

**H.R. 5515—FY19 NATIONAL DEFENSE  
AUTHORIZATION BILL**

**SUBCOMMITTEE ON SEAPOWER AND  
PROJECTION FORCES**

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# **SUMMARY OF BILL LANGUAGE**

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# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE I—PROCUREMENT

### LEGISLATIVE PROVISIONS

#### SUBTITLE C—NAVY PROGRAMS

##### Section 121—Procurement Authority for Ford Class Aircraft Carrier Program

This section would authorize the construction of one Ford class aircraft carrier designated CVN-81.

##### Section 123—Multiyear Procurement Authority for Standard Missile-6

This section would authorize the Secretary of the Navy to enter into one or more multiyear contracts for 625 Standard Missile-6 missiles beginning in fiscal year 2019, in accordance with section 2306b of title 10, United States Code.

##### Section 124—Multiyear Procurement Authority for E-2D Aircraft

This section would authorize the Secretary of the Navy to enter into one or more multiyear contracts for up to 24 E-2D aircraft beginning in fiscal year 2019, in accordance with section 2306b of title 10, United States Code.

##### Section 127—Frigate Class Ship Program

This section would require the Secretary of the Navy to procure technical data rights to any acquired frigate class vessel. Additionally, this section would require the Secretary to recompete the frigate class procurement not later than the award of the 10th frigate using the acquired technical data rights.

#### SUBTITLE D—AIR FORCE PROGRAMS

##### Section 141—Inventory Requirement for Air Refueling Tanker Aircraft; Limitation on Retirement of KC-10A Aircraft

This section would require the Secretary of the Air Force to increase the current air refueling tanker fleet from 457 to 479 primary assigned aircraft before it can begin to retire KC-10A aircraft. The Air Force shall maintain 479 total tanker aircraft thereafter, unless adjusted by the fiscal year 2018 "Mobility Capability and Requirements Study."

##### Section 143—Retirement Date for VC-25A Aircraft

This section would fix the retirement date for the purposes of this statute as it applies to the two Air Force VC-25A aircraft as not later than December 31, 2025.

#### Section 144—Contract for Logistics Support for VC-25B Aircraft

This section would require the Secretary of the Air Force to re-compete the VC-25B contract for logistics support for two separate 5-year terms after the completion of the first 5-year term. This 5-year limitation requirement follows part 17.204(e) of the Federal Acquisition Regulation.

#### Section 145—Multiyear Procurement Authority for C-130J Aircraft

This section would authorize the Secretary of the Navy to enter into one or more multiyear contracts for up to 52 C-130J aircraft beginning in fiscal year 2019, in accordance with section 2306b of title 10, United States Code.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### LEGISLATIVE PROVISIONS

#### SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS

#### Section 220—Modification of CVN-73 to Support Fielding of MQ-25 Unmanned Aerial Vehicle

This section would require the Navy to fund the modification of CVN-73 during its refueling and overhaul period in support of future MQ-25 unmanned carrier aircraft operations.

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

### LEGISLATIVE PROVISIONS

#### SUBTITLE D—INDUSTRIAL BASE MATTERS

#### Section 841—Requirement That Certain Ship Components Be Manufactured in the National Technology and Industrial Base

This section would amend section 2534 of title 10, United States Code, and would require certain auxiliary ship components to be procured from a manufacturer in the national technology and industrial base.

## TITLE X—GENERAL PROVISIONS

## LEGISLATIVE PROVISIONS

### SUBTITLE C—NAVAL VESSELS AND SHIPYARDS

#### Section 1021—Inclusion of Operation and Sustainment Costs in Annual Naval Vessel Construction Plans

This section would incorporate operations and sustainment costs into the 30-year shipbuilding plan required by section 231 of title 10, United States Code.

#### Section 1022—Purchase of Vessels Using Funds in National Defense Sealift Fund

This section expands section 2218 of title 10, United States Code, and authorizes the Secretary of the Navy to procure up to 10 foreign-constructed ships if the Secretary certifies that the U.S. Navy has initiated an acquisition strategy for the construction of 10 new sealift vessels. Additionally, this section would limit 25 percent of the U.S. Navy Military Sealift Command's fiscal year 2019 expenditures until the Secretary of the Navy enters into a contract for the procurement of two used National Defense Reserve Fleet vessels, and completes the capability development document for the common hull multi-mission platform.

#### Section 1023—Technical Corrections and Clarifications to Chapter 633 of Title 10, United States Code, and Other Provisions of Law Regarding Naval Vessels

This section updates chapter 633 of title 10, United States Code.

#### Section 1024—Retention of Navy Hospital Ship Capability

This section would require the Secretary of the Navy to retain two Mercy-class hospital ships until the Secretary has certified to the congressional defense committees that a replacement capability has been fielded.

## TITLE XIV—OTHER AUTHORIZATIONS

### LEGISLATIVE PROVISIONS

#### SUBTITLE A—MILITARY PROGRAMS

#### Section 1406—National Defense Sealift Fund

This section would authorize appropriations for the National Defense Sealift Fund at the levels identified in section 4501 of division D of this Act.



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

**TITLE XXXV—MARITIME ADMINISTRATION**

**LEGISLATIVE PROVISIONS**

**Section 3501—Authorization of the Maritime Administration**

This section would authorize appropriations for the national security aspects of the merchant marine for fiscal year 2019.

**Section 3502—Compliance by National Defense Reserve Fleet Vessels with SOLIS  
Lifeboats and Fire Suppression Requirements**

This section would require the Secretary of Defense to incorporate lifeboat and fire suppression standards associated with the International Convention for the Safety of Life at Sea for National Defense Reserve Fleet vessels that are planned to be retained by the Secretary beyond October 1, 2026.

**Section 3503—Limitation on Authorization of Funds for Procurement of Used  
Training Vessels**

This section would limit the Maritime Administration from procuring used training vessels for use as school ship replacement vessels.

The committee notes that the Maritime Administration requested authority to procure two used vessels and is concerned that such a short-term strategy would not support the long-term maritime academies' interests. The committee continues to support the new construction of these training vessels in the United States.

**Section 3504—Permanent Authority of Secretary of Transportation to Issue Vessel  
War Risk Insurance**

This section would amend chapter 539 of title 46, United States Code, to make permanent the authority of the Secretary of Transportation to provide vessel war risk insurance.

# **BILL LANGUAGE**

1           **Subtitle C—Navy Programs**

2   **SEC. 121 [Log 67112]. PROCUREMENT AUTHORITY FOR**  
3           **FORD CLASS AIRCRAFT CARRIER PROGRAM.**

4           (a) CONTRACT AUTHORITY.—

5                 (1) PROCUREMENT AUTHORIZED.—The Sec-  
6           retary of the Navy may enter into one or more con-  
7           tracts, beginning with the fiscal year 2019 program  
8           year, for the procurement of one Ford class aircraft  
9           carrier to be designated CVN–81.

10                (2) PROCUREMENT IN CONJUNCTION WITH  
11           CVN–80.—The aircraft carrier authorized to be pro-  
12           cured under subsection (a) may be procured as an  
13           addition to the contract covering the Ford class air-  
14           craft carrier designated CVN–80 that is authorized  
15           to be constructed under section 121 of the John  
16           Warner National Defense Authorization Act for Fis-  
17           cal Year 2007 (Public Law 109–364; 120 Stat.  
18           2104).

19           (b) USE OF INCREMENTAL FUNDING.—With respect  
20           to a contract entered into under subsection (a), the Sec-  
21           retary of the Navy may use incremental funding to make  
22           payments under the contract.

23           (c) LIABILITY.—A contract entered into under sub-  
24           section (a) shall provide that the total liability to the Gov-  
25           ernment for termination of the contract entered into shall

1 be limited to the total amount of funding obligated at the  
2 time of termination.

3 (d) CONDITION FOR OUT-YEAR CONTRACT PAY-  
4 MENTS.—A contract entered into under subsection (a)  
5 shall provide that any obligation of the United States to  
6 make a payment under the contract for a fiscal year is  
7 subject to the availability of appropriations for that pur-  
8 pose for such fiscal year.

1 **SEC. 123 [Log 66821]. MULTIYEAR PROCUREMENT AUTHOR-**  
2 **ITY FOR STANDARD MISSILE-6.**

3 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
4 Subject to section 2306b of title 10, United States Code,  
5 the Secretary of the Navy may enter into one or more  
6 multiyear contracts, beginning with the fiscal year 2019  
7 program year, for the procurement of up to 625 standard  
8 missile-6 missiles at a rate of not more than 125 missiles  
9 per year during the covered period.

10 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
11 **MENTS.**—A contract entered into under subsection (a)  
12 shall provide that any obligation of the United States to  
13 make a payment under the contract for a fiscal year after  
14 fiscal year 2019 is subject to the availability of appropria-  
15 tions or funds for that purpose for such later fiscal year.

16 (c) **COVERED PERIOD DEFINED.**—In this section, the  
17 term “covered period” means the 5-year period beginning  
18 with the fiscal year 2019 program year and ending with  
19 the fiscal year 2023 program year.

1 **SEC. 124 [Log 67122]. MULTIYEAR PROCUREMENT AUTHOR-**  
2 **ITY FOR E-2D AIRCRAFT.**

3 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
4 Subject to section 2306b of title 10, United States Code,  
5 the Secretary of the Navy may enter into one or more  
6 multiyear contracts, beginning with the fiscal year 2019  
7 program year, for the procurement of up to 24 E-2D air-  
8 craft.

9 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
10 **MENTS.**—A contract entered into under subsection (a)  
11 shall provide that any obligation of the United States to  
12 make a payment under the contract for a fiscal year after  
13 fiscal year 2019 is subject to the availability of appropria-  
14 tions for that purpose for such later fiscal year.

1 **SEC. 127 [Log 66816]. FRIGATE CLASS SHIP PROGRAM.**

2 (a) TECHNICAL DATA.—

3 (1) REQUIREMENT.—As part of the solicitation  
4 for proposals for the procurement of any frigate  
5 class ship, the Secretary of the Navy shall require  
6 that an offeror submit a proposal that provides for  
7 conveying technical data as part of the proposal for  
8 the frigate.

9 (2) RIGHTS OF THE UNITED STATES.—The  
10 Secretary of the Navy shall ensure that the Govern-  
11 ment’s rights in technical data for any frigate class  
12 ship are sufficient to allow the Government to—

13 (A) by not later than the date on which  
14 funds are obligated for the last covered frigate,  
15 use the technical data to conduct a full and  
16 open competition (pursuant to section 2304 of  
17 title 10, United States Code) for any subse-  
18 quent procurement of a frigate class ship; and

19 (B) transition the frigate class ship combat  
20 systems to Government-furnished equipment to  
21 achieve open architecture and foster competi-  
22 tion to modernize future systems.

23 (b) DEFINITIONS.—In this section:

24 (1) The term “covered frigate” means each of  
25 the first 10 frigate class ships procured after Janu-  
26 ary 1, 2020.

- 1           (2) The term “technical data” means a com-
- 2           pilation of detailed engineering plans and specifica-
- 3           tions for the construction of a frigate class ship.



## 1       **Subtitle D—Air Force Programs**

### 2       **SEC. 141.[Log 67346]. INVENTORY REQUIREMENT FOR AIR** 3                   **REFUELING TANKER AIRCRAFT; LIMITATION** 4                   **ON RETIREMENT OF KC-10A AIRCRAFT.**

5           (a) INVENTORY REQUIREMENT.—Section 8062 of  
6 title 10, United States Code, is amended by adding at the  
7 end the following new subsection:

8           “(j)(1) Except as provided in paragraph (2), effective  
9 October 1, 2019, the Secretary of the Air Force shall  
10 maintain a total primary assigned aircraft inventory of air  
11 refueling tanker aircraft of not less than 479 aircraft.

12           “(2) The Secretary of the Air Force may reduce the  
13 number of air refueling tanker aircraft in the primary as-  
14 signed aircraft inventory of the Air Force below 479 only  
15 if—

16           “(A) the Secretary certifies to the congressional  
17 defense committees that such reduction is justified  
18 by the results of the mobility capability and require-  
19 ments study conducted under section 144(b) of the  
20 National Defense Authorization Act for Fiscal Year  
21 2018 (Public Law 115–91); and

22           “(B) a period of 30 days has elapsed following  
23 the date on which the certification is made to the  
24 congressional defense committees under subpara-  
25 graph (A).

1 “(3) In this subsection:

2 “(A) The term ‘air refueling tanker aircraft’  
3 means an aircraft that has as its primary mission  
4 the refueling of other aircraft.

5 “(B) The term ‘primary assigned aircraft inven-  
6 tory’ means aircraft authorized to a flying unit for  
7 operations or training.”.

8 (b) LIMITATION ON RETIREMENT OF KC-10A.—

9 (1) IN GENERAL.—None of the funds author-  
10 ized to be appropriated by this Act or otherwise  
11 made available for any fiscal year for the Air Force  
12 may be obligated or expended to retire, or to prepare  
13 to retire, any KC-10A aircraft until the date that is  
14 30 days after the date on which the Secretary of the  
15 Air Force certifies to the congressional defense com-  
16 mittees that Secretary has met the minimum inven-  
17 tory requirement under section 8062(j) of title 10,  
18 United States Code, as added by subsection (a) of  
19 this section.

20 (2) EXCEPTION FOR CERTAIN AIRCRAFT.—The  
21 requirement of paragraph (1) does not apply to indi-  
22 vidual KC-10A aircraft that the Secretary of the Air  
23 Force determines, on a case-by-case basis, to be non-  
24 operational because of mishaps, other damage, or  
25 being uneconomical to repair.

1 **SEC. 143.[Log 66822]. RETIREMENT DATE FOR VC-25A AIR-**  
2 **CRAFT.**

3 (a) IN GENERAL.—For purposes of the application  
4 of section 2244a of title 10, United States Code, the re-  
5 tirement date of the covered aircraft is deemed to be not  
6 later than December 31, 2025.

7 (b) COVERED AIRCRAFT DEFINED.—In this section,  
8 the term “covered aircraft” means the two VC-25A air-  
9 craft of the Air Force that are in service as of the date  
10 of the enactment of this Act.

1 **SEC. 144.[Log 67587]. CONTRACT FOR LOGISTICS SUPPORT**  
2 **FOR VC-25B AIRCRAFT.**

3 The Secretary of the Air Force shall—

4 (1) ensure that the total period of any contract  
5 awarded for logistics support for the VC-25B air-  
6 craft does not exceed 5 years, as required under part  
7 17.204(e) of the Federal Acquisition Regulation; and

8 (2) conduct a full and open competition for the  
9 award of such contract, pursuant to section 2304 of  
10 title 10, United States Code, at the end of each con-  
11 tract period.

1 **SEC. 145.[Log 67121]. MULTIYEAR PROCUREMENT AUTHOR-**  
2 **ITY FOR C-130J AIRCRAFT.**

3 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.—**  
4 Subject to section 2306b of title 10, United States Code,  
5 the Secretary of the Navy may enter into one or more  
6 multiyear contracts, beginning with the fiscal year 2019  
7 program year, for the procurement of up to 52 C-130J  
8 aircraft.

9 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
10 **MENTS.—**A contract entered into under subsection (a)  
11 shall provide that any obligation of the United States to  
12 make a payment under the contract for a fiscal year after  
13 fiscal year 2019 is subject to the availability of appropria-  
14 tions for that purpose for such later fiscal year.

1 **SEC. 220 [Log 68000]. MODIFICATION OF CVN-73 TO SUP-**  
2 **PORT FIELDING OF MQ-25 UNMANNED AER-**  
3 **IAL VEHICLE.**

4 The Secretary of the Navy shall ensure that the air-  
5 craft carrier designated CVN-73 is modified to support  
6 the fielding of the MQ-25 unmanned aerial vehicle before  
7 the date on which the refueling and complex overhaul of  
8 the aircraft carrier is completed.

1                   **Subtitle D—Industrial Base**  
2                                   **Matters**

3   **SEC. 841 [Log 67339]. REQUIREMENT THAT CERTAIN SHIP**  
4                   **COMPONENTS BE MANUFACTURED IN THE**  
5                   **NATIONAL TECHNOLOGY AND INDUSTRIAL**  
6                   **BASE.**

7           (a) **ADDITIONAL PROCUREMENT LIMITATION.**—Sec-  
8   tion 2534(a) of title 10, United States Code, is amended  
9   by adding at the end the following new paragraph:

10                   “(6) **COMPONENTS FOR AUXILIARY SHIPS.**—

11           Subject to subsection (k), the following components:

12                   “(A) Auxiliary equipment, including  
13                   pumps, for all shipboard services.

14                   “(B) Propulsion system components, in-  
15                   cluding engines, reduction gears, and propellers.

16                   “(C) Shipboard cranes.

17                   “(D) Spreaders for shipboard cranes.”.

18           (b) **IMPLEMENTATION.**—Such section is further  
19   amended by adding at the end the following new sub-  
20   section:

21                   “(k) **IMPLEMENTATION OF AUXILIARY SHIP COMPO-**  
22   **NENT LIMITATION.**—Subsection (a)(6) applies only with  
23   respect to contracts awarded by the Secretary of a military  
24   department for new construction of an auxiliary ship after  
25   the date of the enactment of the National Defense Author-

1 ization Act for Fiscal Year 2019 using funds available for  
2 National Defense Sealift Fund programs or Shipbuilding  
3 and Conversion, Navy. For purposes of this subsection,  
4 the term ‘auxiliary ship’ does not include an icebreaker.”.



1           **Subtitle C—Naval Vessels and**  
2                           **Shipyards**

3   **SEC. 1021[Log 67340]. INCLUSION OF OPERATION AND**  
4                           **SUSTAINMENT COSTS IN ANNUAL NAVAL VES-**  
5                           **SEL CONSTRUCTION PLANS.**

6           Section 231(b)(2) of title 10, United States Code, is  
7 amended by adding at the end the following new subpara-  
8 graph:

9                           “(F) The estimated operations and sustainment  
10           costs required to support the vessels delivered under  
11           the naval vessel construction plan.”.

1 **SEC. 1022 [Log 67145]. PURCHASE OF VESSELS USING FUNDS**  
2 **IN NATIONAL DEFENSE SEALIFT FUND.**

3 (a) IN GENERAL.—Section 2218(f)(3) of title 10,  
4 United States Code, is amended—

5 (1) in subparagraph (C)—

6 (A) by striking “two” and inserting “ten”;

7 and

8 (B) by striking “ships” and inserting “ves-  
9 sels”;

10 (2) by redesignating subparagraph (E) as sub-  
11 paragraph (F); and

12 (3) by inserting after subparagraph (D) the fol-  
13 lowing new subparagraph (E):

14 “(E) The Secretary may not use the au-  
15 thority under this paragraph to procure more  
16 than two foreign constructed vessels unless the  
17 Secretary submits to Congress, by not later  
18 than the second week of February of the fiscal  
19 year during which the Secretary plans to use  
20 such authority, a certification that—

21 “(i) the Secretary has initiated an ac-  
22 quisition strategy for the construction in  
23 United States shipyards of not less than  
24 ten new sealift vessels purchased with  
25 funds in the National Defense Sealift  
26 Fund; and

1                   “(ii) of such new sealift vessels, the  
2                   lead ship is anticipated to be delivered by  
3                   not later than 2026.”.

4           (b) LIMITATION ON USE OF FUNDS.—Of the  
5 amounts authorized to be appropriated or otherwise made  
6 available by this Act for fiscal year 2019 for the Military  
7 Sealift Command, the Secretary of the Navy may not obli-  
8 gate or expend more than 75 percent until the Secretary  
9 submits to the congressional defense committees certifi-  
10 cation that the Navy has—

11                   (1) entered into a contract for the procurement  
12                   of two used National Defense Reserve Fleet vessels  
13                   in accordance with section 2218(f)(3)(C) of title 10,  
14                   United States Code; and

15                   (2) completed the capability development docu-  
16                   ment for the common hull multi-mission platform.

1 **SEC. 1023 [Log 66814]. TECHNICAL CORRECTIONS AND**  
2 **CLARIFICATIONS TO CHAPTER 633 OF TITLE**  
3 **10, UNITED STATES CODE, AND OTHER PROVI-**  
4 **SIONS OF LAW REGARDING NAVAL VESSELS.**

5 (a) MODEL BASIN; INVESTIGATION OF HULL DE-  
6 SIGNS.—Section 7303 of title 10, United States Code, is  
7 amended by striking “(a) An office” and all that follows  
8 through “(b) The Secretary” and inserting “The Sec-  
9 retary”.

10 (b) REPEAL OF CERTAIN PROVISIONS OF CHAPTER  
11 633 OF TITLE 10, UNITED STATES CODE.—

12 (1) IN GENERAL.—The following sections of  
13 chapter 633 of title 10, United States Code, are re-  
14 pealed:

15 (A) Section 7294.

16 (B) Section 7295.

17 (C) Section 7300.

18 (D) Section 7306.

19 (E) Section 7306b.

20 (2) CLERICAL AMENDMENTS.—The table of sec-  
21 tions at the beginning of such chapter is amended  
22 by striking the items relating to sections 7294.  
23 7295, 7300, 7306, and 7306b.

24 (c) OTHER PROVISIONS OF LAW.—

25 (1) REPEAL OF METERING OF NAVY PIERS TO  
26 ACCURATELY MEASURE ENERGY CONSUMPTION.—

1 Section 2828 of the National Defense Authorization  
2 Act for Fiscal Year 2012 (Public Law 112-81; 125  
3 Stat. 1694; 10 U.S.C. 7291 note) is repealed.

4 (2) MODIFICATION OF ADVANCE PROCUREMENT  
5 FUNDING.—Section 124 of the National Defense Au-  
6 thorization Act for Fiscal Year 2010 (Public Law  
7 111–84; 123 Stat. 2214; 10 U.S.C. 7291 note) is  
8 amended—

9 (A) by striking subsection (a); and

10 (B) by redesignating subsections (b) and  
11 (c) as subsections (a) and (b), respectively.

12 (3) REPEAL OF POLICY RELATING TO MAJOR  
13 COMBATANT VESSELS OF THE STRIKE FORCES OF  
14 THE UNITED STATES NAVY.—Section 1012 of the  
15 National Defense Authorization Act for Fiscal Year  
16 2008 (Public Law 110–181; 122 Stat. 303; 10  
17 U.S.C. 7291 note) is repealed.

18 (4) REPEAL OF ALTERNATIVE TECHNOLOGIES  
19 FOR FUTURE SURFACE COMBATANTS.—Section 128  
20 of the John Warner National Defense Authorization  
21 Act for Fiscal Year 2007 (Public Law 109–364; 120  
22 Stat. 2109; 10 U.S.C. 7291 note) is repealed.

23 (5) REPEAL OF OBSOLETE PROVISION ON VES-  
24 SEL SCRAPPING PILOT PROGRAM.—Section 8124 of  
25 the Department of Defense Appropriations Act,

1 1999 (Public Law 105–262; 112 Stat. 2333; 10  
2 U.S.C. 7291 note) is repealed.

3 (6) REPEAL OF PROVISION ON CONSIDERATION  
4 OF VESSEL LOCATION FOR AWARD OF LAYBERTH  
5 CONTRACTS FOR SEALIFT VESSELS.—Section 375 of  
6 the National Defense Authorization Act for Fiscal  
7 Year 1993 (Public Law 102–484; 106 Stat. 2385;  
8 10 U.S.C. 7291 note) is repealed.

9 (7) REPEAL OF PROVISION ON REVITALIZATION  
10 OF UNITED STATES SHIPBUILDING INDUSTRY.—Sec-  
11 tion 1031 of the National Defense Authorization Act  
12 for Fiscal Year 1993 (Public Law 102–484; 106  
13 Stat. 2489; 10 U.S.C. 7291 note) is repealed.

14 (8) REPEAL OF FAST SEALIFT PROGRAM.—

15 (A) PROCUREMENT OF SHIPS.—Section  
16 1021 of the National Defense Authorization Act  
17 for Fiscal Year 1993 (Public Law 102–484;  
18 106 Stat. 2485; 10 U.S.C. 7291 note) is re-  
19 pealed.

20 (B) ESTABLISHMENT OF PROGRAM.—Sec-  
21 tion 1424 of the National Defense Authoriza-  
22 tion Act for Fiscal Year 1991 (Public Law  
23 101–510; 104 Stat. 1683; 10 U.S.C. 7291  
24 note) is repealed.

1           (9) REPEAL OF REQUIREMENTS RELATING TO  
2           DEPOT-LEVEL MAINTENANCE OF SHIPS.—Section  
3           1614 of the National Defense Authorization Act for  
4           Fiscal Years 1990 and 1991 (Public Law 101–189;  
5           103 Stat. 1601; 10 U.S.C. 7291 note) is amended  
6           by striking subsections (a) and (b).

7           (10) REPEAL OF OBSOLETE REQUIREMENT FOR  
8           REPORTS ON EFFECTS OF NAVAL SHIPBUILDING  
9           PLANS ON MARITIME INDUSTRIES.—Section 1227 of  
10          the National Defense Authorization Act for Fiscal  
11          Year 1989 (Public Law 100–456; 102 Stat. 2055;  
12          10 U.S.C. 7291 note) is repealed.

13          (11) REPEAL OF SIX-HUNDRED-SHIP GOAL FOR  
14          NAVY; SENSE OF CONGRESS.—Section 791 of the  
15          Department of Defense Appropriations Act, 1982  
16          (Public Law 97–114; 95 Stat. 1593; 10 U.S.C. 7291  
17          note) is repealed.

18          (12) REPEAL OF PROHIBITION ON USE OF PUB-  
19          LIC AND PRIVATE SHIPYARDS FOR CONVERSION,  
20          OVERHAUL, OR REPAIR WORK UNDER CERTAIN PRO-  
21          GRAMS.—Section 811 of the Department of Defense  
22          Appropriations Act, 1979 (Public Law 95–485; 92  
23          Stat. 1624; 10 U.S.C. 7291 note) is repealed.

24          (13) REPEAL OF OBSOLETE REQUIREMENT TO  
25          SUBMIT A FIVE-YEAR NAVAL SHIP NEW CONSTRUC-

1       TION AND CONVERSION PROGRAM.—Section 808 of  
2       the Department of Defense Authorization Act, 1976  
3       (Public Law 94–106; 89 Stat. 539; 10 U.S.C. 7291  
4       note) is repealed.



1 **SEC. 1024 [Log 66820]. RETENTION OF NAVY HOSPITAL SHIP**  
2 **CAPABILITY.**

3 (a) **RETENTION OF SHIPS.**—The Secretary of the  
4 Navy shall retain two T-AH 19 Mercy-class hospital ships  
5 at a readiness level that provides for the activation and  
6 deployment of each such ship within a period that does  
7 not exceed 5 days.

8 (b) **WAIVER AUTHORITY.**—The Secretary of the  
9 Navy may waive the requirement under subsection (a) if  
10 the Secretary submits to the congressional defense com-  
11 mittees certification in writing that the Secretary has—

12 (1) for any T-AH 19 Mercy-class hospital ship  
13 to be retired or transferred, identified a replacement  
14 capability to meet the combatant commander afloat  
15 medical capability for medical and surgical care that  
16 is being met by the ship to be retired or transferred;  
17 and

18 (2) achieved the initial operational capability of  
19 the replacement capability described in paragraph  
20 (1).

1 **SEC. 1406. [LOG 67797] NATIONAL DEFENSE SEALIFT FUND.**

2 Funds are hereby authorized to be appropriated for  
3 fiscal year 2019 for the National Defense Sealift Fund,  
4 as specified in the funding tables in section 4501.

1 **SEC. 3501 [log 67080]. AUTHORIZATION OF THE MARITIME**  
2 **ADMINISTRATION.**

3 There are authorized to be appropriated to the De-  
4 partment of Transportation for fiscal year 2018, to be  
5 available without fiscal year limitation if so provided in  
6 appropriations Acts, for programs associated with main-  
7 taining the United States merchant marine, the following  
8 amounts:

9 (1) For expenses necessary for operations of the  
10 United States Merchant Marine Academy,  
11 \$74,593,000, of which—

12 (A) \$70,593,000 shall be for Academy op-  
13 erations; and

14 (B) \$4,000,000 shall remain available until  
15 expended for capital asset management at the  
16 Academy.

17 (2) For expenses necessary to support the State  
18 maritime academies, \$24,400,000, of which—

19 (A) \$2,400,000 shall remain available until  
20 September 30, 2019, for the Student Incentive  
21 Program; and

22 (B) \$22,000,000 shall remain available  
23 until expended for maintenance and repair of  
24 State maritime academy training vessels.

25 (3) For expenses necessary to support the Na-  
26 tional Security Multi-Mission Vessel Program,

1       \$350,000,000, which shall remain available until ex-  
2       pended.

3           (4) For expenses necessary to support Maritime  
4       Administration operations and programs,  
5       \$53,435,000.

6           (5) For expenses necessary to dispose of vessels  
7       in the National Defense Reserve Fleet, \$30,000,000,  
8       which shall remain available until expended.

9           (6) For expenses necessary to maintain and  
10      preserve a United States flag merchant marine to  
11      serve the national security needs of the United  
12      States under chapter 531 of title 46, United States  
13      Code, \$300,000,000.

14          (7) For expenses necessary for the loan guar-  
15      antee program authorized under chapter 537 of title  
16      46, United States Code, \$33,000,000, of which—

17           (A) \$30,000,000 may be used for the cost  
18           (as defined in section 502(5) of the Federal  
19           Credit Reform Act of 1990 (2 U.S.C. 661a(5)))  
20           of loan guarantees under the program; and

21           (B) \$3,000,000 may be used for adminis-  
22           trative expenses relating to loan guarantee com-  
23           mitments under the program.

24          (8) For expenses necessary to provide small  
25      shipyards and maritime communities grants under

1 section 54101 of title 46, United States Code,  
2 \$35,000,000.

1 **SEC. 3502 [log 67081]. COMPLIANCE BY NATIONAL DEFENSE**  
2 **RESERVE FLEET VESSELS WITH SOLIS LIFE-**  
3 **BOATS AND FIRE SUPPRESSION REQUIRE-**  
4 **MENTS.**

5 The Secretary of Defense shall, consistent with sec-  
6 tion 2244a of title 10, United States Code, use authority  
7 under section 2218 of such title to make such modifica-  
8 tions to National Defense Reserve Fleet vessels as are nec-  
9 essary for such vessels to comply requirements for life-  
10 boats and fire suppression under the International Con-  
11 vention for the Safety of Life at Sea by not later than  
12 October 1, 2021.

1 **SEC. 3503 [log 67222]. LIMITATION ON AUTHORIZATION OF**  
2 **FUNDS FOR PROCUREMENT OF USED TRAIN-**  
3 **ING VESSELS.**

4 No funds are authorized by this or any other Act for  
5 procurement by the Maritime Administration of used  
6 training vessels for use as school ship replacement vessels.

1 **SEC. 3504 [log 67583]. PERMANENT AUTHORITY OF SEC-**  
2 **RETARY OF TRANSPORTATION TO ISSUE VES-**  
3 **SEL WAR RISK INSURANCE.**

4 (a) **IN GENERAL.**—Section 53912 of title 46, United  
5 States Code, is repealed.

6 (b) **CLERICAL AMENDMENT.**—The table of sections  
7 at the beginning of chapter 539 of title 46, United States  
8 Code, is amended by striking the item relating to section  
9 53912.



# **DIRECTIVE REPORT LANGUAGE**

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# DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

## TITLE I—PROCUREMENT

### WEAPONS PROCUREMENT, NAVY

#### Items of Special Interest

##### *Advanced Low Cost Munition Ordnance*

The committee continues to support development of the Advanced Low Cost Munition Ordnance (ALaMO), a guided 57 mm projectile, to counter the growing threats posed by small boat swarms, unmanned aerial systems, and other emerging threats. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by August 30, 2018, on accelerating development of ALaMO's capabilities to address threats posed by unmanned aerial systems. The briefing should also include, but not be limited to, an evaluation of the current funding profile of this program across the Future Years Defense Program, as well as potential courses of action to accelerate or streamline the current program strategy.

### SHIPBUILDING AND CONVERSION, NAVY

#### Items of Special Interest

##### *Frigate*

The committee is aware that the Navy awarded five contracts for conceptual design for its new guided missile frigate program, FFG(X), with multiple shipbuilders currently developing their respective designs to compete for a detail design and construction contract award planned for September 2020. This pursuit represents a significant shift from the Navy's previous plans to award a contract in fiscal year 2018 for a frigate derived from minor modifications to a Littoral Combat Ship (LCS) design. The FFG(X) program intends to leverage the proposed capabilities of the previous frigate plans and expand upon them to create a more lethal and survivable ship. FFG(X) represents a significant investment, with the Navy's fiscal year 2019 long-range shipbuilding plan estimating over \$5.5 billion through fiscal year 2023 for the first 6 frigates, and a total of 20 frigates planned through fiscal year 2030.

Since 2005, the Comptroller General of the United States has reported extensively on the LCS program, the predecessor small surface combatant. Considering the lessons learned during the LCS program, the committee directs the Comptroller General of the United States conduct a review of the FFG(X) program

and provide a report to the congressional defense committees by March 1, 2019. The report shall include, at a minimum, analysis on the following:

(1) conceptual design plans and activities to support the advancement of multiple ship designs for a full and open competition in fiscal year 2020;

(2) activities to establish requirements and system specifications, and to develop the program's overall acquisition approach, including cost and schedule estimates, as well as a test strategy; and

(3) plans for the detail design and construction award contract, to include a review of the implications of a potential request by the Navy for a block buy award.

#### *Nimitz-class aircraft carrier service life extension*

In December 2016, the Secretary of the Navy determined that a 355-ship Navy is required to support force structure demands. A part of this force structure requirement is a power projection requirement of 12 aircraft carriers. With the delivery of the USS John F. Kennedy (CVN 79) in 2023, the Navy will reach their 12 aircraft carrier goal but will quickly lose this overall capacity with the programmed retirement of USS Nimitz (CVN 68) in fiscal year 2023.

The committee believes that there are several options to retain required aircraft carrier force structure to include accelerating construction of the Ford-class carriers. Additionally, the committee believes that service life extension options may be available for USS Nimitz. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by March 1, 2019, on options that exist to extend the service life of USS Nimitz, to include the extension of major components. Additionally, such a briefing should include cost estimates and major modernization components.

### OTHER PROCUREMENT, NAVY

#### Items of Special Interest

#### *Arleigh Burke-class destroyer Radar Backfit*

The committee notes that Navy witnesses have provided testimony to the committee and indicated their recommendation to extend the service life of the Arleigh Burke-class destroyers for 45 years. Navy notes that expansion of the service life will allow Navy to reach the 355-ship Navy by 2036 or 2037. The committee supports retention of destroyers beyond their current service life but notes that such support is contingent on providing a comprehensive modernization plan for the entirety of the in-service destroyers. As part of this overall modernization of the destroyer fleet, the committee believes that it is essential the Navy develop a next generation maritime radar system for in service Arleigh Burke class destroyers to address existing and emerging gaps in integrated air and missile defense. The committee understands that the Secretary of the Navy is still developing its strategy for how to pursue this capability. The committee further

recognizes that the recent decision to perform a class wide service life extension program (SLEP) on all in service destroyers could have an impact on the timing of a radar backfit program. The committee believes that it would be premature to make any decisions regarding specific radars until the Secretary has completed a comprehensive threat and capabilities based assessment of what will be required for a new radar for in service destroyers. Therefore, the committee directs the Secretary of the Navy to brief the House Armed Services Committee on the details of their DDG-51 radar backfit strategy once an overall modernization strategy has been completed.

### *SPY-6 Inherent Capabilities*

The committee is aware that next generation AN/SPY-6(V) Air and Missile Defense Radars will soon be entering the fleet. As the SPY-6 family of radars begin to deploy and better protect our service members and allies, the committee is also aware that capabilities beyond those designed for nominal radar operations may exist. To provide the committee a better understanding of the full range of capabilities resident in SPY-6(V) radar modular assembly (RMA) based radars, the committee directs the Secretary of the Navy to provide a briefing to the House Armed Services Committee on a plan that will exploit the inherent capabilities of SPY-6(V) within 90 days from the enactment of this Act.

### *Surface ship torpedo defense*

The evolving challenges and tensions in the Indo-Asia-Pacific region underscore the ongoing requirement for a surface ship torpedo defense (SSTD) capability for the Navy's high-value units. The committee understands that the Chief of Naval Operations highlighted this requirement in a 2010 urgent operational need statement and that since that time, potential regional adversaries have continued to improve their submarine and torpedo capabilities. Despite this increasing threat to Navy carrier strike groups and surface platforms, and the continued SSTD testing success and program maturation, the budget request and the Future Years Defense Program inadequately support currently deployed systems and cancel further development of this SSTD capability.

The committee is concerned that this decision is based on the need to balance several years of inadequate funding resources across a range of priorities and that this budgetary dynamic is forcing decisions that put at risk the readiness and security of U.S. naval and Marine forces without adequate alternative plans to mitigate that threat. As raised in previous communications with Navy officials, the committee also has concerns that the Navy has distributed various SSTD program responsibilities among various Navy resource sponsors, which has led to a lack of determined support for efficient program execution and a lack of focused leadership.

In light of these concerns, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by October 1, 2018, that includes, but is not limited to, the following: an assessment of the current and

foreseeable torpedo threats facing high-value units and the Navy's plan to adequately protect them, a description of the requirements for SSTD, an assessment of the development program concerning each of the SSTD capability elements, the plan to consolidate responsibility of the SSTD program, and the plan to manage and sustain currently fielded SSTD systems.

## AIRCRAFT PROCUREMENT, AIR FORCE

### Items of Special Interest

#### *B-2 secure communication modernization plan*

The committee notes that the Air Force released its "Bomber Vector" in conjunction with its fiscal year 2019 President's budget request which outlines the future of the B-1, B-2, B-52, and B-21 bomber fleets. According to this document, during development and production of the B-21, the Air Force will sustain the B-2 bomber to assure no gaps in bomber force availability. In addition to availability, the committee is concerned that the B-2 bomber fleet must keep pace with the threat level and have no gaps in capability during the transition. This is critical as competitor nations increasingly field anti-access and area denial weapon systems that impede and degrade the Air Force's ability to hold any target at risk around the globe.

The committee is aware that, as noted in the Department of Defense fiscal year 2019 budget request, "modern communications are key enablers for the B-2 in the anti-access/area denial battle-space and directly enhance lethality and force multiplication." The committee is concerned that the Department terminated the Extremely High Frequency Satellite Communications program, which provided two-way, high-bandwidth, secure, survivable, strategic communication in anti-access and area denial environments. In its place, the Air Force has chosen to rely on the Common Very-Low-Frequency Receiver (CVR), which is to provide the B-2 with receive-only, secure, survivable communications.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by February 28, 2019, on the B-2 secure communications modernization plan. This briefing should include the following:

(1) the impact of the Air Force's decision to downgrade B-2 communications capabilities on the ability of the B-2 to perform its critical strike missions in anti-access/area denial environments;

(2) recommend solutions that would enable automated transfer of data to the B-2 and enable the aircraft to operate in a networked fashion with other elements for the long-range strike family of systems and other Air Force and Joint systems; and

(3) provide estimated modernization costs and timelines, and consider opportunities to exploit capabilities developed for other programs.

### *Compass Call transition plan*

The committee supports the Air Force's efforts to recapitalize the aging EC-130H Compass Call fleet with the more capable EC-37 type aircraft. The committee notes that the Air Force must first comply with the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) and the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) before it can carry on with the transition plan. The Air Force requested \$108.1 million for fiscal year 2019 for one EC-37. The committee is concerned that the Air Force plan to procure one aircraft per year over 10 years in order to recapitalize this fleet is not the most efficient way to move the capability to the field quickly, and may put the Compass Call mission at unacceptable risk of mission failure.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by February 1, 2019, on the Compass Call transition plan. This plan should include:

- (1) courses of action to accelerate the recapitalization of the EC-130H fleet and Baseline 4 development and deployment for incoming EC-37 aircraft;
- (2) attendant timelines for each course of action;
- (3) cost estimates for each course of action;
- (4) recommended course of action and a plan to manage both fleets while supporting combatant commander requirements; and
- (5) an assessment of the potential for future cooperative development and procurement of EC-37B Compass Call aircraft by the Royal Air Force of the United Kingdom and the Royal Australian Air Force in a way that leverages the best practices of the RC-135 cooperative program arrangement with the Royal Air Force of the United Kingdom.

### *Total Force C-17 Fleet Management Plan*

The committee notes that the Air Force must carefully manage the life cycle of each of its 222 C-17 strategic airlift aircraft assigned to the Regular, Reserve, and Air National Guard Components from an enterprise point of view in order to extract the maximum amount of utility from this limited resource. The committee is also aware that the Air Force is unable to meet its current requirement for strategic airlift as outlined by the fiscal year 2013 Mobility Capability Requirements Study (MCRS). Furthermore, the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) directed the Secretary of Defense to carry out a new MCRS. This study is to take into account attrition for the first time, which is likely to result in a higher requirement for strategic airlift.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by February 1, 2019, on the Total Force C-17 Fleet Management Plan. This briefing should include:

- (1) a table and timeline that shows when C-17s will be retired by tail number;

(2) various courses of action that could be pursued and the impact to meeting the strategic airlift requirements;

(3) limitation or impediments to controlling the retirement timeline of C-17 aircraft; and

(4) legislative relief that could enable better management of the fleet through retirement.