

A BILL

To authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2020”.

5 **SEC. 2. TABLE OF CONTENTS.**

6 The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

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Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 105. Defense Production Act purchases.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.

TITLE III—OPERATION AND MAINTENANCE

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Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environment

Sec. 311. Expediting Federal agency environmental reviews.

Subtitle C—Logistics and Sustainment

Sec. 321. Inclusion of product support providers in public-private partnerships with respect to Centers of Industrial and Technical Excellence.

Sec. 322. Inclusion of depot services as eligible for sales by industrial facilities.

Subtitle D—Other Matters

Sec. 331. Updating and modernizing the Department of Defense explosives safety board.

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Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

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Sec. 511. Repeal of requirement for review of certain Army reserve officer unit vacancy promotions by commanders of associated active duty units.

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Sec. 531. Revisions to requirements relating to Department of Defense policy on evidence retention to reflect the length of time a sexual assault forensic examination (SAFE) kit must be retained.

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Sec. 552. Authority to award or present a decoration following a congressionally requested review.

Subtitle G—Other Matters

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- Sec. 562. Clarification regarding military orders required for termination of leases pursuant to the Servicemembers Civil Relief Act.
- Sec. 563. Clarification of requirements for residence and domicile tax relief under the Servicemembers Civil Relief Act.
- Sec. 564. Determination of residence or domicile for tax purposes of spouses of military personnel.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

- Sec. 601. Inclusion of active duty service for a preplanned mission as eligible service for reduction of eligibility age for a non-regular retirement.
- Sec. 602. Authority to waive recoupment of separation pay, severance pay, or readjustment pay for involuntary discharge for members who subsequently become entitled to retired or retainer pay.
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TITLE VII—HEALTH CARE PROVISIONS

- Sec. 701. Reauthorization of demonstration project for health care coverage through the Federal Employees Health Benefits Program.

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

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- Sec. 801. Senior Military Acquisition Advisor eligibility.
- Sec. 802. Reestablishment of authority for Joint Urgent Operational Needs Fund.
- Sec. 803. Authority for life-of-type buys to prevent materiel shortages associated with diminishing manufacturing sources and obsolescence.

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- Sec. 811. Use of technical data during challenges.
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- Sec. 813. Removal of prohibition on delegation of determinations for improved conventional defense capabilities in cooperative research and development agreements.
- Sec. 814. Authority to cease selected acquisition reporting on certain major defense acquisition programs.
- Sec. 815. Pilot program to accelerate contracting and pricing processes.
- Sec. 816. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

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- Sec. 822. Phase flexibility permanency for Small Business Innovation Research and Small Business Technology Transfer programs.
- Sec. 823. Permanency of administrative funds pilot program.

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- Sec. 831. Timeliness rules for filing bid protests at the United States Court of Federal Claims.

TITLE IX—[RESERVED]

TITLE X—GENERAL PROVISIONS

- Sec. 1001. Refueling and complex overhaul of USS John C. Stennis.
- Sec. 1002. Reduction in the minimum number of Navy carrier air wings and carrier air wing headquarters required to be maintained.
- Sec. 1003. Ensuring operational readiness of littoral combat ships on extended deployments.
- Sec. 1004. Regulation of discharges incidental to the normal operations of a vessel of the Armed Forces under the Federal Water Pollution Control Act.
- Sec. 1005. Providing protection to the National Museum of the Marine Corps and the National Museum of the United States Army.
- Sec. 1006. Revisions to working-capital funds statute.
- Sec. 1007. Access to and use of military postal service by U.S. citizens employed overseas by the North Atlantic Treaty Organization who perform functions in support of military operations of the Armed Forces of the United States.
- Sec. 1008. Permanent authority of Secretary of Transportation to issue non-premium aviation insurance.
- Sec. 1009. 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.
- Sec. 1010. Increase of minimum dollar threshold for Department of Defense interest penalty payments.

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- Sec. 1101. Enhancement of capabilities to manage civilian faculty at Army and Navy educational institutions.

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- Sec. 1201. Extension of cross-servicing agreements for loan of personnel protection and survivability equipment in coalition operations.
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- Sec. 1203. Authority to reimburse National Guard and reserve salaries for certain activities in support of the Department of State.
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- Sec. 1401. Working capital funds.
- Sec. 1402. Joint urgent operational needs fund.
- Sec. 1403. Chemical agents and munitions destruction, defense.
- Sec. 1404. Drug interdiction and counter-drug activities, defense-wide.
- Sec. 1405. Defense Inspector General.
- Sec. 1406. Defense health program.

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- Sec. 1411. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.
- Sec. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

- Sec. 1501. Purpose.

- Sec. 1502. Army procurement.
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TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

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- Sec. 1601. Demonstration of backup and complementary positioning, navigation, and timing capabilities of global positioning system.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1611. Authority to provide additional allowances and benefits for Defense Clandestine Service employees.
- Sec. 1612. Modification of integration of Department of Defense intelligence, surveillance, and reconnaissance capabilities.
- Sec. 1613. Renaming the Under Secretary of Defense for Intelligence to Under Secretary of Defense for Intelligence and Security.

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- Sec. 1621. Authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.

TITLE XVII—SPACE FORCE

Subtitle A—United States Space Force

- Sec. 1701. Establishment of United States Space Force in the Department of the Air Force.
- Sec. 1702. Under Secretary of the Air Force for Space.
- Sec. 1703. Inclusion of the Space Force on the Joint Chiefs of Staff and Joint Staff.
- Sec. 1704. Civilian personnel supporting the Space Force.
- Sec. 1705. Decorations and awards.
- Sec. 1706. Repeal of provision related to Air Force Space Command.
- Sec. 1707. Transfer of personnel, property, and resources and other transition matters.

Subtitle B—Conforming Amendments

- Sec. 1711. Department of the Air Force provisions in title 10, United States Code.
- Sec. 1712. Other provisions of title 10, United States Code.
- Sec. 1713. Title 5, United States Code.
- Sec. 1714. Title 14, United States Code.
- Sec. 1715. Title 18, United States Code.
- Sec. 1716. Title 31, United States Code.
- Sec. 1717. Title 37, United States Code.
- Sec. 1718. Title 38, United States Code.
- Sec. 1719. Title 41, United States Code.

Sec. 1720. Title 51, United States Code.
Sec. 1721. Other provisions of law.

DIVISION B—[RESERVED]

1 **TITLE I—PROCUREMENT**

2 **SEC. 101. ARMY.**

3 Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for
4 the Army as follows:

5 (1) For aircraft, \$3,696,429,000.

6 (2) For weapons and tracked combat vehicles, \$4,715,566,000.

7 (3) For other procurement, \$7,443,101,000.

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

9 Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for
10 the Navy and Marine Corps as follows:

11 (1) For aircraft, \$18,522,204,000.

12 (2) For shipbuilding and conversion, \$23,783,710,000.

13 (3) For other procurement, \$9,652,956,000.

14 (4) For procurement, Marine Corps, \$3,090,449,000.

15 **SEC. 103. AIR FORCE.**

16 Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for
17 the Air Force as follows:

18 (1) For aircraft, \$16,784,279,000.

19 (2) For missiles, \$2,889,187,000.

20 (3) For space procurement, \$2,414,383,000.

21 (4) For other procurement, \$20,687,857,000.

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

2 Funds are hereby authorized to be appropriated for fiscal year 2020 for Defense-wide
3 procurement in the amount of \$5,109,416,000.

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

5 Funds are hereby authorized to be appropriated for fiscal year 2020 for purchases under
6 the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in the amount of \$34,393,000.

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

8 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

9 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
10 Department of Defense for research, development, test, and evaluation as follows:

- 11 (1) For the Army, \$12,192,771,000.
- 12 (2) For the Navy, \$20,270,499,000.
- 13 (3) For the Air Force, \$45,616,122,000.
- 14 (4) For Defense-wide activities, \$24,346,953,000.
- 15 (5) For the Director of Operational Test and Evaluation, \$221,200,000.

16 **TITLE III—OPERATION AND MAINTENANCE**

17 **Subtitle A—Authorization of Appropriations**

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

19 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
20 Armed Forces and other activities and agencies of the Department of Defense for expenses, not
21 otherwise provided for, for operation and maintenance, in amounts as follows:

- 22 (1) For the Army, \$22,797,873,000.
- 23 (2) For the Navy, \$25,952,718,000.

- 1 (3) For the Marine Corps, \$3,928,045,000.
- 2 (4) For the Air Force, \$21,278,499,000.
- 3 (5) For the Space Force, \$72,436,000.
- 4 (6) For Defense-wide activities, \$37,399,341,000.
- 5 (7) For the Army Reserve, \$1,080,103,000.
- 6 (8) For the Navy Reserve, \$261,284,000.
- 7 (9) For the Marine Corps Reserve, \$61,090,000.
- 8 (10) For the Air Force Reserve, \$2,231,445,000.
- 9 (11) For the Army National Guard, \$3,335,755,000.
- 10 (12) For the Air National Guard, \$3,612,156,000.
- 11 (13) For the United States Court of Appeals for the Armed Forces, \$14,771,000.
- 12 (14) For Environmental Restoration, Army, \$207,518,000.
- 13 (15) For Environmental Restoration, Navy, \$335,932,000.
- 14 (16) For Environmental Restoration, Air Force, \$302,744,000.
- 15 (17) For Environmental Restoration, Defense-wide, \$9,105,000.
- 16 (18) For Environmental Restoration, Formerly Used Defense Sites, \$216,499,000.
- 17 (19) For Overseas Humanitarian, Disaster, and Civic Aid programs,
- 18 \$108,600,000.
- 19 (20) For Cooperative Threat Reduction programs, \$338,700,000.
- 20 (21) For Department of Defense Acquisition Workforce Development Fund,
- 21 \$400,000,000.

22 **Subtitle B—Energy and Environment**

23 **SEC. 311. EXPEDITING FEDERAL AGENCY ENVIRONMENTAL REVIEWS.**

1 (a) DEFINITION OF SERVICE. —In this section the term “Service” means the National
2 Marine Fisheries Service or the United States Fish and Wildlife Service, as appropriate.

3 (b) AGREEMENTS AUTHORIZED. —

4 (1) IN GENERAL. —The Secretary of a military department is authorized to enter
5 into an agreement with a Service to expedite an environmental review, planning,
6 consultation, permitting, or approval process under the Marine Mammal Protection Act
7 of 1972 (16 U.S.C. 1361 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531
8 et seq.) for a project or program undertaken by the military department.

9 (2) AGREEMENT CONTENTS. —Each such agreement shall—

10 (A) provide for a payment to a Service for the estimated or actual
11 expenses of undertaking an expedited environmental review, planning,
12 consultation, permitting, or approval process for a project or program undertaken
13 by the military, including payment for—

14 (i) support of or participation in military planning activities that
15 precede the initiation of the environmental review process;

16 (ii) activities directly related to the environmental review process,
17 including any associated permitting, authorization, consultation or
18 approval process;

19 (iii) dedicated staffing of agency personnel;

20 (iv) information gathering or mapping; or

21 (v) development of programmatic agreements;

22 (B) specify the amount of and basis for the payment the Secretary will
23 provide to the Service pursuant to the agreement; and

1 (C) require the Director of the Service to use the payment received
2 pursuant to the agreement only to contribute toward undertaking the
3 environmental review, planning, consultation, permitting, or approval process
4 within the time period described in subsection (c)(1).

5 (c) PAYMENT CONDITIONS. —The Secretary of a military department may provide a
6 payment pursuant to an agreement under this section only if—

7 (1) the Secretary determines that it is in the interest of national defense to
8 complete an environmental review, planning, consultation, permitting, or approval
9 process by a Service under an Act described in subsection (b) for a project or program
10 undertaken by the military department within a particular time period; and

11 (2) the Director of a Service provides to the Secretary notice that the Service does
12 not have sufficient funds or adequate personnel to complete such environmental review,
13 planning, consultation, permitting, or approval process within such time period.

14 (d) PAYMENT FUNDING. — The Secretary of a military department may use funds
15 available for operations and maintenance to make payments pursuant to an agreement under this
16 section.

17 (e) CREDITING OF PAYMENTS. —Payments to a Service under this section, including any
18 payments provided in advance, may be credited to the appropriations of such agency for salaries
19 and expenses. Subject to satisfaction of the requirements of subparagraphs (B) and (C) of
20 subsection (b)(2), on use of payments by the Director of a Service, amounts so paid shall be
21 merged with and shall be available for the same purposes and for the same time period as the
22 appropriations so credited.

1 (f) GUIDANCE. —Not later than 180 days after the date of enactment of this section, the
2 Secretary of Defense shall issue guidance to implement this section.

3 **Subtitle C—Logistics and Sustainment**

4 **SEC. 321. INCLUSION OF PRODUCT SUPPORT PROVIDERS IN PUBLIC-PRIVATE**
5 **PARTNERSHIPS WITH RESPECT TO CENTERS OF INDUSTRIAL AND**
6 **TECHNICAL EXCELLENCE.**

7 (a) IN GENERAL.—Subsection (b) of section 2474 of title 10, United States Code, is
8 amended—

9 (1) in paragraph (1)—

10 (A) in the matter preceding subparagraph (A), by inserting “or the head of
11 a component that provides product support to the Center (in this section referred
12 to as a ‘product support provider’)” after “the head of the Center”;

13 (B) in subparagraph (A), by inserting “a product support provider,” after
14 “employees of the Center,”;

15 (C) in subparagraph (B), by inserting “or a product support provider” after
16 “the Center”; and

17 (2) in paragraph (2)—

18 (A) in subparagraph (A), by inserting “and product support providers”
19 after “Center of Industrial and Technical Excellence”;

20 (B) in subparagraph (B), by inserting “or a facility of a product support
21 provider” after “Center”;

22 (C) in subparagraph (C), by inserting “or a facility of a product support
23 provider” after “Center”; and

1 (D) in subparagraph (D)—

2 (i) in clause (i), by inserting “or a product support provider” after
3 “Center”; and

4 (ii) in clause (ii), by striking “at a Center” and inserting “of a
5 Center or a product support provider”.

6 (b) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Subsection (c) of such section is
7 amended by inserting “or a product support provider” after “Center of Industrial and Technical
8 Excellence”.

9 (c) CREDITING OF AMOUNTS FOR PERFORMANCE.—Subsection (d) of such section is
10 amended in the first sentence by inserting “or a product support provider” after “Center”.

11 (e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—
12 Subsection (e) of such section is amended—

13 (1) in the matter preceding paragraph (1), by inserting “or a product support
14 provider“ after “Center of Industrial and Technical Excellence”; and

15 (2) in paragraph (1), by inserting “or a product support provider” after “Center”.

16 **SEC. 322. INCLUSION OF DEPOT SERVICES AS ELIGIBLE FOR SALES BY**
17 **INDUSTRIAL FACILITIES.**

18 (a) IN GENERAL.—Section 2563 of title 10, United States Code, is amended—

19 (1) in the heading, by striking “**facilities**” and inserting “**facilities or operations**”;

20 (2) in subsection (a)(2)—

21 (A) in subparagraph (A), by striking “working-capital funded industrial
22 facility” and inserting “working-capital funded industrial facility or industrial
23 operation”; and

1 (B) in subparagraph (B), by striking “a working-capital funded Army
2 industrial facility” and inserting “a working-capital funded Army industrial
3 facility or an Army industrial operation”;

4 (3) in subsection (b)—

5 (A) in the heading, by striking “FACILITIES” and inserting “FACILITIES OR
6 OPERATIONS”; and

7 (B) by striking “facilities” each place it appears and inserting “facilities or
8 operations”;

9 (4) in subsection (c), by striking “facility” each place it appears and inserting
10 “facilities or operation”; and

11 (5) in subsection (g)—

12 (A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4),
13 respectively; and

14 (B) by inserting after paragraph (1) the following new paragraph:

15 “(2) The term ‘industrial operation’ means a working-capital funded organization,
16 a depot repair organization, or a product support activity supporting these organizations.”.

17 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter
18 152 of title 10, United States Code, is amended by striking the item relating to section 2563 and
19 inserting the following new item:

“2563. Articles and services of industrial facilities or operations: sale to persons outside the Department of
Defense.”

20 **Subtitle D—Other Matters**

21 **SEC. 331. UPDATING AND MODERNIZING THE DEPARTMENT OF DEFENSE**

22 **EXPLOSIVES SAFETY BOARD.**

1 (a) IN GENERAL.—Section 172 of title 10, United States Code, is amended to read as
2 follows:

3 **“§172. Explosives safety board**

4 “(a) EXPLOSIVES SAFETY RISK MANAGEMENT.—The Secretary of Defense, acting through
5 a joint board composed of members as described in subsection (b), shall develop guidance for
6 oversight of the explosives safety munitions risk management life-cycle of the production,
7 storage, and transportation of supplies of military munitions for use of the organizations listed in
8 section 111(b) of this title, with particular regard to keeping those supplies properly dispersed
9 and stored and to preventing hazardous conditions from arising to endanger life and property
10 inside or outside of storage reservations.

11 “(b) COMPOSITION OF BOARD.—The joint board referred to in subsection (a) shall include
12 members selected by the Secretaries of the military departments and be composed of military
13 officers, civilian officers and employees of the Department of Defense, or both. The joint board
14 may, under agreement with the Secretary of Homeland Security, include a member from the
15 Coast Guard, when the Coast Guard is not operating as a service in the Department of the
16 Navy.”.

17 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter
18 7 of such title is amended by striking the item relating to section 172 and inserting the following
19 new item:

“172. Explosives safety board.”.

20 **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

21 **Subtitle A—Active Forces**

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

1 The Armed Forces are authorized strengths for active duty personnel as of September 30,
2 2020, as follows:

3 (1) The Army, 480,000.

4 (2) The Navy, 340,500.

5 (3) The Marine Corps, 186,200.

6 (4) The Air Force, 332,800.

7 **Subtitle B—Reserve Forces**

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

9 (a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve
10 personnel of the reserve components as of September 30, 2020, as follows:

11 (1) The Army National Guard of the United States, 336,000.

12 (2) The Army Reserve, 189,500.

13 (3) The Navy Reserve, 59,000.

14 (4) The Marine Corps Reserve, 38,500.

15 (5) The Air National Guard of the United States, 107,700.

16 (6) The Air Force Reserve, 70,100.

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

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

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

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

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

10 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF**
11 **THE RESERVES.**

12 Within the end strengths prescribed in section 411(a), the reserve components of the
13 Armed Forces are authorized, as of September 30, 2020, the following number of Reserves to be
14 serving on full-time active duty or full-time duty, in the case of members of the National Guard,
15 for the purpose of organizing, administering, recruiting, instructing, or training the reserve
16 components:

17 (1) The Army National Guard of the United States, 30,595.

18 (2) The Army Reserve, 16,511.

19 (3) The Navy Reserve, 10,155.

20 (4) The Marine Corps Reserve, 2,386.

21 (5) The Air National Guard of the United States, 22,637.

22 (6) The Air Force Reserve, 4,431.

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

1 The minimum number of military technicians (dual status) as of the last day of fiscal year
2 2020 for the reserve components of the Army and the Air Force (notwithstanding section 129 of
3 title 10, United States Code) shall be the following:

4 (1) For the Army National Guard of the United States, 22,294.

5 (2) For the Army Reserve, 6,492.

6 (3) For the Air National Guard of the United States, 13,573.

7 (4) For the Air Force Reserve, 8,848.

8 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE**
9 **ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

10 During fiscal year 2020, the maximum number of members of the reserve components of
11 the Armed Forces who may be serving at any time on full-time operational support duty under
12 section 115(b) of title 10, United States Code, is the following:

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

14 (2) The Army Reserve, 13,000.

15 (3) The Navy Reserve, 6,200.

16 (4) The Marine Corps Reserve, 3,000.

17 (5) The Air National Guard of the United States, 16,000.

18 (6) The Air Force Reserve, 14,000.

19 **Subtitle C—Authorization of Appropriations**

20 **SEC. 421. MILITARY PERSONNEL.**

21 There is hereby authorized to be appropriated for military personnel for fiscal year 2020 a
22 total of \$143,476,503,000.

23 **TITLE V—MILITARY PERSONNEL POLICY**

1 **Subtitle A—Officer Personnel Policy**

2 **SEC. 501. REVISION TO MANAGEMENT POLICIES FOR JOINT QUALIFIED**
3 **OFFICERS.**

4 Section 661(d)(3)(B) of title 10, United States Code, is amended in the third sentence by
5 inserting “or a designee of the Chairman who is a member of the armed forces in grade O-8 or
6 higher” before the period.

7 **Subtitle B—Reserve Component Management**

8 **SEC. 511. REPEAL OF REQUIREMENT FOR REVIEW OF CERTAIN ARMY**
9 **RESERVE OFFICER UNIT VACANCY PROMOTIONS BY**
10 **COMMANDERS OF ASSOCIATED ACTIVE DUTY UNITS.**

11 Section 1113 of the Army National Guard Combat Readiness Reform Act of 1992 (10
12 U.S.C. 10105 note) is repealed.

13 **Subtitle C—General Service Authorities and Correction Military Records**

14 **SEC. 521. REDUCTION IN REQUIRED NUMBER OF MEMBERS OF DISCHARGE**
15 **REVIEW BOARDS.**

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

18 **Subtitle D—Military Justice**

19 **SEC. 531. REVISIONS TO REQUIREMENTS RELATING TO DEPARTMENT OF**
20 **DEFENSE POLICY ON EVIDENCE RETENTION TO REFLECT THE**
21 **LENGTH OF TIME A SEXUAL ASSAULT FORENSIC EXAMINATION**
22 **(SAFE) KIT MUST BE RETAINED.**

1 Section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law
2 112-81; 10 U.S.C. 1561 note) is amended—

3 (1) by redesignating subsection (f) as subsection (e);

4 (2) in subsection (e), as so redesignated, in the subsection heading, by inserting
5 “IN UNRESTRICTED REPORTING CASES” after “PROCEEDINGS”; and

6 (3) by adding at the end the following new subsection:

7 “(f) RETURN OF PERSONAL PROPERTY IN RESTRICTED REPORTING CASES.—(1) The
8 Secretary of Defense shall prescribe procedures under which a victim who files a restricted
9 report on an incident of sexual assault may request, at any time, the return of any personal
10 property of the victim obtained as part of the sexual assault forensic examination.

11 “(2) The procedures shall ensure that—

12 “(A) a request of a victim under paragraph (1) may be made on a confidential
13 basis and without affecting the restricted nature of the restricted report; and

14 “(B) at the time of the filing of the restricted report, a Sexual Assault Response
15 Coordinator or Sexual Assault Prevention and Response Victim Advocate—

16 “(i) informs the victim that the victim may request the return of personal
17 property as described in paragraph (1); and

18 “(ii) advises the victim that such a request for the return of personal
19 property may negatively impact a subsequent case adjudication, if the victim later
20 decides to convert the restricted report to an unrestricted report.

21 “(3) Except with respect to personal property returned to a victim under this subsection,
22 nothing in this subsection shall affect the requirement to retain a sexual assault forensic
23 examination (SAFE) kit for the period specified in subsection (c)(4)(A).”.

1 **Subtitle E—Member Education, Training, Resilience, and Transition**

2 **SEC. 541. ENHANCING JOINT PROFESSIONAL MILITARY EDUCATION.**

3 Section 2154(a)(2)(A) of title 10, United States Code is amended by striking “the Joint
4 Forces Staff College or a” and inserting “a joint or”.

5 **SEC. 542. ELIGIBILITY OF ADDITIONAL ENLISTED MEMBERS FOR ASSOCIATE**
6 **DEGREE PROGRAMS OF THE COMMUNITY COLLEGE OF THE AIR**
7 **FORCE.**

8 Section 9415(b) of title 10, United States Code, is amended by adding at the end the
9 following new paragraph:

10 “(3) Enlisted members of the armed forces other than the Air Force who are
11 participating in Community College of the Air Force affiliated joint-service training and
12 education courses.”.

13 **SEC. 543. DEGREE GRANTING AUTHORITY FOR UNITED STATES ARMY**
14 **ARMAMENT GRADUATE SCHOOL.**

15 (a) IN GENERAL.—Chapter 401 of title 10, United States Code, is amended by adding at
16 the end the following new section:

17 **“§ 4322. Degree granting authority for United States Army Armament Graduate School**

18 “(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the
19 Chancellor of the United States Army Armament Graduate School may, upon the
20 recommendation of the faculty and provost of the college, confer appropriate degrees upon
21 graduates who meet the degree requirements.

22 “(b) LIMITATION.—A degree may not be conferred under this section unless—

1 “(1) the Secretary of Education has recommended approval of the degree in
2 accordance with the Federal Policy Governing Granting of Academic Degrees by Federal
3 Agencies; and

4 “(2) the United States Army Armament Graduate School is accredited by the
5 appropriate civilian academic accrediting agency or organization to award the degree, as
6 determined by the Secretary of Education.

7 “(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish
8 degree granting authority under this section, the Secretary of Defense shall submit to the
9 Committees on Armed Services of the Senate and the House of Representatives—

10 “(A) a copy of the self-assessment questionnaire required by the Federal Policy
11 Governing Granting of Academic Degrees by Federal Agencies, at the time the
12 assessment is submitted to the Department of Education’s National Advisory Committee
13 on Institutional Quality and Integrity; and

14 “(B) the subsequent recommendations and rationale of the Secretary of Education
15 regarding the establishment of the degree granting authority.

16 “(2) Upon any modification or redesignation of existing degree granting authority, the
17 Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House
18 of Representatives a report containing the rationale for the proposed modification or
19 redesignation and any subsequent recommendation of the Secretary of Education on the
20 proposed modification or redesignation.

21 “(3) The Secretary of Defense shall submit to the Committees on Armed Services of the
22 Senate and House of Representatives a report containing an explanation of any action by the

1 appropriate academic accrediting agency or organization not to accredit the United States Army
2 Armament Graduate School to award any new or existing degree.”.

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

“4322. Degree granting authority for United States Army Armament Graduate School.”.

5 **SEC. 544. AUTHORITY FOR THE MILITARY DEPARTMENTS’ ACCREDITED**
6 **INSTITUTIONS TO ACCEPT RESEARCH GRANTS.**

7 (a) ARMY INSTITUTIONS.—

8 (1) IN GENERAL.—Section 7487 of title 10, United States Code, is amended—

9 (A) by striking subsection (a) and inserting the following new subsection:

10 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Army may authorize
11 the Commandant of the United States Army War College or the head of any other accredited
12 institution of the Army to accept qualifying research grants. Any such grant may only be
13 accepted if the work under the grant is to be carried out by a professor or instructor of the
14 College or institution, as appropriate, for a scientific, literary, or educational purpose.

15 “(2) A civilian member of the faculty of the Army War College or any other accredited
16 institution of the Army may accept a grant to conduct research in the civilian faculty member’s
17 personal capacity, but such research may not be accomplished in direct support of lectures,
18 instruction, curriculum development, or special duties as assigned at the College or institution, as
19 appropriate. For the purpose of determining rights with respect to any invention made under such
20 a grant, the civilian faculty member shall be deemed a Government employee.”;

21 (B) in the second sentence of subsection (d), by inserting “or the head of any other
22 accredited institution of the Army, as appropriate,” after “The Commandant”; and

1 (C) in subsection (e), by striking “Army War College” and all that follows
2 through the period and inserting “Army War College or any other accredited
3 institution of the Army may be used to pay expenses incurred by the College or
4 institution, as appropriate, in applying for, and otherwise pursuing, the award of
5 qualifying research grants.”.

6 (2) CLERICAL AMENDMENTS.—

7 (A) SECTION HEADING.—The heading of such section is amended by
8 inserting “**and other accredited institutions of the Army**” after “**United States**
9 **Army War College**”.

10 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
11 757 of such title is amended by striking the item relating to section 7487 and
12 inserting the following new item:

“7487. United States Army War College and other accredited institutions of the Army: acceptance of grants for
faculty research for scientific, literary, and educational purposes.”.

13 (b) NAVY INSTITUTIONS.—

14 (1) IN GENERAL.—Section 8593 of such title is amended—

15 (A) by striking subsection (a) and inserting the following new subsection:

16 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Navy may authorize
17 the President of the Naval War College or the head of any other accredited institution of the
18 Navy to accept qualifying research grants. Any such grant may only be accepted if the work
19 under the grant is to be carried out by a professor or instructor of the College or institution, as
20 appropriate, for a scientific, literary, or educational purpose.

21 “(2) A civilian member of the faculty of the Naval War College or any other accredited
22 institution of the Navy may accept a grant to conduct research in the civilian faculty member’s

1 personal capacity, but such research may not be accomplished in direct support of lectures,
2 instruction, curriculum development, or special duties as assigned at the College or institution, as
3 appropriate. For the purpose of determining rights with respect to any invention made under such
4 a grant, the civilian faculty member shall be deemed a Government employee.”;

5 (B) in the second sentence of subsection (d), by inserting “or the head of
6 any other accredited institution of the Navy, as appropriate,” after “Naval War
7 College”; and

8 (C) in subsection (e), by striking “Naval War College” and all that follows
9 through the period and inserting “Naval War College or any other accredited
10 institution of the Navy may be used to pay expenses incurred by the College or
11 institution, as appropriate, in applying for, and otherwise pursuing, the award of
12 qualifying research grants.”.

13 (2) CLERICAL AMENDMENTS.—

14 (A) SECTION HEADING.—The heading of such section is amended by
15 inserting “**and other accredited institutions of the Navy**” after “**Naval War**
16 **College**”.

17 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
18 859 of such title is amended by striking the item relating to section 8593 and
19 inserting the following new item:

“8593. Naval War College and other accredited institutions of the Navy: acceptance of grants for faculty research
for scientific, literary, and educational purposes.”.

20 (c) MARINE CORPS INSTITUTIONS.—

21 (1) IN GENERAL.— Section 8594 of such title is amended—

22 (A) by striking subsection (a) and inserting the following new subsection:

1 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Navy may authorize
2 the President of the Marine Corps University or the head of any other accredited institution of the
3 Marine Corps to accept qualifying research grants. Any such grant may only be accepted if the
4 work under the grant is to be carried out by a professor or instructor of the University or
5 institution, as appropriate, for a scientific, literary, or educational purpose.

6 “(2) A civilian member of the faculty of the Marine Corps University or any other
7 accredited institution of the Marine Corps may accept a grant to conduct research in the civilian
8 faculty member’s personal capacity, but such research may not be accomplished in direct support
9 of lectures, instruction, curriculum development, or special duties as assigned at the University
10 or institution, as appropriate. For the purpose of determining rights with respect to any invention
11 made under such a grant, the civilian faculty member shall be deemed a Government
12 employee.”;

13 (B) in the second sentence of subsection (d), by inserting “or the head of
14 any other accredited institution of the Marine Corps, as appropriate,” after
15 “Marine Corps University”; and

16 (C) in subsection (e), by striking “Marine Corps University” and all that
17 follows through the period and inserting “Marine Corps University or any other
18 accredited institution of the Marine Corps may be used to pay expenses incurred
19 by the University or institution, as appropriate, in applying for, and otherwise
20 pursuing, the award of qualifying research grants.”.

21 (2) CLERICAL AMENDMENTS.—

1 (A) SECTION HEADING.—The heading of such section is amended by
2 inserting “**and other accredited institutions of the Marine Corps**” after
3 “**Marine Corps University**”.

4 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
5 859 of such title is amended by striking the item relating to section 8594 and
6 inserting the following:

“8594. Marine Corps University and other accredited institutions of the Marine Corps: acceptance of grants for
faculty research for scientific, literary, and educational purposes.”.

7 (c) AIR FORCE INSTITUTIONS.—

8 (1) IN GENERAL.—Section 9487 of title 10, United States Code, is amended—

9 (A) by striking subsection (a) and inserting the following:

10 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Air Force may
11 authorize the Commandant of the Air War College or the head of any other accredited institution
12 of the Air Force to accept qualifying research grants. Any such grant may only be accepted if the
13 work under the grant is to be carried out by a professor or instructor of the College or institution,
14 as appropriate, for a scientific, literary, or educational purpose.

15 “(2) A civilian member of the faculty of the Air War College or any other accredited
16 institution of the Air Force may accept a grant to conduct research in the civilian faculty
17 member’s personal capacity, but such research may not be accomplished in direct support of
18 lectures, instruction, curriculum development, or special duties as assigned at the College or
19 institution, as appropriate. For the purpose of determining rights with respect to any invention
20 made under such a grant, the civilian faculty member shall be deemed a Government
21 employee.”;

1 (B) in subsection (d), by inserting “or the head of any other accredited
2 institution of the Air Force, as appropriate,” after “Commandant”; and

3 (C) in subsection (e), by striking “Air War College” and all that follows
4 through the period and inserting “Air War College or any other accredited
5 institution of the Air Force may be used to pay expenses incurred by the College
6 or institution, as appropriate, in applying for, and otherwise pursuing, the award
7 of qualifying research grants.”.

8 (2) CLERICAL AMENDMENTS.—

9 (A) SECTION HEADING.—The heading of such section is amended by
10 inserting “**and other accredited institutions of the Air Force**” after “**Air War**
11 **College**”.

12 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
13 957 of such title is amended by striking the item relating to section 9487 and
14 inserting the following new item:

“9487. Air War College and other accredited institutions of the Air Force: acceptance of grants for faculty
research for scientific, literary, and educational purposes.”.

15 **Subtitle F—Decorations and Awards**

16 **SEC. 551. EXPANSION OF GOLD STAR LAPEL BUTTON ELIGIBILITY TO** 17 **STEPBROTHERS AND STEPSISTERS.**

18 Section 1126 of title 10, United States Code, is amended—

19 (1) in subsection (b), by striking “and next of kin” and inserting “, next of kin,
20 stepbrother, and stepsister”;

21 (2) in subsection (c), by striking “may be replaced” and all that follows before the
22 period at the end and inserting “may be replaced upon application and without cost”; and

1 (3) in subsection (d), by adding at the end the following:

2 “(9) The terms ‘stepbrother’ and ‘stepsister’ shall be defined in regulations
3 prescribed by the Secretary of Defense under subsection (b).”.

4 **SEC. 552. AUTHORITY TO AWARD OR PRESENT A DECORATION FOLLOWING A**
5 **CONGRESSIONALLY REQUESTED REVIEW.**

6 (a) IN GENERAL.—Section 1130 of title 10, United States Code, is amended—

7 (1) in the section heading, by inserting “**and award or presentation**” after “**for**
8 **review**”;

9 (2) in subsection (a), by striking “shall” each place it appears and inserting “may”;

10 (3) by redesignating subsection (d) as subsection (e); and

11 (4) by inserting after subsection (c) the following:

12 “(d)(1) A decoration may be awarded or presented following submission of a favorable
13 recommendation for the award or presentation under subsection (b).

14 “(2) An award or presentation under paragraph (1) may not occur before the expiration of
15 a 60-day period for congressional review beginning on the date of submission of the favorable
16 recommendation under subsection (b) regarding the award or presentation.

17 “(3) The authority to make an award or presentation under this subsection shall apply
18 notwithstanding any limitation described in subsection (a).”.

19 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title
20 10, United States Code, is amended by striking the item relating to section 1130 and inserting the
21 following:

“1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for
review and award or presentation.”.

1 **Subtitle G—Other Matters**

2 **SEC. 561. EXPANSION OF PERSONAL PROPERTY TAX RELIEF FOR**
3 **SERVICEMEMBERS.**

4 Paragraph (1) of section 511(d) of the Servicemembers Civil Relief Act (50 U.S.C.
5 4001(d)) is amended—

6 (1) by inserting “, whether leased or owned,” after “spouse of a servicemember”;
7 and

8 (2) by adding at the end the following: “The relief from personal property taxes
9 extends to a servicemember or the spouse of a servicemember who leases a motor
10 vehicle, as well as to a lessor who leases a motor vehicle to the servicemember or spouse.
11 When a servicemember or the spouse of the servicemember leases a motor vehicle, the
12 leased motor vehicle shall not be deemed to be located or present in, or have a situs for
13 taxation in, the tax jurisdiction in which the servicemember is serving in compliance with
14 military orders unless the servicemember or spouse has adopted that tax jurisdiction as
15 the legal residence of the servicemember or spouse, respectively.”.

16 **SEC. 562. CLARIFICATION REGARDING MILITARY ORDERS REQUIRED FOR**
17 **TERMINATION OF LEASES PURSUANT TO THE SERVICEMEMBERS**
18 **CIVIL RELIEF ACT.**

19 Section 305(i) of the Servicemembers Civil Relief Act (50 U.S.C. 3955) is amended—

20 (1) in paragraph (1), by inserting “including orders for separation or retirement,”
21 after “official military orders,”; and

22 (2) by adding at the end the following new paragraph:

1 “(3) PERMANENT CHANGE OF STATION.—The term ‘permanent change of station’
2 includes separation or retirement from military service.”.

3 **SEC. 563. CLARIFICATION OF REQUIREMENTS FOR RESIDENCE AND**
4 **DOMICILE TAX RELIEF UNDER THE SERVICEMEMBERS CIVIL**
5 **RELIEF ACT.**

6 (a) IN GENERAL.—Section 511 of the Servicemembers Civil Relief Act (50 U.S.C. 4001)
7 is amended by adding at the end the following new subsection:

8 “(h) DETERMINATION OF SERVICEMEMBER’S TAX JURISDICTION.—For purposes of this
9 section, the State or political subdivision where a servicemember is serving in compliance with
10 military orders includes any State or political subdivision within 150 miles of the
11 servicemember’s assigned duty location.”.

12 (b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to
13 a State or local income tax return filed for any taxable year beginning on or after January 1,
14 2016.

15 **SEC. 564. DETERMINATION OF RESIDENCE OR DOMICILE FOR TAX PURPOSES**
16 **OF SPOUSES OF MILITARY PERSONNEL.**

17 Section 511(a)(2) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(a)(2)) is
18 amended by striking “if the residence or domicile, as the case may be, is the same for the
19 servicemember and the spouse”.

20 **TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**
21 **SEC. 601. INCLUSION OF ACTIVE DUTY SERVICE FOR A PREPLANNED MISSION**
22 **AS ELIGIBLE SERVICE FOR REDUCTION OF ELIGIBILITY AGE FOR**
23 **A NON-REGULAR RETIREMENT.**

1 Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by inserting “or
2 12304b” after “section 12301(d).”

3 **SEC. 602. AUTHORITY TO WAIVE RECOUPMENT OF SEPARATION PAY,**
4 **SEVERANCE PAY, OR READJUSTMENT PAY FOR INVOLUNTARY**
5 **DISCHARGE FOR MEMBERS WHO SUBSEQUENTLY BECOME**
6 **ENTITLED TO RETIRED OR RETAINER PAY.**

7 Section 1174(h) of title 10, United States Code, is amended by adding at the end the
8 following new paragraph:

9 “(3)(A) The Secretary of Defense, or the Secretary of Homeland Security with respect to
10 the Coast Guard when it is not operating as a service in the Navy, may waive the requirement to
11 repay separation pay, severance pay, or readjustment pay under paragraph (1) if such Secretary
12 determines that repayment would be against equity and good conscience or would be contrary to
13 the best interests of the United States.

14 “(B) The authority of the Secretary of Defense in this paragraph may be delegated to the
15 Undersecretary of Defense for Personnel and Readiness and the Principal Deputy Undersecretary
16 of Defense for Personnel and Readiness.”.

17 **SEC. 603. AUTHORITY FOR PAYMENT OF DEATH GRATUITY TO TRUSTS.**

18 Section 1477(a) of title 10, United States Code, is amended by adding at the end the
19 following new paragraph—

20 “(3) In this subsection, the term ‘person’ includes—

21 “(A) the estate of the member; or

22 “(B) a trust legally established under any Federal, State, or territorial law,

23 including a supplemental or special needs trust established under subparagraph (A) or (C)

1 of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4)) for the sole
2 benefit of a dependent child considered disabled under section 1614(a)(3) of that Act (42
3 U.S.C. 1382c(a)(3)) who is incapable of self-support because of mental or physical
4 incapacity.”.

5 **SEC. 604. PAYMENT OF TRANSITIONAL COMPENSATION FOR CERTAIN**
6 **DEPENDENTS.**

7 Section 1059(m) of title 10, United States Code, is amended—

8 (1) in the subsection heading, by inserting “MEMBERS OR” after “DEPENDENTS
9 OF”;

10 (2) by inserting “member or” before “former member” each place it appears; and

11 (3) by amending paragraph (3) to read as follows:

12 “(3) For the purposes of this subsection, a member is considered separated from active
13 duty upon the earliest of—

14 “(A) the date an administrative separation is initiated by a commander of the
15 member;

16 “(B) the date the court-martial sentence is adjudged if the sentence, as adjudged,
17 includes a dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all
18 pay and allowances; or

19 “(C) the date the member’s term of service expires.”.

20 **TITLE VII—HEALTH CARE PROVISIONS**

21 **SEC. 701. REAUTHORIZATION OF DEMONSTRATION PROJECT FOR HEALTH**
22 **CARE COVERAGE THROUGH THE FEDERAL EMPLOYEES HEALTH**
23 **BENEFITS PROGRAM.**

1 Section 1108 of title 10, United States Code, is amended—

2 (1) in subsection (a), by striking the last sentence;

3 (2) in subsection (b)—

4 (A) by striking paragraph (1) and inserting the following new paragraph:

5 “(1) An eligible beneficiary under this subsection is a beneficiary under section
6 1074(a) of this title or a covered beneficiary under this chapter, but does not
7 include a person who is entitled to hospital insurance benefits under part A of title
8 XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).”;

9 (B) in paragraph (2), by striking “who is a family member for purposes of
10 such chapter”;

11 (C) in paragraph (3), by striking “(except as provided in paragraph (1)(C)
12 or (1)(D))”; and

13 (D) by striking paragraphs (4) and (5);

14 (3) in subsection (c), by striking “In establishing the areas” and all that follows
15 through the end of the subsection;

16 (4) in subsection (d)(2)—

17 (A) by striking “2000” and inserting “2021”;

18 (B) by striking “1999” and inserting “2020”; and

19 (C) by striking “2002” and inserting “2023”;

20 (5) in subsection (f), by striking paragraphs (1) and (2) and the paragraph
21 designation for paragraph (3);

22 (6) by striking subsection (g);

1 (7) by redesignating subsections (h) and (i) and subsections (g) and (h),
2 respectively;

3 (8) by striking subsection (j); and

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

5 “(i) HEALTH ALLOWANCE.—The Secretary of Defense may make additional payments to
6 a beneficiary under section 1074(a) of this title as a health allowance for payment of health and
7 medical services (including premium and cost sharing) in the demonstration project under this
8 section.

9 “(j) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Defense and the Director
10 of the Office of Personnel and Management are authorized to establish such other terms and
11 conditions for the operation of the demonstration authorized by this section as they determine
12 appropriate.”.

13 **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT,**
14 **AND RELATED MATTERS**

15 **Subtitle A—Acquisition Policy and Management**

16 **SEC. 801. SENIOR MILITARY ACQUISITION ADVISOR ELIGIBILITY.**

17 Section 1725(d)(2) of title 10, United States Code, is amended in the second sentence by
18 striking “30 years” and inserting “26 years”.

19 **SEC. 802. REESTABLISHMENT OF AUTHORITY FOR JOINT URGENT**
20 **OPERATIONAL NEEDS FUND.**

21 Section 2216a(e) of title 10, United States Code, is amended by striking “September 30,
22 2018” and inserting “September 30, 2025”.

1 **SEC. 803. AUTHORITY FOR LIFE-OF-TYPE BUYS TO PREVENT MATERIEL**
2 **SHORTAGES ASSOCIATED WITH DIMINISHING MANUFACTURING**
3 **SOURCES AND OBSOLESCENCE.**

4 (a) AUTHORIZATION.—Chapter 141 of title 10, United States Code, is amended by
5 inserting before section 2389 the following new section:

6 **“§ 2388. Life-of-type buys**

7 “(a) AUTHORIZATION.—Notwithstanding section 1502 of title 31, the Secretary of
8 Defense may authorize the use of life-of-type buys to prevent weapon systems materiel shortages
9 associated with diminishing manufacturing sources and obsolescence in such quantities that do
10 not exceed the quantity reasonably expected to be required by the Department of Defense before
11 a replacement item is identified.

12 “(b) GUIDANCE.—The Secretary shall issue guidance, as necessary, to ensure appropriate
13 use of the authorization in this section. The guidance, at a minimum, shall require the
14 Department—

15 “(1) to establish that either the original manufacturer and all alternative sources
16 intend to stop production on repair parts that are used on Government weapon systems, or
17 all commercial sources are expected to stop production on commercial items that use
18 older technology and are expected to become obsolete;

19 “(2) to perform an analysis of alternatives before buying spares for more than two
20 years; and

21 “(3) to require approval of the Secretary (without redelegation) if the procurement
22 is to cover requirements for a period exceeding seven years.

1 “(c) LIFE-OF-TYPE BUY DEFINED.—In this section, the term “life-of-type buy” means a
2 one-time procurement for the total future requirement of an item that the Secretary determines is
3 no longer expected to be produced.”.

4 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is
5 amended by inserting before the item relating to section 2389 the following new item:

“2388. Life-of-type buys.”.

6 **Subtitle B—Amendments to General Contracting Authorities, Procedures,**
7 **and Limitations**

8 **SEC. 811. USE OF TECHNICAL DATA DURING CHALLENGES.**

9 Section 2321(i) of title 10, United States Code, is amended—

10 (1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4),
11 respectively; and

12 (2) by striking paragraph (1) and adding at the end the following new paragraphs:

13 “(1)(A) Upon issuance of a decision by a contracting officer under subsection (g) that an
14 asserted use or release restriction is not justified, the Secretary of Defense or the Secretary of a
15 military department may, after providing notice to the contractor or subcontractor, authorize
16 release, disclosure, or use of the technical data in dispute if the Secretary of Defense or the
17 Secretary of a military department, respectively, determines in writing that it is in the national
18 security interests of the United States to authorize such release, disclosure, or use before—

19 “(i) the filing of an appeal with the agency Board of Contract Appeals;

20 “(ii) the provision to the contracting officer of a written notice of intent to file suit
21 in the United States Court of Federal Claims;

22 “(iii) the filing of a suit in the United States Court of Federal Claims; or

1 “(iv) the final decision by the agency Board of Contract Appeals or the United
2 States Court of Federal Claims.

3 “(B) The authority in subparagraph (A) may be delegated only to the senior procurement
4 executive of the agency designated pursuant to section 1702(c) of title 41.

5 “(C) A determination under subparagraph (A) shall not affect the right of a contractor or
6 subcontractor to damages against the United States where an asserted use or release restriction is
7 sustained or to pursue other relief, if any, as may be provided by law.

8 “(2) If a contractor or subcontractor does not, not later than 90 days after the issuance of a
9 decision under subsection (g), appeal to an agency Board of Contract Appeals, provide notice to
10 the contracting officer of intent to file suit in the United States Court of Federal Claims, or file
11 suit in the United States Court of Federal Claims pursuant to chapter 71 of title 41, the United
12 States may cancel or ignore the asserted use or release restriction and the contractor or
13 subcontractor shall be deemed to have agreed to such action by the United States.”.

14 **SEC. 812. CODIFICATION AND PERMANENT AUTHORIZATION OF THE**
15 **MENTOR-PROTÉGÉ PROGRAM.**

16 (a) CODIFICATION.—Chapter 137 of title 10, United States Code, is amended by adding at
17 the end a new section 2339a consisting of—

18 (1) a heading as follows:

19 “**§2339a. Mentor-Protégé Program**”; and

20 (2) the text of subsections (a) through (n) of section 831 of the National Defense
21 Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note).

22 (b) PERMANENT AUTHORIZATION.—Section 2339a of title 10, United States Code, as
23 added by subsection (a) of this section, is amended—

1 (1) in subsection (a)—

2 (A) in the heading, by striking “PILOT”; and

3 (B) by striking “pilot program” and inserting “program”;

4 (2) in subsection (c)(1), by striking “pilot” each place it appears;

5 (3) by striking subsection (j);

6 (4) by redesignating subsections (k) through (n) as subsections (j) through (m),
7 respectively;

8 (5) in subsection (j) (as so redesignated)—

9 (1) by striking “pilot” each place it appears; and

10 (2) by striking the third and fourth sentences; and

11 (6) in subsection (m) (as so redesignated), by striking “has less than half” in
12 paragraph (2) and inserting “is not more than”.

13 (c) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter
14 137 of title 10, United States Code, is amended by adding at the end the following new item:
“2339a. Mentor-Protégé Program.”.

15 (d) REPEAL OF EXISTING PROVISION.—Section 831 of the National Defense Authorization
16 Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is hereby repealed.

17 (e) APPLICABILITY OF EXISTING REGULATIONS.—Regulations prescribed by the Secretary
18 of Defense under section 831 of the National Defense Authorization Act for Fiscal Year 1991
19 (10 U.S.C. 2302 note), as in effect the day before the date of the enactment of this Act, shall
20 continue to apply to section 2339a of title 10, United States Code, as added by subsection (a) of
21 this section, until such time as the Secretary of Defense prescribes regulations under such section
22 2339a.

1 **SEC. 813. REMOVAL OF PROHIBITION ON DELEGATION OF DETERMINATIONS**
2 **FOR IMPROVED CONVENTIONAL DEFENSE CAPABILITIES IN**
3 **COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.**

4 Section 2350a(b) of title 10, United States Code, is amended—

5 (1) by striking “(1)”; and

6 (2) by striking paragraph (2).

7 **SEC. 814. AUTHORITY TO CEASE SELECTED ACQUISITION REPORTING ON**
8 **CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS.**

9 Section 2432(g) of title 10, United States Code, is amended—

10 (1) by striking “shall cease to apply after 90 percent” and inserting the following:

11 “shall cease to apply—

12 “(1) after 90 percent”;

13 (2) in paragraph (1), as designated by paragraph (1) of this section, by striking the
14 period and inserting “; or”; and

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

16 “(2) if—

17 “(A) the procurement unit cost for a fully configured end item is less than
18 \$500,000 in fiscal year 2019 constant dollars;

19 “(B) more than five years have passed since the full-rate production
20 decision for the program; and

21 “(C) the program is stable and the procurement unit cost has not increased
22 by a percentage equal to or greater than the significant cost threshold or the
23 critical cost threshold (as those terms are defined in section 2433 of this title).”.

1 **SEC. 815. PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING**
2 **PROCESSES.**

3 Section 890 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law
4 115–232) is amended—

5 (1) by striking subsection (b);

6 (2) by redesignating subsection (c) as subsection (b);

7 (3) in subsection (b) (as so redesignated), by striking “and an assessment of
8 whether the program should be continued or expanded”;

9 (4) by inserting after subsection (b) (as so redesignated) the following new
10 subsection:

11 “(c) EXCEPTION TO PAPERWORK REDUCTION ACT.—For purposes of developing and
12 submitting the report required by subsection (b), the Department of Defense shall not be subject
13 to the requirements of section 3507 of title 44, United States Code.”; and

14 (5) in subsection (d), by striking “January 2, 2021” and inserting “January 2,
15 2023”.

16 **SEC. 816. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES**
17 **PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY**
18 **TO AFGHANISTAN.**

19 Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public
20 Law 111-84; 123 Stat. 2399), as most recently amended by section 1214 of the National Defense
21 Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1649), is further amended
22 by striking “December 31, 2019” and inserting “December 31, 2021”.

1 **Subtitle C—Matters Relating to Small Business**

2 **SEC. 821. CHANGE OF BASIS FOR CALCULATING REQUIRED EXPENDITURE**
3 **AMOUNT FOR SBIR AND STTR.**

4 Section 9(e)(1) of the Small Business Act (15 U.S.C. 638(e)(1)) is amended—

5 (1) by striking “except that for the Agency” and inserting the following: “except
6 that—

7 “(A) for the Agency”; and

8 (2) in subparagraph (A), as designated by paragraph (1) of this section, by striking
9 “foreign countries, and except that for” and inserting the following: “foreign countries;

10 “(B) for the Department of Defense, the Secretary of Defense shall
11 determine the amount not later than 120 days after the date of the enactment of an
12 appropriations Act or continuing resolution that appropriates funds for the
13 Department of Defense through the end of the fiscal year concerned; and

14 “(C) for”.

15 **SEC. 822. PHASE FLEXIBILITY PERMANENCY FOR SMALL BUSINESS**
16 **INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY**
17 **TRANSFER PROGRAMS.**

18 Section 9(cc) of the Small Business Act (15 U.S.C. 638(cc)) is amended by striking
19 “During fiscal years 2012 through 2022, the” and inserting “The”.

20 **SEC. 823. PERMANENCY OF ADMINISTRATIVE FUNDS PILOT PROGRAM.**

21 Section 9(mm)(1) of the Small Business Act (15 U.S.C. 638(mm)(1)) is amended by
22 striking “and until September 30, 2022”.

1 **Subtitle D—Other Matters**

2 **SEC. 831. TIMELINESS RULES FOR FILING BID PROTESTS AT THE UNITED**
3 **STATES COURT OF FEDERAL CLAIMS.**

4 (a) JURISDICTION.—Paragraph (1) of section 1491(b) of title 28, United States Code, is
5 amended—

6 (1) in the first sentence, by striking “Both the” and all that follows through “shall
7 have” and inserting “The United States Court of Federal Claims shall have”; and

8 (2) in the second sentence—

9 (A) by striking “Both the” and all that follows through “shall have” and
10 inserting “The United States Court of Federal Claims shall have”; and

11 (B) by striking “is awarded.” and inserting “is awarded, but such
12 jurisdiction is subject to time limits as follows:

13 “(A) A protest based upon alleged improprieties in a solicitation that are apparent
14 before bid opening or the time set for receipt of initial proposals shall be filed before bid
15 opening or the time set for receipt of initial proposals. In the case of a procurement where
16 proposals are requested, alleged improprieties that do not exist in the initial solicitation
17 but that are subsequently incorporated into the solicitation shall be protested not later
18 than the next closing time for receipt of proposals following the incorporation. A protest
19 that meets these time limitations that was previously filed with the Comptroller General
20 may not be reviewed.

21 “(B) A protest other than one covered by subparagraph (A) shall be filed not later
22 than 10 days after the basis of the protest is known or should have been known
23 (whichever is earlier), with the exception of a protest challenging a procurement

1 conducted on the basis of competitive proposals under which a debriefing is requested
2 and, when requested, is required. In such a case, with respect to any protest the basis of
3 which is known or should have been known either before or as a result of the debriefing,
4 the initial protest shall not be filed before the debriefing date offered to the protester, but
5 shall be filed not later than 10 days after the date on which the debriefing is held.

6 “(C) If a timely agency-level protest was previously filed, any subsequent protest
7 to the United States Court of Federal Claims that is filed within 10 days of actual or
8 constructive knowledge of initial adverse agency action shall be considered, if the
9 agency-level protest was filed in accordance with subparagraphs (A) and (B), unless the
10 contracting agency imposes a more stringent time for filing the protest, in which case the
11 agency's time for filing shall control. In a case where an alleged impropriety in a
12 solicitation is timely protested to a contracting agency, any subsequent protest to the
13 United States Court of Federal Claims shall be considered timely if filed within the 10-
14 day period provided by this subparagraph, even if filed after bid opening or the closing
15 time for receipt of proposals.

16 “(D) Under no circumstances may the United States Court of Federal Claims
17 consider a protest that is untimely because it was first filed with the Comptroller
18 General.”.

19 (b) AVAILABLE RELIEF.—Paragraph (2) of such section is amended by inserting
20 “monetary relief shall not be available if injunctive relief is or has been granted, and” after
21 “except that”.

22 (c) AGENCY DECISIONS OVERRIDING STAY OF CONTRACT AWARD OR PERFORMANCE.—
23 Such section is further amended—

1 (1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7),
2 respectively; and

3 (2) by inserting after paragraph (4) the following new paragraph (5):

4 “(5) The United States Court of Federal Claims shall have jurisdiction to render judgment
5 on an action by an interested party challenging an agency’s decision to override a stay of contract
6 award or contract performance that would otherwise be required by section 3553 of title 31.
7 Such an action shall be filed within 10 days of actual or constructive notification of the agency’s
8 written determination to proceed with the award or performance of the contract.”.

9 (d) CONFORMING AMENDMENTS.—

10 (1) IN GENERAL.—Section 3556 of title 31, United States Code, is amended—

11 (A) by inserting “instead of with the Comptroller General” before the
12 period at the end of the first sentence; and

13 (B) by striking the second sentence.

14 (2) SECTION HEADING AMENDMENT.—The heading of such section is amended by
15 striking “; **matter included in agency record**”.

16 (e) EFFECTIVE DATE.—The amendments made by this section shall apply to any cause of
17 action filed 180 days or more after the date of the enactment of this Act.

18 **TITLE IX—[RESERVED]**

19 **TITLE X—GENERAL PROVISIONS**

20 **SEC. 1001. REFUELING AND COMPLEX OVERHAUL OF USS JOHN C. STENNIS.**

21 (a) REFUELING AND COMPLEX OVERHAUL.—The Secretary of the Navy may carry out the
22 nuclear refueling and complex overhaul of the U.S.S. John C. Stennis (CVN–74).

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

5 (c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under
6 subsection (a) shall provide that any obligation of the United States to make a payment under the
7 contract for a fiscal year after fiscal year 2020 is subject to the availability of appropriations for
8 that purpose for that later fiscal year.

9 **SEC. 1002. REDUCTION IN THE MINIMUM NUMBER OF NAVY CARRIER AIR**
10 **WINGS AND CARRIER AIR WING HEADQUARTERS REQUIRED TO**
11 **BE MAINTAINED.**

12 Section 5062(e) of title 10, United States Code, is amended by striking paragraphs (1)
13 and (2) and inserting the following new paragraphs:

14 “(1) the Navy maintains a minimum of 9 carrier air wings until the date on which
15 additional operationally deployable aircraft carriers can fully support a 10th carrier air
16 wing on a long-term sustainable basis;

17 “(2) after the date referred to in paragraph (1), the Navy maintains a minimum of
18 10 carrier air wings; and”.

19 **SEC. 1003. ENSURING OPERATIONAL READINESS OF LITTORAL COMBAT SHIPS**
20 **ON EXTENDED DEPLOYMENTS.**

21 Section 8680(a)(2) of title 10, United States Code, is amended by striking
22 subparagraph (D).

1 **SEC. 1004. REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL**
2 **OPERATIONS OF A VESSEL OF THE ARMED FORCES UNDER THE**
3 **FEDERAL WATER POLLUTION CONTROL ACT.**

4 Subparagraph (B) of section 312(n)(6) of the Federal Water Pollution Control Act (33
5 U.S.C. 1322(n)) is amended by adding at the end the following: “When conducted in compliance
6 with regulations promulgated pursuant to paragraph (4), any discharge incidental to the normal
7 operation of a vessel of the Armed Forces is considered a federally permitted release within the
8 meaning of paragraph (10) of section 101 of the Comprehensive Environmental Response,
9 Compensation, and Liability Act of 1980 (42 U.S.C. 9601(10)), and is excluded from the
10 definition of solid waste under paragraph (27) of section 1004 of the Solid Waste Disposal Act
11 (42 U.S.C. 6903(27)).”.

12 **SEC. 1005. PROVIDING PROTECTION TO THE NATIONAL MUSEUM OF THE**
13 **MARINE CORPS AND THE NATIONAL MUSEUM OF THE UNITED**
14 **STATES ARMY.**

15 Section 2465(b) of title 10, United States Code, is amended by adding at the end the
16 following new paragraph:

17 “(5) A contract for the performance of on-site armed security guard functions to
18 be performed—

19 “(A) at the Marine Corps Heritage Center at Marine Corps Base Quantico,
20 including the National Museum of the Marine Corps; or

21 “(B) at the Heritage Center for the National Museum of the United States
22 Army at Fort Belvoir, Virginia.”.

23 **SEC. 1006. REVISIONS TO WORKING-CAPITAL FUNDS STATUTE.**

1 Section 2208(l)(3) of title 10, United States Code, is amended by adding at the end the
2 following: “The dollar limitation in the preceding sentence on advance billing of a customer of a
3 working-capital fund shall not apply with respect to advance billing for humanitarian assistance
4 or for relief efforts following a declaration of a major disaster or emergency under the Robert T.
5 Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).”.

6 **SEC. 1007. ACCESS TO AND USE OF MILITARY POSTAL SERVICE BY U.S.**
7 **CITIZENS EMPLOYED OVERSEAS BY THE NORTH ATLANTIC**
8 **TREATY ORGANIZATION WHO PERFORM FUNCTIONS IN**
9 **SUPPORT OF MILITARY OPERATIONS OF THE ARMED FORCES OF**
10 **THE UNITED STATES.**

11 Section 406 of title 39, United States Code, is amended by adding at the end the
12 following new subsection:

13 “(c) The Secretary of Defense may authorize the use of Armed Forces post offices in
14 overseas locations by United States citizens who are employed by the North Atlantic Treaty
15 Organization when such citizens perform functions in support of the Armed Forces of the United
16 States and when the Secretary makes a written determination that it is in the best interests of the
17 Department of Defense and that such a grant is otherwise authorized by applicable host nation
18 law or agreement. No funds may be obligated or expended to establish, maintain, or expand an
19 Armed Forces post office for this purpose.”

20 **SEC. 1008. PERMANENT AUTHORITY OF SECRETARY OF TRANSPORTATION TO**
21 **ISSUE NON-PREMIUM AVIATION INSURANCE.**

22 (a) IN GENERAL.—Section 44310(b) of title 49, United States Code, is repealed.

1 (b) TECHNICAL AMENDMENT.—Section 44310(a) of title 49, United States Code, is
2 amended by striking “(a) IN GENERAL.—”.

3 **SEC. 1009. EXTENSION OF AUTHORITY FOR SECRETARY OF DEFENSE TO USE**
4 **DEPARTMENT OF DEFENSE REIMBURSEMENT RATE FOR**
5 **TRANSPORTATION SERVICES PROVIDED TO CERTAIN NON-**
6 **DEPARTMENT OF DEFENSE ENTITIES.**

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

9 **SEC. 1010. INCREASE OF MINIMUM DOLLAR THRESHOLD FOR DEPARTMENT**
10 **OF DEFENSE INTEREST PENALTY PAYMENTS.**

11 (a) IN GENERAL.—Section 3902(c) of title 31, United States Code, is amended by adding
12 at the end the following:

13 “(4) In the case of payments due from the Department of Defense, paragraph (1) shall be
14 applied by substituting ‘\$20.00’ for ‘\$1.00’.”.

15 (b) APPLICABILITY.—The amendment made by subsection (a) shall apply to payments
16 that first become due from the Department of Defense after the date of the enactment of this Act.

17 **TITLE XI—CIVILIAN PERSONNEL MATTERS**

18 **SEC. 1101. ENHANCEMENT OF CAPABILITIES TO MANAGE CIVILIAN FACULTY**
19 **AT ARMY AND NAVY EDUCATIONAL INSTITUTIONS.**

20 (a) FACULTY MEMBERS AT ARMY INSTITUTIONS.—

21 (1) IN GENERAL.—Section 7371 of title 10, United States Code, is amended—

1 (A) in the heading, by striking “**and United States Army Command and**
2 **General Staff College**” and inserting “, **United States Army Command and**
3 **General Staff College, and Army University**”;

4 (B) in subsection (a), by striking “or the United States Army Command
5 and General Staff College” and inserting “, the United States Army Command
6 and General Staff College, or the Army University”; and

7 (C) by striking subsection (c) and inserting the following new subsections:

8 “(c) **WORK SCHEDULE.**—The Secretary of the Army may, notwithstanding the provisions
9 of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons
10 employed under this section the work schedule, including hours of work and tours of duty, set
11 forth with such specificity and other characteristics as the Secretary determines appropriate.

12 “(d) **AGENCY RIGHTS.**—Notwithstanding chapter 71 of title 5, the authority conferred by
13 this section shall be exercised at the sole and exclusive discretion of the Secretary of the Army,
14 or the Secretary’s designee.”.

15 (2) **TABLE OF SECTIONS AMENDMENT.**—The table of sections at the beginning of
16 chapter 373 of such title is amended by striking the item relating to section 7371 and
17 inserting the following new item:

“7371. Army War College, United States Army Command and General Staff College, and Army University:
civilian faculty members.”.

18 (b) **FACULTY MEMBERS AT NAVY AND MARINE CORPS INSTITUTIONS.**—Section 8748 of
19 such title is amended by striking subsection (c) and inserting the following new subsections:

20 “(c) **WORK SCHEDULE.**—The Secretary of the Navy may, notwithstanding the provisions
21 of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons

1 employed under this section the work schedule, including hours of work and tours of duty, set
2 forth with such specificity and other characteristics as the Secretary determines appropriate.

3 “(d) AGENCY RIGHTS.—Notwithstanding chapter 71 of title 5, the authority conferred by
4 this section shall be exercised at the sole and exclusive discretion of the Secretary of the Navy, or
5 the Secretary’s designee.”.

6 **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

7 **SEC. 1201. EXTENSION OF CROSS-SERVICING AGREEMENTS FOR LOAN OF**
8 **PERSONNEL PROTECTION AND SURVIVABILITY EQUIPMENT IN**
9 **COALITION OPERATIONS.**

10 Section 1207(e) of the Carl Levin and Howard P. “Buck” McKeon National Defense
11 Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 2342 note) is amended
12 by striking “2019” and inserting “2024”.

13 **SEC. 1202. EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM.**

14 Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public
15 Law 112-81; 125 Stat. 1619) is amended—

16 (1) in subsection (a), by striking “December 31, 2019” and inserting “December
17 31, 2020”;

18 (2) in subsection (b)(1), by striking “2019” and inserting “2020”; and

19 (3) in subsection (f) in the first sentence, by striking “December 31, 2019” and
20 inserting “December 31, 2020”.

21 **SEC. 1203. AUTHORITY TO REIMBURSE NATIONAL GUARD AND RESERVE**
22 **SALARIES FOR CERTAIN ACTIVITIES IN SUPPORT OF THE**
23 **DEPARTMENT OF STATE.**

1 Section 503(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2311(a)) is amended—

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

4 (2) by striking “(a) The” and inserting “(a)(1) The”;

5 (3) in the matter following subparagraph (C) (as redesignated by paragraph (1) of
6 this section), by striking “Sales which” and inserting the following:

7 “(2) Sales that”;

8 (4) in paragraph (2) (as designated by paragraph (3) of this section)—

9 (A) by striking “paragraph (3)” and inserting “paragraph (1)(C)”; and

10 (B) by striking “United States” and all that follows and inserting the
11 following: “United States other than members of—

12 “(A) the Coast Guard; and

13 “(B) the reserve components of the Army, Navy, Air Force, or Marine
14 Corps who are ordered to active duty pursuant to chapter 1209 of title 10, United
15 States Code, and at the request of the Secretary of State.”.

16 **SEC. 1204. DEPARTMENT OF DEFENSE SUPPORT TO STABILIZATION**

17 **ACTIVITIES IN THE NATIONAL SECURITY INTEREST OF THE**

18 **UNITED STATES.**

19 (a) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary
20 of State and in consultation with the Administrator of the United States Agency for International
21 Development and the Director of the Office of Management and Budget, designate a foreign area
22 under subsection (b), provide support for the stabilization activities of other Federal agencies
23 under subsection (c), or carry out transitional stabilization activities under subsection (d).

1 (b) DESIGNATION OF FOREIGN AREAS.—Amounts authorized to be provided pursuant to
2 this section shall be available only for stabilization activities—

3 (1) in a foreign area designated by the Secretary of Defense as being necessary to
4 address conflict and instability; and

5 (2) that are in the national security interest of the United States.

6 (c) SUPPORT TO OTHER AGENCIES.—The Secretary of Defense may provide logistic
7 support, supplies, and services and training on a reimbursable or non-reimbursable basis to the
8 Department of State, the United States Agency for International Development, or other Federal
9 agencies to support stabilization in foreign areas designated under subsection (b).

10 (d) TRANSITIONAL STABILIZATION ACTIVITIES.—

11 (1) IN GENERAL.—The Secretary of Defense may carry out transitional
12 stabilization activities if such activities are in the national security interest of the United
13 States.

14 (2) COMPLEMENTARY ACTIVITIES.—Transitional stabilization activities carried out
15 under this section should complement, and should not duplicate, any other form of social
16 or economic assistance which may be provided to the country concerned by any other
17 department or agency of the United States.

18 (e) WAIVER AUTHORITY.—The Secretary of Defense may, with the concurrence of the
19 Secretary of State, waive sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780
20 and 2785) if the Secretary of Defense determines that such provision of law would prohibit,
21 restrict, delay, or otherwise limit the provision of assistance under this section and a notice of
22 and justification for such waiver is submitted to the appropriate committees of Congress.

1 (f) AUTHORITY IN ADDITION TO OTHER AUTHORITIES.—The authority to provide assistance
2 under this section is in addition to any other authority to provide assistance to foreign nations.

3 (g) USE OF FUNDS.—

4 (1) SOURCE OF FUNDS.—Amounts for activities carried out under this section in a
5 fiscal year shall be derived only from amounts authorized to be appropriated for such
6 fiscal year for the Department of Defense for Operation and Maintenance, Defense-wide.

7 (2) LIMITATION.—Not more than \$25,000,000 in each fiscal year is authorized to
8 be used to provide non-reimbursable logistic support, supplies, and services or training
9 under subsection (c) or to carry out transitional stabilization activities under subsection
10 (d) during the period in which this section is in effect.

11 (h) EXPIRATION.—The authority provided under this section may not be exercised after
12 September 30, 2021. Any program directed under this section before that date may be completed,
13 but only using funds available for fiscal years 2020 through 2021.

14 (i) DEFINITIONS.—In this section:

15 (1) APPROPRIATE COMMITTEES OF CONGRESS. — The term “appropriate
16 committees of Congress” means –

17 (A) the Committee on Armed Services and the Committee on Foreign
18 Relations of the Senate; and

19 (B) the Committee on Armed Services and the Committee on Foreign
20 Affairs of the House of Representatives.

21 (2) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—The term “logistic support,
22 supplies, and services” has the meaning given the term in section 2350(1) of title 10
23 United States Code.

1 (3) TRANSITIONAL STABILIZATION ACTIVITIES.—The term “transitional
2 stabilization activities” means transitional activities, excluding humanitarian assistance,
3 conducted to create conditions where legitimate local authorities and systems can
4 peaceably manage conflict and prevent a resurgence of violence, including—

5 (A) providing, maintaining, or re-establishing security and basic public
6 order;

7 (B) providing or restoring essential basic services for the immediate needs
8 of the population; and

9 (C) repairing, restoring, and protecting critical infrastructure.

10 **SEC. 1205. EXTENSION OF AUTHORITY FOR SUPPORT OF SPECIAL**
11 **OPERATIONS FOR IRREGULAR WARFARE.**

12 Section 1202(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public
13 Law 115–91; 131 Stat. 1639) is amended by striking “2020” and inserting “2024”.

14 **TITLE XIII—[RESERVED]**

15 **TITLE XIV—OTHER AUTHORIZATIONS**

16 **Subtitle A—Military Programs**

17 **SEC. 1401. WORKING CAPITAL FUNDS.**

18 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
19 Armed Forces and other activities and agencies of the Department of Defense for providing
20 capital for working capital and revolving funds in the amount of \$1,426,211,000.

21 **SEC. 1402. JOINT URGENT OPERATIONAL NEEDS FUND.**

22 Funds are hereby authorized to be appropriated for fiscal year 2020 for the Joint Urgent
23 Operational Needs Fund in the amount of \$99,200,000.

1 **SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
3 appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise
4 provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of
5 \$985,499,000, of which—

- 6 (1) \$107,351,000 is for Operation and Maintenance;
- 7 (2) \$875,930,000 is for Research, Development, Test, and Evaluation; and
- 8 (3) \$2,218,000 is for Procurement.

9 (b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized
10 for—

- 11 (1) the destruction of lethal chemical agents and munitions in accordance with
12 section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521);
13 and
- 14 (2) the destruction of chemical warfare materiel of the United States that is not
15 covered by section 1412 of such Act.

16 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-**
17 **WIDE.**

18 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
19 year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug
20 Activities, Defense-wide, in the amount of \$799,402,000.

21 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

1 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
2 year 2020 for expenses, not otherwise provided for, for the Office of the Inspector General of the
3 Department of Defense, in the amount of \$363,499,000, of which—

4 (1) \$360,201,000 is for Operation and Maintenance;

5 (2) \$2,965,000 is for Research, Development, Test and Evaluation; and

6 (3) \$333,000 is for Procurement.

7 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
9 year 2020 for expenses, not otherwise provided for, for the Defense Health Program, in the
10 amount of \$32,998,687,000, of which—

11 (1) \$31,812,090,000 is for Operation and Maintenance;

12 (2) \$732,273,000 is for Research, Development, Test, and Evaluation; and

13 (3) \$454,324,000 is for Procurement.

14 **Subtitle B—Other Matters**

15 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF**
16 **DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL**
17 **FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A.**
18 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

19 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated
20 for section 1406 and available for the Defense Health Program for operation and maintenance,
21 \$127,000,000 may be transferred by the Secretary of Defense to the Joint Department of
22 Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by
23 subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010

1 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any
2 funds so transferred shall be treated as amounts authorized and appropriated specifically for the
3 purpose of such a transfer.

4 (b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section
5 1704, facility operations for which funds transferred under subsection (a) may be used are
6 operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North
7 Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting
8 facilities designated as a combined Federal medical facility under an operational agreement
9 covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal
10 Year 2009 (Public Law 110-417; 122 Stat. 4500).

11 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES**

12 **RETIREMENT HOME.**

13 There is hereby authorized to be appropriated for fiscal year 2020 from the Armed Forces
14 Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces
15 Retirement Home.

16 **TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS**
17 **FOR OVERSEAS CONTINGENCY OPERATIONS**

18 **SEC. 1501. PURPOSE.**

19 The purpose of this title is to authorize appropriations for the Department of Defense for
20 fiscal year 2020 to provide additional funds for overseas contingency operations being carried
21 out by the Armed Forces.

22 **SEC. 1502. ARMY PROCUREMENT.**

1 Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for
2 the Army in amounts as follows:

- 3 (1) For aircraft procurement, \$381,541,000.
- 4 (2) For missile procurement, \$4,645,755,000.
- 5 (3) For weapons and tracked combat vehicles, \$353,454,000.
- 6 (4) For ammunition procurement, \$2,843,230,000.
- 7 (5) For other procurement, \$1,139,650,000.

8 **SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.**

9 Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for
10 the Navy and Marine Corps in amounts as follows:

- 11 (1) For aircraft procurement, Navy, \$119,045,000.
- 12 (2) For weapons procurement, Navy, \$4,332,710,000.
- 13 (3) For ammunition procurement, Navy and Marine Corps, \$1,186,128,000.
- 14 (4) For other procurement, Navy, \$357,600,000.
- 15 (5) For procurement, Marine Corps, \$20,589,000.

16 **SEC. 1504. AIR FORCE PROCUREMENT.**

17 Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for
18 the Air Force in amounts as follows:

- 19 (1) For aircraft procurement, \$309,110,000.
- 20 (2) For missile procurement, \$201,671,000.
- 21 (3) For ammunition procurement, \$2,607,394,000.
- 22 (4) For other procurement, \$4,193,098,000.

23 **SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

1 Funds are hereby authorized to be appropriated for fiscal year 2020 for the procurement
2 account for Defense-wide activities in the amount of \$452,047,000.

3 **SEC. 1506. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

4 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
5 Department of Defense for research, development, test, and evaluation as follows:

- 6 (1) For the Army, \$204,124,000.
- 7 (2) For the Navy, \$164,410,000.
- 8 (3) For the Air Force, \$450,248,000.
- 9 (4) For Defense-wide activities, \$827,950,000.

10 **SEC. 1507. OPERATION AND MAINTENANCE.**

11 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
12 Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in
13 amounts as follows:

- 14 (1) For the Army, \$37,987,549,000.
- 15 (2) For the Navy, \$31,734,683,000.
- 16 (3) For the Marine Corps, \$5,123,470,000.
- 17 (4) For the Air Force, \$33,028,712,000.
- 18 (5) For Defense-wide activities, \$8,448,612,000.
- 19 (6) For the Army Reserve, \$1,986,599,000.
- 20 (7) For the Navy Reserve, \$886,868,000.
- 21 (8) For the Marine Corps Reserve, \$239,693,000.
- 22 (9) For the Air Force Reserve, \$1,195,131,000.
- 23 (10) For the Army National Guard, \$4,376,939,000.

1 (11) For the Air National Guard, \$3,291,982,000.

2 (12) For the Afghanistan Security Forces Fund, \$4,803,978,000.

3 (13) Counter-Islamic State of Iraq and Syria Train and Equip Fund,
4 \$1,045,000,000.

5 **SEC. 1508. MILITARY PERSONNEL.**

6 Funds are hereby authorized to be appropriated for fiscal year 2020 to the Department of
7 Defense for military personnel accounts in the total amount of \$4,485,808,000.

8 **SEC. 1509. WORKING CAPITAL FUNDS.**

9 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
10 Armed Forces and other activities and agencies of the Department of Defense for providing
11 capital for Defense Working Capital Funds in the amount of \$20,100,000.

12 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

13 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
14 year 2020 for expenses, not otherwise provided for, for the Defense Health Program in the
15 amount of \$347,746,000 for operation and maintenance.

16 **SEC. 1511. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-
17 WIDE.**

18 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
19 year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug
20 Activities, Defense-wide in the amount of \$163,596,000.

21 **SEC. 1512. DEFENSE INSPECTOR GENERAL.**

1 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
2 year 2020 for expenses, not otherwise provided for, for the Office of the Inspector General of the
3 Department of Defense in the amount of \$24,254,000.

4 **TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE**
5 **MATTERS**

6 **Subtitle A—Space Activities**

7 **SEC. 1601. DEMONSTRATION OF BACKUP AND COMPLEMENTARY**
8 **POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF**
9 **GLOBAL POSITIONING SYSTEM.**

10 Effective on June 1, 2019, section 1606 of the National Defense Authorization Act for
11 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1725) is amended—

12 (1) in subsection (c)(2), by striking “the date that is 18 months after the date of the
13 enactment of this Act” and inserting “December 31, 2020”; and

14 (2) in subsection (d), by striking “18 months after the date of the enactment of this
15 Act” and inserting “December 31, 2020”.

16 **Subtitle B—Defense Intelligence and Intelligence-Related Activities**

17 **SEC. 1611. AUTHORITY TO PROVIDE ADDITIONAL ALLOWANCES AND**
18 **BENEFITS FOR DEFENSE CLANDESTINE SERVICE EMPLOYEES.**

19 Section 1603 of title 10, United States Code, is amended by adding at the end the
20 following new subsection:

21 “(c) **ADDITIONAL ALLOWANCES AND BENEFITS FOR EMPLOYEES OF THE DEFENSE**
22 **CLANDESTINE SERVICE.**—In addition to the authority to provide compensation under subsection
23 (a), the Secretary of Defense may provide an employee in a defense intelligence position who is

1 assigned to the Defense Clandestine Service allowances and benefits under paragraph (1) of
2 section 9904 of title 5 without regard to the limitations in that section—

3 “(1) that the employee be assigned to activities outside the United States; or

4 “(2) that the activities to which the employee is assigned be in support of
5 Department of Defense activities abroad.”.

6 **SEC. 1612. MODIFICATION OF INTEGRATION OF DEPARTMENT OF DEFENSE**
7 **INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE**
8 **CAPABILITIES.**

9 (a) REPEAL.—Section 426 of title 10, United States Code, is hereby repealed.

10 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
11 subchapter I of chapter 21 of title 10, United States Code, is amended by striking the item
12 relating to section 426.

13 **SEC. 1613. RENAMING THE UNDER SECRETARY OF DEFENSE FOR**
14 **INTELLIGENCE TO UNDER SECRETARY OF DEFENSE FOR**
15 **INTELLIGENCE AND SECURITY.**

16 (a) IN GENERAL.—Section 137 of title 10, United States Code, is amended—

17 (1) in the heading, by inserting “**and Security**” after “**Intelligence**”; and

18 (2) in subsections (a), (b), and (c), by striking “Under Secretary of Defense for
19 Intelligence” each place it appears and inserting “Under Secretary of Defense for
20 Intelligence and Security”.

21 (b) CONFORMING AMENDMENTS.—

1 (1) TITLE 5.—Sections 5314 and 5315 of title 5, United States Code, are amended
2 by striking “Under Secretary of Defense for Intelligence” each place it appears and
3 inserting “Under Secretary of Defense for Intelligence and Security”.

4 (2) TITLE 10.—Title 10, United States Code, is amended by striking “Under
5 Secretary of Defense for Intelligence” each place it appears and inserting “Under
6 Secretary of Defense for Intelligence and Security” in the following provisions:

7 (A) The table of sections at the beginning of chapter 4.

8 (B) Section 131(b)(3)(F).

9 (C) Section 137a(c)(6).

10 (D) Section 139a(d)(6).

11 (E) Section 139b(c)(2)(E).

12 (F) Section 181(d)(1)(B).

13 (G) Section 393(b)(2)(C).

14 (H) Section 426.

15 (I) Section 430.

16 (c) OTHER REFERENCES IN LAW.—Any reference to the Under Secretary of Defense for
17 Intelligence in a provision of law in effect on the date of the enactment of this Act shall be
18 deemed to be a reference to the Under Secretary of Defense for Intelligence and Security.

19 **Subtitle C—Cyberspace-Related Matters**

20 **SEC. 1621. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR**
21 **CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT**
22 **PROJECTS.**

1 (a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is
2 amended by inserting after section 2243 the following new section:

3 **“§2243a. Authority to use operation and maintenance funds for cyber operations-peculiar**
4 **capability development projects**

5 “(a) IN GENERAL.—The Secretary of Defense and each Secretary concerned may use
6 \$3,000,000 of amounts authorized to be appropriated for operation and maintenance in each
7 fiscal year to carry out cyber operations-peculiar capability development projects.

8 “(b) RELATIONSHIP TO OTHER LAWS.—The authority in subsection (a) may be used
9 without regard to any provision of law establishing a limit on the unit cost of an investment item
10 that may be purchased with funds made available for operation and maintenance.”.

11 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such
12 subchapter is amended by inserting after the item relating to section 2243 the following new
13 item:

“2243a. Authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.

14 **TITLE XVII—SPACE FORCE**

15 **Subtitle A—United States Space Force**

16 **SEC. 1701. ESTABLISHMENT OF UNITED STATES SPACE FORCE IN THE**
17 **DEPARTMENT OF THE AIR FORCE.**

18 Part I of subtitle D of title 10, United States Code, is amended by adding at the end the
19 following new chapter:

20 **“CHAPTER 909—THE SPACE FORCE**

“Sec.
“9091. Establishment of the Space Force.
“9092. The Space Staff: function; composition.
“9093. The Space Staff: general duties.

“9094. Chief of Staff of the Space Force.

“9095. Vice Chief of Staff of the Space Force.

1 **“§9091. Establishment of the Space Force**

2 “(a) ESTABLISHMENT.—There is established a United States Space Force as an armed
3 force within the Department of the Air Force.

4 “(b) FUNCTIONS.—(1) The Space Force shall be organized, trained, and equipped—

5 “(A) to provide for freedom of operations in, from, and to the space domain for
6 the United States;

7 “(B) to provide independent military options for joint and national leadership; and

8 “(C) to enable the lethality and effectiveness of the joint force.

9 “(2) The Space Force includes both combat and combat-support functions to enable
10 prompt and sustained offensive and defensive space operations and joint operations in all
11 domains.

12 “(c) COMPOSITION.—The Space Force consists of—

13 “(1) the Regular Space Force and associated reserve components;

14 “(2) all persons appointed or enlisted in, or conscripted into, the Space Force,
15 including those not assigned to units, necessary to form the basis for a complete and
16 immediate mobilization for the national defense in the event of a national emergency; and

17 “(3) all Space Force units and other Space Force organizations, including
18 installations and supporting and auxiliary combat, training, administrative, and logistic
19 elements.

20 “(d) DUTIES.—Except as otherwise specifically prescribed by law, the Space Force shall
21 be organized in such manner, and the members of the Space Force shall perform such duties and
22 have such titles, as the Secretary of the Air Force may prescribe.

1 **“§9092. The Space Staff: function; composition**

2 “(a) FUNCTION.—There is in the executive part of the Department of the Air Force a
3 Space Staff to assist the Secretary of the Air Force in carrying out the responsibilities of the
4 Secretary.

5 “(b) COMPOSITION.—The Space Staff is composed of the following:

6 “(1) The Chief of Staff of the Space Force.

7 “(2) The Vice Chief of Staff of the Space Force.

8 “(3) Such other offices and officials as may be established by law or as the
9 Secretary of the Air Force may establish or designate.

10 “(4) Other members of the Air Force and Space Force assigned or detailed to the
11 Space Staff.

12 “(5) Civilian employees in the Department of the Air Force assigned or detailed to
13 the Space Staff.

14 “(c) ORGANIZATION.—Except as otherwise specifically prescribed by law, the Space Staff
15 shall be organized in such manner, and the members of the Space Staff shall perform such duties
16 and have such titles, as the Secretary of the Air Force may prescribe.

17 **“§9093. The Space Staff: general duties**

18 “(a) PROFESSIONAL ASSISTANCE.—The Space Staff shall furnish professional assistance
19 to the Secretary of the Air Force, the Chief of Staff of the Space Force, and other personnel of
20 the Office of the Secretary of the Air Force or the Space Staff.

21 “(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the
22 Air Force, the Space Staff shall—

1 “(1) subject to subsections (c) and (d) of section 9014 of this title, prepare for
2 such employment of the Space Force, and for such recruiting, organizing, supplying,
3 equipping (including research and development), training, servicing, mobilizing,
4 demobilizing, administering, and maintaining of the Space Force, as will assist in the
5 execution of any power, duty, or function of the Secretary of the Air Force or the Chief of
6 Staff of the Space Force;

7 “(2) investigate and report upon the efficiency of the Space Force and its
8 preparation to support military operations by commanders of the combatant commands;

9 “(3) prepare detailed instructions for the execution of approved plans and
10 supervise the execution of those plans and instructions;

11 “(4) as directed by the Secretary of the Air Force or the Chief Staff of the Space
12 Force, coordinate the action of organizations of the Space Force; and

13 “(5) perform such other duties, not otherwise assigned by law, as may be
14 prescribed by the Secretary of the Air Force.

15 **“§9094. Chief of Staff of the Space Force**

16 “(a) APPOINTMENT.— (1) There is a Chief of Staff of the Space Force, appointed by the
17 President, by and with the advice and consent of the Senate, from the general officers of the
18 Space Force. The Chief of Staff shall serve at the pleasure of the President.

19 “(2) The Chief of Staff shall be appointed for a term of four years. In time of war or
20 during a national emergency declared by Congress, the Chief of Staff may be reappointed for a
21 term of not more than four years.

22 “(3) The President may appoint an officer as Chief of Staff only if—

23 “(A) the officer has had significant experience in joint duty assignments; and

1 “(B) such experience includes at least one full tour of duty in a joint duty
2 assignment (as defined in section 664(d) of this title) as a general officer.

3 “(4) The President may waive paragraph (3) in the case of an officer if the President
4 determines such action is necessary in the national interest.

5 “(b) GRADE.—The Chief of Staff of the Space Force, while so serving, has the grade of
6 general without vacating the permanent grade of the officer.

7 “(c) RELATIONSHIP TO THE SECRETARY OF THE AIR FORCE.—Except as otherwise
8 prescribed by law and subject to section 9013(f) of this title, the Chief of Staff of the Space
9 Force performs the duties of such position under the authority, direction, and control of the
10 Secretary of the Air Force and is directly responsible to the Secretary.

11 “(d) DUTIES.—Subject to the authority, direction, and control of the Secretary of the Air
12 Force, the Chief of Staff of the Space Force shall—

13 “(1) preside over the Space Staff;

14 “(2) transmit the plans and recommendations of the Space Staff to the Secretary
15 of the Air Force and advise the Secretary with regard to such plans and
16 recommendations;

17 “(3) after approval of the plans or recommendations of the Space Staff by the
18 Secretary of the Air Force, act as the agent of the Secretary in carrying them into effect;

19 “(4) exercise supervision, consistent with the authority assigned to commanders
20 of unified or specified combatant commands under chapter 6 of this title, over such of the
21 members and organizations of the Space Force and the Air Force as the Secretary of the
22 Air Force determines;

1 “(5) perform the duties prescribed for the Chief of Staff by sections 171 and 2547
2 of this title and other provisions of law; and

3 “(6) perform such other military duties, not otherwise assigned by law, as are
4 assigned to the Chief of Staff by the President, the Secretary of Defense, or the Secretary
5 of the Air Force.

6 “(e) JOINT CHIEFS OF STAFF.— (1) The Chief of Staff of the Space Force shall also
7 perform the duties prescribed for the Chief of Staff as a member of the Joint Chiefs of Staff
8 under section 151 of this title.

9 “(2) To the extent that such action does not impair the independence of the Chief of Staff
10 in the performance of the duties of the Chief of Staff as a member of the Joint Chiefs of Staff, the
11 Chief of Staff shall inform the Secretary of the Air Force regarding military advice rendered by
12 members of the Joint Chiefs of Staff on matters affecting the Department of the Air Force.

13 “(3) Subject to the authority, direction, and control of the Secretary of Defense, the Chief
14 of Staff shall keep the Secretary of the Air Force fully informed of significant military operations
15 affecting the duties and responsibilities of the Secretary of the Air Force.

16 **“§9095. Vice Chief of Staff of the Space Force**

17 “(a) APPOINTMENT.—There is a Vice Chief of Staff of the Space Force, appointed by the
18 President, by and with the advice and consent of the Senate, from the general officers of the
19 Space Force.

20 “(b) GRADE.—The Vice Chief of Staff of the Space Force, while so serving, has the grade
21 of general without vacating the permanent grade of the officer so serving.

22 “(c) DUTIES.—The Vice Chief of Staff has such authority and duties with respect to the
23 Space Force as the Chief of Staff of the Space Force, with the approval of the Secretary of the

1 Air Force, may delegate to or prescribe for the Vice Chief of Staff. Orders issued by the Vice
2 Chief of Staff in performing such duties have the same effect as those issued by the Chief of
3 Staff.

4 “(d) VACANCY IN OFFICE OF CHIEF OF STAFF.—When there is a vacancy in the office of
5 Chief of Staff of the Space Force or during the absence or disability of the Chief of Staff—

6 “(1) the Vice Chief of Staff shall perform the duties of the Chief of Staff until a
7 successor is appointed or the absence or disability ceases; or

8 “(2) if there is a vacancy in the office of the Vice Chief of Staff or the Vice Chief
9 of Staff is absent or disabled, unless the President directs otherwise, the most senior
10 officer of the Space Force in the Space Staff who is not absent or disabled and who is not
11 restricted in performance of duty shall perform the duties of the Chief of Staff until a
12 successor to the Chief of Staff or the Vice Chief of Staff is appointed or until the absence
13 or disability of the Chief of Staff or Vice Chief of Staff ceases, whichever occurs first.”.

14 **SEC. 1702. UNDER SECRETARY OF THE AIR FORCE FOR SPACE.**

15 (a) ESTABLISHMENT.—Section 9015 of title 10, United States Code, is amended—

16 (1) in the heading, by striking “**Under Secretary**” and inserting “**Under**
17 **Secretaries**”;

18 (2) in subsection (a), by striking “is an Under Secretary of the Air Force” and
19 inserting “are two Under Secretaries of the Air Force”;

20 (3) by striking subsection (b) and inserting the following new subsections:

21 “(b)(1) One of the Under Secretaries shall be the Under Secretary of the Air Force.

22 “(2) The Under Secretary of the Air Force shall be the first assistant to the Secretary of
23 the Air Force and shall assist the Secretary in the performance of the duties of the Secretary and

1 shall act for, and exercise the powers of, the Secretary when the Secretary dies, resigns, or is
2 otherwise unable to perform the functions and duties of the office.

3 “(c)(1) One of the Under Secretaries shall be the Under Secretary of the Air Force for
4 Space, who shall also be known as the Under Secretary for Space.

5 “(2) The Under Secretary for Space shall be responsible for the overall supervision of
6 space matters.

7 “(d) In addition to the duties and powers described in subsections (b) and (c), the Under
8 Secretaries shall perform such duties and exercise such powers as the Secretary of the Air Force
9 may prescribe.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 903 of
12 such title is amended by striking the item relating to section 9015 and inserting the
13 following new item:

“9015. Under Secretaries of the Air Force.”.

14 (2) SECRETARY OF THE AIR FORCE.—Section 9013(f) of such title is amended—

15 (A) in the first sentence, by striking “Under Secretary” and inserting
16 “Under Secretaries”; and

17 (B) in the second sentence, by striking “the Under Secretary” and inserting
18 “either Under Secretary”.

19 (3) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014(b)(1) of such
20 title is amended by striking “Under Secretary” and inserting “Under Secretaries”.

21 (4) SUCCESSOR TO DUTIES.—Section 9017 of such title is amended—

22 (A) by redesignating paragraphs (2) through (4) as paragraphs (3) through
23 (5), respectively; and

1 (B) by inserting after paragraph (1) the following new paragraph:

2 “(2) The Under Secretary of the Air Force for Space.”.

3 **SEC. 1703. INCLUSION OF THE SPACE FORCE ON THE JOINT CHIEFS OF STAFF**
4 **AND JOINT STAFF.**

5 (a) MEMBERSHIP OF THE CHIEF OF STAFF OF THE SPACE FORCE ON THE JOINT CHIEFS OF
6 STAFF.—Section 151(a) of title 10, United States Code, is amended—

7 (1) by redesignating paragraph (7) as paragraph (8); and

8 (2) by inserting after paragraph (6) the following new paragraph:

9 “(7) The Chief of Staff of the Space Force.”.

10 (b) APPOINTMENT OF CHAIRMAN.—Section 152(b)(1)(B) of such title is amended by
11 striking “or the Commandant of the Marine Corps” and inserting “the Commandant of the
12 Marine Corps, or the Chief of Staff of the Space Force”.

13 (c) INCLUSION OF THE SPACE FORCE ON THE JOINT STAFF.—Section 155(a)(2)(C) of such
14 title is amended by inserting “and the Space Force” after “the Air Force”.

15 **SEC. 1704. CIVILIAN PERSONNEL SUPPORTING THE SPACE FORCE.**

16 (a) ORGANIZATION OF CHAPTER.—

17 (1) CHAPTER 947.—Chapter 947 of title 10, United States Code, is amended—

18 (A) by striking the table of sections and inserting the following:

“Subchapter	Sec.
“I. General Civilian Personnel Matters	9371
“II. Space Force Civilian Personnel Matters	9375

19 **“SUBCHAPTER I—GENERAL CIVILIAN PERSONNEL MATTERS**

- “Sec.
- “9371. Air University: civilian faculty members.
- “9372. Production of supplies and munitions: hours and pay of laborers and mechanics.
- “9373. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests.”; and

1 (B) by redesignating sections 9375 and 9377 as sections 9372 and 9373,
2 respectively.

3 (2) CHAPTER 949.—Chapter 949 of title 10, United States Code, is amended—

4 (A) in the table of sections, by striking the item relating to section 9381
5 and inserting the following new item:

“9391. Fatality reviews.”; and

6 (B) by redesignating section 9381 as section 9391.

7 (b) CIVILIAN PERSONNEL SUPPORTING THE SPACE FORCE.—Chapter 947 of title 10,
8 United States Code, as amended by subsection (a) of this section, is further amended by adding
9 at the end the following new subchapter:

10 **“SUBCHAPTER II—SPACE FORCE CIVILIAN PERSONNEL MATTERS**

“Sec.

“9375. Definitions and implementation.

“9376. Space Force civilian personnel: general authority to establish excepted positions, appoint personnel, and
fix rates of pay.

“9377. Basic pay.

“9378. Additional compensation, allowances, and incentives.

“9379. Limitation on certain payments.

“9380. Benefits for certain employees assigned outside the United States.

“9381. Space Force Senior Executive Service.

“9382. Space Force Senior Level positions.

“9383. Time-limited appointments.

“9384. Termination of Space Force employees.

“9385. Reductions and other adjustments in force.

“9386. Postemployment assistance: certain terminated Space Force employees.

“9387. Appointment of Space Force employees to competitive service positions in the Department of Defense.

“9388. Merit system principles; civil service protections; right of appeal.

11 **“§9375. Definitions and implementation**

12 “(a) DEFINITIONS.—In this subchapter:

13 “(1) The term ‘competitive service’ has the meaning given such term in section
14 2102 of title 5.

15 “(2) The term ‘excepted service’ has the meaning given such term in section 2103
16 of title 5.

1 “(3) The term ‘preference eligible’ has the meaning given such term in section
2 2108(3) of title 5.

3 “(4) The term ‘Senior Executive Service position’ has the meaning given such
4 term in section 3132(a)(2) of title 5.

5 “(5) The term ‘Space Force position’ means a position as a civilian employee of
6 the Department of the Air Force supporting the Space Force or United States Space
7 Command, as determined by the Secretary of Defense.

8 “(b) IMPLEMENTATION.—The Secretary of Defense may implement this subchapter
9 without regard to any provision of chapter 71 of title 5.

10 **“§9376. Space Force civilian personnel: general authority to establish excepted positions,
11 appoint personnel, and fix rates of pay**

12 “(a) IN GENERAL.—The Secretary of Defense may—

13 “(1) establish, as positions in the excepted service, such positions in the
14 Department of the Air Force as the Secretary of Defense determines necessary to support
15 the Space Force, including—

16 “(A) Space Force Senior Level positions designated under section 9382 of
17 this title; and

18 “(B) positions in the Space Force Senior Executive Service;

19 “(2) after taking into consideration the availability of preference eligibles for
20 appointment to those positions (except with respect to positions referred to in
21 subparagraphs (A) and (B) of paragraph (1)), appoint individuals to those positions; and

22 “(3) fix the compensation of such individuals for service in those positions.

1 “(b) CONSTRUCTION WITH OTHER LAWS—The authority of the Secretary of Defense
2 under subsection (a) applies without regard to the provisions of any other law relating to the
3 appointment, number, classification, or compensation of employees.

4 **“§9377. Basic pay**

5 “(a) AUTHORITY TO FIX RATES OF BASIC PAY.—The Secretary of Defense shall fix the
6 rates of basic pay for positions established under section 9376 of this title in relation to the rates
7 of pay provided for comparable positions in the Department of Defense and subject to the same
8 limitations on maximum rates of pay established for employees of the Department of Defense by
9 law or regulation, or based upon compensation for similar positions in a labor market, as
10 necessary to recruit and retain employees in support of the Space Force. The rate of basic pay for
11 any position under the authority of this subchapter may not exceed the rate payable for a position
12 at Level II of the Executive Schedule.

13 “(b) PREVAILING RATE SYSTEMS.—Notwithstanding any other provision of law, the
14 Secretary of Defense may, consistent with section 5341 of title 5, adopt such provisions of that
15 title as to provide for prevailing rate systems of basic pay and may apply those provisions to
16 positions for civilian employees in or under which the Department of Defense may employ
17 individuals described by section 5342(a)(2)(A) of that title.

18 **“§9378. Additional compensation, allowances, and incentives**

19 “(a) ADDITIONAL COMPENSATION.—The Secretary of Defense may provide employees in
20 Space Force positions compensation in addition to basic pay, including benefits, incentives, and
21 allowances, consistent with and not in excess of the level authorized for comparable positions
22 authorized by title 5.

1 “(b) ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT.—(1) In addition to
2 basic pay, employees in Space Force positions who are citizens or nationals of the United States
3 and are stationed outside the continental United States or in Alaska may be paid an allowance, in
4 accordance with regulations prescribed by the Secretary of Defense, while they are so stationed.

5 “(2) An allowance under this subsection shall be based on—

6 “(A) living costs substantially higher than in the District of Columbia; or

7 “(B) conditions of environment that—

8 “(i) differ substantially from conditions of environment in the continental
9 United States; and

10 “(ii) warrant an allowance as a recruitment incentive.

11 “(3) An allowance under this subsection may not exceed the allowance authorized to be
12 paid by section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute.

13 **“§9379. Limitation on certain payments**

14 “No allowance, differential, bonus, award, or other similar cash payment under this title
15 may be paid to an employee in a calendar year if, or to the extent that, when added to the total
16 basic pay paid or payable to such employee for service performed in such calendar year, such
17 payment would cause the total to exceed the total annual compensation payable to the Vice
18 President under section 104 of title 3 as of the end of such calendar year.

19 **“§9380. Benefits for certain employees assigned outside the United States**

20 “(a) IN GENERAL.—The Secretary of Defense may provide to civilian personnel described
21 in subsection (c) allowances and benefits comparable to those provided by the Secretary of State
22 to officers and employees of the Foreign Service under paragraphs (2) through (8) and (13) of

1 section 901 and sections 705 and 903 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3),
2 (4), (5), (6), (7), and (8), and (13), 4025, 4083) and under section 5924(4) of title 5.

3 “(b) APPLICABILITY.—Subsection (a) shall apply to civilian personnel of the Department
4 of Defense who—

5 “(1) are United States nationals;

6 “(2) are assigned to duty outside the United States; and

7 “(3) are designated by the Secretary of Defense for the purposes of subsection (a).

8 **“§9381. Space Force Senior Executive Service**

9 “(a) ESTABLISHMENT.—The Secretary of Defense may establish a Space Force Senior
10 Executive Service for Space Force positions established pursuant to section 9376(a) of this title
11 that are equivalent to Senior Executive Service positions.

12 “(b) REGULATIONS CONSISTENT WITH TITLE 5 PROVISIONS.—(1) The Secretary of
13 Defense shall prescribe regulations for the Space Force Senior Executive Service that are
14 consistent with the requirements set forth in sections 3131, 3132(a)(2), 3396(c), 3592, 3595(a),
15 5384, and 6304 of title 5, subsections (a), (b), and (c) of section 7543 of such title (except that
16 any hearing or appeal to which a member of the Space Force Senior Executive Service is entitled
17 shall be held or decided pursuant to those regulations), and subchapter II of chapter 43 of such
18 title.

19 “(2) To the extent that the Secretary determines it practicable to apply to members of, or
20 applicants for, the Space Force Senior Executive Service other provisions of title 5 that apply to
21 members of, or applicants for, the Senior Executive Service, the Secretary shall also prescribe
22 regulations to implement those provisions with respect to the Space Force Senior Executive
23 Service.

1 “(c) AWARD OF RANK TO MEMBERS OF THE SPACE FORCE SENIOR EXECUTIVE SERVICE.—
2 The President, based on the recommendation of the Secretary of Defense, may award a rank
3 referred to in section 4507 of title 5 to a member of the Space Force Senior Executive Service.
4 The award of such rank shall be made in a manner consistent with the provisions of that section.

5 “(d) PERFORMANCE APPRAISALS.—(1) The Space Force Senior Executive Service shall
6 be subject to a performance appraisal system that, as designed and applied, is certified by the
7 Secretary of Defense under section 5307 of title 5 as making meaningful distinctions based on
8 relative performance.

9 “(2) The performance appraisal system applicable to the Space Force Senior Executive
10 Service under paragraph (1) may be the same performance appraisal system that is established
11 and implemented within the Department of Defense for members of the Senior Executive
12 Service.

13 **“§9382. Space Force Senior Level positions**

14 “(a) DESIGNATION OF POSITIONS.—The Secretary of Defense may designate as a Space
15 Force Senior Level position any Space Force position that, as determined by the Secretary—

16 “(1) is classifiable above grade GS-15 of the General Schedule;

17 “(2) does not satisfy functional or program management criteria for being
18 designated a Space Force Senior Executive Service position; and

19 “(3) has no more than minimal supervisory responsibilities.

20 “(b) REGULATIONS.—Subsection (a) shall be carried out in accordance with regulations
21 prescribed by the Secretary of Defense.

22 “(c) AWARD OF RANK TO EMPLOYEES IN SPACE FORCE SENIOR LEVEL POSITIONS.—The
23 President, based on the recommendation of the Secretary of Defense, may award a rank referred

1 to in section 4507a of title 5 to an employee in a Space Force Senior Level position designated
2 under subsection (a). The award of such rank shall be made in a manner consistent with the
3 provisions of that section.

4 **“§9383. Time-limited appointments**

5 “(a) AUTHORITY FOR TIME-LIMITED APPOINTMENTS.—The Secretary of Defense may
6 authorize time-limited appointments to Space Force positions.

7 “(b) REVIEW OF USE OF AUTHORITY.—The Secretary of Defense shall review each time-
8 limited appointment in a Space Force position at the end of the first year of the period of the
9 appointment and determine whether the appointment should be continued for the remainder of
10 the period.

11 “(c) CONDITION ON PERMANENT APPOINTMENT TO SPACE FORCE SENIOR EXECUTIVE
12 SERVICE.—An employee serving in a Space Force position pursuant to a time-limited
13 appointment is not eligible for a permanent appointment to a Space Force Senior Executive
14 Service position (including a position in which the employee is serving) unless the employee is
15 selected for the permanent appointment on a competitive basis.

16 “(d) TIME-LIMITED APPOINTMENT DEFINED.—In this section, the term ‘time-limited
17 appointment’ means an appointment for a period not to exceed three years.

18 **“§9384. Termination of Space Force employees**

19 “(a) TERMINATION AUTHORITY.—Notwithstanding any other provision of law, the
20 Secretary of Defense may terminate the employment of any employee in a Space Force position
21 if the Secretary—

22 “(1) considers that action to be in the interests of the United States; and

1 “(2) determines that the procedures prescribed in other provisions of law that
2 authorize the termination of the employment of such employee cannot be invoked in a
3 manner consistent with the national security.

4 “(b) FINALITY.—A decision by the Secretary of Defense to terminate the employment of
5 an employee under this section is final and may not be appealed or reviewed outside the
6 Department of Defense.

7 “(c) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.--Whenever the Secretary
8 of Defense terminates the employment of an employee under the authority of this section, the
9 Secretary shall promptly notify the congressional defense committees of such termination.

10 “(d) PRESERVATION OF RIGHT TO SEEK OTHER EMPLOYMENT.—Any termination of
11 employment under this section shall not affect the right of the terminated employee to seek or
12 accept employment with any other department or agency of the United States if that employee is
13 declared eligible for such employment by the Director of the Office of Personnel Management.

14 “(e) LIMITATION ON DELEGATION.--The authority of the Secretary of Defense under this
15 section may be delegated only to the Deputy Secretary of Defense or the Secretary of the Air
16 Force. An action to terminate employment of an employee by the Deputy Secretary of Defense
17 or the Secretary of the Air Force may be appealed to the Secretary of Defense.

18 **“§9385. Reductions and other adjustments in force**

19 “(a) IN GENERAL.—The Secretary of Defense shall prescribe regulations for the
20 separation of employees in Space Force positions, including members of the Space Force Senior
21 Executive Service and employees in Space Force Senior Level positions, during a reduction in
22 force or other adjustment in force. Such regulations shall apply to such a reduction in force or
23 other adjustment in force notwithstanding sections 3501(b) and 3502 of title 5.

1 “(b) DETERMINATIONS.—The determination of which employees shall be separated from
2 employment in Space Force positions during a reduction in force or other adjustment in force
3 shall be made primarily on the basis of performance.

4 “(c) REGULATIONS RELATING TO SPACE FORCE SES.—The regulations prescribed under
5 this section relating to removal from the Space Force Senior Executive Service in a reduction in
6 force or other adjustment in force shall be consistent with section 3595(a) of title 5.

7 **“§9386. Postemployment assistance: certain terminated Space Force employees**

8 “(a) AUTHORITY.—Subject to subsections (b) and (c), the Secretary of Defense may, in
9 the case of any individual who is a qualified former Space Force employee, use appropriated
10 funds to—

11 “(1) assist that individual in finding and qualifying for employment other than in a
12 Space Force position;

13 “(2) assist that individual in meeting the expenses of treatment of medical or
14 psychological disabilities of that individual; and

15 “(3) provide financial support to that individual during periods of unemployment.

16 “(b) CONDITIONS.—Assistance may be provided to a qualified former Space Force
17 employee under subsection (a) only if the Secretary determines that such assistance is essential
18 to—

19 “(1) maintain the judgment and emotional stability of the qualified former Space
20 Force employee; and

21 “(2) avoid circumstances that might lead to the unlawful disclosure of classified
22 information to which the qualified former Space Force employee had access.

1 “(c) DURATION OF ASSISTANCE.—Assistance may not be provided under this section in
2 the case of any individual after the end of the five-year period beginning on the date of the
3 termination of the employment of the individual in a Space Force position.

4 “(d) QUALIFIED FORMER SPACE FORCE EMPLOYEE DEFINED.—In this section, the term
5 ‘qualified former Space Force employee’ means an individual who was employed in a Space
6 Force position—

7 “(1) who has been found to be ineligible for continued access to information
8 designated as ‘Sensitive Compartmented Information’ and employment in the Space
9 Force; or

10 “(2) whose employment in a Space Force position has been terminated.

11 **“§9387. Appointment of Space Force employees to competitive service positions in the**
12 **Department of Defense**

13 “(a) AUTHORITY.—Subject to subsection (b), the Secretary of Defense may appoint an
14 employee serving in a Space Force position in the excepted service to a position in the
15 Department of Defense in the competitive service without competition.

16 “(b) CONDITIONS—The Secretary may only exercise the authority under subsection (a)
17 if—

18 “(1) the employee concerned has served continuously for at least two years in a
19 Space Force position that is not time-limited under an excepted appointment or has been
20 involuntarily separated from such position without personal cause within the preceding
21 12 months;

1 “(2) the employee concerned meets the qualification standards and requirements
2 for the competitive service position in accordance with Office of Personnel Management
3 standards; and

4 “(3) the employee concerned is considered for selection to competitive service
5 positions in the same manner that other individuals are considered for appointments
6 without competition.

7 **“§9388. Merit system principles; civil service protections; right of appeal**

8 “(a) MERIT SYSTEM PRINCIPLES.—Section 2301 of title 5 shall apply to the exercise of
9 authority under this subchapter (other than sections 9380 and 9386).

10 “(b) CIVIL SERVICE PROTECTIONS.—(1) If, in the case of a position established under
11 authority other than section 9376(a)(1) of this title that is reestablished as an excepted service
12 position under that section, the provisions of law referred to in paragraph (2) applied to the
13 person serving in that position immediately before the position is so reestablished and such
14 provisions of law would not otherwise apply to the person while serving in the position as so
15 reestablished, then such provisions of law shall, subject to paragraph (3), continue to apply to the
16 person with respect to service in that position for as long as the person continues to serve in the
17 position without a break in service.

18 “(2) The provisions of law referred to in paragraph (1) are the following provisions of
19 title 5:

20 “(A) Section 2302, relating to prohibited personnel practices.

21 “(B) Chapter 75, relating to adverse actions.

1 “(3)(A) Notwithstanding any provision of chapter 75 of title 5, an appeal of an adverse
2 action by an individual employee covered by paragraph (1) shall be determined within the
3 Department of Defense if the employee so elects.

4 “(B) The Secretary of Defense shall prescribe the procedures for initiating and
5 determining appeals of adverse actions pursuant to elections made under subparagraph (A).

6 “(c) RIGHT OF APPEAL.—The Secretary of Defense shall prescribe regulations to provide
7 a right of appeal regarding a personnel action under this subchapter. The appeal shall be
8 determined within the Department of Defense. An appeal determined at the highest level
9 provided in the regulations shall be final and not subject to review outside the Department of
10 Defense. A personnel action covered by the regulations is not subject to any other provision of
11 law that provides appellate rights or procedures.”.

12 **SEC. 1705. DECORATIONS AND AWARDS.**

13 (a) IN GENERAL.—Chapter 937 of title 10, United States Code, is amended by adding at
14 the end the following new section:

15 **“§9287. General authority to provide Space Force decorations and awards**

16 “In addition to the decorations and awards available to all personnel of the Department of
17 the Air Force pursuant to the other sections of this chapter, the Secretary of the Air Force may
18 provide such awards and decorations as the Secretary considers appropriate to any person who,
19 while serving in any capacity with the Space Force, distinguished himself or herself.”.

20 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such
21 chapter is amended by adding at the end the following new item:

“9287. General authority to provide Space Force decorations and awards.”.

22 **SEC. 1706. REPEAL OF PROVISION RELATED TO AIR FORCE SPACE COMMAND.**

23 (a) REPEAL.—

1 (1) IN GENERAL.—Section 2279c of title 10, United States Code, is repealed.

2 (2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
3 chapter 135 of title 10, United States Code, is amended by striking the item relating to
4 section 2279c.

5 (b) CONTINUATION OF PROCUREMENT AUTHORITY.—

6 (1) IN GENERAL.—Chapter 963 of title 10, United States Code, is amended by
7 inserting before section 9532 the following new section:

8 **“§9531. Procurement of commercial satellite communications services**

9 “The Secretary of the Air Force, in consultation with the Chief Information Officer of the
10 Department of Defense, shall be responsible for the procurement of commercial satellite
11 communications services for the Department of Defense.”.

12 (2) APPLICABILITY.—Section 9531 of title 10, United States Code, as added by
13 paragraph (1) of this subsection, shall apply with respect to services procured after the
14 date of the enactment of this Act.

15 (3) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
16 chapter 963 of such title is amended by inserting before the item relating to section 9532
17 the following new item:

“9531. Procurement of commercial satellite communications services.”.

18 **SEC. 1707. TRANSFER OF PERSONNEL, PROPERTY, AND RESOURCES AND**
19 **OTHER TRANSITION MATTERS.**

20 (a) TRANSITION PERIOD.—

21 (1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the
22 transition period is the period that ends on the date that is five years after the date of the
23 enactment of this Act.

1 (2) EXTENSION.—The Secretary of Defense may extend the transition period
2 described in paragraph (1) for not more than two years if the Secretary—

3 (A) determines an extension is necessary to accomplish the initial
4 establishment of the United States Space Force; and

5 (B) submits to the congressional defense committees notice of the
6 Secretary’s intent to extend the transition period.

7 (b) TRANSFER OF MILITARY MEMBERS.—

8 (1) TRANSFER AUTHORITY.—Notwithstanding any other provision of law, the
9 Secretary of Defense, in the sole and exclusive discretion of the Secretary, may, during
10 the transition period, transfer officers and enlisted members of the Armed Forces within
11 the Department of Defense to become officers and enlisted members of the United States
12 Space Force.

13 (2) BASIS.—A transfer under paragraph (1) may be made on a voluntary or
14 involuntary basis.

15 (3) STATUS OF PERSONNEL.—

16 (A) RETENTION OF GRADE AND STATUS.—Military personnel transferred to
17 the Space Force from another Armed Force within the Department of Defense
18 pursuant to this subsection shall retain the grade and date of obtaining such grade
19 that the individual person had before the date of the transfer unless otherwise
20 altered or terminated in accordance with law. For all purposes under law, the
21 length, character, and type of service of such personnel transferred to the Space
22 Force shall be calculated to include the same length, character, and type of service

1 in the Armed Force from which such personnel are transferred as if there was no
2 break in service.

3 (B) RIGHTS AND BENEFITS.—No transfer under this subsection shall alter
4 or prejudice the status of any individual so transferred, so as to deprive the
5 individual of any right, benefit, or privilege to which the individual may be
6 entitled under law due to the service of the individual in an Armed Force within
7 the Department of Defense other than the Space Force.

8 (C) BONUSES.—No funds previously paid to a military member as a valid
9 pay or bonus provided pursuant to chapter 5 of title 37, United States Code, may
10 be recouped if a member's disqualification for the pay or bonus is solely due to a
11 transfer under this subsection.

12 (c) TRANSFER OF CIVILIAN EMPLOYEES.—

13 (1) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of
14 Defense, in the sole and exclusive discretion of the Secretary, may, during the transition
15 period—

16 (A) establish regulations to effectuate any necessary transfers of civilian
17 personnel among the military departments and other components of the
18 Department of Defense, and any necessary reductions or adjustments in force; and

19 (B) effectuate such transfers (on a voluntary or involuntary basis) and
20 reductions or adjustments in force pursuant to the regulations established in
21 subparagraph (A).

22 (2) NO REDUCTION IN PAY.—No employee transferred in accordance with this
23 subsection shall suffer any loss of or decrease in pay as a result of that transfer.

1 (3) EFFECT OF TRANSFER.—A personnel action taken pursuant to this subsection is
2 final and is not subject to any other provision of law that provides appellate rights or
3 procedures for civilian employees of the Department of Defense.

4 (d) TRANSFER OF EQUIPMENT, SUPPLIES, OTHER PROPERTY, AND RECORDS.—
5 Notwithstanding any other provision of law, the Secretary of Defense, in the sole and exclusive
6 discretion of the Secretary, may, during the transition period, direct the transfer of equipment,
7 supplies, other property not deemed to be real property, and records from a military department
8 or other Department of Defense component to the Department of the Air Force.

9 (e) TRANSFER OF FUNCTIONS.—Notwithstanding any other provision of law, the Secretary
10 of Defense, in the sole and exclusive discretion of the Secretary, may, during the transition
11 period, transfer organizations or functions within the Department of Defense to the Space Force,
12 including civilian personnel, assets, equipment, and obligations of those organizations or
13 functions.

14 (f) TRANSFER OF FUNDS DURING TRANSITION PERIOD.—

15 (1) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of
16 Defense, in the sole and exclusive discretion of the Secretary, may, during the transition
17 period—

18 (A) transfer to the Department of the Air Force balances from
19 appropriations or funds currently available for obligation by the military
20 departments and other components of the Department of Defense from which
21 personnel, equipment, supplies, property, or records have been transferred
22 pursuant to sections (b), (c) and (d), to be used for a purpose for which the
23 appropriations or funds were originally available; and

1 (B) credit amounts transferred to an applicable existing or new
2 appropriation account or fund, to be merged with and to be available for the same
3 time period as the appropriation or fund, to which transferred.

4 (2) RELATIONSHIP TO OTHER LAWS.—The authority under this subsection is in
5 addition to any other transfer authority provided by law.

6 (g) MISSION ASSURANCE DURING TRANSITION PERIOD.—Notwithstanding any other
7 provision of law, the Secretary of Defense may, during the transition period, authorize space
8 forces, organizations, functions, personnel, installations, or facilities transferred to the
9 Department of the Air Force to be funded, operated, or controlled by another Department of
10 Defense component, including a military department, without compensation or reimbursement, if
11 the Secretary determines that action is essential to maintain space mission integrity and
12 readiness.

13 (h) EXCLUSION OF SPACE ORGANIZATIONS FROM FISCAL YEAR 2020 AND 2021
14 HEADQUARTERS COSTS CEILINGS.—

15 (1) EXCLUSION.—The amounts expended on space organizations shall be
16 excluded from the calculation of the amounts that may be obligated and expended on
17 major headquarters activities pursuant to section 931 of the John S. McCain National
18 Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) and major
19 Department of Defense headquarters activities pursuant to section 346(b) of the National
20 Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 111 note).

21 (2) DEFINITIONS.—In this subsection, the term “space organizations” means the
22 following:

23 (A) The office of the Under Secretary of the Air Force for Space.

1 (B) The Space Staff.

2 (i) SUSPENSION OF MANPOWER LIMITATIONS DURING TRANSITION PERIOD.—

3 Notwithstanding any other provision of law, during the transition period, members of the Armed
4 Forces appointed, assigned, or transferred to the Space Force and civilian employees appointed,
5 assigned, or transferred to or within the Department of the Air Force to support the Space Force
6 shall not count against any limitation on manpower that may apply to the Department of the Air
7 Force, including—

8 (1) sections 517, 523, 525, 526, 526a, 9014, and 9110 of title 10, United States
9 Code;

10 (2) section 3133 of title 5, United States Code; and

11 (3) sections 501 and 1109 of the National Defense Authorization Act for Fiscal
12 Year 2017 (10 U.S.C. 525 note; 5 U.S.C. 3133 note).

13 **Subtitle B—Conforming Amendments**

14 **SEC. 1711. DEPARTMENT OF THE AIR FORCE PROVISIONS IN TITLE 10, UNITED**
15 **STATES CODE.**

16 (a) ORGANIZATION.—

17 (1) SECRETARY OF THE AIR FORCE.—Section 9013 of title 10, United States Code,
18 is amended—

19 (A) in subsection (f), by inserting “and Space Force” after “Officers of the
20 Air Force”; and

21 (B) in subsection (g)(1), by inserting “and Space Force” after “members of
22 the Air Force”.

1 (2) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014 of such title is
2 amended—

3 (A) in subsection (c)—

4 (i) in paragraph (1), by striking “and the Air Staff” and inserting “,
5 the Air Staff, and the Space Staff”;

6 (ii) in paragraph (2), by inserting “or the Space Staff” after “the
7 Air Staff”;

8 (iii) in paragraph (3), by striking “to the Chief of Staff and to the
9 Air Staff” and all that follows through the period and inserting “to the
10 Chief of Staff of the Air Force and the Air Staff, and to the Chief of Staff
11 of the Space Force and the Space Staff, and shall ensure that each such
12 office or entity provides each Chief of Staff such staff support as the Chief
13 of Staff concerned considers necessary to perform the Chief’s duties and
14 responsibilities.”; and

15 (iv) in paragraph (4)—

16 (I) by inserting “and the Space Staff” after “the Air Staff”;

17 and

18 (II) by striking “Chief” and inserting “Chiefs”;

19 (B) in subsection (d)—

20 (i) in paragraph (1), by striking “and the Air Staff” and inserting “,
21 the Air Staff, and the Space Staff”;

22 (ii) in paragraph (2), by inserting “and the Space Staff” after “the
23 Air Staff”; and

1 (iii) in paragraph (4), by striking “to the Chief of Staff of the Air
2 Force and to the Air Staff” and all that follows through the period and
3 inserting “to the Chief of Staff of the Air Force and the Air Staff, and to
4 the Chief of Staff of the Space Force and the Space Staff, and shall ensure
5 that such office or entity provides each Chief of Staff such staff support as
6 the Chief of Staff concerned considers necessary to perform the Chief’s
7 duties and responsibilities.”; and

8 (C) in subsection (e)—

9 (i) by striking “and the Air Staff” and inserting “, the Air Staff, and
10 the Space Staff”; and

11 (ii) by striking “to the other” and inserting “to any of the others”.

12 (3) SECRETARY OF THE AIR FORCE: SUCCESSORS TO DUTIES.—Section 9017(5) of
13 such title, as redesignated by section 1702 of this Act, is amended by inserting before the
14 period the following: “of the Air Force and the Chief of Staff of the Space Force, in the
15 order prescribed by the Secretary of the Air Force and approved by the Secretary of
16 Defense”.

17 (4) INSPECTOR GENERAL.—Section 9020 of such title is amended—

18 (A) in subsection (a)—

19 (i) by inserting “Department of the” after “Inspector General of
20 the”; and

21 (ii) by inserting “or the Space Force” after “general officers of the
22 Air Force”;

23 (B) in subsection (b)—

1 (i) in the matter preceding paragraph (1), by striking “or the Chief
2 of Staff” and inserting “, the Chief of Staff of the Air Force, or the Chief
3 of Staff of the Space Force”;

4 (ii) in paragraph (1), by inserting “Department of the” before “Air
5 Force”; and

6 (iii) in paragraph (2), by striking “the Chief” and inserting “either
7 Chief”; and

8 (C) in subsection (e), by inserting “or the Space Force” before “for a tour
9 of duty”.

10 (5) THE AIR STAFF: FUNCTION; COMPOSITION.—Section 9031(b) of such title is
11 amended—

12 (A) in each of paragraphs (1), (2), (3), and (4), by inserting “of the Air
13 Force” before the period; and

14 (B) in paragraph (8), by inserting “or the Space Force” after “of the Air
15 Force”.

16 (6) CHIEF OF STAFF—

17 (A) IN GENERAL.—The heading of section 9033 of such title is amended
18 by inserting “**of the Air Force**” after “**Staff**”.

19 (B) TABLE OF SECTIONS.—The item relating to section 9033 in the table of
20 sections at the beginning of chapter 905 of such title is amended to read as
21 follows:

“9033. Chief of Staff of the Air Force.”.

22 (7) VICE CHIEF OF STAFF.—

1 (A) IN GENERAL.—The heading of section 9034 of such title is amended
2 by inserting “**of the Air Force**” after “**Staff**”.

3 (B) TABLE OF SECTIONS.—The item relating to section 9034 in the table of
4 sections at the beginning of chapter 905 of such title is amended to read as
5 follows:

“9034. Vice Chief of Staff of the Air Force.”.

6 (8) DEPUTY CHIEFS OF STAFF AND ASSISTANT CHIEFS OF STAFF.—

7 (A) IN GENERAL.—Section 9035 of such title is amended—

8 (i) in the heading, by inserting “**of the Air Force**” after “**Staff**”

9 both places it appears; and

10 (ii) in subsection (a), by inserting “of the Air Force” after “Staff”

11 both places it appears.

12 (B) TABLE OF SECTIONS.—The item relating to section 9035 in the table of
13 sections at the beginning of chapter 905 of such title is amended to read as
14 follows:

“9034. Deputy Chiefs of Staff of the Air Force and Assistant Chiefs of Staff of the Air Force.”.

15 (9) SURGEON GENERAL: APPOINTMENT; DUTIES.—Section 9036 of such title is
16 amended—

17 (A) in paragraph (1), by striking “Secretary of the Air Force and the Chief
18 of Staff of the Air Force on all health and medical matters of the Air Force” and
19 inserting “Secretary of the Air Force, the Chief of Staff of the Air Force, and the
20 Chief of Staff of the Space Force on all health and medical matters of the Air
21 Force and the Space Force”; and

1 (B) in paragraph (2), by inserting “and the Space Force” after “of the Air
2 Force” both places it appears.

3 (10) JUDGE ADVOCATE GENERAL, DEPUTY JUDGE ADVOCATE GENERAL:

4 APPOINTMENT; DUTIES.—Section 9037 of such title is amended—

5 (A) in subsection (e)(2)(B), by inserting “or the Space Force” after “of the
6 Air Force”; and

7 (B) in subsection (f)(1), by striking “the Secretary of the Air Force or the
8 Chief of Staff of the Air Force” and inserting “the Secretary of the Air Force, the
9 Chief of Staff of the Air Force, or the Chief of Staff of the Space Force”.

10 (11) CHIEF OF CHAPLAINS: APPOINTMENT; DUTIES.—Section 9039(a) of such title
11 is amended by striking “in the Air Force” and inserting “for the Air Force and the Space
12 Force”.

13 (12) PROVISION OF CERTAIN PROFESSIONAL FUNCTIONS FOR THE SPACE FORCE.—
14 Section 9067 of title 10, United States Code, is amended—

15 (A) in subsections (a) through (i), by striking “in the Air Force” each place
16 it appears and inserting “in the Air Force and the Space Force”; and

17 (B) in subsection (i), as amended by subparagraph (A) of this paragraph,
18 by inserting “or the Space Force” after “members of the Air Force”.

19 (13) COMMANDS: TERRITORIAL ORGANIZATION.—

20 (A) IN GENERAL.—Chapter 909 of such title, as added by section 1701 of
21 this Act, is amended by adding at the end the following new section:

22 **“§ 9096. Commands: territorial organization**

1 “(a) Except as otherwise prescribed by law or by the Secretary of Defense, the Space
2 Force shall be divided into such organizations as the Secretary of the Air Force may prescribe.

3 “(b) For Space Force purposes, the United States, its possessions, and other places in
4 which the Space Force is stationed or is operating, may be divided into such areas as directed by
5 the Secretary. Officers of the Space Force may be assigned to command Space Force activities,
6 installations, and personnel in those areas. In the discharge of the Space Force's functions or
7 other functions authorized by law, officers so assigned have the duties and powers prescribed by
8 the Secretary.”.

9 (B) TABLE OF SECTIONS.—The table of sections at the beginning of such
10 chapter is amended by adding at the end the following new item:

“9096. Commands: territorial organization.”.

11 (14) OFFICER CAREER FIELD FOR SPACE.—Section 9084 of such title is repealed.

12 The table of sections at the beginning of chapter 907 of such title is amended by striking
13 the item relating to such section.

14 (15) REGULAR SPACE FORCE.—

15 (A) IN GENERAL.—Chapter 909 of such title, as added by section 1701 of
16 this Act, is further amended by adding at the end the following new section:

17 **“§ 9097. Regular Space Force: composition**

18 “(a) The Regular Space Force is the component of the Space Force that consists of
19 persons whose continuous service on active duty in both peace and war is contemplated by law,
20 and of retired members of the Regular Space Force.

21 “(b) The Regular Space Force includes—

22 “(1) the officers and enlisted members of the Regular Space Force; and

23 “(2) the retired officers and enlisted members of the Regular Space Force.”.

1 (B) TABLE OF SECTIONS.—The table of sections at the beginning of such
2 chapter is amended by adding at the end the following new item:

“9097. Regular Space Force: composition.”.

3 (16) TABLE OF CHAPTERS.— The table of chapters for part I of subtitle D of title 10,
4 United States Code, is amended by adding at the end the following new item:

5 **“909. The Space Force 9091”.**

6 (b) PERSONNEL.—

7 (1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

8 (A) IN GENERAL.—Section 9132 of such title is amended—

9 (i) in the heading, by inserting “**and Regular Space Force**” before
10 the colon; and

11 (ii) by inserting “or the Regular Space Force” after “Regular Air
12 Force”.

13 (B) TABLE OF SECTIONS.—The item relating to section 9132 in the table of
14 sections at the beginning of chapter 913 of such title is amended to read as
15 follows:

“9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments.”.

16 (2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

17 (A) IN GENERAL.—Section 9138 of such title is amended—

18 (i) in the heading, by inserting “**and Regular Space Force**” before
19 the colon; and

20 (ii) in subsection (a)—

21 (I) by inserting “or the Regular Space Force” after “Regular
22 Air Force” both places it appears; and

1 (II) by inserting “or the Space Force” after “officer of the
2 Air Force” both places it appears.

3 (B) TABLE OF SECTIONS.—The item relating to section 9138 in the table of
4 sections at the beginning of chapter 913 of such title is amended to read as
5 follows:

“9138. Regular Air Force and Regular Space Force: reenlistment after service as an officer.”.

6 (3) APPOINTMENTS IN THE REGULAR AIR FORCE AND THE REGULAR SPACE FORCE.—

7 (A) The heading of chapter 915 of such title is amended by adding “**AND**
8 **REGULAR SPACE FORCE**” after “**AIR FORCE**”, and the item relating to
9 such chapter in the table of chapters at the beginning of part II of subtitle D of
10 such title is amended by inserting “**and Regular Space Force**” after “**Air Force**”.

11 (B) Section 9151 of such title is amended by inserting ‘and the Regular
12 Space Force’ after “Regular Air Force”.

13 (C) Section 9160 of such title is amended—

14 (i) by inserting “or the Regular Space Force” after “Regular Air
15 Force”; and

16 (ii) by inserting “or the Space Force” before the period.

17 (4) RETIRED COMMISSIONED OFFICERS: STATUS.—Section 9203 of such title is
18 amended by inserting “or the Space Force” after “the Air Force”.

19 (5) DUTIES: CHAPLAINS; ASSISTANCE REQUIRED OF COMMANDING OFFICERS.—
20 Section 9217(a) of such title is amended by inserting “or the Space Force” after “the Air
21 Force”.

1 (6) RANK: COMMISSIONED OFFICERS SERVING UNDER TEMPORARY
2 APPOINTMENTS.—Section 9222 of such title is amended by inserting “or the Space Force”
3 after “the Air Force” both places it appears.

4 (7) REQUIREMENT OF EXEMPLARY CONDUCT.—Section 9233 of such title is
5 amended by inserting “and the Space Force” after “the Air Force” each place it appears.

6 (8) ENLISTED MEMBERS: OFFICERS NOT TO USE AS SERVANTS.—Section 9239 of
7 such title is amended by inserting “or the Space Force” after “Air Force” both places it
8 appears.

9 (9) PRESENTATION OF UNITED STATES FLAG UPON RETIREMENT.—Section 9251(a)
10 of such title is amended by inserting “or the Space Force” after “member of the Air
11 Force”.

12 (10) SERVICE CREDIT: REGULAR ENLISTED MEMBERS; SERVICE AS AN OFFICER TO BE
13 COUNTED AS ENLISTED SERVICE.—Section 9252 of such title is amended—

14 (A) by inserting “or the Regular Space Force” after “Regular Air Force”;

15 and

16 (B) by inserting “in the Space Force,” after “in the Air Force,”.

17 (11) WHEN SECRETARY MAY REQUIRE HOSPITALIZATION.—Section 9263 of such
18 title is amended by inserting “or the Space Force” after “member of the Air Force”.

19 (12) DECORATIONS AND AWARDS.—(A) Chapter 937 of such title is amended by
20 inserting “or the Space Force” after “the Air Force” each place it appears in the following
21 provisions:

22 (i) Section 9271.

23 (ii) Section 9273.

1 (iii) Section 9281 other than the first reference in subsection (a).

2 (iv) Section 9286(a) other than the first reference.

3 (B) Section 9272 of such title is amended by inserting “or the Space Force” after
4 “with the Air Force”.

5 (C) Section 9275 of such title is amended by inserting “or space” after “separate
6 air”.

7 (D) Section 9276 of such title is amended by inserting “or the Space Force” after
8 “with the Air Force”.

9 (E)(i) Such chapter is further amended by inserting after section 9280 the
10 following new section:

11 **“§ 9280a. Space Force Medal: award; limitations**

12 “(a) The President may award a decoration called the "Space Force Medal", of
13 appropriate design with accompanying ribbon, to any person who, while serving in any capacity
14 with the Space Force, distinguishes himself or herself by heroism not involving actual conflict
15 with an enemy.

16 “(b) Not more than one Space Force Medal may be awarded to a person. However, for
17 each succeeding act that would otherwise justify award of such a medal, the President may award
18 a suitable bar or other device to be worn as the President directs.”.

19 (ii) The table of sections at the beginning of such title is amended by inserting
20 after the item relating to section 9280 the following new item:

“9280a. Space Force Medal: award; limitations.”.

21 (13) TWENTY YEARS OR MORE: REGULAR OR RESERVE COMMISSIONED OFFICERS.—
22 Section 9311(a) of such title is amended by inserting “or the Space Force” after “officer
23 of the Air Force”.

1 (14) TWENTY TO THIRTY YEARS: ENLISTED MEMBERS.—Section 9314 of such title
2 is amended by inserting “or the Space Force” after “member of the Air Force”.

3 (15) THIRTY YEARS OR MORE: REGULAR ENLISTED MEMBERS.—Section 9317 of
4 such title is amended by inserting “or the Space Force” after “Air Force”.

5 (16) THIRTY YEARS OR MORE: REGULAR COMMISSIONED OFFICERS.—Section 9318
6 of such title is amended by inserting “or the Space Force” after “Air Force”.

7 (17) FORTY YEARS OR MORE: AIR FORCE OFFICERS.—

8 (A) IN GENERAL.—Section 9324 of such title is amended—

9 (i) in the heading, by inserting “**and Space Force**” after “**Air**

10 **Force**”; and

11 (ii) in subsections (a) and (b), by inserting “or the Space Force”

12 after “Air Force”.

13 (B) TABLE OF SECTIONS.—The item relating to section 9324 in the table of
14 sections at the beginning of chapter 941 of such title is amended to read as
15 follows:

“9124. Forty years or more: Air Force and Space Force officers.”.

16 (18) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT; ENLISTED
17 MEMBERS.—Section 9325(a) of such title is amended by inserting “or the Space Force”
18 after “Air Force”.

19 (19) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT; REGULAR
20 AND RESERVE COMMISSIONED OFFICERS.—Section 9326(a) of such title is amended by
21 inserting “or the Space Force” after “Air Force” both places it appears.

22 (20) COMPUTATION OF RETIRED PAY: LAW APPLICABLE.—Section 9329 of such
23 title is amended by inserting “or the Space Force” after “Air Force”.

1 (21) RETIRED GRADE.—

2 (A) Section 9341 of such title is amended—

3 (i) in subsection (a), by inserting “or the Space Force” after
4 “regular commissioned officer of the Air Force”; and

5 (ii) in subsection (b), by inserting “or a Regular of the Space
6 Force” after “Air Force”.

7 (B) Section 9344 of such title is amended—

8 (i) in subsection (a), by inserting “or the Space Force” after
9 “member of the Air Force”;

10 (ii) in subsection (b)(1), by inserting “or the Space Force” after
11 “Air Force”; and

12 (iii) in subsection (b)(2), by inserting “or the Regular Space Force”
13 after “Regular Air Force”.

14 (C) Section 9345 of such title is amended by inserting “or the Space
15 Force” after “member of the Air Force”.

16 (D) Section 9346 of such title is amended—

17 (i) in subsections (a) and (d), by inserting “or the Regular Space
18 Force” after “Regular Air Force”;

19 (ii) in subsection (b)(1), by inserting before the semicolon the
20 following: “, or for commissioned officers of the Space Force other than
21 of the Regular Space Force”; and

22 (iii) in subsections (b)(2) and (c), by inserting “or the Space Force”
23 after “Air Force”.

1 (22) RECOMPUTATION OF RETIRED PAY TO REFLECT ADVANCEMENT ON RETIRED
2 LIST.—Section 9362(a) of such title is amended by inserting “or the Space Force” after
3 “Air Force”.

4 (23) FATALITY REVIEWS.—Section 9391(a) of such title, as redesignated by
5 section 1704(a)(2) of this title, is amended by inserting “or the Space Force” after “Air
6 Force” in each of paragraphs (1), (2), and (3).

7 (c) TRAINING.—

8 (1) MEMBERS OF AIR FORCE: DETAIL AS STUDENTS, OBSERVERS, AND
9 INVESTIGATORS AT EDUCATIONAL INSTITUTIONS, INDUSTRIAL PLANTS, AND HOSPITALS.—

10 (A) IN GENERAL.—Section 9401 of title 10, United States Code, is
11 amended—

12 (i) in the heading, by inserting “**and Space Force**” after “**Air**
13 **Force**”;

14 (ii) in subsection (a), by inserting “and the Space Force” after
15 “members of the Air Force”;

16 (iii) in subsection (b), by inserting “or the Regular Space Force”
17 after “Regular Air Force”;

18 (iv) in subsection (e), by inserting “or the Space Force” after “Air
19 Force”; and

20 (v) in subsection (f)—

21 (I) by inserting “or the Regular Space Force” after “Regular
22 Air Force”; and

23 (II) by inserting “or the Space Force” after “the Air Force”.

1 (B) TABLE OF SECTIONS.—The item relating to section 9401 in the table of
2 sections at the beginning of chapter 951 of such title is amended to read as
3 follows:

“9401. Members of Air Force and Space Force: detail as students, observers, and investigators at educational institutions, industrial plants, and hospitals.”.

4 (2) ENLISTED MEMBERS OF AIR FORCE: SCHOOLS.—

5 (A) IN GENERAL.—Section 9402 of such title is amended—

6 (i) in the heading, by inserting “**or Space Force**” after “**Air**
7 **Force**”;

8 (ii) in subsection (a)—

9 (I) in the first sentence, by inserting “and the Space Force”
10 after “members of the Air Force”; and

11 (II) in the third sentence, by inserting “and Space Force
12 officers” after “Air Force officers”; and

13 (iii) in subsection (b), by inserting “or the Space Force” after “Air
14 Force” each place it appears.

15 (B) TABLE OF SECTIONS.—The item relating to section 9402 in the table of
16 sections at the beginning of chapter 951 of such title is amended to read as
17 follows:

“9402. Enlisted members of Air Force or Space Force: schools.”.

18 (3) AVIATION STUDENTS: DETAIL OF ENLISTED MEMBERS OF AIR FORCE.—

19 (A) IN GENERAL.—Section 9404 of such title is amended—

20 (i) in the heading, by inserting “**or Space Force**” after “**Air**
21 **Force**”; and

1 (ii) by inserting “or the Space Force” after “Regulars of the Air
2 Force”.

3 (B) TABLE OF SECTIONS.—The item relating to section 9404 in the table of
4 sections at the beginning of chapter 951 of such title is amended to read as
5 follows:

“9402. Aviation students: detail of enlisted members of Air Force or Space Force.”.

6 (4) SERVICE SCHOOLS: LEAVES OF ABSENCE FOR INSTRUCTORS.—Section 9406 of
7 such title is amended by inserting “or Space Force” after “Air Force”.

8 (5) DEGREE GRANTING AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF
9 TECHNOLOGY.—Section 9414(d)(1) of such title is amended by inserting “and the Space
10 Force” after “needs of the Air Force”.

11 (6) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: ADMINISTRATION.—
12 Section 9414b(a)(2) is amended by inserting “or the Space Force” after “the Air Force”
13 each place it appears.

14 (7) COMMUNITY COLLEGE OF THE AIR FORCE: ASSOCIATE DEGREES.—Section 9415
15 of such title is amended—

16 (A) in subsection (a) in the matter preceding paragraph (1), by striking “in
17 the Air Force” and inserting “in the Department of the Air Force”;

18 (B) in subsection (b)(1), by inserting “or the Space Force” after “Air
19 Force”; and

20 (C) in subsection (b)(2), by striking “other than” and all that follows
21 through “schools” and inserting “other than the Air Force or the Space Force who
22 are serving as instructors at Department of the Air Force training schools”.

1 (8) AIR FORCE ACADEMY ESTABLISHMENT; SUPERINTENDENT; FACULTY.—Section
2 9431(a) of such title is amended by striking “Air Force cadets” and inserting “cadets”.

3 (9) AIR FORCE ACADEMY SUPERINTENDENT; FACULTY: APPOINTMENT AND
4 DETAIL.—Section 9433(a) of such title is amended by inserting “or the Space Force” after
5 “Air Force”.

6 (10) AIR FORCE ACADEMY PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—
7 Section 9436 of such title is amended by inserting “or the Regular Space Force” after
8 “Regular Air Force” each place it appears.

9 (11) CADETS: APPOINTMENT; NUMBERS, TERRITORIAL DISTRIBUTION.—Section
10 9442 of such title is amended—

11 (A) by striking “Air Force Cadets” each place it appears and inserting
12 “cadets”; and

13 (B) in subsection (b)—

14 (i) in paragraph (2), by inserting “or the Regular Space Force” after
15 “Regular Air Force”; and

16 (ii) in paragraph (3), by inserting “or the Space Force” after “Air
17 Force.

18 (12) CADETS: AGREEMENT TO SERVE AS OFFICER.—Section 9448(a)(2)(A) of such
19 title is amended by inserting “or the Regular Space Force” after “Regular Air Force”.

20 (13) CADETS: ORGANIZATION; SERVICE; INSTRUCTION.—Section 9449 of such title
21 is amended by striking subsection (d).

22 (14) CADETS: HAZING.—Section 9452(c) of such title is amended—

23 (A) by striking “Air Force cadet” and inserting “cadet”; and

1 (B) by striking “or Marine Corps” and inserting “Marine Corps, or Space
2 Force”.

3 (15) CADETS: DEGREE AND COMMISSION ON GRADUATION.—Section 9453(b) of
4 such title is amended by inserting “or the Regular Space Force” after “Regular Air
5 Force”.

6 (16) SUPPORT OF ATHLETIC PROGRAMS.—Section 9462(c)(2) of such title is
7 amended by striking “personnel of the Air Force” and inserting “personnel of the
8 Department of the Air Force”.

9 (17) SCHOOLS AND CAMPS: ESTABLISHMENT: PURPOSE.—Section 9481 of such title
10 is amended by inserting “, the Space Force,” after “members of the Air Force,”.

11 (18) SCHOOLS AND CAMPS: OPERATION.—Section 9482 of such title is amended—

12 (A) in paragraph (4), by inserting “or the Regular Space Force” after
13 “Regular Air Force”; and

14 (B) in paragraph (7) in the matter preceding subparagraph (A), by
15 inserting “or Space Force” after “Air Force”.

16 (d) SERVICE, SUPPLY, AND PROCUREMENT.—

17 (1) EQUIPMENT: BAKERIES, SCHOOLS, KITCHENS, AND MESS HALLS.—Section 9536
18 of title 10, United States Code, is amended in the matter preceding paragraph (1) by
19 inserting “or the Space Force” after “the Air Force”.

20 (2) RATION.—Section 9561 of such title is amended—

21 (A) in subsection (a)—

22 (i) in the first sentence, by inserting “and the Space Force ration”
23 after “the Air Force ration”; and

1 (ii) in the second sentence, by inserting “or the Space Force” after
2 “the Air Force”; and

3 (B) in subsection (b), by inserting “or the Space Force” after “the Air
4 Force”.

5 (3) CLOTHING.—Section 9562 of such title is amended by inserting “and the
6 Space Force” after “the Air Force”.

7 (4) CLOTHING: REPLACEMENT WHEN DESTROYED TO PREVENT CONTAGION.—
8 Section 9563 of such title is amended by inserting “or the Space Force” after “member of
9 the Air Force”.

10 (5) COLORS, STANDARDS, AND GUIDONS OF DEMOBILIZED ORGANIZATIONS:
11 DISPOSITION.—Section 9565 of such title is amended—

12 (A) in subsection (a) in the matter preceding paragraph (1), by inserting
13 “or the Space Force” after “organizations of the Air Force”; and

14 (B) in subsection (b), by inserting “or the Space Force” after “the Air
15 Force”.

16 (6) UTILITIES: PROCEEDS FROM OVERSEAS OPERATIONS.—Section 9591 of such
17 title is amended by inserting “or the Space Force” after “the Air Force”.

18 (7) QUARTERS: HEAT AND LIGHT.—Section 9593 of such title is amended by
19 inserting “and the Space Force” after “the Air Force”.

20 (8) AIR FORCE MILITARY HISTORY INSTITUTE: FEE FOR PROVIDING HISTORICAL
21 INFORMATION TO THE PUBLIC.—

22 (A) IN GENERAL.—Section 9594 of such title is amended—

1 (i) in the heading, by inserting “**Department of the**” before “**Air**
2 **Force**”;

3 (ii) in subsections (a) and (d), by inserting “Department of the”
4 before “Air Force Military History” each place it appears; and

5 (iii) in subsection (e)(1)—

6 (I) by inserting “Department of the” before “Air Force
7 Military History”; and

8 (II) by inserting “and the Space Force” after “materials of
9 the Air Force”.

10 (B) TABLE OF SECTIONS.—The item relating to section 9594 in the table of
11 sections at the beginning of chapter 9657 of such title is amended to read as
12 follows:

“9594. Department of the Air Force Military History Institute: fee for providing historical information to the public.”.

13 (9) SUBSISTENCE AND OTHER SUPPLIES; MEMBERS OF ARMED FORCES; VETERANS;
14 EXECUTIVE OR MILITARY DEPARTMENTS AND EMPLOYEES; PRICES.—Section 9621 of such
15 title is amended—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by inserting “and the Space Force” after “the
18 Air Force”; and

19 (ii) in paragraph (2) , by inserting “and the Space Force” after “the
20 Air Force”;

21 (B) in subsection (b), by inserting “or the Space Force” after “the Air
22 Force”;

1 (C) in subsection (c), by inserting “or the Space Force” after “the Air
2 Force”;

3 (D) in subsection (d), by striking “or Marine Corps” and inserting “Marine
4 Corps, or Space Force”;

5 (E) in subsection (e), by inserting “or the Space Force” after “the Air
6 Force” each place it appears;

7 (F) in subsection (f), by inserting “or the Space Force” after “the Air
8 Force”; and

9 (G) in subsection (h), by inserting “or the Space Force” after “the Air
10 Force” each place it appears.

11 (10) RATIONS: COMMISSIONED OFFICERS IN FIELD.—Section 9622 of such title is
12 amended by inserting “and the Space Force” after “officers of the Air Force”.

13 (11) MEDICAL SUPPLIES: CIVILIAN EMPLOYEES OF THE AIR FORCE.—Section
14 9624(a) of such title is amended—

15 (A) by striking “air base” and inserting “Air Force or Space Force military
16 installation”; and

17 (B) by striking “Air Force when” and inserting “Department of the Air
18 Force when”.

19 (12) ORDNANCE PROPERTY: OFFICERS OF ARMED FORCES; CIVILIAN EMPLOYEES OF
20 AIR FORCE.—Section 9625 of such title is amended—

21 (A) in subsection (a), by inserting “or the Space Force” after “officers of
22 the Air Force”; and

1 (B) in subsection (c), by striking “Air Force” and inserting “Department of
2 the Air Force”.

3 (13) SUPPLIES: EDUCATIONAL INSTITUTIONS.—Section 9627 of such title is
4 amended—

5 (A) by inserting “or the Space Force” after “for the Air Force”;

6 (B) by inserting “or the Space Force” after “officer of the Air Force”; and

7 (C) by inserting “and space” after “professor of air”

8 (14) AIRPLANE PARTS AND ACCESSORIES: CIVILIAN FLYING SCHOOLS.—Section
9 9628 of such title is amended by inserting “or the Space Force” after “airplanes of the Air
10 Force”.

11 (15) SUPPLIES: MILITARY INSTRUCTION CAMPS.—Section 9654 of such title is
12 amended by inserting “or Space Force” after “an Air Force”.

13 (16) DISPOSITION OF EFFECTS OF DECEASED PERSONS BY SUMMARY COURT-
14 MARTIAL.—Section 9712(a) of such title is amended—

15 (A) in paragraph (1), by inserting “or the Space Force” after “the Air
16 Force”; and

17 (B) in paragraph (2), by inserting “or Space Force” after “Air Force”.

18 (17) ACCEPTANCE OF DONATIONS: LAND FOR MOBILIZATION, TRAINING, SUPPLY
19 BASE, OR AVIATION FIELD.—

20 (A) IN GENERAL.—Section 9771 of such title is amended—

21 (i) in the heading, by striking “**or aviation field**” and inserting
22 “**aviation field, or space-related facility**”; and

1 (ii) in paragraph (2), by inserting “or space-related facility” after
2 “aviation field”.

3 (B) TABLE OF SECTIONS.—The item relating to section 9771 in the table of
4 sections at the beginning of chapter 979 of such title is amended to read as
5 follows:

“9771. Acceptance of donations: land for mobilization, training, supply base, aviation field, or space-related facility.”.

6 (18) ACQUISITION AND CONSTRUCTION: AIR BASES AND DEPOTS.—

7 (A) IN GENERAL.—Section 9773 of such title is amended—

8 (i) in subsection (a)—

9 (I) by striking “permanent air bases” and inserting

10 “permanent Air Force and Space Force military installations”;

11 (II) by striking “existing air bases” and inserting “existing
12 installations”; and

13 (III) by inserting “or the Space Force” after “training of the
14 Air Force”;

15 (ii) in the heading and in subsections (b) and (c), by striking “air
16 bases” each place it appears and inserting “installations”; and

17 (iii) in subsection (c)—

18 (I) in paragraph (1), by inserting “or Space Force” after
19 “Air Force”; and

20 (II) in paragraphs (3) and (4), by inserting “or the Space
21 Force” after “Air Force” both places it appears.

1 (B) TABLE OF SECTIONS.—The item relating to section 9773 in the table of
2 sections at the beginning of chapter 979 of such title is amended to read as
3 follows:

“9773. Acquisition and construction: installations and depots.”.

4 (19) EMERGENCY CONSTRUCTION: FORTIFICATIONS.—Section 9776 of such title is
5 amended by striking “air base” and inserting “installation”.

6 (20) USE OF PUBLIC PROPERTY.—Section 9779(a) of such title is amended by
7 inserting “or the Space Force” after “economy of the Air Force”.

8 (21) DISPOSITION OF REAL PROPERTY AT MISSILE SITES.—Section 9781(a)(2) of
9 such title is amended—

10 (A) in the matter preceding subparagraph (A), by striking “Air Force” and
11 inserting “Department of the Air Force”;

12 (B) in subparagraph (A), by striking “Air Force” the first two places it
13 appears and inserting “Department of the Air Force”; and

14 (C) in subparagraph (C), by striking “Air Force” and inserting
15 “Department of the Air Force”.

16 (22) MAINTENANCE AND REPAIR OF REAL PROPERTY.—Section 9782 of such title is
17 amended in subsections (c) and (d) by inserting “or the Space Force” after “the Air
18 Force” both places it appears.

19 (23) SETTLEMENT OF ACCOUNTS: REMISSION OR CANCELLATION OF INDEBTEDNESS
20 OF MEMBERS.—Section 9837(a) of such title is amended by inserting “or the Space
21 Force” after “member of the Air Force”.

22 (24) FINAL SETTLEMENT OF OFFICER’S ACCOUNTS.—Section 9840 of such title is
23 amended by inserting “or the Space Force” after “Air Force”.

1 (25) PAYMENT OF SMALL AMOUNTS TO PUBLIC CREDITORS.—Section 9841 of such
2 title is amended by inserting “or Space Force” after “official of Air Force”.

3 (26) SETTLEMENT OF ACCOUNTS OF LINE OFFICERS.—Section 9842 of such title is
4 amended—

5 (A) by inserting “or the Space Force” after “Air Force”; and

6 (B) by striking “Comptroller General” both places it appears and inserting
7 “Secretary of the Air Force”.

8 **SEC. 1712. OTHER PROVISIONS OF TITLE 10, UNITED STATES CODE.**

9 (a) TABLE OF SUBTITLES.—The table of subtitles at the beginning of title 10, United
10 States Code, is amended by striking the item relating to subtitle D and inserting the following
11 new item:

“D. Air Force and Space Force 9011”.

12 (b) DEFINITIONS.—Section 101 of such title is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (4), by inserting “Space Force,” after “Marine Corps,”;

15 and

16 (B) in paragraph (9)(C), by inserting “and the Space Force” after
17 “concerning the Air Force”; and

18 (2) in subsection (b)—

19 (A) in paragraph (4), by striking “or Marine Corps” and inserting “Marine
20 Corps, or Space Force”; and

21 (B) in paragraph (13), by striking “or Marine Corps” and inserting
22 “Marine Corps, or Space Force”.

23 (c) OTHER PROVISIONS OF SUBTITLE A.—

1 (1) SPACE FORCE I.—Subtitle A of such title is further amended by striking “and
2 Marine Corps” each place it appears and inserting “Marine Corps, and Space Force” in
3 the following provisions:

4 (A) Section 116(a)(1) in the matter preceding subparagraph (A).

5 (B) Section 533(a)(2).

6 (C) The item relating to section 632 in the table of sections at the
7 beginning of subchapter III of chapter 36.

8 (D) The heading of section 632.

9 (E) Section 645(1)(A).

10 (F) Section 646.

11 (G) Section 661(a).

12 (H) Section 712(a).

13 (I) Section 717(c)(1).

14 (J) Section 741 (including the table in subsection (a)).

15 (K) Section 1111(b)(4).

16 (L) Subsections (a)(2)(A) and (c)(2)(A)(ii) of section 1143.

17 (M) Section 1174(j).

18 (N) Subparagraphs (F) and (G) of section 1370(a)(2).

19 (O) Section 1463(a).

20 (P) Section 1566.

21 (Q) Section 2217(c).

22 (R) Section 2259(a).

23 (S) Section 2640(j).

1 (2) SPACE FORCE II.—Such subtitle is further amended by striking “Marine
2 Corps,” each place it appears and inserting “Marine Corps, Space Force,” in the
3 following provisions:

4 (A) Section 123(a).

5 (B) Section 172(a).

6 (C) Section 518.

7 (D) The item relating to section 747 in the table of sections at the
8 beginning of chapter 43.

9 (E) Section 747 (including the heading).

10 (F) Section 749.

11 (G) Section 1552(c).

12 (H) Section 2632(c).

13 (I) Section 2686(a).

14 (J) Section 2733(a).

15 (3) SPACE FORCE III.—Such subtitle is further amended by striking “or Marine
16 Corps” each place it appears and inserting “Marine Corps, or Space Force” in the
17 following provisions:

18 (A) Section 125(b).

19 (B) Section 275.

20 (C) Subsection (b)(2) and the first place it appears in subsection (e) of
21 section 533.

22 (D) Section 541(a).

23 (E) Section 601(a).

- 1 (F) Section 603(a).
- 2 (G) Section 605.
- 3 (H) Section 611(a).
- 4 (I) Section 619(a).
- 5 (J) Section 619a(a).
- 6 (K) Section 623(c).
- 7 (L) Section 625(b).
- 8 (M) Section 631.
- 9 (N) Section 632(a).
- 10 (O) Section 637(a)(2).
- 11 (P) Section 638(a).
- 12 (Q) Section 741.
- 13 (R) Section 771.
- 14 (S) Section 772.
- 15 (T) Section 773.
- 16 (U) Section 1123.
- 17 (V) Section 1143(d).
- 18 (W) Section 1174(a)(2).
- 19 (X) Section 1251(a).
- 20 (Y) Section 1252(a).
- 21 (Z) Section 1253(a).
- 22 (AA) Paragraphs (1) and (2)(A) of section 1370(a).
- 23 (BB) Section 1375.

- 1 (CC) Section 1413a(h).
- 2 (DD) Section 1551.
- 3 (EE) Section 1561(a).
- 4 (FF) Section 1733(b)(1)(A)(ii).
- 5 (GG) Section 2102(a).
- 6 (HH) Section 2103a(a).
- 7 (II) Section 2104.
- 8 (JJ) Section 2107.
- 9 (KK) Section 2421.
- 10 (LL) Section 2631(a).
- 11 (MM) Section 2787(a).

12 (4) REGULAR SPACE FORCE I.—Such subtitle is further amended by striking “or
13 Regular Marine Corps” each place it appears and inserting “Regular Marine Corps, or
14 Regular Space Force” in the following provisions:

- 15 (A) Section 531(c).
- 16 (B) Section 532(a) in the matter preceding paragraph (1).
- 17 (C) Subsections (a)(1), (b)(1), and (f) of section 533.
- 18 (D) Section 633(a).
- 19 (E) Section 634(a).
- 20 (F) Section 635.
- 21 (G) Section 636(a).
- 22 (H) Section 647(c).
- 23 (I) Section 688(b)(1).

1 (J) Section 1181.

2 (5) REGULAR SPACE FORCE II.—Such subtitle is further amended by striking
3 “Regular Marine Corps,” each place it appears and inserting “Regular Marine Corps,
4 Regular Space Force,” in the following provisions:

5 (A) Section 505.

6 (B) Section 506.

7 (C) Section 508.

8 (6) ARMED FORCES POLICY COUNCIL.—Section 171 of such title is amended—

9 (A) in paragraph (12), by striking “and”;

10 (B) in paragraph (13), by striking the period and inserting “; and”; and

11 (C) by adding at the end the following new paragraph:

12 “(14) the Chief of Staff of the Space Force.”.

13 (7) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(c)(1) of such title is
14 amended by adding at the end the following new subparagraph:

15 “(F) A Space Force officer in the grade of general.”.

16 (8) UNFUNDED PRIORITIES.—Section 222a(b) of such title is amended—

17 (A) by redesignating paragraph (5) as paragraph (6); and

18 (B) by inserting after paragraph (4) the following new paragraph:

19 “(5) The Chief of Staff of the Space Force.”.

20 (9) THEATER SECURITY COOPERATION EXPENSES.—Section 312(b)(3) of such title
21 is amended by inserting “the Chief of Staff of the Space Force,” after “the Commandant
22 of the Marine Corps,”.

1 (10) WESTERN HEMISPHERE INSTITUTE.—Section 343(e)(1)(E) of such title is
2 amended by inserting “or Space Force” after “for the Air Force”.

3 (11) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531(a) of
4 such title is amended by striking “and Regular Marine Corps” each place it appears and
5 inserting “Regular Marine Corps, and Regular Space Force”.

6 (12) SERVICE CREDIT.—Section 533(e) of such title is further amended by striking
7 “Air Force or Marine Corps” and inserting “Air Force, Marine Corps, or Space Force”.

8 (13) SENIOR MEMBERS OF MILITARY STAFF COMMITTEE OF UNITED NATIONS.—
9 Section 711 of such title is amended by inserting “or Space Force” after “Air Force”.

10 (14) RANK: CHIEF OF STAFF.—Chapter 43 of such title is amended—

11 (A) in the table of sections at the beginning by striking the item relating to
12 section 743 and inserting the following new item:

“743. Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff of the Air
Force; Commandant of the Marine Corps; Chief of Staff of the Space Force.”; and

13 (B) in section 743—

14 (i) in the heading, by inserting “; **Chief of Staff of the Space**
15 **Force**” after “**Commandant of the Marine Corps**”;

16 (ii) by striking “and the Commandant of the Marine Corps” and
17 inserting “the Commandant of the Marine Corps, and the Chief of Staff of
18 the Space Force”; and

19 (iii) by striking “and Marine Corps” and inserting “Marine Corps,
20 and Space Force”.

21 (15) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (Uniform
22 Code of Military Justice) is amended—

1 (A) in section 822(a) (article 22)—

2 (i) in paragraph (5), by striking “or Marine Corps” and inserting
3 “Marine Corps, or Space Force”; and

4 (ii) in paragraph (7), by striking “or Marine Corps” and inserting “,
5 Marine Corps, or Space Force”;

6 (B) in section 823(a) (article 23)—

7 (i) in paragraph (2)—

8 (I) by striking “Air Force base” and inserting “Air Force or
9 Space Force military installation”; and

10 (II) by striking “or the Air Force” and inserting “the Air
11 Force, or the Space Force”; and

12 (ii) in paragraph (4), by inserting “or a corresponding unit of the
13 Space Force” after “Air Force”; and

14 (C) in section 824(a)(3) (article 24), by inserting “or a corresponding unit
15 of the Space Force” after “Air Force”.

16 (16) SERVICE AS CADET OR MIDSHIPMAN NOT COUNTED FOR LENGTH OF SERVICE.—

17 Section 971(b)(2) of such title is amended by striking “or Air Force” and inserting “, Air
18 Force, or Space Force”.

19 (17) REFERRAL BONUS.—Section 1030(h)(3) of such title is amended by inserting
20 “and the Space Force” after “concerning the Air Force”.

21 (18) RETURN TO ACTIVE DUTY FROM TEMPORARY DISABILITY.—Section 1211(a) of
22 such title is amended—

1 (A) in the matter preceding paragraph (1), by striking “or the Air Force”
2 and inserting “, the Air Force, or the Space Force”; and

3 (B) in paragraph (6)—

4 (i) by striking “or the Air Force, who” and inserting “the Air Force,
5 or the Space Force who”; and

6 (ii) by striking “or the Air Force, as” and inserting “the Air Force,
7 or the Space Force, as”.

8 (19) YEARS OF SERVICE.—Section 1405(c) of such title is amended by striking “or
9 Air Force” and inserting “, Air Force, or Space Force”.

10 (20) RETIRED PAY BASE FOR PERSONS WHO BECAME MEMBERS BEFORE SEPTEMBER
11 8, 1980.—Section 1406 of such title is amended—

12 (A) in the heading of subsection (e), by inserting “AND SPACE FORCE”
13 after “AIR FORCE”; and

14 (B) in subsection (i)(3)—

15 (i) in subparagraph (A)—

16 (I) by redesignating clause (v) as clause (vi); and

17 (II) by inserting after clause (iv) the following new clause:

18 “(v) Chief of Staff of the Space Force.”; and

19 (ii) in subparagraph (B)—

20 (I) by redesignating clause (v) as clause (vi); and

21 (II) by inserting after clause (iv) the following new clause:

22 “(v) Chief Master Sergeant of the Space Force.”.

1 (21) SPECIAL REQUIREMENTS FOR MILITARY PERSONNEL IN ACQUISITION FIELD.—

2 Section 1722a(a) of such title is amended by striking “and the Commandant of the
3 Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps,
4 respectively)” and inserting “, the Commandant of the Marine Corps, and the Chief of
5 Staff of the Space Force (with respect to the Army, Navy, Air Force, Marine Corps, and
6 Space Force, respectively)”.

7 (22) SENIOR MILITARY ACQUISITION ADVISORS.—Section 1725(e)(1)(C) of such
8 title is amended by inserting “and Space Force” before the period.

9 (23) MILITARY FAMILY READINESS COUNCIL.—Section 1781a(b)(1) of such title is
10 amended by striking “Marine Corps, and Air Force” each place it appears and inserting
11 “Air Force, Marine Corps, and Space Force”.

12 (24) ACQUISITION-RELATED FUNCTIONS OF CHIEFS OF THE ARMED FORCES.—

13 Section 2547(a) of such title is amended by striking “and the Commandant of the Marine
14 Corps” and inserting “the Commandant of the Marine Corps, and the Chief of Staff of the
15 Space Force”.

16 (25) AGREEMENTS RELATED TO MILITARY TRAINING, TESTING, AND OPERATIONS.—

17 Section 2684a(i) of such title is amended by inserting “Space Force,” before “or
18 Defense-wide activities” each place it appears.

19 (d) PROVISIONS OF SUBTITLE B.—

20 (1) IN GENERAL.—Subtitle B of such title is amended by striking “or Marine
21 Corps” each place it appears and inserting “Marine Corps, or Space Force” in the
22 following provisions:

23 (A) Section 7452(c).

1 (B) Section 7621(d).

2 (2) COMPUTATION OF YEARS OF SERVICE.—Section 7326(a)(1) of such title is
3 amended by striking “or the Air Force” and inserting “, the Air Force, or the Space
4 Force”.

5 (e) PROVISIONS OF SUBTITLE C.—

6 (1) IN GENERAL.—Subtitle C of such title is amended by striking “or Marine
7 Corps” each place it appears and inserting “Marine Corps, or Space Force” in the
8 following provisions:

9 (A) Section 8464(f).

10 (B) Section 8806(d).

11 (2) SALES PRICES.—Chapter 879 of such title is amended—

12 (A) in the table of sections at the beginning by striking the item relating to
13 section 8802 and inserting the following:

“8802. Sales: members of Army, Air Force, and Space Force; prices.”; and

14 (B) in section 8802—

15 (i) in the heading, by striking “**and Air Force**” and inserting “, **Air**
16 **Force, and Space Force**”; and

17 (ii) by striking “or the Air Force” and inserting “, the Air Force, or
18 the Space Force”.

19 (3) SALES TO CERTAIN VETERANS.—Section 8803 of such title is amended by
20 striking “or the Marine Corps” and inserting “the Marine Corps, or the Space Force”.

21 (4) SCOPE OF CHAPTER ON PRIZE.—Section 8851 of such title is amended by
22 striking “or the Air Force” and inserting “, the Air Force, or the Space Force”.

23 **SEC. 1713. TITLE 5, UNITED STATES CODE.**

1 (a) ARMED FORCES DEFINITION.—Section 2101(2) of title 5, United States Code, is
2 amended by inserting after “Marine Corps,” the following: “Space Force,”.

3 (b) POSITION AT LEVEL III.—Section 5314 of such title is amended by striking “Under
4 Secretary of the Air Force” and inserting “Under Secretaries of the Air Force.”.

5 **SEC. 1714. TITLE 14, UNITED STATES CODE.**

6 (a) VOLUNTARY RETIREMENT.—Section 291 of title 14, United States Code, is amended
7 by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

8 (b) COMPUTATION OF LENGTH OF SERVICE.—Section 467 of such title is amended by
9 inserting after “Air Force,” the following: “Space Force,”.

10 **SEC. 1715. TITLE 18, UNITED STATES CODE.**

11 (a) POSSE COMITATUS.—Section 1385 of title 18, United States Code, is amended by
12 striking “or the Air Force” and inserting “, the Air Force, or the Space Force”.

13 (b) FIREARMS AS NONMAILABLE.—Section 1715 of such title is amended by inserting
14 “Space Force,” after “Marine Corps,”.

15 **SEC. 1716. TITLE 31, UNITED STATES CODE.**

16 (a) DEFINITIONS RELATING TO CLAIMS.—Section 3701(a)(7) of title 31, United States
17 Code, is amended by inserting “Space Force,” after “Marine Corps,”.

18 (b) COLLECTION AND COMPROMISE.—Section 3711(f) of such title is amended in
19 paragraphs (1) and (3) by inserting “Space Force,” after “Marine Corps,” each place it appears.

20 **SEC. 1717. TITLE 37, UNITED STATES CODE.**

21 (a) DEFINITIONS.—Section 101 of title 37, United States Code, is amended—

22 (1) in paragraphs (3) and (4), by inserting “Space Force,” after “Marine Corps,”
23 each place it appears; and

1 (2) in paragraph (5)(C), by inserting “and the Space Force” after “Air Force”.

2 (b) BASIC PAY RATES.—

3 (1) COMMISSIONED OFFICERS.—Footnote 2 of the table titled “COMMISSIONED
4 OFFICERS” in section 601(c) of the John Warner National Defense Authorization Act for
5 Fiscal Year 2007 (Public Law 109-364; 37 U.S.C. 1009 note) is amended by inserting
6 after “*Commandant of the Marine Corps*,” the following: “*Chief of Staff of the Space*
7 *Force*,”.

8 (2) ENLISTED MEMBERS.—Footnote 2 of the table titled “ENLISTED MEMBERS” in
9 section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year
10 2007 (Public Law 109-364; 37 U.S.C. 1009 note) is amended by inserting after “*Sergeant*
11 *Major of the Marine Corps*,” the following: “*Chief Master Sergeant of the Space Force*,”.

12 (c) PAY GRADES: ASSIGNMENT TO; GENERAL RULES.—The table in section 201(a) of title
13 37, United States Code, is amended by striking “and Marine Corps” and inserting “Marine
14 Corps, and Space Force” in the heading for the second column.

15 (d) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c) of such title is amended—

16 (1) by redesignating paragraph (5) as paragraph (6); and

17 (2) by inserting after paragraph (4) the following new paragraph (5):

18 “(5) The Chief Master Sergeant of the Space Force.”.

19 (e) ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.—

20 (1) PERSONAL MONEY ALLOWANCE.—Section 414 of such title is amended—

21 (A) in subsection (a)(5), by inserting “Chief of Staff of the Space Force,”
22 after “Commandant of the Marines Corps,”; and

1 (B) in subsection (b), by inserting “the Chief Master Sergeant of the Space
2 Force,” after “the Sergeant Major of the Marine Corps,”.

3 (2) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—Section 418(d) of such title is
4 amended—

5 (A) in paragraph (1), by inserting “Space Force,” after “Air Force,”; and

6 (B) in paragraph (4), by inserting “the Space Force,” after “the Air
7 Force,”.

8 (f) TRAVEL AND TRANSPORTATION ALLOWANCES: PARKING EXPENSES.—Section 481i(b)
9 of such title is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space
10 Force”.

11 (g) LEAVE.—

12 (1) ADDITION OF SPACE FORCE.—Chapter 9 of such title is amended by inserting
13 “Space Force,” after “Marines Corps,” each place it appears in the following provisions:

14 (A) Subsections (b)(1) and (e)(1) of section 501.

15 (B) Section 502(a).

16 (C) Section 503(a).

17 (2) ADDITION OF REGULAR SPACE FORCE.—Section 501(b)(5)(C) of such title is
18 amended by striking “or Regular Marine Corps” and inserting “Regular Marine Corps, or
19 Regular Space Force”.

20 (h) CONTRACT SURGEONS.—Subsections (a), (c), and (d) of section 701 of such title are
21 each amended by inserting “Space Force,” after “Air Force,”.

22 (i) FORFEITURE OF PAY—Chapter 15 of such title is amended—

1 (1) in section 802, by striking “or Marine Corps” and inserting “Marine Corps, or
2 Space Force”; and

3 (2) in section 803, by striking “or the Air Force” and inserting “the Air Force, or
4 the Space Force”.

5 (j) EFFECT ON PAY OF EXTENSION OF ENLISTMENT.—Section 906 of such title is amended
6 by inserting “Space Force,” after “Marine Corps,”.

7 (k) ADMINISTRATION OF PAY.—Chapter 19 of such title is amended—

8 (1) in section 1005, by striking “and of the Air Force” and inserting “the Air
9 Force, and the Space Force”; and

10 (2) in section 1007—

11 (A) in subsections (b), (d), (f), and (g), by striking “or the Air Force” and
12 inserting “, the Air Force, or the Space Force”; and

13 (B) in subsection (e), by striking “or Marine Corps” and inserting “Marine
14 Corps, or Space Force”.

15 **SEC. 1718. TITLE 38, UNITED STATES CODE.**

16 (a) REFERENCES TO MILITARY, NAVAL, OR AIR SERVICE AMENDED TO ADD SPACE
17 SERVICE.—Title 38, United States Code, is amended by striking “or air service” and
18 inserting “air, or space service” each place it appears in the following provisions:

19 (1) Paragraphs (2), (5), (12), (16), (17), (18), and (24) of section 101.

20 (2) Section 105.

21 (3) Section 106.

22 (4) Section 1101.

23 (5) Section 1103.

- 1 (6) Section 1110.
- 2 (7) Section 1112.
- 3 (8) Section 1113.
- 4 (9) Section 1131.
- 5 (10) Section 1132.
- 6 (11) Section 1133.
- 7 (12) Section 1137.
- 8 (13) Section 1141.
- 9 (14) Section 1153.
- 10 (15) Section 1154.
- 11 (16) Section 1301.
- 12 (17) Section 1302.
- 13 (18) Section 1310.
- 14 (19) Section 1521(j).
- 15 (20) Section 1541(h).
- 16 (21) Section 1703.
- 17 (22) Section 1710(a)(2)(B).
- 18 (23) Section 1712.
- 19 (24) Section 1712A.
- 20 (25) Section 1717.
- 21 (26) Section 1720A.
- 22 (27) Section 1720D.
- 23 (28) Section 1720E(a).

- 1 (29) Section 1720G.
- 2 (30) Section 1720I.
- 3 (31) Section 1781.
- 4 (32) Section 1783.
- 5 (33) Section 1922.
- 6 (34) Section 2002.
- 7 (35) Section 2101A.
- 8 (36) Section 2301.
- 9 (37) Section 2302.
- 10 (38) Section 2303.
- 11 (39) Section 2306.
- 12 (40) Section 2402(a)(1).
- 13 (41) Section 3018B.
- 14 (42) Section 3102.
- 15 (43) Section 3103.
- 16 (44) Section 3113.
- 17 (45) Section 3501.
- 18 (46) Section 3512.
- 19 (47) Section 3679.
- 20 (48) Section 3701.
- 21 (49) Section 3712.
- 22 (50) Section 3729.
- 23 (51) Section 3901.

1 (52) Section 5103A.

2 (53) Section 5110.

3 (54) Section 5111.

4 (55) Section 5113.

5 (56) Section 5303.

6 (57) Section 6104.

7 (58) Section 6105.

8 (59) Section 6301.

9 (60) Section 6303.

10 (61) Section 6304.

11 (62) Section 8301.

12 (b) DEFINITIONS.—

13 (1) ARMED FORCES.—Paragraph (10) of section 101 of such title is amended by
14 inserting “Space Force,” after “Air Force,”.

15 (2) SECRETARY CONCERNED.—Paragraph (25)(C) of such section is amended by
16 inserting “or the Space Force” before the semicolon.

17 (3) FORMER PRISONER OF WAR.—Paragraph (32) of such section is amended by
18 striking “naval or air service” and inserting “naval, air, or space service”.

19 (c) PLACEMENT OF EMPLOYEES IN MILITARY INSTALLATIONS.—Section 701 of such title is
20 amended—

21 (1) by striking “and Air Force” and inserting “Air Force, and Space Force”; and

22 (2) by striking “or air service” and inserting “air, or space service”.

23 (d) SPECIAL PROVISIONS RELATING TO PENSION.—

1 (1) IN GENERAL.—Section 1562(a) of such title is amended by inserting “Space
2 Force,” after “Air Force,” both places it appears.

3 (2) SUBCHAPTER HEADING.—The heading of subchapter IV of chapter 15 of such
4 title is amended by inserting “**SPACE FORCE,**” after “**AIR FORCE,**”, and the item
5 relating to such subchapter in the table of sections at the beginning of chapter 15 of such
6 title is amended by inserting “SPACE FORCE,” after “AIR FORCE,”.

7 (e) PREMIUM PAYMENTS.—Section 1908 of such title is amended by inserting “Space
8 Force” after “Marine Corps,”.

9 (f) SECRETARY CONCERNED.—Section 3020(l)(3) of such title is amended by inserting
10 “or the Space Force” before the semicolon.

11 (g) DEFINITIONS.—Section 3301(2)(C) of such title is amended by inserting “or the Space
12 Force” after “Air Force”.

13 (h) PROVISION OF CREDIT PROTECTION AND OTHER SERVICES.—Section 5724(c)(2) of
14 such title is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space
15 Force”.

16 **SEC. 1719. TITLE 41, UNITED STATES CODE.**

17 Section 6309 of title 41, United States Code, is amended by inserting “Space Force,”
18 after “Marine Corps,”.

19 **SEC. 1720. TITLE 51, UNITED STATES CODE.**

20 Section 20113(l) of title 51, United States Code, is amended by striking “and Marine
21 Corps” and inserting “, Marine Corps, and Space Force”.

22 **SEC. 1721. OTHER PROVISIONS OF LAW.**

1 (a) SECRETARY OF DEFENSE AUTHORITY.—The authority of the Secretary of Defense with
2 respect to the Air Force or members of the Air Force under any covered provision of law may be
3 exercised by the Secretary with respect to the Space Force or members of the Space Force.

4 (b) SECRETARY OF AIR FORCE AUTHORITY.—The authority of the Secretary of the Air
5 Force with respect to the Air Force or members of the Air Force under any covered provision of
6 law may be exercised with respect to the Space Force or members of the Space Force.

7 (c) BENEFITS FOR MEMBERS.—A member of the Space Force shall be eligible for any
8 benefit under a covered provision of law that is available to a member of the Air Force under the
9 same terms and conditions as the provision of law applies to members of the Air Force.

10 (d) COVERED PROVISION OF LAW DEFINED.—In this section, the term “covered provision
11 of law” means a provision of law other than a provision of title 5, 10, 14, 18, 31, 37, 38, 41, or
12 51, United States Code.

13 **DIVISION B—[RESERVED]**