

1 **SEC. __. AMENDMENTS TO RESEARCH PROJECT TRANSACTION**
2 **AUTHORITIES TO ELIMINATE COST-SHARING REQUIREMENTS**
3 **AND REDUCE BURDENS ON USE.**

4 (a) COOPERATIVE AGREEMENTS FOR RESEARCH PROJECTS.—Section 2371(e) of title 10,
5 United States Code, is amended—

6 (1) by striking paragraph (2);

7 (2) by striking paragraph (1)(B);

8 (3) in paragraph (1)(A), by striking “; and” and inserting a period; and

9 (4) by striking “(e) CONDITIONS.—(1) The Secretary of Defense” and all that
10 follows through “(A) to the maximum extent practicable” and inserting “(e)

11 CONDITIONS.—The Secretary of Defense, to the maximum extent practicable”.

12 (b) CONFORMING AMENDMENT.—Section 2371b(b) of title 10, United States Code, is
13 amended by striking “(b) EXERCISE OF AUTHORITY.—” and all that follows through “(2) To the
14 maximum extent practicable” and inserting “(b) EXERCISE OF AUTHORITY.—To the maximum
15 extent practicable”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would amend sections 2371 and 2371b of title 10, United States Code (U.S.C.), to eliminate the burdensome cost-sharing requirement for both cooperative agreements containing a recovery of funds clause and for other transaction agreements for basic, applied, and advanced research projects, and to remove the restriction that such instruments may only be used when a standard contract, grant, or cooperative agreement is not feasible or appropriate. This does not impact the use of a standard contract, grant, or cooperative agreement if feasible or appropriate. Section 2371(e)(1)(B) of that title requires that funds provided by the Government under a cooperative agreement with a recovery of funds clause or other transaction not exceed the total amount provided by the other party to the cooperative agreement or other transaction. This cost share requirement discourages the use of cooperative agreements and other transactions, particularly when the projects are not primarily for the research and development of dual use technologies. The burden of the current language hinders the use of agreements that

could promote the conduct of innovative research. Accordingly, this cost sharing requirement should be deleted.

Section 2371(e)(2) of title 10, U.S.C., specifies that cooperative agreements with a recovery of funds clause and other transaction agreements may be used "...when the use of a standard contract, grant, or cooperative agreement for such project is not feasible or appropriate." This requirement is inconsistent with the preference for use of other transaction agreements provided in section 867 of the Fiscal Year (FY) 2018 National Defense Authorization Act (NDAA). The changes proposed for section 2371b(b) of title 10, U.S.C., are not substantive changes as they merely delete language that refers in cross reference to subsections (e)(1)(B) and (e)(2) of section 2371 of that title (proposed to be deleted above) that do not apply to projects using the authority of section 2371b of that title.

Request for this change is supported by the National Defense Strategy (NDS) as it brings the use of other transaction authority for research and development projects into better focus and less burdensome use with defense partners. This change allows for "delivering performance with affordability and speed..." as a NDS goal and directly supports the Secretary of the Navy's priority to improve our processes and "...drive efficiency, adopt and implement new ideas, and leverage leading practices from industry and academia to positively impact and support acquisition, manpower, research, and operational processes."

Budget Implications: The current use of section 2371 of title 10, U.S.C. (excluding prototype projects under section 2371b of that title) would require 50% cost sharing by recipients/contractors to the maximum extent practicable. The Department of Defense (DoD) created a class of financial assistance instruments using the section 2371 authority that had the goal of fostering civil-military integration policy. Potential budget implications would only arise where a program funding dual use technologies chooses not to require cost sharing at the 50% level or with no cost sharing. These changes would not prohibit or discourage the use of cost sharing for dual use technologies as DoD policy generally allows for cost sharing for projects that have potential commercial applications. However, if a program using this authority chooses not to require cost sharing or chooses a lower level, then a greater portion of the project costs may be incurred by the Government.

DoD Components reported in the Defense Assistance Awards Data System to making 22 assistance awards using this particular other transaction authority in FY 2016, while only 15 of these awards were made in FY 2017. The annual average for the five years prior to FY 2016 averaged less than both of these fiscal years. Thus, the potential budgetary impact is negligible since it would affect a very small number of awards and DoD components would still have the option of requiring cost share for developing dual use technologies. This proposal has no significant budgetary impact. Incidental costs or savings are accounted for within the FY 2020 President's Budget.

Changes to Existing Law: This proposal makes the following changes to sections 2371 and 2371b of title 10, United States Code:

§2371. Research projects: transactions other than contracts and grants

(a) Additional Forms of Transactions Authorized. -The Secretary of Defense and the Secretary of each military department may enter into transactions (other than contracts, cooperative agreements, and grants) under the authority of this subsection in carrying out basic, applied, and advanced research projects. The authority under this subsection is in addition to the authority provided in section 2358 of this title to use contracts, cooperative agreements, and grants in carrying out such projects.

(b) Exercise of Authority by Secretary of Defense. -In any exercise of the authority in subsection (a), the Secretary of Defense shall act through the Defense Advanced Research Projects Agency or any other element of the Department of Defense that the Secretary may designate.

(c) Advance Payments. -The authority provided under subsection (a) may be exercised without regard to section 3324 of title 31.

(d) Recovery of Funds. -(1) A cooperative agreement for performance of basic, applied, or advanced research authorized by section 2358 of this title and a transaction authorized by subsection (a) may include a clause that requires a person or other entity to make payments to the Department of Defense or any other department or agency of the Federal Government as a condition for receiving support under the agreement or other transaction.

(2) The amount of any payment received by the Federal Government pursuant to a requirement imposed under paragraph (1) may be credited, to the extent authorized by the Secretary of Defense, to the appropriate account established under subsection (f). Amounts so credited shall be merged with other funds in the account and shall be available for the same purposes and the same period for which other funds in such account are available.

~~(e) Conditions.-(1) The Secretary of Defense shall ensure that—~~

~~(A) to the maximum extent practicable~~ (e) Conditions.—The Secretary of Defense shall ensure that, to the maximum extent practicable, no cooperative agreement containing a clause under subsection (d) and no transaction entered into under subsection (a) provides for research that duplicates research being conducted under existing programs carried out by the Department of Defense; ~~and.~~

~~(B) to the extent that the Secretary determines practicable, the funds provided by the Government under a cooperative agreement containing a clause under subsection (d) or a transaction authorized by subsection (a) do not exceed the total amount provided by other parties to the cooperative agreement or other transaction.~~

~~(2) A cooperative agreement containing a clause under subsection (d) or a transaction authorized by subsection (a) may be used for a research project when the use of a standard contract, grant, or cooperative agreement for such project is not feasible or appropriate.~~

(f) Support Accounts. -There is hereby established on the books of the Treasury separate accounts for each of the military departments and the Defense Advanced Research Projects Agency for support of research projects and development projects provided for in cooperative agreements containing a clause under subsection (d) and research projects provided for in

transactions entered into under subsection (a). Funds in those accounts shall be available for the payment of such support.

(g) Education and Training. -The Secretary of Defense shall-

(1) ensure that management, technical, and contracting personnel of the Department of Defense involved in the award or administration of transactions under this section or other innovative forms of contracting are afforded opportunities for adequate education and training; and

(2) establish minimum levels and requirements for continuous and experiential learning for such personnel, including levels and requirements for acquisition certification programs.

(h) Regulations. -The Secretary of Defense shall prescribe regulations to carry out this section.

(i) Protection of Certain Information from Disclosure. -(1) Disclosure of information described in paragraph (2) is not required, and may not be compelled, under section 552 of title 5 for five years after the date on which the information is received by the Department of Defense.

(2)(A) Paragraph (1) applies to information described in subparagraph (B) that is in the records of the Department of Defense if the information was submitted to the Department in a competitive or noncompetitive process having the potential for resulting in an award, to the party submitting the information, of a cooperative agreement for performance of basic, applied, or advanced research authorized by section 2358 of this title or another transaction authorized by subsection (a).

(B) The information referred to in subparagraph (A) is the following:

(i) A proposal, proposal abstract, and supporting documents.

(ii) A business plan submitted on a confidential basis.

(iii) Technical information submitted on a confidential basis.

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§2371b. Authority of the Department of Defense to carry out certain prototype projects

(a) Authority.-(1) Subject to paragraph (2), the Director of the Defense Advanced Research Projects Agency, the Secretary of a military department, or any other official designated by the Secretary of Defense may, under the authority of section 2371 of this title, carry out prototype projects that are directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Defense, or to improvement of platforms, systems, components, or materials in use by the armed forces.

(2) The authority of this section-

(A) may be exercised for a transaction (for a prototype project) that is expected to cost the Department of Defense in excess of \$100,000,000 but not in excess of \$500,000,000 (including all options) only upon a written determination by the senior procurement executive for the agency as designated for the purpose of section 1702(c) of title 41, or, for the Defense Advanced Research Projects Agency or the Missile Defense Agency, the director of the agency that-

(I) the requirements of subsection (d) will be met; and

(ii) the use of the authority of this section is essential to promoting the success of the prototype project; and

(B) may be exercised for a transaction (for a prototype project) that is expected to cost the Department of Defense in excess of \$500,000,000 (including all options) only if-

(i) the Under Secretary of Defense for Acquisition, Technology, and Logistics determines in writing that-

(I) the requirements of subsection (d) will be met; and

(II) the use of the authority of this section is essential to meet critical national security objectives; and

(ii) the congressional defense committees are notified in writing at least 30 days before such authority is exercised.

(3) The authority of a senior procurement executive or director of the Defense Advanced Research Projects Agency or Missile Defense Agency under paragraph (2)(A), and the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics under paragraph (2)(B), may not be delegated.

~~(b) Exercise of Authority.—~~

~~(1) Subsections (e)(1)(B) and (e)(2) of such section 2371 shall not apply to projects carried out under subsection (a).~~

(2) To the maximum extent practicable (b) Exercise of Authority.—To the maximum extent practicable, competitive procedures shall be used when entering into agreements to carry out projects under subsection (a).

(c) Comptroller General Access to Information. -(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of \$5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

(2) The requirement in paragraph (1) shall not apply with respect to a party or entity, or a subordinate element of a party or entity, that has not entered into any other agreement that provides for audit access by a Government entity in the year prior to the date of the agreement.

(3)(A) The right provided to the Comptroller General in a clause of an agreement under paragraph (1) is limited as provided in subparagraph (B) in the case of a party to the agreement, an entity that participates in the performance of the agreement, or a subordinate element of that party or entity if the only agreements or other transactions that the party, entity, or subordinate element entered into with Government entities in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of this title.

(B) The only records of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right referred to in that subparagraph are records of the same type as the records that the Government has had the right to examine under the audit access clauses of the previous agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.

(4) The head of the contracting activity that is carrying out the agreement may waive the applicability of the requirement in paragraph (1) to the agreement if the head of the contracting activity determines that it would not be in the public interest to apply the requirement to the

agreement. The waiver shall be effective with respect to the agreement only if the head of the contracting activity transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

(5) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement.

(d) Appropriate Use of Authority. -(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless one of the following conditions is met:

(A) There is at least one nontraditional defense contractor or nonprofit research institution participating to a significant extent in the prototype project.

(B) All significant participants in the transaction other than the Federal Government are small businesses (including small businesses participating in a program described under section 9 of the Small Business Act (15 U.S.C. 638)) or nontraditional defense contractors.

(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by sources other than other than ¹/₂ the Federal Government.

(D) The senior procurement executive for the agency determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract, or would provide an opportunity to expand the defense supply base in a manner that would not be practical or feasible under a contract.

(2)(A) Except as provided in subparagraph (B), the amounts counted for the purposes of this subsection as being provided, or to be provided, by a party to a transaction with respect to a prototype project that is entered into under this section other than the Federal Government do not include costs that were incurred before the date on which the transaction becomes effective.

(B) Costs that were incurred for a prototype project by a party after the beginning of negotiations resulting in a transaction (other than a contract, grant, or cooperative agreement) with respect to the project before the date on which the transaction becomes effective may be counted for purposes of this subsection as being provided, or to be provided, by the party to the transaction if and to the extent that the official responsible for entering into the transaction determines in writing that-

(i) the party incurred the costs in anticipation of entering into the transaction; and

(ii) it was appropriate for the party to incur the costs before the transaction became effective in order to ensure the successful implementation of the transaction.

(e) Definitions. -In this section:

(1) The term "nontraditional defense contractor" has the meaning given the term under section 2302(9) of this title.

(2) The term "small business" means a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632).

(f) Follow-on Production Contracts or Transactions. -(1) A transaction entered into under this section for a prototype project may provide for the award of a follow-on production contract or

transaction to the participants in the transaction. A transaction includes all individual prototype subprojects awarded under the transaction to a consortium of United States industry and academic institutions.

(2) A follow-on production contract or transaction provided for in a transaction under paragraph (1) may be awarded to the participants in the transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if-

(A) competitive procedures were used for the selection of parties for participation in the transaction; and

(B) the participants in the transaction successfully completed the prototype project provided for in the transaction.

(3) Contracts and transactions entered into pursuant to this subsection may be awarded using the authority in subsection (a), under the authority of chapter 137 of this title, or under such procedures, terms, and conditions as the Secretary of Defense may establish by regulation.

(g) Authority To Provide Prototypes and Follow-on Production Items as Government-furnished Equipment. -An agreement entered into pursuant to the authority of subsection (a) or a follow-on contract or transaction entered into pursuant to the authority of subsection (f) may provide for prototypes or follow-on production items to be provided to another contractor as Government-furnished equipment.

(h) Applicability of Procurement Ethics Requirements. -An agreement entered into under the authority of this section shall be treated as a Federal agency procurement for the purposes of chapter 21 of title 41.

1 **SEC. ____. DEFENSE MODERNIZATION ACCOUNT.**

2 Section 2216 of title 10, United States Code, is amended—

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

4 “(5) For paying development, integration and validation, and permanent
5 platform alteration costs associated with a technology prototype project undertaken
6 under subchapter II of chapter 144B of this title.”;

7 (2) in subsection (f), by adding at the end the following new paragraph:

8 “(4) Amounts transferred under such authority shall be merged with and be available
9 for the same purposes and for the same time period as the fund or appropriations to which
10 transferred.”; and

11 (3) in subsection (b)(1), by striking “subsection (c)(1)(B)(iii)” and inserting
12 “subsection (c)(1)(B)(ii)”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would allow additional flexibilities for use of the Defense Modernization Account (DMA) for prototype development activities. This proposal would further amend section 2216 of title 10, United States Code (U.S.C.), to enhance and clarify the recent amendments to the statute made by sections 804 and 806 of the Fiscal Year (FY) 2017 National Defense Authorization Act (NDAA), P.L. 114-92, which amended such section 2216 and codified new prototyping authorities in subchapter II of chapter 144B of title 10, U.S.C.

Subsection (d) of 10 U.S.C. § 2216 provides for the authorized use of funds. The addition of a new paragraph (5) would ensure to convey that DMA funds are available for use on development, integration and validation, and permanent platform alterations resulting from technology prototype projects as prescribed in the Acquisition Agility Act (AAA) provisions in section 806 of the FY 2017 NDAA, now codified in sections 2447a through 2447d of title 10, U.S.C.

The new paragraph (5) addresses the need for flexible funding for use on prototype project development, integration and validation, and permanent platform alterations. The current prototyping authorities encourage shorter timelines in response to technology development or

threat evolution, so that the warfighter benefits at the speed of relevance. However, current budget timelines do not align with the desired response time of prototyping projects. Therefore, a flexible funding account such as the DMA, which is authorized to fund the development and integration of technology prototyping projects, will facilitate prototyping authorities and ultimately benefit the warfighter with shorter acquisition timelines.

Subsection (g) of 10 U.S.C. § 2216 provides for the availability of funds by appropriation. The proposed additional sentence related to transfers is necessary to prevent the Department of Defense from having to initiate prior approval reprogramming actions, which require congressional approval before executing the funding.

The amendment to subsection (b)(1) of 10 U.S.C. § 2216, striking “subsection (c)(1)(B)(iii)” and inserting “subsection (c)(1)(B)(ii)” is necessary to correct the reference.

Budget Implications: There are no budget implications associated with this legislative proposal.

Changes to Existing Law: The proposal would amend section 2216 of title 10, U.S.C., as follows:

§2216. Defense Modernization Account

(a) Establishment.-There is established in the Treasury an account to be known as the "Defense Modernization Account."

(b) Funds Available for Account.-The Defense Modernization Account shall consist of the following:

(1) Amounts appropriated to the Defense Modernization Account for the costs of projects described in subsection (d)(1), and amounts reimbursed to the Defense Modernization Account under subsection (c)(1)(B)(ii) out of savings derived from such projects.

(2) Amounts transferred to the Defense Modernization Account under subsection (c).

(c) Transfers to Account.-(1)(A) Upon a determination by the Secretary of a military department, or the Secretary of Defense with respect to Defense-wide appropriations accounts, of the availability and source of funds described in subparagraph (B), the Secretary concerned may transfer to the Defense Modernization Account during any fiscal year any amount of funds available to the Secretary described in that subparagraph. Such funds may be transferred to that account only after the Secretary concerned notifies the congressional defense committees in writing of the amount and source of the proposed transfer.

(B) This subsection applies to the following funds that have been appropriated for fiscal years after fiscal year 2016 and are available to the Secretary concerned:

(i) Unexpired funds in appropriations accounts that are available for new obligations and that, as a result of economies, efficiencies, and other savings achieved in carrying out an acquisition program, are excess to the requirements of that program.

(ii) Unexpired funds in appropriations accounts that are available for procurement or operation and maintenance of a system, if and to the extent that savings are achieved for such accounts through reductions in life cycle costs of such system that result from one or more

projects undertaken with respect to such systems with funds made available from the Defense Modernization Account under subsection (b)(1).

(C) Any transfer under subparagraph (A) shall be made under regulations prescribed by the Secretary of Defense.

(2) Funds referred to in paragraph (1) may not be transferred to the Defense Modernization Account if the balance of funds in the account, after transfer of funds to the account, would exceed \$1,000,000,000.

(3) Amounts deposited in the Defense Modernization Account shall remain available for transfer and obligation until the end of the third fiscal year that follows the fiscal year in which the amounts are deposited in the account.

(d) Authorized Use of Funds.-Funds in the Defense Modernization Account may be used for the following purposes:

(1) For paying the costs of any project that, in accordance with criteria prescribed by the Secretary concerned, is undertaken by the Secretary of a military department or the head of a Defense Agency or other element of the Department of Defense to reduce the life cycle cost of a new or existing system.

(2) For increasing, subject to subsection (e), the quantity of items and services procured under an acquisition program in order to achieve a more efficient production or delivery rate.

(3) For research, development, test, and evaluation, for procurement, and for sustainment activities necessary for paying costs of unforeseen contingencies that are approved by the milestone decision authority concerned, that could prevent an ongoing acquisition program from meeting critical schedule or performance requirements.

(4) For paying costs of changes to program requirements or system configuration that are approved by the configuration steering board for a major defense acquisition program.

(5) For paying development, integration and validation, and permanent platform alteration costs associated with a technology prototype project undertaken under subchapter II of chapter 144B of this title.

(e) Limitations.- (1) Funds in the Defense Modernization Account may not be used to increase the quantity of an item or services procured under a particular acquisition program to the extent that doing so would-

(A) result in procurement of a total quantity of items or services in excess of-

(i) a specific limitation provided by law on the quantity of the items or services that may be procured; or

(ii) the requirement for the items or services as approved by the Joint Requirements Oversight Council and reported to Congress by the Secretary of Defense; or

(B) result in an obligation or expenditure of funds in excess of a specific limitation provided by law on the amount that may be obligated or expended, respectively, for that acquisition program.

(2) Funds in the Defense Modernization Account may not be used for a purpose or program for which Congress has not authorized appropriations, unless the procedures for initiating a new start program are complied with.

(3) Funds may not be transferred from the Defense Modernization Account in any year for the purpose of-

(A) making an expenditure for which there is no corresponding obligation; or

(B) making an expenditure that would satisfy an unliquidated or unrecorded obligation arising in a prior fiscal year.

(f) Transfer of Funds.-(1) The Secretary of a military department, or the Secretary of Defense with respect to Defense-wide appropriations accounts, may transfer funds in the Defense Modernization Account to appropriations available for purposes set forth in subsection (d).

(2) Funds in the Defense Modernization Account may not be transferred under paragraph (1) until 30 days after the date on which the Secretary concerned notifies the congressional defense committees in writing of the amount and purpose of the proposed transfer.

(3) The total amount of transfers from the Defense Modernization Account during any fiscal year under this subsection may not exceed \$500,000,000.

(4) Amounts transferred under such authority shall be merged with and be available for the same purposes and for the same time period as the fund or appropriations to which transferred.

(g) Availability of Funds by Appropriation.-In addition to transfers under subsection (f), funds in the Defense Modernization Account may be made available for purposes set forth in subsection (d), but only to the extent authorized in an Act other than an appropriations Act. Funds deposited in the Defense Modernization Account shall remain available for obligation until the end of the third fiscal year that follows the fiscal year in which the amounts are deposited in the account.

(h) Secretary To Act Through Comptroller.-(1) The Secretary of Defense shall carry out this section through the Under Secretary of Defense (Comptroller), who shall be authorized to implement this section through the issuance of any necessary regulations, policies, and procedures after consultation with the General Counsel and Inspector General of the Department of Defense.

(2) The regulations prescribed under paragraph (1) shall, at a minimum, provide for-

(A) the establishment and management of subaccounts for each of the military departments and Defense Agencies concerned for the use of funds in the Defense Modernization Account, consistent with each military department's or Defense Agency's deposits in the Account;

(B) the submission of proposals by the Secretaries concerned or heads of Defense Agencies or other elements of the Department of Defense to the Comptroller for the use of Defense Modernization Account funds for purposes set forth in subsection (d);

(C) the use of a competitive process for the evaluation of such proposals and the selection of programs, projects, and activities to be funded out of the Defense Modernization Account and subaccounts from among those proposed for such funding; and

(D) the calculation of-

(i) the savings to be derived from projects described in subsection (d)(1) that are to be funded out of the Defense Modernization Account; and

(ii) the amounts to be reimbursed to the Defense Modernization Account out of such savings pursuant to subsection (c)(1)(B)(ii).

(i) Definitions.-In this section:

(1) The term "major defense acquisition program" has the meaning given the term in section 2430(a) of this title.

(2) The term "unexpired funds" means funds appropriated for a definite period that remain available for obligation.

(j) Expiration of Authority and Account.-(1) The authority under subsection (c) to transfer funds into the Defense Modernization Account terminates at the close of September 30, 2022.

(2) Three years after the termination date specified in paragraph (1), the Defense Modernization Account shall be closed and any remaining balance in the account shall be canceled and thereafter shall not be available for any purpose.

1 **SEC. ____. AUTHORITY TO CARRY OUT DEPARTMENT OF DEFENSE**
2 **COOPERATIVE THREAT REDUCTION PROGRAM.**

3 (a) **AUTHORITY.**—Section 1321(a) of the Carl Levin and Howard P. “Buck” McKeon
4 National Defense Authorization Act for Fiscal Year 2015 (50 U.S.C. 3711(a)) is amended by
5 adding at the end the following new paragraph:

6 “(7) Subject to subsection (c), contribute funds to a program of a foreign
7 government or international organization intended to accomplish goals described in
8 paragraphs (1) through (6).”.

9 (b) **SCOPE OF AUTHORITY.**—Section 1321(c) of such Act (50 U.S.C. 3711(c)) is amended
10 by striking “and services” and all that follows and inserting “services, and other support, but
11 does not include authority to provide funds directly to a country receiving assistance under the
12 Program.”.

13 **SEC. ____. USE OF CONTRIBUTIONS TO DEPARTMENT OF DEFENSE**
14 **COOPERATIVE THREAT REDUCTION PROGRAM.**

15 (a) **IN GENERAL.**—Section 1325 of the Carl Levin and Howard P. “Buck” McKeon
16 National Defense Authorization Act for Fiscal Year 2015 (50 U.S.C. 3715) is amended—

17 (1) in the heading, by inserting “**PROMOTE THE GOALS OF THE**” before
18 “**DEPARTMENT**”; and

19 (2) in subsection (a)(1)—

20 (A) by striking “agreements with any person” and inserting the following:

21 “agreements with—

22 “(A) any person”;

1 (B) in subparagraph (A), as designated by subparagraph (A) of this
2 paragraph, by striking the period and inserting “; and”; and

3 (C) by adding at the end the following new subparagraph:

4 “(B) a foreign government or international organization under which the
5 Department of Defense may contribute to a program of such foreign government
6 or international organization that is intended to accomplish goals described in
7 section 1321(a).”.

8 (b) CONFORMING AMENDMENTS.—Such section is further amended—

9 (1) in subsection (b), by striking “subsection (a)” and inserting “subsection
10 (a)(1)(A)”;

11 (2) in subsection (c), by striking “subsection (a)” and inserting “subsection
12 (a)(1)(A)”;

13 (3) in subsection (d)—

14 (A) in paragraph (1)—

15 (i) in the matter preceding subparagraph (A), by striking “funds
16 contributed” and inserting “or contributing funds”; and

17 (ii) in subparagraph (B), by inserting “or identifying the foreign
18 government or international organization who received the contribution, as
19 the case may be” before the period; and

20 (B) in paragraph (2), by striking “subsection (a)” and inserting “subsection
21 (a)(1)(A)”;

22 (4) in subsection (e)(1), by striking “subsection (a)” and inserting “subsection
23 (a)(1)(A)”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would amend sections 1321 and 1325 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (50 U.S.C. 3711 and 50 USC 3715) to allow for the DoD Cooperative Threat Reduction (CTR) Program to provide funds to threat-reduction programs of foreign governments and international organizations that are consistent with the authorities of the DoD CTR Program. Current authorities allow the DoD CTR Program to accept the contribution of funds from other entities for program activities, but it does not allow the Program to make financial contributions to the programs of other foreign governments or international organizations.

It is critical to gain this authority because it would enable DoD to address threat reduction requirements that, due to political reasons, we cannot accomplish independently. Many weapons of mass destruction (WMD) threat-reduction priorities for DoD are within the territories of nations that are currently unfriendly towards or suspicious of working with the U.S. Government on these particular matters. Being able to contribute funding to a third-party nation or international organization that has the access required to conduct threat-reduction activities effectively would allow DoD to address urgent threat-reduction goals that we are not able to accomplish ourselves.

Further, this authority would allow DoD to coordinate and de-conflict threat-reduction efforts more effectively. Many allied and partner nations and international organizations carry out similar threat reduction programs that occasionally overlap with DoD CTR Program activities. By acquiring the authority to contribute funding towards these programs, DoD could more efficiently use its resources to satisfy outstanding threat reduction goals by contributing to efforts of other nations or international organizations that we ourselves were considering undertaking without having to dedicate DoD time and effort to program management and oversight.

Budget Implications: The resources required are reflected in the table below and are included within the Fiscal Year (FY) 2020 President’s Budget. We cannot estimate past the Future Years Defense Program the exact scope or amount of DoD contributions to other countries’ Cooperative Threat Reduction-like activities. The amounts below reflect “up to” estimates based on our current understanding of other countries’ current and anticipated CTR-like activities, all of which are subject to change based on those countries’ sovereign decisions.

RESOURCE REQUIREMENTS (\$MILLIONS)						
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Appropriation From
DoD Cooperative Threat Reduction Program	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Cooperative Threat Reduction Account
Total	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	--

Changes to Existing Law: This proposal would make the following changes to sections 1321 and 1325 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (50 U.S.C. 3711) and (50 U.S.C. 3715):

SEC. 1321. AUTHORITY TO CARRY OUT DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

(a) AUTHORITY.—The Secretary of Defense may carry out a program, referred to as the “Department of Defense Cooperative Threat Reduction Program”, with respect to foreign countries to do the following:

(1) Facilitate the elimination and the safe and secure transportation and storage of chemical, biological, or other weapons, weapons components, weapons-related materials, and associated delivery vehicles.

(2) Facilitate—

(A) the safe and secure transportation and storage of nuclear weapons, nuclear weapons-usable or high-threat radiological materials, nuclear weapons components, and associated delivery vehicles; and

(B) the elimination of nuclear weapons, nuclear weapons components, and nuclear weapons delivery vehicles.

(3) Prevent the proliferation of nuclear and chemical weapons, weapons components, and weapons-related materials, technology, and expertise.

(4) Prevent the proliferation of biological weapons, weapons components, and weapons-related materials, technology, and expertise, which may include activities that facilitate detection and reporting of highly pathogenic diseases or other diseases that are associated with or that could be used as an early warning mechanism for disease outbreaks that could affect the Armed Forces of the United States or allies of the United States, regardless of whether such diseases are caused by biological weapons.

(5) Prevent the proliferation of weapons of mass destruction- related materials, including materials, equipment, and technology that could be used for the design, development, production, or use of nuclear, chemical, and biological weapons and the means of delivery of such weapons.

(6) Carry out military-to-military and defense contacts for advancing the mission of the Program, subject to subsection (f).

(7) Subject to subsection (c), contribute funds to a program of a foreign government or international organization intended to accomplish goals described in paragraphs (1) through (6).

(b) CONCURRENCE OF SECRETARY OF STATE.—The authority under subsection (a) to carry out the Program is subject to any concurrence of the Secretary of State or other appropriate agency head required under section 1322 or 1323 (unless such concurrence is otherwise exempted pursuant to section 1352 with respect to activities or determinations carried out or made before the date of the enactment of this Act).

(c) SCOPE OF AUTHORITY.—The authority to carry out the Program in subsection (a) includes authority to provide equipment, goods, ~~and services,~~ and other support, but does not include authority to provide funds directly ~~for a project or activity carried out to a country receiving assistance~~ under the Program.

* * * * *

SEC. 1325. USE OF CONTRIBUTIONS TO PROMOTE THE GOALS OF THE
DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—

(1) AUTHORITY.—Subject to paragraph (2), the Secretary of Defense may enter into one or more agreements with—

(A) any person (including a foreign government, international organization, multinational entity, or any other entity) that the Secretary considers appropriate under which the person contributes funds for activities conducted under the Program; and

(B) a foreign government or international organization under which the Department of Defense may contribute to a program of such foreign government or international organization that is intended to accomplish goals described in section 1321(a).

(2) CONCURRENCE BY SECRETARY OF STATE.—The Secretary may enter into an agreement under paragraph (1) only with the concurrence of the Secretary of State.

(b) RETENTION AND USE OF FUNDS.—Notwithstanding section 3302 of title 31, United States Code, and subject to subsections (c) and (d), the Secretary of Defense may retain and obligate or expend funds contributed pursuant to subsection (a)(1)(A) for purposes of the Program. Funds so contributed shall be retained in a separate fund established in the Treasury for such purposes and shall be available to be obligated or expended without further appropriation.

(c) RETURN OF FUNDS NOT OBLIGATED OR EXPENDED WITHIN THREE YEARS.—If the Secretary does not obligate or expend funds contributed pursuant to subsection (a)(1)(A) by the date that is three years after the date on which the contribution was made, the Secretary shall return the amount to the person who made the contribution.

(d) NOTICE.—

(1) IN GENERAL.—Not later than 30 days after receiving or contributing funds ~~contributed~~ pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees a notice—

(A) specifying the value of the contribution and the purpose for which the contribution was made; and

(B) identifying the person who made the contribution or identifying the foreign government or international organization who received the contribution, as the case may be.

(2) LIMITATION ON USE OF AMOUNTS.—The Secretary may not obligate funds contributed pursuant to subsection (a)(1)(A) until a period of 15 days elapses following the date on which the Secretary submits the notice under paragraph (1).

(e) IMPLEMENTATION PLAN.—The Secretary shall submit to the congressional defense committees—

- (1) an implementation plan for the authority provided under this section prior to obligating or expending any funds contributed pursuant to subsection (a)(1)(A); and
- (2) any updates to such plan that the Secretary considers appropriate.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

- (1) The congressional defense committees.
- (2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

1 **SEC. ____. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER**
 2 **THE ISLAMIC STATE OF IRAQ AND SYRIA.**

3 (a) EXTENSION.—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck”
 4 McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128
 5 Stat. 3559), as most recently amended by section 1233 of the National Defense Authorization
 6 Act for Fiscal year 2019 (Public Law 115–232), is further amended by striking “December 31,
 7 2020” and inserting “December 31, 2021”.

8 (b) FUNDING.—Subsection (g) of such section 1236, as most recently so amended, is
 9 further amended—

10 (1) by striking “fiscal year 2019” and inserting “fiscal year 2020”; and

11 (2) by striking “\$850,000,000” and inserting \$745,000,000”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would extend the authority to provide assistance to vetted Iraq Security Forces (ISF) with a national mission to counter ISIS and associated groups. Extension of this authority will serve as the principal means for countering ISIS and associated terrorist groups and returning security and stability to the region while protecting our Homeland and U.S. interests. The authority extension reflects the operational environment and the need to enable appropriately vetted elements of the ISF eligible for support under current law to ensure the defeat of ISIS and prevent its re-emergence. The proposal is in line with NDS and the need to protect the Homeland and lasting defeat of ISIS.

Budget Implications: The resources required are reflected in the table below and are included within the Fiscal Year 2020 President’s Budget (PB).

RESOURCE REQUIREMENTS (\$MILLIONS)						
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Appropriation From
Counter ISIS Train and Equip Fund (CTEF) Iraq	\$745					OCO, CTEF
Total	\$745					OCO, CTEF

Changes to Existing Law: This proposal would make the following changes to section 1236 of the National Defense Authorization Act for Fiscal Year 2015:

SEC. 1236. AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, logistics support, supplies, and services, stipends, infrastructure repair and renovation, small-scale construction of temporary facilities necessary to meet urgent operational or force protection requirements with a cost less than \$4,000,000, and sustainment, to military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other local security forces, with a national security mission, through ~~December 31, 2020~~ December 31, 2021, for the following purposes:

- (1) Defending Iraq, its people, allies, and partner nations from the threat posed by the Islamic State of Iraq and Syria (ISIS) and groups supporting ISIS.
- (2) Securing the territory of Iraq.

* * * * *

(g) FUNDING.—Of the amounts authorized to be appropriated for the Department of Defense for Overseas Contingency Operations for ~~fiscal year 2019~~ fiscal year 2020, there are authorized to be appropriated ~~\$850,000,000~~ \$745,000,000 to carry out this section.

* * * * *

1 **SEC. __. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE**
 2 **VETTED SYRIAN OPPOSITION.**

3 (a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P.
 4 “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291;
 5 128 Stat. 3541), as most recently amended by section 1231 of the National Defense
 6 Authorization Act for Fiscal year 2019 (Public Law 115–232), is further amended by striking
 7 “December 31, 2019” and inserting “December 31, 2021”.

8 (b) REPROGRAMMING REQUIREMENT.—Subsection (f)(1) of such section 1209, as most
 9 recently amended by section 1231 of the National Defense Authorization Act for Fiscal Year
 10 2019 (Public Law 115–232), is further amended by striking “December 31, 2019” and inserting
 11 “December 31, 2021”.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would extend the authority to provide assistance to the Vetted Syrian Opposition (VSO). Extension of this authority will serve as the principal means for countering ISIS and associated terrorist groups and returning security and stability to the region while protecting our Homeland and U.S. interests. The authority extension reflects the operational environment and the need to enable elements of the Vetted Syrian Opposition (VSO) eligible for support under current law to ensure the defeat of ISIS and prevent its re-emergence. The proposal is in line with NDS and the need to protect the Homeland and lasting defeat of ISIS.

Budget Implications: The resources required are reflected in the table below and are included within the Fiscal Year 2020 President’s Budget (PB).

RESOURCE REQUIREMENTS (\$MILLIONS)						
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Appropriation From
CTEF Syria	\$300					Overseas Contingency Operations (OCO) CTEF
Total	\$300					Overseas Contingency Operations (OCO) CTEF

Changes to Existing Law: This proposal would make the following changes to section 1209 of the National Defense Authorization Act for Fiscal Year 2015:

SEC. 1209. AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, stipends, construction and repair of training and associated facilities or other facilities necessary to meet urgent military operational requirements of a temporary nature with a cost less than \$4,000,000, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals, through ~~December 31, 2019~~ December 31, 2021, for the following purposes:

- (1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the Syrian opposition.
- (2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.
- (3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.

* * * * *

(f) REPROGRAMMING REQUIREMENT.—

(1) IN GENERAL.—The Secretary of Defense may submit a reprogramming or transfer request of funds made available for Overseas Contingency Operations beginning on October 1, 2014, and ending on ~~December 31, 2019~~ December 31, 2021, to the congressional defense committees to carry out activities authorized under this section.

(2) INFORMATION ACCOMPANYING REPROGRAMMING REQUESTS.—Each request under paragraph (1) shall include the following:

(A) The amount, type, and purpose of assistance to be funded pursuant to such request.

(B) The budget, implementation timeline with milestones, and anticipated delivery schedule for such assistance.

(C) A description of any material use of assistance provided under subsection (a) by an appropriately vetted recipient of such assistance for a purpose other than the purposes specified in subsection (a) that occurred since the most recent reprogramming or transfer request of the Secretary pursuant to this subsection, which description shall set forth, for each such material misuse, the following:

- (i) The details of such material misuse.
- (ii) The recipient or recipients responsible for such material misuse.
- (iii) The consequences of such material misuse.
- (iv) The actions taken by the Secretary to remediate the causes and effects of such material misuse.

* * * * *

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

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

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Modification of authority to carry out certain fiscal year 2019 project.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2018 projects.
- Sec. 2306. Modification of authority to carry out certain fiscal year 2019 projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized defense agencies construction and land acquisition projects.
- Sec. 2402. Authorized energy conservation projects.
- Sec. 2403. Authorization of appropriations, defense agencies.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

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

Subtitle B—Host Country In-kind Contributions

- Sec. 2511. Republic of Korea funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

[Transmitted under separate cover]

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

- Sec. 2901. Authorized Army construction and land acquisition projects.
- Sec. 2902. Authorized Navy construction and land acquisition projects.
- Sec. 2903. Authorized Air Force construction and land acquisition projects.
- Sec. 2904. Authorized defense agencies construction and land acquisition projects.
- Sec. 2905. Authorization of appropriations.

TITLE XXX—MILITARY CONSTRUCTION FUNDING

- Sec. 3001. Authorization of amounts in funding tables.
- Sec. 3002. Military construction table.
- Sec. 3003. Military construction table for overseas contingency operations.
- Sec. 3004. Military construction table for emergency operations.

1 **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

2 **SEC. 2001. SHORT TITLE.**

3 This division may be cited as the “Military Construction Authorization Act for Fiscal
4 Year 2020”.

5 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO**
6 **BE SPECIFIED BY LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER FIVE YEARS.—Except as provided in
8 subsection (b), all authorizations contained in titles XXI through XXVII for military construction
9 projects, land acquisition, family housing projects and facilities, and contributions to the North
10 Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations
11 therefor) shall expire on the later of—

12 (1) October 1, 2024; or

13 (2) the date of the enactment of an Act authorizing funds for military construction
14 for fiscal year 2025.

1 (b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military
2 construction projects, land acquisition, family housing projects and facilities, and contributions
3 to the North Atlantic Treaty Organization Security Investment Program (and authorizations of
4 appropriations therefor), for which appropriated funds have been obligated before the later of—

5 (1) October 1, 2024; or

6 (2) the date of the enactment of an Act authorizing funds for fiscal year 2025 for
7 military construction projects, land acquisition, family housing projects and facilities, or
8 contributions to the North Atlantic Treaty Organization Security Investment Program.

9 **SEC. 2003. EFFECTIVE DATE.**

10 Titles XXI through XXVII and title XXIX shall take effect on the later of—

11 (1) October 1, 2019; or

12 (2) the date of the enactment of this Act.

13 **TITLE XXI—ARMY MILITARY CONSTRUCTION**

14 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION**

15 **PROJECTS.**

16 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
17 authorization of appropriations in section 2103(a) and available for military construction projects
18 inside the United States as specified in the funding table in section 3002, the Secretary of the
19 Army may acquire real property and carry out military construction projects for the installations
20 or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States		
State	Installation	Amount
Alabama	Redstone Arsenal	\$38,000,000
Colorado	Fort Carson, Colorado	\$71,000,000
Georgia	Fort Gordon	\$107,000,000
	Hunter Army Airfield	\$62,000,000

Kentucky	Fort Campbell	\$61,300,000
Massachusetts	Soldier Systems Center Natick	\$50,000,000
Michigan	Detroit Arsenal	\$24,000,000
New York	Fort Drum	\$23,000,000
North Carolina	Fort Bragg	\$12,500,000
Oklahoma	Fort Sill	\$73,000,000
Pennsylvania	Carlisle Barracks	\$98,000,000
South Carolina	Fort Jackson	\$54,000,000
Texas	Corpus Christi Army Depot	\$86,000,000
	Fort Hood	\$32,000,000
Virginia	Fort Belvoir	\$60,000,000
	Joint Base Langley-Eustis	\$55,000,000
Washington	Joint Base Lewis-McChord	\$46,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
2 authorization of appropriations in section 2103(a) and available for military construction projects
3 outside the United States as specified in the funding table in section 3002, the Secretary of the
4 Army may acquire real property and carry out the military construction project for the
5 installations or locations outside the United States, and in the amount, set forth in the following
6 table:

Army: Outside the United States

Country	Installation	Amount
Honduras	Soto Cano Air Base	\$34,000,000

7 **SEC. 2102. FAMILY HOUSING.**

8 (a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the
9 authorization of appropriations in section 2103(a) and available for military family housing
10 functions as specified in the funding table in section 3002, the Secretary of the Army may
11 construct or acquire family housing units (including land acquisition and supporting facilities) at
12 the installations or locations, in the number of units, and in the amounts set forth in the following
13 table:

Army: Family Housing

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

1 (b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization
2 of appropriations in section 2103(a) and available for military family housing functions as
3 specified in the funding table in section 3002, the Secretary of the Army may carry out
4 architectural and engineering services and construction design activities with respect to the
5 construction or improvement of family housing units in an amount not to exceed \$9,222,000.

6 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
8 appropriated for fiscal years beginning after September 30, 2018, for military construction, land
9 acquisition, and military family housing functions of the Department of the Army as specified in
10 the funding table in section 3002.

11 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
12 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
13 authorized by law, the total cost of all projects carried out under section 2101 of this Act may not
14 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
15 funding table in section 3002.

16 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
17 **YEAR 2019 PROJECT.**

18 In the case of the authorization contained in the table in section 2101(a) of the Military
19 Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115-232; 132
20 Stat. xxxx) for Anniston Army Depot, Alabama, for construction of a weapon maintenance shop,
21 the Secretary of the Army may construct a 21,000 square foot weapon maintenance shop.

1 **TITLE XXII—NAVY MILITARY CONSTRUCTION**

2 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION**

3 **PROJECTS.**

4 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
5 authorization of appropriations in section 2204(a) and available for military construction projects
6 inside the United States as specified in the funding table in section 3002, the Secretary of the
7 Navy may acquire real property and carry out military construction projects for the installations
8 or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$90,160,000
California	Camp Pendleton	\$185,569,000
	China Lake	\$64,500,000
	Coronado	\$86,830,000
	Seal Beach	\$95,310,000
	Travis Air Force Base	\$64,000,000
Connecticut	New London	\$72,260,000
Florida	Jacksonville	\$32,420,000
Hawaii	Kaneohe Bay	\$134,050,000
	West Loch	\$53,790,000
North Carolina	Camp Lejeune	\$229,010,000
	Cherry Point Marine Corps Air Station	\$114,570,000
	New River	\$11,320,000
Virginia	Norfolk	\$79,100,000
	Portsmouth	\$48,930,000
	Quantico	\$143,350,000
Washington	Bremerton	\$51,010,000
	Keyport	\$25,050,000

9 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
10 authorization of appropriations in section 2204(a) and available for military construction projects
11 outside the United States as specified in the funding table in section 3002, the Secretary of the
12 Navy may acquire real property and carry out military construction projects for the installation or

1 location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States		
Country	Installation or Location	Amount
Bahrain Island	SW Asia	\$53,360,000
Guam	Joint Region Marianas	\$226,000,000
Italy	Sigonella	\$77,400,000
Japan	Iwakuni	\$15,870,000
	Yokosuka	\$174,692,000

2 **SEC. 2202. FAMILY HOUSING.**

3 Using amounts appropriated pursuant to the authorization of appropriations in section
4 2204(a) and available for military family housing functions as specified in the funding table in
5 section 3002, the Secretary of the Navy may carry out architectural and engineering services and
6 construction design activities with respect to the construction or improvement of family housing
7 units in an amount not to exceed \$5,863,000.

8 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

9 Subject to section 2825 of title 10, United States Code, and using amounts appropriated
10 pursuant to the authorization of appropriations in section 2204(a) and available for military
11 family housing functions as specified in the funding table in section 3002, the Secretary of the
12 Navy may improve existing military family housing units in an amount not to exceed
13 \$41,798,000.

14 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
16 appropriated for fiscal years beginning after September 30, 2019, for military construction, land
17 acquisition, and military family housing functions of the Department of the Navy, as specified in
18 the funding table in section 3002.

19 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost

1 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
 2 authorized by law, the total cost of all projects carried out under section 2201 of this Act may not
 3 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
 4 funding table in section 3002.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION
 PROJECTS.**

8 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 9 authorization of appropriations in section 2304(a) and available for military construction projects
 10 inside the United States as specified in the funding table in section 3002, the Secretary of the Air
 11 Force may acquire real property and carry out military construction projects for the installations
 12 or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$8,600,000
Arkansas	Little Rock Air Force Base	\$47,000,000
California	Travis Air Force Base	\$26,100,000
Colorado	Schriever Air Force Base	\$148,000,000
Illinois	Scott Air Force Base	\$100,000,000
Montana	Malmstrom Air Force Base	\$235,000,000
Nevada	Nellis Air Force Base	\$65,200,000
New Mexico	Kirtland Air Force Base	\$37,900,000
North Dakota	Minot Air Force Base	\$5,500,000
Texas	Joint Base San Antonio	\$207,300,000
Utah	Hill Air Force Base	\$114,500,000
Washington	Fairchild Air Force Base	\$31,000,000
Wyoming	F. E. Warren Air Force Base	\$18,100,000

13 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
 14 authorization of appropriations in section 2304(a) and available for military construction projects
 15 outside the United States as specified in the funding table in section 3002, the Secretary of the

1 Air Force may acquire real property and carry out military construction projects for the
2 installation or location outside the United States, and in the amount, set forth in the following
3 table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Tindal	\$70,600,000
Cyprus	Royal Air Force Akrotiri	\$27,000,000
Guam	Joint Region Marianas	\$65,000,000
Japan	Yokota Air Base	\$12,400,000
Jordan	Azraq	\$66,000,000
Mariana Islands	Tinian	\$316,000,000
United Kingdom	Royal Air Force Lakenheath	\$14,300,000

4 **SEC. 2302. FAMILY HOUSING.**

5 Using amounts appropriated pursuant to the authorization of appropriations in section
6 2304(a) and available for military family housing functions as specified in the funding table in
7 section 3002, the Secretary of the Air Force may carry out architectural and engineering services
8 and construction design activities with respect to the construction or improvement of family
9 housing units in an amount not to exceed \$3,409,000.

10 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

11 Subject to section 2825 of title 10, United States Code, and using amounts appropriated
12 pursuant to the authorization of appropriations in section 2304(a) and available for military
13 family housing functions as specified in the funding table in section 3002, the Secretary of the
14 Air Force may improve existing military family housing units in an amount not to exceed
15 \$53,584,000.

16 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
18 appropriated for fiscal years beginning after September 30, 2019, for military construction, land

1 acquisition, and military family housing functions of the Department of the Air Force, as
2 specified in the funding table in section 3002.

3 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
4 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
5 authorized by law, the total cost of all projects carried out under section 2301 of this Act may not
6 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
7 funding table in section 3002.

8 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
9 **YEAR 2015 PROJECT.**

10 In the case of the authorization contained in the table in section 2301(b) of the Military
11 Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128
12 Stat. 3679) for Royal Air Force Croughton, for JIAC Consolidation Phase 1, the location shall
13 be Royal Air Force Molesworth.

14 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
15 **YEAR 2016 PROJECT.**

16 In the case of the authorization contained in the table in section 2301(b) of the Military
17 Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129
18 Stat. 1153), as modified by section 2305 of the Military Construction Authorization Act for
19 Fiscal Year 2019 (division B of Public Law 115-232; 132 Stat. xxxx) for an unspecified
20 location in the United Kingdom, for JIAC Consolidation Phase 2, the Secretary of the Air Force
21 may construct a 5,152 square meter Intelligence Analytic Center, a 5,234 square meter
22 Intelligence Fusion Center, and a 807 square meter Battlefield Information Collection and
23 Exploitation System Center at Royal Air Force Molesworth, United Kingdom.

1 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
2 **YEAR 2017 PROJECT.**

3 In the case of the authorization contained in the table in section 2301(b) of the Military
4 Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130
5 Stat. 2697), as modified by section 2305 of the Military Construction Authorization Act for
6 Fiscal Year 2019 (division B of Public Law 115-232; 132 Stat. xxxx) for an unspecified
7 location in the United Kingdom, for JIAC Consolidation Phase 3, the Secretary of the Air Force
8 may construct a 1,562 square meter Regional Joint Intelligence Training Facility and a 4,495
9 square meter Combatant Command Intelligence Facility at Royal Air Force Molesworth, United
10 Kingdom.

11 **SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
12 **YEAR 2018 PROJECTS.**

13 (a) JOINT BASE SAN ANTONIO.—In the case of the authorization contained in the table in
14 section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2018 (division B
15 of Public Law 115-91; 131 Stat. 1826) for Joint Base San Antonio, Texas, for construction of a
16 Dining and Classroom Facility, the Secretary of the Air Force may construct a 750 square meter
17 equipment building.

18 (b) JOINT BASE SAN ANTONIO-LACKLAND.—In the case of the authorization contained in
19 table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2018
20 (division B of Public Law 115-91; 131 Stat. 1825) for Joint Base San Antonio-Lackland, Texas,
21 for construction of an Air Traffic Control Tower, the Secretary of the Air Force may construct a
22 636 square meter air traffic control tower.

1 (c) INCIRLIK AIR BASE.—In the case of the authorization contained in the table in section
2 2903 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public
3 Law 115-91; 131 Stat. 1876) for Incirlik Air Base, Turkey, for Relocating Main Base Main
4 Access Control Point, the Secretary of the Air Force may construct a 176 square meter
5 pedestrian search building.

6 (d) RYGGE AIR STATION.—In the case of the authorization contained in the table in
7 section 2903 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of
8 Public Law 115–91; 131 Stat. 1876) for Rygge Air Station, Norway, for Repair and Expand
9 Quick Reaction Alert Pad, the Secretary of the Air Force may construct 1,327 square meters of
10 Aircraft Shelter and a 404 square meter fire protection support building.

11 **SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**
12 **YEAR 2019 PROJECTS.**

13 (a) HANSCOM AIR FORCE BASE.—In the case of the authorization contained in the table
14 in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2019 (division
15 B of Public Law 115-232; 132 Stat. xxxx) for Hanscom Air Force Base, Massachusetts, for the
16 construction of a semi-conductor/microelectronics lab facility, the Secretary of the Air Force
17 may construct a 1,000 kilowatt stand-by generator.

18 (b) ROYAL AIR FORCE LAKENHEATH.—In the case of the authorization contained in the
19 table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2019
20 (division B of Public Law 115-232; 132 Stat. xxxx) for Royal Air Force Lakenheath, United
21 Kingdom, for the construction of an F-35 Dormitory, the Secretary of the Air Force may
22 construct a 5,900 square meter dormitory.

23 **TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

1 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND**
2 **ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
4 authorization of appropriations in section 2403(a) and available for military construction projects
5 inside the United States as specified in the funding table in section 3002, the Secretary of
6 Defense may acquire real property and carry out military construction projects for the
7 installations or locations inside the United States, and in the amounts, set forth in the following
8 table:

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

9 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the
10 authorization of appropriations in section 2403(a) and available for military construction projects

1 outside the United States as specified in the funding table in section 3002, the Secretary of
 2 Defense may acquire real property and carry out military construction projects for the
 3 installations or locations outside the United States, and in the amounts, set forth in the following
 4 table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Geilenkirchen Air Base	\$30,479,000
Guam	Joint Region Marianas	\$19,200,000
Japan	Yokota Air Base	\$136,411,000
Worldwide Classified	Classified Location	\$52,000,000

5 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.**

6 Using amounts appropriated pursuant to the authorization of appropriations in section
 7 2403(a) and available for energy conservation projects as specified in the funding table in section
 8 3002, the Secretary of Defense may carry out energy conservation projects under chapter 173 of
 9 title 10, United States Code, in the amount set forth in the table.

10 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
 12 appropriated for fiscal years beginning after September 30, 2019, for military construction, land
 13 acquisition, and military family housing functions of the Department of Defense (other than the
 14 military departments), as specified in the funding table in section 3002.

15 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost
 16 variations authorized by section 2853 of title 10, United States Code, and any other cost variation
 17 authorized by law, the total cost of all projects carried out under section 2401 of this Act may not
 18 exceed the total amount authorized to be appropriated under subsection (a), as specified in the
 19 funding table in section 3002.

20 **TITLE XXV—INTERNATIONAL PROGRAMS**

1 Pursuant to agreement with the Republic of Korea for required in-kind contributions, the
 2 Secretary of Defense may accept military construction projects for the installations or locations,
 3 set forth in the following table:

Republic of Korea Funded Construction Projects

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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

7 Using amounts appropriated pursuant to the authorization of appropriations in section
 8 2606 and available for the National Guard and Reserve as specified in the funding table in
 9 section 3002, the Secretary of the Army may acquire real property and carry out military
 10 construction projects for the Army National Guard locations inside the United States, and in the
 11 amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alabama	Foley	\$12,000,000
California	Camp Roberts	\$12,000,000
Idaho	Orchard Training Area	\$29,000,000

Maryland	Havre De Grace	\$12,000,000
Massachusetts	Camp Edwards	\$9,700,000
Minnesota	New Ulm	\$11,200,000
Mississippi	Camp Shelby	\$8,100,000
Missouri	Springfield	\$12,000,000
Nebraska	Bellevue	\$29,000,000
New Hampshire	Concord	\$5,950,000
Pennsylvania	Moon Township	\$23,000,000
Washington	Richland	\$11,400,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND**
2 **ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the authorization of appropriations in section
4 2606 and available for the National Guard and Reserve as specified in the funding table in
5 section 3002, the Secretary of the Army may acquire real property and carry out military
6 construction projects for the Army Reserve locations inside the United States, and in the
7 amounts, set forth in the following table:

Army Reserve		
State	Location	Amount
Delaware	Dover Air Force Base	\$21,000,000
Wisconsin	Fort McCoy	\$25,000,000

8 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE**
9 **CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

10 Using amounts appropriated pursuant to the authorization of appropriations in section
11 2606 and available for the National Guard and Reserve as specified in the funding table in
12 section 3002, the Secretary of the Navy may acquire real property and carry out military
13 construction projects for the Navy Reserve and Marine Corps Reserve locations inside the
14 United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve		
State	Location	Amount

Louisiana	New Orleans	\$25,260,000
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1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND**
2 **ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the authorization of appropriations in section
4 2606 and available for the National Guard and Reserve as specified in the funding table in
5 section 3002, the Secretary of the Air Force may acquire real property and carry out military
6 construction projects for the Air National Guard locations inside the United States, and in the
7 amounts, set forth in the following table:

Air National Guard		
State	Location	Amount
Georgia	Savannah/Hilton Head International Airport	\$24,000,000
Missouri	Rosecrans Memorial Airport	\$9,500,000
Wisconsin	Truax Field	\$34,000,000

8 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND**
9 **ACQUISITION PROJECTS.**

10 Using amounts appropriated pursuant to the authorization of appropriations in section
11 2606 and available for the National Guard and Reserve as specified in the funding table in
12 section 3002, the Secretary of the Air Force may acquire real property and carry out military
13 construction projects for the Air Force Reserve locations inside the United States, and in the
14 amounts, set forth in the following table:

Air Force Reserve		
State	Location	Amount
Georgia	Robins Air Force Base	\$43,000,000

15 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND**
16 **RESERVE.**

17 Funds are hereby authorized to be appropriated for fiscal years beginning after September

1 30, 2019, for the costs of acquisition, architectural and engineering services, and construction of
2 facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of
3 title 10, United States Code (including the cost of acquisition of land for those facilities), as
4 specified in the funding table in section 3002.

5 **TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

6 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT**

7 **AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF**
8 **DEFENSE BASE CLOSURE ACCOUNT.**

9 Funds are hereby authorized to be appropriated for fiscal years beginning after September
10 30, 2019, for base realignment and closure activities, including real property acquisition and
11 military construction projects, as authorized by the Defense Base Closure and Realignment Act
12 of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through
13 the Department of Defense Base Closure Account established by section 2906 of such Act (as
14 amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013
15 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section
16 3002.

17 **TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY**
18 **CONSTRUCTION**

19 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION**
20 **PROJECTS.**

21 The Secretary of the Army may acquire real property and carry out the military
22 construction projects for the installations outside the United States, and in the amounts, set forth
23 in the following table:

Army: Outside the United States

Country	Installation	Amount
Cuba	Guantanamo Bay	\$122,300,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$42,200,000

1 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION**
2 **PROJECTS.**

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

Navy: Outside the United States

Country	Installation	Amount
Spain	Rota	\$69,570,000

6 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION**
7 **PROJECTS.**

8 The Secretary of the Air Force may acquire real property and carry out the military
9 construction projects for the installations outside the United States, and in the amounts, set forth
10 in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Iceland	Keflavik	\$57,000,000
Spain	Moron	\$8,500,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$175,000,000

11 **SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND**
12 **ACQUISITION PROJECTS.**

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

Defense Agencies: Outside the United States

Country	Installation	Amount
Germany	Gemersheim	\$46,000,000

1 **SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

2 Funds are hereby authorized to be appropriated for fiscal years beginning after September
3 30, 2019, for the military construction projects outside the United States authorized by this title
4 as specified in the funding table in section 3003.

5 **TITLE XXX—MILITARY CONSTRUCTION FUNDING**

6 **SEC. 3001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

7 (a) IN GENERAL.—Whenever a funding table in this title specifies a dollar amount
8 authorized for a project, program, or activity, the obligation and expenditure of the specified
9 dollar amount for the project, program, or activity is hereby authorized, subject to the availability
10 of appropriations.

11 (b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or
12 to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

13 (1) be based on merit-based selection procedures in accordance with the
14 requirements of sections 2304(k) and 2374 of title 10, United States Code, or on
15 competitive procedures; and

16 (2) comply with other applicable provisions of law.

17 (c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified
18 in the funding tables in this title may be transferred or reprogrammed under a transfer or
19 reprogramming authority provided by another provision of this Act or by other law. The transfer
20 or reprogramming of an amount specified in such funding tables shall not count against a ceiling
21 on such transfers or reprogrammings under any other provision of this Act or any other provision

1 of law, unless such transfer or reprogramming would move funds between appropriation
 2 accounts.

3 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex
 4 that accompanies this Act.

5 (e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication
 6 concerning any amount specified in the funding tables in this division shall supersede the
 7 requirements of this section.

8 **SEC. 3002. MILITARY CONSTRUCTION TABLE.**

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
	Alabama		
Army	Redstone Arsenal	Aircraft and Flight Equipment Building	38,000
	Colorado		
Army	Fort Carson	Company Operations Facility	71,000
	Georgia		
Army	Fort Gordon	Cyber Instructional Fac (Admin/Command)	107,000
Army	Hunter Army Airfield	Aircraft Maintenance Hangar	62,000
	Hawaii		
Army	Fort Shafter	Command and Control Facility, Incr 5	60,000
	Honduras		
Army	Soto Cano AB	Aircraft Maintenance Hangar	34,000
	Kentucky		
Army	Fort Campbell	Automated Infantry Platoon Battle Course	7,100
Army	Fort Campbell	Easements	3,200
Army	Fort Campbell	General Purpose Maintenance Shop	51,000
	Massachusetts		
Army	Soldier Systems Center Natick	Human Engineering Lab	50,000
	Michigan		
Army	Detroit Arsenal	Substation	24,000
	New York		

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Army	Fort Drum North Carolina	Unmanned Aerial Vehicle Hangar	23,000
Army	Fort Bragg Oklahoma	Dining Facility	12,500
Army	Fort Sill Pennsylvania	Adv Individual Training Barracks Cplx, Ph2	73,000
Army	Carlisle Barracks South Carolina	General Instruction Building	98,000
Army	Fort Jackson Texas	Reception Complex, Ph2	54,000
Army	Corpus Christi Army Depot	Powertrain Facility (Machine Shop)	86,000
Army	Fort Hood Virginia	Barracks	32,000
Army	Fort Belvoir	Secure Operations and Admin Facility	60,000
Army	Joint Base Langley-Eustis Washington	Adv Individual Training Barracks Cplx, Ph4	55,000
Army	Joint Base Lewis-McChord Worldwide Unspecified	Information Systems Facility	46,000
Army	Unspecified Worldwide Locations	Host Nation Support	31,000
Army	Unspecified Worldwide Locations	Planning and Design	94,099
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	70,600
Army	Unspecified Worldwide Locations	Unspecified Worldwide Construction	211,000
Total Military Construction, Army			1,453,499
	Arizona		
Navy	Yuma Bahrain Island	Hangar 95 Renovation & Addition	90,160
Navy	SW Asia California	Electrical System Upgrade	53,360
Navy	Camp Pendleton	62 Area Mess Hall and Consolidated Warehouse	71,700
Navy	Camp Pendleton	I MEF Consolidated Information Center	113,869
Navy	China Lake	Runway & Taxiway Extension	64,500
Navy	Coronado	Navy V-22 Hangar	86,830
Navy	San Diego	Pier 8 Replacement (INC)	59,353
Navy	Seal Beach	Ammunition Pier	95,310
Navy	Travis AFB	Alert Force Complex	64,000

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
	Connecticut		
Navy	New London	SSN Berthing Pier 32	72,260
	District of Columbia		
Navy	Naval Observatory	Master Time Clocks & Operations Fac (INC)	75,600
	Florida		
Navy	Jacksonville	Targeting & Surveillance Syst Prod Supp Fac	32,420
	Guam		
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H	164,100
Navy	Joint Region Marianas	EOD Compound Facilities	61,900
Navy	Joint Region Marianas	Machine Gun Range (INC)	91,287
	Hawaii		
Navy	Kaneohe Bay	Bachelor Enlisted Quarters	134,050
Navy	West Loch	Magazine Consolidation, Phase 1	53,790
	Italy		
Navy	Sigonella	Communications Station	77,400
	Japan		
Navy	Iwakuni	VTOL Pad - South	15,870
Navy	Yokosuka	Pier 5 (Berths 2 and 3)	174,692
	North Carolina		
Navy	Camp Lejeune	10th Marines HIMARS Complex 2nd MARDIV/2nd MLG Ops Center Replacement	35,110
Navy	Camp Lejeune	2nd Radio BN Complex, Phase 2 (INC)	60,130
Navy	Camp Lejeune	ACV-AAV Maintenance Facility Upgrades	25,650
Navy	Camp Lejeune	II MEF Operations Center Replacement	11,570
Navy	Camp Lejeune	II MEF Operations Center Replacement	122,200
Navy	Cherry Point Marine Corps Air Station	Aircraft Maintenance Hangar (INC)	73,970
Navy	Cherry Point Marine Corps Air Station	ATC Tower & Airfield Operations	61,340
Navy	Cherry Point Marine Corps Air Station	F-35 Training and Simulator Facility	53,230
Navy	Cherry Point Marine Corps Air Station	Flightline Utility Modernization (INC)	51,860
Navy	New River	CH-53K Cargo Loading Trainer	11,320
	Utah		
Navy	Hill AFB	D5 Missile Motor Receipt/Storage Fac (INC)	50,520
	Virginia		
Navy	Norfolk	Mariner Skills Training Center	79,100

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Navy	Portsmouth	Dry Dock Flood Protection	48,930
Navy	Norfolk	Maine Skills Training Center	
Navy	Quantico	Wargaming Center	143,350
	Washington		
Navy	Bremerton	Dry Dock 4 & Pier 3 Modernization	51,010
Navy	Keyport	Undersea Vehicle Maintenance Facility	25,050
	Worldwide Unspecified		
Navy	Unspecified Worldwide Locations	Planning and Design	167,715
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	81,237
Total Military Construction, Navy			2,805,743
	Alaska		
AF	Eielson AFB	F-35 AME Storage Facility	8,600
	Arkansas		
AF	Little Rock AFB	C-130H/J Fuselage Trainer Facility	47,000
	Australia		
AF	Tindal	APR - RAAF Tindal/Earth Covered Magazine	11,600
AF	Tindal	APR-RAAF Tindal/Bulk Storage Tanks	59,000
	California		
AF	Travis AFB	KC-46A Alter B181/B185/B187 Squad Ops/AMU	6,600
AF	Travis AFB	KC-46A Regional Maintenance Training Facility	19,500
	Colorado		
AF	Schriever AFB	Consolidated Space Operations Facility	148,000
	Cyprus		
AF	RAF Akrotiri	New Dormitory for 1 ERS	27,000
	Guam		
AF	Joint Region Marianas	Munitions Storage Igloos III	65,000
	Illinois		
AF	Scott AFB	Joint Operations & Mission Planning Center	100,000
	Japan		
AF	Yokota AB	Fuel Receipt & Distribution Upgrade	12,400
	Jordan		
AF	Azraq	Air Traffic Control Tower	24,000
AF	Azraq	Munitions Storage Area	42,000
	Mariana Islands		
AF	Tinian	Airfield Development Phase 1	109,000
AF	Tinian	Fuel Tanks w/ Pipeline/Hydrant System	109,000

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
AF	Tinian	Parking Apron	98,000
	Maryland		
AF	Joint Base Andrews	Presidential Aircraft Recap Complex Inc 3	86,000
	Massachusetts		
AF	Hanscom AFB	MIT-Lincoln Lab (West Lab CSL/MIF) Inc 2	135,000
	Montana		
AF	Malmstrom AFB	Weapons Storage and Maintenance Facility	235,000
	Nevada		
AF	Nellis AFB	365th ISR Group Facility	57,000
AF	Nellis AFB	F-35A Munitions Assembly Conveyor Facility	8,200
	New Mexico		
AF	Kirtland AFB	Combat Rescue Helicopter Simulator (CRH) ADAL	15,500
AF	Kirtland AFB	UH-1 Replacement Facility	22,400
	North Dakota		
AF	Minot AFB	Helo/TRFOps/AMU Facility	5,500
	Ohio		
AF	Wright-Patterson AFB	ADAL Intelligence Prod. Complex (NASIC) Inc 2	120,900
	Texas		
AF	Joint Base San Antonio	Aquatics Tank	69,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8	110,000
AF	Joint Base San Antonio	T-XA DAL Ground Based Trng Sys (GBTS) Sim	9,300
AF	Joint Base San Antonio	T-XXM Trng Sys Centralized Trng Fac	19,000
	United Kingdom		
AF	Royal Air Force Lakenheath	F-35A PGM Facility	14,300
	Utah		
AF	Hill AFB	GBSD Mission Integration Facility	108,000
AF	Hill AFB	Joint Advanced Tactical Missile Storage Fac	6,500
	Washington		
AF	Fairchild AFB	Consolidated TFI Base Operations	31,000
	Worldwide Unspecified		
AF	Various Worldwide Locations	Planning and Design	142,148
AF	Various Worldwide Locations	Unspecified Minor Construction	79,682
	Wyoming		
AF	F. E. Warren AFB	Consolidated Helo/TRF Ops/AMU and Alert Fac	18,100

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Total Military Construction, Air Force			2,179,230
California			
Def - Wide	Beale AFB	Hydrant Fuel System Replacement	33,700
Def - Wide	Camp Pendleton	Ambul Care Center/Dental Clinic Replacement	17,700
CONUS Classified			
Def - Wide	Classified Location	Battalion Complex, Ph 3	82,200
Florida			
Def - Wide	Eglin AFB	SOF Combined Squadron Ops Facility	16,500
Def - Wide	Hurlburt Field	SOF AMU & Weapons Hangar	72,923
Def - Wide	Hurlburt Field	SOF Combined Squadron Operations Facility	16,513
Def - Wide	Hurlburt Field	SOF Maintenance Training Facility	18,950
Def - Wide	Key West	SOF Watercraft Maintenance Facility	16,000
Germany			
Def - Wide	Geilenkirchen AB	Ambulatory Care Center/Dental Clinic	30,479
Guam			
Def - Wide	Joint Region Marianas	Xray Wharf Refueling Facility	19,200
Hawaii			
Def - Wide	Joint Base Pearl Harbor-Hickam	SOF Undersea Operational Training Facility	67,700
Japan			
Def - Wide	Yokosuka	Kinnick High School Inc 2	130,386
Def - Wide	Yokota AB	Bulk Storage Tanks PH1	116,305
Def - Wide	Yokota AB	Pacific East District Superintendent's Office	20,106
Maryland			
Def - Wide	Bethesda Naval Hospital	MEDCEN Addition/Altertion Incr 3	96,900
Def - Wide	Fort Detrick	Medical Research Acquisition Building	27,846
Def - Wide	Fort Meade	NSAW Recapitalize Building #3 Inc 2	426,000
Mississippi			
Def - Wide	Columbus AFB	Fuel Facilities Replacement	16,800
Missouri			
Def - Wide	Fort Leonard Wood	Hospital Replacement Incr 2	50,000
Def - Wide	St Louis	Next NGA West (N2W) Complex Phase 2 Inc. 2	218,800
North Carolina			
Def - Wide	Camp Lejeune	SOF Marine Raider Regiment HQ	13,400
Def - Wide	Fort Bragg	SOF Assessment and Selection Training Complex	12,103
Def - Wide	Fort Bragg	SOF Human Platform-Force Generation Facility	43,000

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Def - Wide	Fort Bragg Oklahoma	SOF Operations Support Bldg	29,000
Def - Wide	Tulsa IAP Rhode Island	Fuels Storage Complex	18,900
Def - Wide	Quonset State Airport South Carolina	Fuels Storage Complex Replacement	11,600
Def - Wide	Joint Base Charleston South Dakota	Medical Consolidated Storage & Distrib Center	33,300
Def - Wide	Ellsworth AFB Virginia	Hydrant Fuel System Replacement	24,800
Def - Wide	Dam Neck	SOF Demolition Training Compound Expansion	12,770
Def - Wide	Def Distribution Depot Richmond Joint Expeditionary Base Little Creek - Story	Operations Center Phase 2	98,800
Def - Wide	Joint Expeditionary Base Little Creek - Story	SOF NSWG-10 Operations Support Facility	32,600
Def - Wide	Creek - Story	SOF NSWG2 JSOTF Ops Training Facility	13,004
Def - Wide	Pentagon	Backup Generator	8,670
Def - Wide	Pentagon Washington	Control Tower & Fire Day Station	20,132
Def - Wide	Joint Base Lewis-McChord Wisconsin	SOF 22 STS Operations Facility	47,700
Def - Wide	Gen Mitchell IAP Worldwide Classified	POL Facilities Replacement	25,900
Def - Wide	Classified Location Worldwide Unspecified	Mission Support Compound	52,000
Def - Wide	Unspecified Worldwide Locations	Contingency Construction	10,000
Def - Wide	Unspecified Worldwide Locations	ERICP	150,000
Def - Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction, TJS Unspecified Minor Construction, Defense Level Activities	11,770
Def - Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DODEA	3,000
Def - Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DODEA	8,000
Def - Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, MDA	10,000
Def - Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, NSA	3,228
Def - Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, SOCOM	31,464
Def - Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, WHS	4,950
Def - Wide	Unspecified Worldwide Locations	ERCIP Design	10,000
Def - Wide	Unspecified Worldwide Locations	Planning and Design, Defense Level Activities	14,400

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Def - Wide	Unspecified Worldwide Locations	Planning and Design, DODEA	29,679
Def - Wide	Unspecified Worldwide Locations	Planning and Design, MDA	35,472
Def - Wide	Unspecified Worldwide Locations	Planning and Design, NSA	15,000
Def - Wide	Unspecified Worldwide Locations	Planning and Design, WHS	4,890
Def - Wide	Various Worldwide Locations	Unspecified Minor Construction, DHA	10,000
Def - Wide	Various Worldwide Locations	Unspecified Minor Construction, DLA	16,736
Def - Wide	Various Worldwide Locations	Planning and Design, DHA	63,382
Def - Wide	Various Worldwide Locations	Planning and Design, DLA	27,000
Def - Wide	Various Worldwide Locations	Planning and Design, SOCOM	52,532
Total Military Construction, Defense-Wide			2,504,190
Worldwide Unspecified			
Def - Wide	Unspecified Worldwide Locations	Administrative Expenses - UHIF	500
Total Military Unaccompanied Housing Improvement Fund			500
Worldwide Unspecified			
NATO Security Investment			
Def - Wide	Program	NATO Security Investment Program	144,040
Total NATO Security Investment Program			144,040
Alabama			
Army NG	Foley	National Guard Readiness Center	12,000
California			
Army NG	Camp Roberts	Automated Multipurpose Machine Gun Range	12,000
Idaho			
Army NG	Orchard Training Area	Railroad Tracks	29,000
Maryland			
Army NG	Havre De Grace	Combined Support Maintenance Shop	12,000
Massachusetts			
Army NG	Camp Edwards	Automated Multipurpose Machine Gun Range	9,700
Minnesota			
Army NG	New Ulm	National Guard Vehicle Maintenance Shop	11,200
Mississippi			
Army NG	Camp Shelby	Automated Multipurpose Machine Gun Range	8,100
Missouri			
Army NG	Springfield	National Guard Readiness Center	12,000
Nebraska			
Army NG	Bellevue	National Guard Readiness Center	29,000
New Hampshire			

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Army NG	Concord Pennsylvania	National Guard Readiness Center	5,950
Army NG	Moon Township Washington	Combined Support Maintenance Shop	23,000
Army NG	Richland Worldwide Unspecified	National Guard Readiness Center	11,400
Army NG	Unspecified Worldwide Locations	Planning and Design	20,469
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,000
Total Military Construction, Army National Guard			210,819
	Delaware		
Army Res	Dover AFB Wisconsin	Army Reserve Center/BMA	21,000
Army Res	Fort McCoy Worldwide Unspecified	Transient Training Barracks	25,000
Army Res	Unspecified Worldwide Locations	Planning and Design	6,000
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	8,928
Total Military Construction, Army Reserve			54,955
	Louisiana		
Navy Res	New Orleans Worldwide Unspecified	Entry Control Facility Upgrades	25,260
Navy Res	Unspecified Worldwide Locations	Planning and Design	4,780
Navy Res	Unspecified Worldwide Locations	Unspecified Minor Construction	24,915
Total Military Construction, Naval Reserve			54,955
	Georgia		
Air NG	Savannah/Hilton Head IAP Missouri	Consolidated Joint Air Dominance Hangar/Shops	24,000
Air NG	Rosecrans Memorial Airport Puerto Rico	C-130 Flight Simulator Facility	9,500
Air NG	Luis Munoz-Marin IAP	Communications Facility	12,500
Air NG	Luis Munoz-Marin IAP Wisconsin	Maintenance Hangar	37,500
Air NG	Truax Field	F-35 Simulator Facility	14,000
Air NG	Truax Field Worldwide Unspecified	Fighter Alert Shelters	20,000
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	31,471

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Air NG	Various Worldwide Locations	Planning and Design	17,000
Total Military Construction, Air National Guard Total			165,971
	Georgia		
AF Res	Robins AFB	Consolidated Mission Complex Phase 3	43,000
	Worldwide Unspecified		
AF Res	Unspecified Worldwide Locations	Planning and Design	4,604
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	12,146
Total Military Construction, Air Force Reserve			59,750
	Germany		
FH Con Army	Baumholder	Family Housing Improvements	29,983
	Korea		
FH Con Army	Camp Humphreys	Family Housing New Construction Incr 4	83,167
	Pennsylvania		
FH Con Army	Tobyhanna Army Depot	Family Housing Replacement Construction	19,000
	Worldwide Unspecified		
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	9,222
Total Family Housing Construction, Army			141,372
	Worldwide Unspecified		
FH Ops Army	Unspecified Worldwide Locations	Furnishings	24,027
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	18,627
FH Ops Army	Unspecified Worldwide Locations	Leasing	128,938
FH Ops Army	Unspecified Worldwide Locations	Maintenance	81,065
FH Ops Army	Unspecified Worldwide Locations	Management	38,898
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	484
FH Ops Army	Unspecified Worldwide Locations	Services	10,156
FH Ops Army	Unspecified Worldwide Locations	Utilities	55,712
Total Family Housing Operation & Maintenance, Army			357,907
	Worldwide Unspecified		
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	41,798

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request	
FH Con	Navy	Unspecified Worldwide Locations	Planning & Design	3,863
FH Con	Navy	Unspecified Worldwide Locations	USMC DPRI/Guam PLANNING AND DESIGN	2,000
Total Family Housing Construction, Navy			47,661	
Worldwide Unspecified				
FH Ops	Navy	Unspecified Worldwide Locations	Furnishings	19,012
FH Ops	Navy	Unspecified Worldwide Locations	Housing Privatization Support	21,972
FH Ops	Navy	Unspecified Worldwide Locations	Leasing	64,126
FH Ops	Navy	Unspecified Worldwide Locations	Maintenance	82,611
FH Ops	Navy	Unspecified Worldwide Locations	Management	50,122
FH Ops	Navy	Unspecified Worldwide Locations	Miscellaneous	151
FH Ops	Navy	Unspecified Worldwide Locations	Services	16,647
FH Ops	Navy	Unspecified Worldwide Locations	Utilities	63,229
Total Family Housing Operation & Maintenance, Navy & Marine Corps			317,870	
Germany				
FH Con AF	Spangdahlem AB		Construct Deficit Military Family Housing	53,584
Worldwide Unspecified				
FH Con AF	Unspecified Worldwide Locations		Construction Improvements	46,638
FH Con AF	Unspecified Worldwide Locations		Planning & Design	3,409
Total Family Housing Construction, Air Force			103,631	
Worldwide Unspecified				
FH Ops AF	Unspecified Worldwide Locations		Furnishings	30,283
FH Ops AF	Unspecified Worldwide Locations		Housing Privatization	22,593
FH Ops AF	Unspecified Worldwide Locations		Leasing	15,768
FH Ops AF	Unspecified Worldwide Locations		Maintenance	117,704
FH Ops AF	Unspecified Worldwide Locations		Management	56,022
FH Ops AF	Unspecified Worldwide Locations		Miscellaneous	2,144
FH Ops AF	Unspecified Worldwide Locations		Services	7,770
FH Ops AF	Unspecified Worldwide Locations		Utilities	42,732
Total Family Housing Operations & Maintenance, Air Force			295,016	
Worldwide Unspecified				

SEC. 3002. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
FH Ops DW	Unspecified Worldwide Locations	Furnishings	727
FH Ops DW	Unspecified Worldwide Locations	Leasing	52,128
FH Ops DW	Unspecified Worldwide Locations	Maintenance	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,113
Total Family Housing Operations & Maintenance, Defense-Wide			57,000
Worldwide Unspecified			
FH IF DW	Unspecified Worldwide Locations	Administrative Expenses - FHIF	3,045
Total Family Housing Improvement Fund, Defense-Wide			3,045
Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	Base Realignment & Closure, Army	66,111
BRAC	Unspecified Worldwide Locations	Base Realignment & Closure, Navy	158,349
BRAC	Unspecified Worldwide Locations	DoD BRAC Activities - Air Force	54,066
Total Base Realignment and Closure Account			278,526

1 **SEC. 3003. MILITARY CONSTRUCTION TABLE FOR OVERSEAS CONTINGENCY**
2 **OPERATIONS.**

SEC. 3003. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Cuba			
Army	Guantanamo Bay Naval Station	OCO: Communications Facility	22,000
Army	Guantanamo Bay Naval Station	OCO: Detention Legal Office and Comms Ctr	11,800
Army	Guantanamo Bay Naval Station	OCO: High Value Detention Facility	88,500
Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI/OCO Planning and Design	19,498
Army	Unspecified Worldwide Locations	EDI: Bulk Fuel Storage	36,000
Army	Unspecified Worldwide Locations	EDI: Information Systems Facility	6,200
Army	Unspecified Worldwide Locations	EDI: Minor Construction	5,220
Total Military Construction, Army			189,218
Spain			
Navy	Rota	EDI: In-Transit Munitions Facility	9,960

**SEC. 3003. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
Navy	Rota	EDI: Joint Mobility Center	46,840
Navy	Rota	EDI: Small Craft Berthing Facility	12,770
	Worldwide Unspecified		
Navy	Unspecified Worldwide Locations	Planning and Design	25,000
Total Military Construction, Navy			94,570
	Iceland		
AF	Keflavik	EDI-Airfield Upgrades - Dangerous Cargo PAD	18,000
AF	Keflavik	EDI-Beddown Site Prep	7,000
AF	Keflavik	EDI-Expand Parking Apron	32,000
	Spain		
AF	Moron	EDI-Hot Cargo Pad	8,500
	Worldwide Unspecified		
AF	Unspecified Worldwide Locations	EDI-ECAOS DABS/FEV EMEDS Storage	107,000
AF	Unspecified Worldwide Locations	EDI-Hot Cargo Pad	29,000
AF	Unspecified Worldwide Locations	EDI-MUNITIONS STORAGE AREA	39,000
AF	Various Worldwide Locations	EDI-Planning and Design	61,438
AF	Various Worldwide Locations	EDI-Minor Construction	12,800
Total Military Construction, Air Force			314,738
	Germany		
Def - Wide	Gemersheim	EDI: Logistics Distribution Center Annex	46,000
Total Military Construction, Defense-Wide			46,000
Total Military Construction For Overseas Contingency Operations			644,526

1 SEC. 3004. MILITARY CONSTRUCTION TABLE FOR EMERGENCY FUNDING.

**SEC. 3004. MILITARY CONSTRUCTION FOR EMERGENCY FUNDING
(In Thousands of Dollars)**

Account	State/Country and Installation	Project Title	FY 2020 Budget Request
	Worldwide Unspecified		
Army	Unspecified Worldwide Locations	Unspecified Worldwide Construction	9,200,000
Total Emergency Military Construction, Army			9,200,000

1 **SEC. ____. CODIFICATION AND PERMANENT EXTENSION OF GOVERNMENT**
2 **LODGING PROGRAM.**

3 (a) CODIFICATION.—Subchapter II of chapter 8 of title 37, United States Code, is
4 amended by inserting after section 464 a new section 465 consisting of—

5 (1) a heading as follows:

6 **“§465. Authority to require the occupation of quarters on a rental basis while performing**
7 **official travel”**; and

8 (2) a text consisting of the text of subsections (a) and (c) of section 914 of the
9 Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for
10 Fiscal Year 2015 (5 U.S.C. 5911 note).

11 (b) CONFORMING AMENDMENTS.—

12 (1) IN GENERAL.—Section 465 of title 37, United States Code, as inserted by
13 subsection (a) of this section, is amended—

14 (A) in subsection (a)—

15 (i) by striking “, United States Code”; and

16 (ii) by striking “, for the period of time described in subsection (b),”;

17 (B) by redesignating subsection (c) as subsection (b); and

18 (C) in subsection (b) (as so redesignated) by striking “, United States
19 Code”.

20 (2) TABLE OF SECTIONS.—The table of sections at the beginning of such
21 chapter is amended by inserting after the item relating to section 464 the following
22 new item:

“465. Authority to require the occupation of quarters on a rental basis while performing official travel.”.

1 (3) REPEAL OF PILOT PROGRAM.—Section 914 of the Carl Levin and Howard
2 P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (5
3 U.S.C. 5911 note) is repealed.

[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would authorize the Secretary of Defense to continue to carry out a Government lodging pilot program on a permanent basis. Section 914 (“Pilot Program to Establish a Government Lodging Program”) of the Fiscal Year (FY) 2015 National Defense Authorization Act (NDAA) provided the Secretary of Defense with temporary authority to establish and carry out a Government lodging program to provide Government or commercial lodging for employees of the Department of Defense (DoD) or members of the uniformed services under the Secretary’s jurisdiction performing duty on official travel and to require such travelers to occupy adequate quarters on a rental basis when available. This authority expires on December 31, 2019. Under this authority, three categories of lodging programs are currently being operated: DoD Lodging (Government), Public-Private Venture (PPV) lodging, and commercial lodging (DoD Preferred). As part of an integrated approach, the Defense Travel System (DTS) was reprogrammed at a cost of \$2.6M with new business rules and functionality to route travelers to the correct category of lodging, provide pre-audits as required, and limit reimbursement to what the Government would have paid when lodging was available, but a traveler chose a more expensive option without an authorized exception. Note that suspension of this authority will require DTS to be reprogrammed again. As a precondition to directing use, the lodging must be determined to meet quality standards described as “adequate” in this statute. This provision was exempted from collective bargaining under title 5, U.S. Code.

As background, section 5911(e) of title 5, U.S. Code, precludes the military services from requiring either civilian employees or uniformed members to stay in Government quarters on a rental basis unless the agency head determines the necessary service cannot be rendered or that property of the Government cannot otherwise be adequately protected. Subsequently, in 1965, a narrow COMP GEN ruling (i.e., B-156187, Apr 15, 1965, 44 Comp Gen 626) opined that this statute did not apply to uniformed members occupying public quarters (i.e., Government) for free even if a “nominal service charge to cover linen and housekeeping services” was assessed.

As the law stands today, a civilian employee cannot be directed to occupy Government quarters unless the agency head makes the requisite determination on a case-by case basis. This same statute prohibits requiring both civilian employees and uniformed members to occupy leased quarters (e.g., commercial lodging) on a rental basis. This is problematic for the Services in that Government quarters offer reasonable accommodations below costs of commercial quarters, and would severely hamper the Department’s ability to “...expand and leverage the Government’s purchasing power for commercial lodging to reduce travel costs associated with

hotels...” as directed in OMB Memorandum M-12-12 “Promoting Efficient Spending to Support Agency Operations,” May 11, 2012.

This proposal supports DoD’s efforts to both promote efficiencies and fulfill responsibilities for each traveler’s “duty of care”. OMB M-12-12 also directed all federal agencies to spend in FY 2013 at least 30% less on travel expenses covered by the memorandum than they spent in FY 2010 and to maintain a reduced level of spending each year through FY 2016. Specifically, DoD and the General Services Administration (GSA), in consultation with OMB, were to review the Joint Federal Travel Regulations (JFTR), since consolidated into DoD’s Joint Travel Regulations (JTR), and the Federal Travel Regulation (FTR) to ensure the policies reduce travel costs without impairing the effective accomplishment of agency missions. The directed use of lodging programs, which is currently done for air travel, is essential to DoD reducing its lodging expenses. DoD estimates savings to be over \$2.3 billion and is a key element of DoD’s implementation of the direction provided by the OMB. A key component of ensuring “duty of care” for the Department’s travelers is the establishment of quality standards, which include: 1) traveler safety and security (e.g., fire safety, security monitoring), 2) quality traveler accommodations (e.g., industry quality ratings), 3) traveler financial protections (e.g., no cancellation fee, no early departure fee), and 4) traveler conveniences (e.g., bookable online, includes no cost amenities). Additionally, the Travel Assistance Center collects and processes customer’s concerns for resolution and a customer survey collects data on customer satisfaction. Both tools are used to monitor travelers’ concerns and prioritize enhancements. Survey results demonstrate high satisfaction rates among travelers.

In addition to cost avoidance, this proposal would bring numerous other benefits to DoD, including offering greater security to DoD travelers. Approved lodging will be more secure (e.g., internal room access, secure locks) or located on secure installations or in more secure areas. Facilities participating in the program will need to meet specific standards (e.g., compliance with the Hotel and Motel Fire Safety Act of 1990 (Public Law 101-391), be non-smoking, and include more amenities (e.g., internet, parking). Also, contacting DoD travelers in case of emergency would be more efficient. The proposal would also help DoD to follow industry best practices.

Implementation of the lodging pilot was similar to the air and rental car programs as an integrated solution. The integrated approach encompassed policy, information technology, program management, training, change management, communications, performance management, and governance. For example, the policy was documented in Department of Defense Instruction (DoDI) 5154.31 and the JTR. DTS has been modified to serve as the primary traveler interface for booking travel and includes business rules codified in the software (e.g., rental car displays list compact rates first by ascending price). The DTS Change Request (CR) was vetted through the Defense Travel Improvement Board (DTIB) and the Defense Lodging Council (DLC).

Budget Implications: As this proposal would permit the Department to continue directing civilian employees and military members to use more cost-effective quarters for official travel, it would result in significant cost avoidance for the Department based on the experience we have had with our Pilot program. The cost avoidance figures listed below were calculated by

combining the projected cost avoidance that will be achieved through commercial lodging, DoD lodging, and PPV lodging. This growth in projected cost avoidance is predicated on support for the program’s expansion to new markets/locations. For example, the Department achieved \$3.4M in total actual cost avoidance for commercial lodging in FY 2016. There were 19 commercial lodging markets in that fiscal year, which amounts to \$180,000 in cost avoidance per market. As the Department predicts there will be 60 commercial lodging sites in FY 2019, the cost avoidance projection is \$10.8M for commercial lodging in FY2020. Similarly, the Department projects \$2.5M in PPV lodging cost avoidance and \$9.9M in DoD lodging cost savings from FY 2020. Therefore, the Department projects \$23.2M in total FY 2020 cost avoidance. Additionally, indirect savings (i.e., cost avoidance) would accrue to the Department from other sources, including amenities otherwise paid as a reimbursable expense (e.g., free internet and parking), increased usage of the Government Travel Charge Card resulting in increased rebates, reduction in reimbursements for various lodging fees (e.g., late arrival or early departure), and reduction in Travel Management Company (TMC) “touch” fees. The number of personnel affected is projected by using the number of FY 2016 DTS travel vouchers paid in FY 2016 with stay end dates in FY 2016. This table projects the number of unique military and civilian travelers who could be affected by this proposal. Travelers assigned to Joint Commands are included in the DoD line. The resources reflected in the table below are funded within the FY 2020 President’s Budget.

Effect of amendment to section 465 of title 37, United States Code (authority to require the occupation of quarters on a rental basis while performing official travel): The proposed legislation would provide the Department with approximately \$23.2M in cost savings/avoidance in its first year following enactment; this cost avoidance would increase in subsequent years.

RESOURCE REQUIREMENTS (\$MILLIONS)						
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Appropriation From
Army	(\$7.0)	(\$7.9)	(\$8.9)	(\$9.9)	(\$10.0)	Operation and Maintenance, Army
Navy	(\$5.3)	(\$6.0)	(\$6.6)	(\$7.3)	(\$7.3)	Operation and Maintenance, Navy
Marine Corps	(\$1.8)	(\$2.2)	(\$2.5)	(\$2.8)	(\$2.8)	Operation and Maintenance, Marine Corps
Air Force	(\$7.5)	(\$8.5)	(\$9.5)	(\$10.5)	(\$10.6)	Operation and Maintenance, Air Force
DoD	(\$1.6)	(\$1.9)	(\$2.1)	(\$2.3)	(\$2.3)	Operation and Maintenance, Defense-Wide
Total	(\$23.2)	(\$26.5)	(\$29.6)	(\$32.8)	(\$33.0)	

NUMBER OF PERSONNEL AFFECTED					
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Army	491,100	491,100	491,100	491,100	491,100
Navy	228,727	228,727	228,727	228,727	228,727

Marine Corps	77,485	77,485	77,485	77,485	77,485
Air Force	315,558	315,558	315,558	315,558	315,558
DoD	71,433	71,433	71,433	71,433	71,433
Total	1,184,303	1,184,303	1,184,303	1,184,303	1,184,303

Changes to Existing Law: This proposal would make the following changes to existing law:

TITLE 37, UNITED STATES CODE

§465. Authority to require the occupation of quarters on a rental basis while performing official travel

(a) AUTHORITY.—Notwithstanding the provisions of section 5911 of title 5, the Secretary of Defense may establish and carry out a Government lodging program to provide Government or commercial lodging for employees of the Department of Defense or members of the uniformed services under the Secretary’s jurisdiction performing duty on official travel, and may require such travelers to occupy adequate quarters on a rental basis when available.

(b) LIMITATION.—A Government lodging program developed under the authority in subsection (a), and a requirement under subsection (a) with respect to an employee of the Department of Defense, may not be construed to be subject to a duty to negotiate under chapter 71 of title 5.

CARL LEVIN AND HOWARD P. “BUCK” MCKEON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015

SEC. 914. PILOT PROGRAM TO ESTABLISH GOVERNMENT LODGING PROGRAM.

(a) AUTHORITY.— Notwithstanding the provisions of section 5911 of title 5, United States Code, the Secretary of Defense may, for the period of time described in subsection (b), establish and carry out a Government lodging program to provide Government or commercial lodging for employees of the Department of Defense or members of the uniformed services under the Secretary’s jurisdiction performing duty on official travel, and may require such travelers to occupy adequate quarters on a rental basis when available.

(b) PROGRAM DURATION.—The authority to establish and execute a Government lodging program under this section expires on December 31, 2019.

(c) LIMITATION.—A Government lodging program developed under the authority in subsection (a), and a requirement under subsection (a) with respect to an employee of the

~~Department of Defense, may not be construed to be subject to a duty to negotiate under chapter 71 of title 5, United States Code.~~

1 **SEC. ____. LOGISTICS SUPPORT AND SERVICES FOR WEAPON SYSTEMS**

2 **CONTRACTORS.**

3 (a) **AUTHORITY.**—The Secretary of Defense may make available logistics support and
4 logistics services to a contractor, including contractors of F-35 participant nations, in support of
5 the performance by the contractor of a contract for the construction, modification, or
6 maintenance or repair of the F-35 Lightning II weapon system.

7 (b) **SUPPORT CONTRACTS.**—

8 (1) **IN GENERAL.**—Any logistics support and logistics services to be provided
9 under this section to a contractor in support of the performance of a contract described in
10 subsection (a) shall be provided under a separate contract that is entered into by the
11 Director of the Defense Logistics Agency with that contractor. The requirements of
12 section 2208(h) of title 10, United States Code, and the regulations prescribed pursuant to
13 such section shall apply to the contract between the Director of the Defense Logistics
14 Agency and the contractor.

15 (2) **LIMITATION.**—The number of contracts described in subsection (a) for which
16 the Secretary of Defense makes logistics support and logistics services available under
17 the authority of this section may not exceed 10 contracts. No contract entered into by the
18 Director of the Defense Logistics Agency under subsection (b) may be for a period in
19 excess of five years, including periods for which the contract is extended under options to
20 extend the contract.

21 (c) **SCOPE OF SUPPORT AND SERVICES.**—The logistics support and logistics services that
22 may be provided under this section in support of the performance of a contract described in
23 subsection (a) are the cataloging, storage and distribution, disposal, and supply chain

1 management, including supply and provisioning, of materiel and parts necessary for the
2 performance of that contract.

3 (d) REGULATIONS.—The Secretary shall prescribe regulations implementing this section.

4 The regulations shall include the following:

5 (1) A requirement that the solicitation of offers for a contract described in
6 subsection (a) that will be awarded by a military department or the Department of
7 Defense, for which logistics support and logistics services are to be made available under
8 this section, shall include—

9 (A) a statement that the logistics support and logistics services are to be
10 made available under the authority of this section to any contractor awarded the
11 contract, but only on a basis that does not require acceptance of the support and
12 services; and

13 (B) a description of the range of the logistics support and logistics services
14 that are to be made available to the contractor.

15 (2) A requirement for the rates charged a contractor for logistics support and
16 logistics services provided to a contractor under the authority of this section to reflect the
17 full cost to the United States of the resources used in providing the support and services,
18 including the costs of resources used, but not paid for, by the Department of Defense.

19 (3) A prohibition on the imposition of any charge on a contractor for any effort of
20 the contractor to correct a deficiency in the performance of logistics support and logistics
21 services provided to the contractor under this section.

1 (4) A requirement that logistics support and logistics services provided under the
2 authority of this section may not interfere with the mission of the Defense Logistics
3 Agency or of any military department involved with the program.

4 (e) RELATIONSHIP TO TREATY OBLIGATIONS.—The Secretary shall consult with the
5 Secretary of State to ensure that the exercise of authority under the authority of this section does
6 not conflict with any obligation of the United States under any treaty or other international
7 agreement.

8 (f) REPORTS.—

9 (1) SECRETARY OF DEFENSE.—Not later than the end of the fourth year of
10 operation of the authority under this section, the Secretary of Defense shall submit to the
11 Committees on Armed Services of the Senate and House of Representatives a report
12 describing—

13 (A) the cost effectiveness for both the Government and industry of
14 operation of the authority; and

15 (B) the effects, if any, on the performance of prime contracts being
16 supported by support contracts awarded under the authority of this section.

17 (2) COMPTROLLER GENERAL.—Not later than the end of the fifth year of operation
18 of the authority under this section, the Comptroller General of the United States shall
19 review the report of the Secretary under paragraph (1) for sufficiency and provide such
20 recommendations in a report to the Committees on Armed Services of the Senate and
21 House of Representatives as the Comptroller General considers appropriate.

1 (g) SUNSET.—The authority to enter into contracts under the authority of this section shall
2 expire six years after the date of the enactment of this Act. Any contracts entered into before
3 such date shall continue in effect according to their terms.

4 (h) F-35 PARTICIPANT NATIONS DEFINED.—In this section, the term “F-35 participant
5 nations” means each of the following:

6 (1) The United States.

7 (2) The United Kingdom.

8 (3) Italy.

9 (4) The Netherlands.

10 (5) The Republic of Turkey.

11 (6) Canada.

12 (7) Australia.

13 (8) Denmark.

14 (9) Norway.

15 (10) Any additional nations given participant nation status by the Secretary of
16 Defense with the concurrence of the Secretary of State.

Section-by-Section Analysis

This proposal would establish policy allowing the F-35 Program’s Participant Nations’ support contractors to integrate Defense Logistics Agency logistics support and logistics services capabilities into their supply chain in support of the F-35 Lightning II. F-35 Lightning II participant nations, and supporting contractors should consider utilization of existing DoD logistics capabilities when developing requirements for Performance Based Logistics programs. In addition, the proposal broadens the scope of logistics services that the Defense Logistics Agency would be authorized to provide to DoD weapon systems contractors, which is presently limited to storage and distributions services authorized pursuant to Section 883, National Defense Authorization Act for Fiscal Year 2017. This proposal is needed because the Defense Logistics Agency, which primarily operates under the authority of title 10, United States Code, section 2208, cannot provide services to entities such as F-35 Lightning II support contractors without a separate statutory authorization. This proposal provides that authorization.

Budgetary Implications: This proposal has no significant budgetary impact. Incidental costs or savings are accounted for within the Fiscal Year (FY) 2020 President's Budget.

Changes to Existing Law: This proposal would not change the text of an existing statute.

1 **SEC. ____. PARTNERSHIP INTERMEDIARY PILOT PROGRAM.**

2 (a) ESTABLISHMENT.—The Secretary of Defense may authorize the Commander of
3 United States Special Operations Command to use not more than 10 percent of the funds
4 required to be expended by the Department of Defense under section 9(f)(1) of the Small
5 Business Act (15 U.S.C. 638(f)(1)) for a pilot program to increase participation by small
6 business concerns in the development of technology-enhanced capabilities for special operations
7 forces.

8 (b) USE OF PARTNERSHIP INTERMEDIARY.—

9 (1) AUTHORIZATION.—The Commander of United States Special Operations
10 Command may enter into an agreement with a partnership intermediary to assist the
11 Commander in carrying out the pilot program under this section, including with respect to
12 the award of Small Business Innovation Research Program contracts, Small Business
13 Technology Transfer Program contracts, and other contracts and agreements to small
14 business concerns.

15 (2) USE OF FUNDS.—None of the funds referred to in subsection (a) shall be used
16 to pay a partnership intermediary for any administrative costs associated with the pilot
17 program.

18 (c) DEFINITIONS.—In this section:

19 (1) PARTNERSHIP INTERMEDIARY.—The term “partnership intermediary” has the
20 meaning given the term in section 23(c) of the Stevenson-Wydler Technology Innovation
21 Act of 1980 (15 U.S.C. 3715(c)).

22 (2) SMALL BUSINESS CONCERN.—The term “small business concern” has the
23 meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

1 (3) SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—The term “Small
2 Business Innovation Research Program” has the meaning given the term in section
3 9(e)(4) of the Small Business Act (15 U.S.C. 638(e)).

4 (4) SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.—The term “Small
5 Business Technology Transfer Program” has the meaning given the term in section
6 9(e)(5) of the Small Business Act (15 U.S.C. 638(e)).

7 (d) SUNSET.—The authority to carry out a pilot program under this section shall terminate
8 on September 30, 2022.

Section-by-Section Analysis

This proposal would add to Public Law 15 USC 638 authority to conduct a new covered pilot program authorized under 15 USC 638 (pp), United States Special Operations Command (USSOCOM) Small Business Innovation Research Program Pilot Program. The Small Business Innovation Research Program continuously searches for methods to increase participation and decrease time to award Phase I and Phase II Small Business Innovation Research/Small Business Technology Transfer (SBIR/STTR) contracts. The proposal allows use of the Partnership Intermediary Agreement (PIA) to increase participation of non-traditional small businesses in the USSOCOM Small Business Innovation Research/Small Business Technology Transfer (SBIR/STTR) Program. Under this covered PIA Pilot Program, USSOCOM intends to award up to 10% annually of allocated SBIR/STTR funds to non-traditional technology developers via a Cooperative Purchase Order (CPO) under the existing USSOCOM PIA. To implement this covered pilot program, USSOCOM will award a CPO to the PIA contractor for the purpose of awarding Phase I and Phase II SBIR/STTR efforts to qualifying small businesses as sub-awards issued by the PIA Contractor. The SBIR/STTR topic development and proposal selection will follow current USSOCOM and Office Secretary Defense Office Small Business Programs SBIR/STTR policies regarding project management oversight processes and Data Rights. Separate accounts will be maintained for disbursement of SBIR/STTR funds to qualifying small businesses, and all SBIR/STTR funds will be awarded directly to qualifying small businesses. The pilot program shall terminate at the end of fiscal year 2023.

The objectives of this legislative proposal are to increase the participation of non-traditional innovators, and the decrease the length of time required for turning a SBIR concept into a viable, fieldable prototype. This proposal leverages the “Intermediary” nature of the PIA to reduce barriers and reach these firms by using the PIA as an award vehicle to award in 5 days Non-FAR based sub-awards with SBIR/STTR Data Rights pass-down to the performer. Using the PIA will increase the participation of non-traditional developers such as entrepreneurs, makers/hackers, and start-up companies. It will also decrease the time from initial contract through delivery of fieldable prototype solution.

Current USSOCOM Phase I and Phase II SBIR/STTR contract award lead time is 90 – 180 days. Each year six to twelve SBIR/STTR eligible firms developing desired technologies decline to contract with USSOCOM. These firms cite long award lead times and complexity of FAR based contracts as some of the reasons to not pursue USSOCOM SBIR/STTR efforts.

USSOCOM's PIA is authorized under 15 U.S. C. § 3715 (c). The PIA objectives which are relevant to this legislative proposal include:

1. Enhance USSOCOM research capability with collaborative teams including world-class researchers from industry and academia that provide additional senior technical leadership and mentoring, and by increasing the return on investment in Science and Technology through leveraging the resources of collaborators.
2. Add value to USSOCOM and other Department of Defense systems planning organizations by assisting USSOCOM in creating and implementing a process for identifying new potential capabilities, in developing preliminary systems designs and analyses, by providing responsive and expert assistance in concept incubation, through the cultivation and cooperation of renowned visionaries from industry, academia, and government.
3. Expedite the transition of technology and research findings to USSOCOM and the Department of Defense.

Under existing regulations, USSOCOM is unable to take advantage of the PIA due to the following constraints:

1. SBIR/STTR law (15 USC Section 638(e)(3)) requires that all SBIR/STTR funds be awarded directly to the qualifying small business.
2. The Federal Acquisition Regulations [FAR 7.503(c)(12)(iv), FAR 1.602-1(a)] and contract law (13 CFR 121.105 (a)(1) and 15 U.S.C. (e)(4)) define contract award as an inherently government function which requires a warranted contracting officer.

The pilot proposal complies with the intent of law and policy by:

1. Providing 100% of SBIR/STTR funds to the qualifying small business.
2. Retaining government authority over all procurement decisions (proposal evaluation and selection) for the SBIR/STTR contract awards. Direction will be provided to the PIA through the agreements officer who is a warranted government contracting officer.

Current SBIR/STTR Pilot programs such as the National Institute of Health do not allow partnership intermediaries to award contracts.

Key Characteristics of the Pilot Proposal:

1. 100% of SBIR funds awarded to small business including non-traditional startups who comply with SBIR eligibility statute.

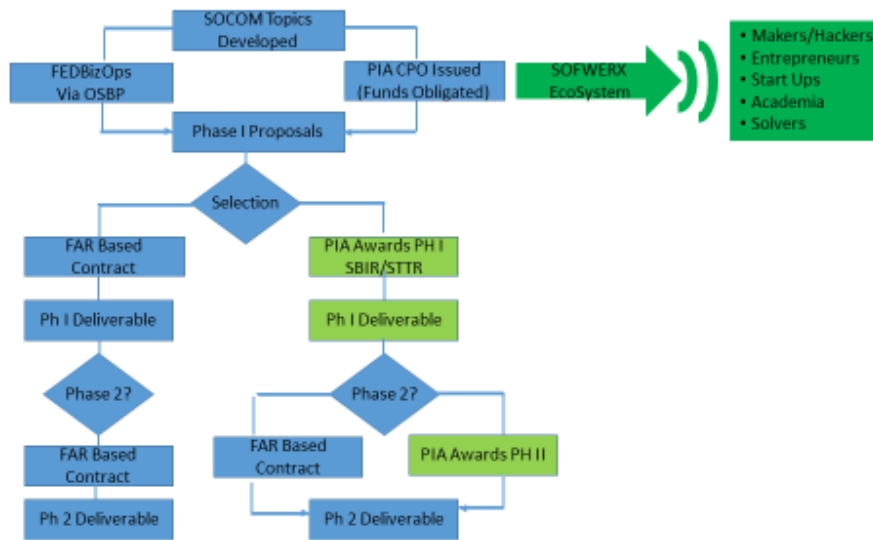
2. Replace calendar driven schedule with event driven schedule greatly reducing end-to-end fielding time.
3. Aligned with SBIR statute, and current acquisition streamlining guidance such as Section 809.

Primary objectives:

1. Diversify technology providers to include hacker/makers and startups.
2. Deliver capability at the speed of technology replacing schedule based decisions with capability based decisions.
3. Disruptive solutions to problems vs. incremental advances to existing capability.

Proposed SBIR/STTR Pilot Process

UNCLASSIFIED



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Budget Implications: The resources required are reflected in the table below and are included within the Fiscal Year (FY) 2020 President’s Budget.

RESOURCE REQUIREMENTS (\$MILLIONS)						Appropriation From
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	
SOCOM	2.0	2.0	2.0	2.0	2.0	Research, Development, Test & Evaluation, Defense-Wide
Total	2.0	2.0	2.0	2.0	2.0	--

The table above details resource requirements associated with this proposal based on up to 10% of annually allocated SBIR/STTR funds from the extramural research and development budget base to be used for PIAs. There are no additional manpower requirements associated with this pilot program.

Changes to Existing Law: None.