's ongoing efforts, but questions whether the Army has prioritized this challenge. Specifically, the committee believes the Army should establish two entities to address this gap. First, the Army should establish an Army urban warfare center dedicated to the study and research of urbanization, mega-cities, urban warfare, and military operations in dense urban environments.

Second, the Army should construct an urban warfare training center that focuses on advanced skills to fight, survive, and win in urban operating environments at the brigade level and higher. This training facility would address the challenges associated with vertical, subterranean, and dense urban terrain, and the inclusion and integration of joint and interagency enablers.

Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services not later than December 1, 2019, on the Army's plan to prepare and train for dense urban warfare. The briefing should include:

(1) how the Army plans and prepares doctrine for urban warfare, including any plans to establish an urban warfare center;

(2) an updated overview of a plan and timeline to construct an urban warfare training center for dense urban warfare at the brigade level and higher; and

(3) an identification of costs associated with the construction of an urban warfare training center.

### Comptroller General Assessment of Surface Fleet Manning, Workload, and Training

The committee notes the Navy has taken steps to improve shipboard manning and decrease sailor fatigue and workload after the loss of life from ship collisions in 2017. The Navy has reevaluated shipboard and in-port workload, updated surface fleet manpower requirements, established minimum thresholds for filling billets with sailors ("fill") possessing the appropriate skills ("fit"), and directed the implementation of watchbills and shipboard routines to combat fatigue. However, the committee is concerned that manning difficulties and cultural resistance may hinder full implementation of these initiatives. While the Navy is attempting to improve manning and fatigue management, it is simultaneously

implementing the Ready Relevant Learning (RRL) initiative, meant to provide sailors with more timely and targeted training. The committee remains concerned about RRL's implementation across the fleet and its efficacy in preparing sailors to execute their workload, especially as the Navy grows the size of the surface fleet.

Therefore, the committee directs the Comptroller General of the United States to submit a report to the House Committee on Armed Services not later than December 1, 2020, and to provide a briefing on preliminary findings not later than April 1, 2020, addressing the following:

- (1) to what extent is the Navy meeting manning fit and fill goals for sea duty;
- (2) actions the Navy is taking to mitigate any manning fit and fill shortfalls and when shortfalls are projected to be addressed;
- (3) how manning guidance and implementation in the surface community differs from that of the aviation and submarine communities and from Federal guidelines for other professions;
- (4) whether the Navy is positioned for a significant manpower increase based on an increase to a 355-ship Navy and to what extent the Navy's training pipelines are being resourced to accommodate the increased demand;
- (5) to what extent circadian rhythm watchbills and shipboard routines have been implemented in the surface fleet, factors that impede full implementation, and actions the Navy has taken to mitigate these factors;
- (6) the measures of effectiveness for RRL training and the effect the RRL approach has on fleet readiness; and
- (7) how RRL is affecting the qualifications of sailors when they arrive at their first duty assignment as part of the Forward Deployed Naval Forces, and how ship manning affects the successful implementation of this training approach.

### Comptroller General Report on Army Rail Capability

The committee notes that in 2012, the Army proposed a force design update that would provide the rail capabilities required for the contemporary operational environment. This force design was approved by the Army Training and Doctrine Command's Army Capabilities Integration Center and thereby created the Army Reserve Expeditionary Railway Center.

The committee notes that the Expeditionary Railway Center's mission is to provide rail network capability and infrastructure assessments; perform rail mode feasibility studies; provide advice on the employment of rail capabilities; perform and track railway rolling stock capability assessments; and perform and assist with rail planning in support of military strategic and operational requirements.

In order to determine whether these actions have resulted in an improvement to the Department of Defense's rail capabilities, the committee directs the Comptroller General of the United States to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by December 1, 2020, explaining to what extent the Army, through the Expeditionary Railway

Center, has assessed current rail capabilities and addressed any identified gaps; if the Army's 2012 force design update and the Expeditionary Railway Center have been successful in meeting combatant command requirements; and how existing mechanisms inform Army and Department decision makers about the ability of the Department's rail system to meet combatant command needs.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 1, 2020, on the Comptroller General's preliminary findings.

#### Comptroller General Report on Navy Collective Training for High-End Combat Missions

The committee notes that the 2018 National Defense Strategy stated that, in order to prepare for long-term strategic competition, the U.S. military must train to "high-end combat missions" alongside allies in bilateral and multinational exercises. However, as the Government Accountability Office testified in 2018, the Navy has focused recent efforts on training up to existing standards and certifications in order to rebuild readiness. Meanwhile, foreign militaries have been improving the scope, complexity, and realism of their training. As a result, the committee recognizes that U.S. Navy training and exercises need sufficient realism in order to match our near-peer competitors and provide the readiness and capabilities needed to succeed in a high-end fight. Accordingly, the committee directs the Comptroller General of the United States to conduct a study addressing:

- (1) the extent to which the Navy's training standards have been updated or changed to portray realistic scenarios, as based on current intelligence;
- (2) the extent to which Navy training and exercises incorporate current and future threats, including cyber attacks, electronic warfare, new acoustic sensors, and unmanned underwater vehicles;
- (3) the extent to which current warfare certifications and training readiness data provide an accurate portrayal of the Navy's readiness to perform in high-end combat missions; and
- (4) any other related matters the Comptroller General considers appropriate.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than March 1, 2020, on preliminary findings of the Comptroller General's review, with the report to follow at a date to be determined at the time of the briefing.

#### Comptroller General's Report on the Army's Use of Global Combat Support System

The committee notes that logistics is a key combat support area and a critical enabler underpinning U.S. military power. The Army manages tactical logistics with the Global Combat Support System-Army (GCSS-Army), which replaces several separate legacy information systems used to manage logistics support activities at the Army tactical unit level. Once fully fielded, GCSS-Army



will manage billions of dollars in assets on an annual basis and will have more than 150,000 users. In April 2015, the Government Accountability Office reviewed the early implementation of GCSS-Army at selected units and found that it was generally meeting their logistics requirements. At that time, however, very few tactical units had the full system capability and the units were not deployed when using the system. The Army was expecting to fully field GCSS-Army to its tactical units by September 2017, but this did not occur.

Given this limited field experience to date, the committee directs the Comptroller General of the United States to submit a report to the House Committee on Armed Services by June 1, 2020, explaining the following:

(1) how tactical units manage and track logistics support activities using GCSS-Army when deployed in a military operation,

(2) to what extent the Army has tested and evaluated the use of GCSS-Army for logistics support during military operations, and

(3) to what extent is GCSS-Army able to provide geographic combatant commanders and other military leaders a common operating picture of logistics support during military operations.

The committee further directs the Comptroller General to provide a briefing to the House Committee on Armed Services by March 1, 2020, on the Comptroller General's preliminary findings.

### Hearing Protection Measures

The committee notes that despite the widespread availability of ear protection equipment across the Department of Defense, service members continue to experience hearing loss attributed to their military service. The committee believes that the Department of Defense should adopt a more innovative approach to prevent hearing loss.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by January 1, 2020, on current hearing protection measures in use during combat and training and the effectiveness of these devices for a range of combat, combat support, and administrative specialties. The report should also compare hearing for service members upon entry into the military services to the end of the first term of service and compare discharged members receiving service-connected benefits for hearing loss. This report should also include recommendations for innovative safe technologies that could be used to deter hearing loss or improve hearing through training and combat.

### Live, Virtual, and Constructive Training

The committee continues to recognize the important role that Live, Virtual, and Constructive (LVC) and game-based (LVC-G) systems can play to improve military capabilities and readiness for missions in contested environments. While the Army, Marine Corps, Navy, and Air Force each have various programs and

initiatives to leverage LVC and LVC-G systems, the committee is concerned the services lack clear investment strategies or plans to scale the use of LVC and LVC-G systems to improve and sustain military readiness. Therefore, the committee directs the Secretaries of the military departments to provide a briefing to the House Committee on Armed Services not later than November 1, 2019, on the military services' investment strategies and plans to scale the use of LVC and LVC-G systems. In addition, the briefing should address efforts to use LVC and LVC-G systems to enhance joint and multinational training and readiness and how LVC and LVC-G training will be assessed within the Defense Readiness Reporting System.

#### Minimal-Notice Examinations of Naval Vessels and Associated Manpower Requirements

The committee notes that naval vessel examinations are critical for assessing the material readiness of the U.S. Navy fleet. In order to provide a more accurate representation of the material condition of each vessel without the benefit of dedicated inspection preparation, section 322 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) required that examinations of naval vessels be conducted on a minimal-notice basis. The committee is aware that the Navy is undertaking a phased implementation of this requirement that aims to achieve 100 percent minimal notice by late 2019. The committee therefore directs the President of the Navy's Board of Inspection and Survey to provide a briefing to the House Committee on Armed Services by March 1, 2020, on the results and lessons learned from its implementation of minimal-notice examinations. In addition, the committee is aware of a potential shortfall in the number of inspectors available to meet the Navy's new examination requirements and directs the President of the Board of Inspection and Survey to provide a briefing to the House Committee on Armed Services by March 1, 2020, on the results of its upcoming Shore Manpower Requirements Determination.

#### Mission Capability Rating Assessment

On September 17, 2018, the Secretary of Defense issued a memorandum to the Secretaries of the military departments directing they achieve a minimum of 80 percent mission capability rates and reduce operating and sustainment costs for F-35, F-22, F-16, and F-18 aircraft by the end of fiscal year 2019. In addition, the memorandum directed the military departments to "set and pursue aggressive targets for other enduring fixed- and rotary-wing aviation assets." The committee supports the military departments' efforts to improve the mission capability rates of aviation assets and reduce the operating and sustainment costs of such assets. The committee seeks to understand the lessons learned from this initiative and how the improved readiness levels can be sustained and applied to other components of the Armed Forces.

Therefore, the committee directs the Secretaries of the military departments to each provide a briefing to the House Committee on Armed Services, not later than November 1, 2019, on the results of their efforts to meet the directive outlined in the September 2018 memorandum. The briefing should address specific actions taken to meet the 80 percent mission capability objective for each of the aircraft identified, the framework for sustaining an appropriate mission capability rating for each of the aircraft going forward, and plans to expand the mission capability initiative to other weapons systems that operate in the air, land, and sea domains.

#### Northern Strike Exercise Funding

The committee notes that the Northern Strike exercise is one of the largest Reserve Component exercises supported by the Department of Defense. This annual event develops full-spectrum combat readiness of National Guard, Active Component, and coalition partner units through realistic, joint live-fire training with an emphasis on joint and coalition force cooperation. The committee recognizes that the Northern Strike exercise has over 5,000 participants from all military services and military units from the United Kingdom, Germany, Poland, Hungary, Estonia, Lithuania, and Latvia. However, the committee is concerned that the Department of Defense has inconsistently programmed funding for this annual event. Accordingly, the committee directs the Chief, National Guard Bureau to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by December 1, 2019, that provides the following:

- (1) the annual cost of the Northern Strike exercise broken out by account over the last 5 years;
- (2) the number and countries of foreign partner participants over the last 5 years;
- (3) the number of military personnel by service and component over 5 years broken out by service; and
- (4) the anticipated funding for future exercises in the Future Years Defense Program.

#### Use of Funds Provided for the Defense Community Infrastructure Program

The committee believes the Defense Community Infrastructure Pilot Program (DCIP) authorized by section 2861 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) can be a powerful tool for the long-term sustainment and resiliency of defense installations. However, the committee is concerned that the Department of Defense has yet to issue a policy, guidance, or other documents regarding the use of this new authority.

Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Director of the Office of Economic Adjustment, to provide a report to the House Committee on Armed Services not later than February 1, 2020, on the Department's implementation of

DCIP. The report should address how the DCIP program will be structured, policy guidance that has been issued for the management of the program, how projects will compete and be selected for funding, a description of projects that have been selected, and a timeline for the award and completion of such projects.

#### Utilization of Recycled Products in Military Clothing Items

The committee commends the Department of Defense on its most recent update to its internal instruction on the implementation of a sustainable procurement program for recycled content products. In line with the Department's internal instruction, and in the committee report accompanying the National Defense Authorization Act for Fiscal Year 2012 (S. Rept. 112-26), the Secretary of Defense was required to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the utilization of recycled products in military clothing items. That report cited four military clothing items made from recycled materials at the time, including the Protective Combat Uniform for the Special Forces, the Third Generation Extended Cold Weather Clothing System, Underwear, and the Army Fleece Jacket. Given the amount of clothing items in the Department of Defense and prevalence of recycled content products, the committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by March 1, 2020, on the feasibility of incorporating additional recycled content products into these clothing items and other environmental protection clothing items currently being utilized by service members.

#### OTHER MATTERS

##### Aircraft Noise Mitigation

The committee is concerned that decisions made by the military departments with respect to basing and operating military aircraft may have adverse noise impacts on the private property and municipal properties such as schools that are located in close proximity to military installations and auxiliary military airfields at which tactical aircraft are based and train. The committee is concerned that, while these impacts are considered during required environmental reviews and consultations, the military departments may not be taking sufficient action to mitigate the impacts identified during these reviews and consultations.

Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services not later than March 1, 2020, on the available programs and authorities to mitigate the effects of military aircraft noise on private residences, schools, and hospitals. The report should address specific programs and authorities that are available for such mitigations, the process used to provide for such mitigations, a list of military installations where such mitigations have been made to private residences or other entities outside the installation within the last 5 years, and a list of military installations where there

are currently private residences or other entities being considered for such mitigations in the future.

#### Authorities Available to the Department of Defense for Tribal Mitigation

The committee notes that there are many situations in which military training or construction activities impact tribal lands, cultural properties, or tribal treaty rights. The committee further observes that consultation between the service action proponent and the impacted tribe is required by law. While consultation on these impacts often occurs in parallel to environmental planning under the National Environmental Policy Act (Public Law 91-190), impacts to tribes and the potential mitigation of those impacts goes beyond the scope of environmental mitigation. The committee notes that environmental authorities and funding mechanisms such as the Sikes Act (Public Law 86-797) are one tool for addressing these impacts, but should not limit the Department of Defense from using other authorities or mechanism to mitigate impacts.

The committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by January 31, 2020, on the authorities available to the Department and military services to address tribal mitigation and funding mechanisms for those mitigations. The report shall include analysis on whether the existence of a treaty with the United States changes the authorities available, and if so describe the differences.

#### Best Practices for Cleanup and Disposal of PFOS- and PFOA-Contaminated Groundwater, Soils, and Filters and Gaps That Require Further Study

The committee notes that the class of man-made chemicals known as per- and polyfluoroalkyl substances have presented particular challenges with respect to cleanup and disposal. The committee further notes that as the Department of Defense transitions from cutting off exposure to perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) to cleanup actions under the Comprehensive Environmental Response, Compensation, and Liability Act, the Department must conduct these actions in a manner that is effective in protecting human health and the environment.

The committee understands that further research and study are required to develop disposal methodologies beyond high-heat incineration, which is the only known way to dispose of PFOS- and PFOA-contaminated materials. The committee notes that this method of disposal presents concerns about whether the chemicals are adequately broken down and about the production of hydrogen fluoride gas as a by-product of that incineration.

Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services by November 1, 2019, on the Department's understanding of best practices for the cleanup and disposal of PFOS- and PFOA-contaminated soils, and disposal of spent filters and Aqueous Film Forming Foam. The briefing should

include a discussion of current research on these chemicals being conducted by the Strategic Environmental Research and Development Program or Environmental Security Technology Certification Program and what areas require additional research.

### Climate Impacts on Installation Resiliency

The committee notes that section 335 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) required the Department of Defense to report on the impacts of climate change to the Department. The committee notes that this report was spurred by multiple statements by senior Department of Defense officials characterizing climate as a national security issue that would increase instability around the world. The committee further notes that the report was focused on facilitating effective preparation and planning to enhance military installation climate resiliency. To that end, the Department was required to submit a report that included the following:

- (1) a list of the 10 most vulnerable military installations within each service based on the effects of sea-level rise, flooding, drought, desertification, wildfires, and thawing permafrost;
- (2) an overview of the mitigations that may be necessary to increase installation resiliency; and
- (3) an estimate of the cost of these mitigations.

The committee notes that in January 2019, the Department submitted the report. While the committee commends the Department for unequivocally stating that the majority of its installations assessed in the report are vulnerable to climate and weather impacts, the committee is disappointed that the Department failed to adequately respond to the three requirements above. The deficiencies of this report are particularly acute in light of the extreme weather events that caused billions of dollars in damage to military installations in 2018. The committee notes that data suggests that new and renovated buildings that included extreme weather mitigation measures generally fared better during Hurricanes Florence and Michael, providing an unfortunate real-world illustration of the benefits of planning for military installation climate resiliency. These events have also provided data from which services can extrapolate an estimated cost for mitigation and create more accurate methodologies for setting facility standards.

To that end, the committee directs the Secretaries of the military departments each to provide a report to the House Committee on Armed Services by December 1, 2020, that shall include the following:

- (1) the total plant replacement value of each installation in the service's inventory;
- (2) the plant replacement value of buildings in the 100-year floodplain that have not been mitigated to address flood risk, by installation and State;

(3) the plant replacement value of buildings with roofs that do not meet current building codes listed by installation and State;

(4) the plant replacement value of buildings in coastal and hurricane-prone areas that are currently in a poor or failing condition, listed by installation and State;

(5) a description of how the extreme weather events of 2018 have impacted the decision to continue to defer facility sustainment projects;

(6) if the service's methodology has changed, a description of how it has changed; and

(7) any additional investment as a percentage of plant replacement value that would be required to adequately address climate resiliency. If the Department has failed to meet the industry standard for investment in facilities of 2 percent of plant replacement value, the calculation shall include both the investment to achieve the industry standard, and any additional that would be required to address climate resiliency.

### Defense Personal Property Program

The committee is aware that many military families have experienced poor service in the movement of their household goods during recent moving seasons. The movement of military families is a complex system, administered by U.S. Transportation Command (TRANSCOM) in coordination with the military services. The committee believes the Department of Defense's management of this system must improve and recognizes that TRANSCOM's proposed solution relies on the pending Global Household Goods Contract (GHC). Given the importance of the GHC and the large share of military moves in the domestic market, the committee believes that stakeholders must have adequate time to thoughtfully review and comment on the draft request for proposals (RFP). Accordingly, the committee encourages the commander of TRANSCOM to extend the comment period for the draft GHC RFP to allow at least 60 days for comments and delay the release of the final RFP until August 15, 2019. Finally, the committee directs the Secretaries of the military departments to provide a report to the House Committee on Armed Services by December 1, 2019, on the Secretaries' plans to improve installation-level relocation services to military families.

### Feasibility of Using Non-Fluorinated Fire Fighting Foam in Training

The committee is aware of the adverse health impacts related to perfluorooctane sulfonate and perfluorooctanoic acid and believes the Department of Defense should minimize the use of these chemicals wherever possible. While the committee understands that certain emergency situations may still require use of these foams, the committee is concerned about the continued use of fluorinated fire fighting foams for non-emergency purposes such as training. The committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by February 1, 2020, on the feasibility of using non-fluorinated foam for

firefighter training. The report shall include cost estimates related to instituting the use of fluorine-free foams for training.

### Kirtland Air Force Base Fuel Spill Remediation

The committee is aware of the efforts of the Air Force to clean up the extensive, years-long fuel spill at Kirtland Air Force Base, New Mexico, but the committee is concerned that the Air Force has not adequately engaged with local stakeholders on their plans and progress for remediation of the spill. Accordingly, the committee directs the Secretary of the Air Force to provide a report to the House Committee on Armed Services by December 1, 2019, on the environmental remediation of the fuel spill at Kirtland Air Force Base. The report shall contain a section on the progress made to remediate contaminated soil and groundwater, and detail the Air Force plans for fiscal year 2020 remediation actions. In addition, the report shall contain an engagement plan for coordination with the local water utility authority, applicable State environmental agencies, and surrounding communities on Air Force remediation activities.

### Survey to Locate and Identify the Remains of Native American Children Buried at Carlisle Barracks

The committee commends the Department of the Army for its work to identify, exhume, and return to their respective families the remains of Native American children buried at Carlisle Barracks, Pennsylvania. However, the committee notes that given the tragic legacy of Carlisle Indian Industrial School, more work is required. Accordingly, the committee directs the Secretary of the Army to provide a report to the House Committee on Armed Services by January 1, 2020, that provides a plan for conducting a comprehensive survey of the land at Carlisle Barracks for remains of Native American children and the repatriation of those children. The report shall include at a minimum information on how the Department can achieve the following:

(1) conducting a comprehensive survey of the cemetery and surrounding land at Carlisle Barracks to identify the number of whole sets of remains; the number of partial sets of remains; the location of the remains, including how the sets of remains match with existing headstones; and groups of remains containing two or more individuals;

(2) establishing a process to facilitate coordination with other relevant Federal agencies and tribes to ensure that the survey, exhumation, identification of remains and repatriation of remains, as appropriate and desired, to the family is handled in a culturally appropriate manner;

(3) establishing a process to work with tribes to determine the appropriate measures to be taken for remains of children whose family or relatives have not been found, including options for repatriating those remains to the appropriate tribe;



(4) establishing a process to work with tribes to determine what, if any, actions should be taken for remains that are unidentifiable; and

(5) working with tribes and relevant Federal agencies to establish other actions that can be taken to recognize the tragic history of the Carlisle Indian Industrial School at Carlisle Barracks.

### Tijuana Sewage Runoff Impact to Readiness

The committee notes that sewage runoff from Tijuana can cause unhealthy conditions off the coast of southern California whose waters are routinely used for military training. When scheduled training corresponds with sewage spills or discharges, military personnel may be exposed to untreated sewage with consequences to their health. Accordingly, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by February 1, 2020, on the readiness impacts of Tijuana sewage runoff in waters adjacent to military installations. The briefing shall address whether spills, discharges, and debris in the Tijuana River have any impact on the national security interests of the United States. The briefing must also address what steps should be taken to resolve or mitigate the impacts from these releases. Further, the Secretary of the Navy shall make every effort to coordinate the briefing with the Department of State, the Environmental Protection Agency, the Department of Homeland Security (to include U.S. Customs and Border Patrol and the U.S. Coast Guard), the International Boundary and Water Commission, the Department of the Interior, San Diego County, and the San Diego Association of Governments.

### Water Security under Sustainable Groundwater Management Act

The committee notes that the State of California enacted the Sustainable Groundwater Management Act (SGMA) in 2014. This California law requires communities whose groundwater resources are challenged to prepare and provide a Groundwater Sustainability Plan (GSP) by January 2020, for basins defined as medium- or high-priority. Under the law, medium- and high-priority basins must be managed consistently with their sustainable yield by 2040, though an extension is possible. The committee notes that three Navy installations are located in high-priority basins and that one Navy and three Air Force installations are located in medium-priority basins. These seven Department of Defense installations must work with their local communities in developing sustainable groundwater plans for their respective basins. The committee is concerned that the Department does not have a coordinated approach to meeting these new water sustainability requirements.

Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by October 1, 2019, that provides the Department's plan to address its response to the requirements of SGMA; a description of how the Navy and Air Force bases in California are working with local communities to achieve compliance with this law in a manner that does

not impact the installation missions; the Department of Defense, Navy, and Air Force offices responsible for ensuring compliance; and the estimated cost of complying with the SGMA.

### Water Usage Related to Landscaping

The committee understands that a significant percentage of the Department of Defense's water usage on installations goes to landscaping. Particularly in water constrained or arid environments, the Department should endeavor to mitigate its water use through practices such as use of non-potable or recycled water, use of native or drought-resistant plants, and ground cover substitutes. The committee further notes that sustainable landscaping practices can provide significant cost avoidance through diminished water consumption.

Accordingly, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by March 1, 2020, on sustainable landscaping practices currently in use, practices that can be implemented to cut water consumption, a list of installations where 30 percent or more of water usage is for landscaping, and a plan for decreasing the percentage of water used for landscaping at these installations and other installations in water constrained geographical locations.

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

### ITEMS OF SPECIAL INTEREST

#### Innovative Construction Materials and Design Process for Military Engineering in Cold Regions

The committee is aware that the Arctic region presents significant economic, defense, homeland security, and diplomatic challenges and opportunities for the United States. In order to meet the nation's strategic goals, the Department of Defense is well positioned to develop a combination of infrastructure and remote sensing strategies to monitor changing conditions and increasing international activities in the Arctic, maintain the region's general atmosphere of peace and stability, execute search and rescue missions, preserve unique ecosystems, and ensure economic and homeland sovereignty.

Related to these strategic goals, the committee is concerned that the Department of Defense may face challenges when operating in the Arctic, sub-Arctic, and other extreme cold environments. The committee is aware that the Department of Defense has developed an implementation plan for the National Strategy for the Arctic Region. The committee notes that implementation of the plan entails engineering challenges such as the ability to construct, maintain, and retrofit horizontal and vertical infrastructure in cold regions.

The committee directs the Secretary of Defense to require an assessment based on both laboratory and full-scale accelerated testing of advanced construction techniques and materials needed to address the challenges of changing physical environments, that will enable the Department of Defense to rapidly project force and maintain position in austere cold regions. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by March 1, 2020, on its plans for performing lab and full-scale tests of advanced construction techniques and materials for extreme cold environments. The committee further directs the Secretary of Defense to provide a report to the House Committee on Armed Services by March 1, 2021, on the results of this assessment and the requirements for adaptive construction techniques and innovative materials for extreme cold environments.

## TITLE XI—CIVILIAN PERSONNEL MATTERS

### ITEMS OF SPECIAL INTEREST

#### Civilian Sexual Assault Study

The committee is concerned about sexual harassment and assault prevention and response procedures within the civilian workforce of the Department of Defense. The committee notes that civilian employees report harassment and assault at higher rates than their uniformed counterparts, and in some instances express dissatisfaction with their management's handling of these complaints.

Therefore, the committee directs the Comptroller General of the United States to submit a report to the congressional defense committees by March 1, 2020, on the Department of Defense sexual assault and harassment prevention and response system for civilian employees. This report shall include, but is not limited to, the following elements:

- (1) the utilization rate of the sexual assault services by civilian employees;
- (2) an assessment of the quality and timing of preventive training;
- (3) the staffing level of the prevention and response systems, Department of Defense counselors, victim advocates, and special victims counsels for civilian employee sexual assault victims; and
- (4) a comparison of the resources to those available for military personnel.

#### Department of Defense Report on Reduction in Force

The committee notes that section 1101 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) required the Secretary of Defense to establish procedures to require that any reduction in force for civilian positions for the competitive service or the excepted service be conducted primarily on the basis of performance under any applicable performance management system. The

committee also notes that the “New Beginnings” performance management and workforce incentive system was authorized by section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) in conjunction with the repeal of the National Security Personnel System.

The committee believes the impacts of these significant changes to civilian workforce policy in the Department of Defense should be identified and reviewed for any necessary modification. Therefore, the committee directs the Secretary of Defense to submit a report to the congressional defense committees by March 1, 2020, concerning all involuntary civilian reductions in force conducted on or after January 1, 2016, broken out by Department of Defense component. The report should illustrate the number of employees separated, the number of employees separated because of less favorable performance evaluations, and the demographics of each group.

## **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

### **TITLE XXI—ARMY MILITARY CONSTRUCTION**

#### **ITEMS OF SPECIAL INTEREST**

##### **Army Test and Demonstration Program**

The committee understands that the Army is seeking to integrate innovative technology into the management of installations to promote safety, increase efficiency, lower costs, and improve the quality of life of service members and their families. The committee notes that there are barriers that make it difficult for the Army to test new technologies that could further these goals. Accordingly, the committee directs the Secretary of the Army to provide a report to the House Committee on Armed Services by March 1, 2020, that addresses the feasibility of creating a commercial technologies test and demonstration program. The report shall at a minimum contain the following elements:

(1) a process by which the Army could identify commercially available technologies that improve the performance of infrastructure systems, the provision of base operations services, communications, safety, traffic management, energy use, time management, and related services that are available for testing on military installations;

(2) a framework for identifying potential risks associated with remotely monitored systems, and how those risks could be mitigated; and

(3) a methodology for assessing potential cost savings over the life cycle of the technology.

## TITLE XXII—NAVY MILITARY CONSTRUCTION

### ITEMS OF SPECIAL INTEREST

#### Naval Public Shipyards

The committee notes that the Secretary of the Navy submitted a comprehensive report on the state of the public shipyards to the congressional defense committees on April 11, 2019. In this report, the Secretary indicated that the naval shipyard production facilities are in poor or failing condition. Additionally, the Secretary indicated that the capital equipment “is well beyond effective service life, obsolete, unsupported by original equipment manufacturers, and at operational risk.” To address these concerns, the Secretary proposed a plan to recapitalize the industrial base complex over the next 20 years with a proposed investment of \$21.0 billion. The committee also notes that the Comptroller General of the United States submitted a report entitled “Military Depots: Actions Needed to Improve Poor Conditions of Facilities and Equipment That Affect Timelines and Efficiency of Maintenance” (GAO-19-242) to the congressional defense committees. In this report, the Comptroller General indicated that “the number of days of maintenance delay at the four Naval shipyards has increased by about 45 percent from fiscal year 2007 to 2017.”

The committee strongly supports the Secretary’s intended goals to revitalize and increase the efficiency of the industrial base. The committee believes this plan is essential to accommodate the expanding force structure proposed by the Secretary. However, the committee is unable to assess the efficacy of the Secretary’s vision because the Secretary did not submit an implementation plan to begin this sophisticated recapitalization endeavor. Therefore, the committee directs the Secretary of the Navy to provide a report to the House Committee on Armed Services by March 1, 2020, that includes an implementation plan to revitalize the industrial base. Such a plan shall include the timelines associated with the following elements:

- (1) the capital equipment reinvestment plan by project, location, and fiscal year;
- (2) the military construction and facilities, sustainment, restoration, and modernization (FSRM) investment plan by project, location, and fiscal year; and
- (3) the environmental analyses required to implement the Secretary’s plan.

In completing this report, the Secretary shall include the program data sheet DD 1391 for each military construction and FSRM project included in the fiscal year 2021 fiscal year defense plan.

## TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

### ITEMS OF SPECIAL INTEREST

## Airspace at the Utah Test and Training Range

The committee recognizes the importance of ensuring adequate training ranges and airspace to support fifth generation aircraft and development and training of future military capabilities. The Utah Test and Training Range (UTTR) plays an important role in supporting Air Force testing, training, and readiness, and the committee believes it is important to ensure UTTR is able to adequately support current and future military requirements.

Therefore, the committee directs the Secretary of the Air Force to provide a report to the House Committee on Armed Services not later than January 31, 2020, that assesses the capability and capacity of UTTR to support current and foreseeable military test and training requirements. The report shall assess whether the current airspace of the UTTR supports current and future requirements, any limitations associated with current range infrastructure and airspace, efforts to optimize airspace at the UTTR, and any timelines associated with such efforts.

## Long-Term Modernization of Lincoln Laboratory

The committee recognizes the critical role that Lincoln Laboratory plays in conducting research and developing technologies that address critical national security challenges. In an effort to address aging infrastructure that supports Lincoln Laboratory, the Air Force has two military construction projects to support the Lincoln Laboratory West Laboratory. The first military construction project was authorized by the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) and the second project is currently programmed for fiscal year 2022. In addition, the committee is aware of a long-term modernization plan being proposed for Lincoln Laboratory that could amount to more than \$1.5 billion in infrastructure investments over a 30-year period.

However, the committee is aware that the military construction program may not be able to support such a large investment due to competing Air Force infrastructure priorities. The committee is also aware that many other Federal agencies, inside and outside the Department of Defense, make use of the Air Force contract with Lincoln Laboratory. In addition, other statutory authorities, such as section 2353 of title 10, United States Code, may not currently allow for infrastructure investments due to circumstances specific to Lincoln Laboratory.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than November 1, 2019, on funding and authorities under consideration to support the long-term modernization plan for Lincoln Laboratory. The briefing should include a discussion of legislative proposals under consideration that could provide a viable path to support the long-term modernization plan, including the benefits and equities of all Lincoln Laboratory contract users paying a fair share of facility sustainment, recapitalization, and construction costs.

## TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

### ITEMS OF SPECIAL INTEREST

#### Child Play Areas at Exceptional Family Member Program Installations

The committee notes that there are military members with dependents that are enrolled in the Exceptional Family Member Program (EFMP). Unfortunately, many of these dependent children do not have access to Americans with Disability Act (ADA) compliant playgrounds. The committee believes that it is imperative to have at least one ADA compliant playground at each Department of Defense EFMP designated installation. Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by February 1, 2020, on the Department's efforts to ensure that play areas for dependents of service members at installations designated as locations for Exceptional Family Member Program are compliant with Architectural Barriers Act (ABA) (Public Law 90-480) accessibility standards for play areas and meet evidence-based design standards for all ability inclusion. Specifically, the report shall include:

- (1) a list of all child play areas that are compliant with ABA accessibility standards for play areas and meet evidence-based design standards at all military installations designated to support the Exceptional Family Member Program; and
- (2) a plan that details the Department of Defense effort to ensure that all non-compliant child play areas become compliant with ABA play area accessibility standards and meet evidence-based design standards for all ability inclusion to include cost for upgrades and timeline for completion.

#### Defense Access Road Projects

The committee notes that section 2865 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) expanded the types of projects eligible for funding under the Defense Access Roads program to include construction, repair, and mitigation projects related to sea-level rise and recurrent flooding. While the committee recognizes this expanded list of project categories was enacted too late to inform project planning and design or submission for the fiscal year 2020 budget request, the committee does expect the Department of Defense to consider the use of this expanded authority for defense access roads going forward. Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services not later than September 1, 2020, regarding the implementation of the expanded Defense Access Roads program. The report should address the process and the criteria that will be used for selecting projects and a list of projects that have been identified as being eligible for consideration at the time the report is submitted. The list of eligible projects should include the geographic description, impacted military installation, road

name or description, purpose, cost, scope, and Department of Defense Form 1391 for each project.

#### Feasibility of Transitioning from 100-Year Floodplain to Sea-Level Rise Modeling at Coastal Installations as a Planning Assumption for Military Construction Projects

The committee notes that according to the Department of Defense's January 2019 report entitled "Report on Effects of a Changing Climate to the Department of Defense," two-thirds of the 79 installations analyzed in the report are vulnerable to current or future recurrent flooding. The report also noted that several installations on the eastern seaboard are already experiencing the effects of sea-level rise. The committee further notes that ensuring the right planning assumptions are used for military construction projects on flood-prone installations can help ensure the viability of infrastructure throughout its 40-year planned useful life, increase the resiliency of the Department's installations, and result in cost avoidance after catastrophic flooding events. Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a report to the House Committee on Armed Services by February 1, 2020, that assesses the feasibility of transitioning from 100-year floodplain data to a forward-looking predictive model that takes into account the impacts of sea-level rise.

#### Status of the Utilities Privatization Program

The committee continues to encourage the Department of Defense utility privatization program as a way to achieve greater efficiencies, improve system reliability and resiliency, and reduce the life-cycle costs of the utility system. Accordingly, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services by January 31, 2020, on its efforts to utilize the utilities privatization program, current installations considering or implementing the program, and any barriers to utilization or additional authorities that would be required to facilitate the usage of the program.