

SEC. 1204. INDEPENDENT EVALUATION OF STRATEGIC FRAMEWORK FOR DEPARTMENT OF DEFENSE SECURITY COOPERATION.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—*The Secretary of Defense shall enter into an agreement with a federally funded research and development center, or another appropriate independent entity, with expertise in security cooperation to conduct an evaluation of the implementation of the strategic framework for Department of Defense security cooperation, as directed by section 1202 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1036; 10 U.S.C. 113 note).*

(2) ELEMENTS.—*The evaluation under paragraph (1) shall include the following:*

(A) *An evaluation of the Department of Defense’s implementation of each of the required elements of the strategic framework.*

(B) *An evaluation of the impact of the strategic framework on Department of Defense security cooperation activities, including the extent to which such activities are being planned, prioritized, and executed in accordance with the strategic framework.*

(C) *Recommendations of areas in which additional guidance, or additional specificity within existing guidance, is necessary to achieve greater alignment between Department of Defense security cooperation activities and the strategic goals and priorities identified within the strategic framework.*

(D) *Any other matters the entity that conducts the evaluation considers appropriate.*

(b) REPORT REQUIRED.—

(1) IN GENERAL.—*Not later than November 1, 2018, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that includes the evaluation under subsection (a) and any other matters the Secretary considers appropriate.*

(2) FORM.—*The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.*

SEC. 1205. SENSE OF CONGRESS REGARDING AN ASSESSMENT, MONITORING, AND EVALUATION FRAMEWORK FOR SECURITY COOPERATION.

It is the sense of Congress that—

(1) *the Secretary of Defense should develop and maintain an assessment, monitoring, and evaluation framework for security cooperation with foreign countries to ensure accountability and foster implementation of best practices; and*

(2) *such framework—*

(A) *should be consistent with interagency approaches and existing best practices;*

(B) *should be sufficiently resourced and appropriately placed within the Department of Defense to enable the rigorous examination and measurement of security coopera-*

tion efforts towards meeting stated objectives and outcomes; and

(C) should be used to inform security cooperation planning, policies, and resource decisions as well as ensure the effectiveness and efficiency of security cooperation efforts.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) *EXTENSION.*—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1042), is further amended—

(1) in subsection (a)—

(A) by striking “During fiscal year 2016” and inserting “During the period beginning on October 1, 2016, and ending on December 31, 2018”; and

(B) by striking “in such fiscal year” and inserting “in such period”;

(2) in subsection (b), by striking “fiscal year 2016” and inserting “fiscal year 2017 and fiscal year 2018”; and

(3) in subsection (f), by striking “in fiscal year 2016” and inserting “during the period beginning on October 1, 2016, and ending on December 31, 2018”.

(b) *AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS IN AFGHANISTAN, IRAQ, AND SYRIA.*—

(1) *IN GENERAL.*—During the period beginning on October 1, 2016, and ending on December 31, 2018, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for *ex gratia* payments for damage, personal injury, or death that is incident to combat operations of the Armed Forces in Afghanistan, Iraq, or Syria.

(2) *NOTICE.*—The Secretary of Defense shall, upon each exercise of the authority in this subsection, submit to the congressional defense committees a report setting forth the following:

(A) The amount that will be used for payments pursuant to this subsection.

(B) The manner in which claims for payments shall be verified.

(C) The officers or officials who shall be authorized to approve claims for payments.

(D) The manner in which payments shall be made.

(3) *AUTHORITIES APPLICABLE TO PAYMENT.*—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

(4) *CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.*—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment pursuant to this subsection, such payment shall be deemed to be a project described by such subsection (e).

SEC. 1212. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently amended by section 1214 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by striking “December 31, 2016” and inserting “December 31, 2018”.

SEC. 1213. EXTENSION AND MODIFICATION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) *EXPIRATION.*—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as most recently amended by section 1215 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) *CONVERSION OF QUARTERLY REPORTS INTO ANNUAL REPORTS.*—Effective on January 1, 2017, subsection (f) of such section 1222, as so amended, is further amended—

(1) in the subsection heading, by striking “QUARTERLY” and inserting “ANNUAL”; and

(2) in paragraph (1)—

(A) by striking “Not later than 90 days” and all that follows through “in which the authority in subsection (a) is exercised” and inserting “Not later than March 31 of any year following a year in which the authority in subsection (a) is exercised”; and

(B) by striking “during the 90-day period ending on the date of such report” and inserting “during the preceding year”.

(c) *EXCESS DEFENSE ARTICLES.*—Subsection (i)(2) of such section 1222, as so amended, is further amended by striking “During fiscal years 2013, 2014, 2015, and 2016” each place it appears and inserting “Through December 31, 2017.”

SEC. 1214. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) *ALIENS DESCRIBED.*—Section 602(b)(2)(A)(ii)(I) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended to read as follows:

“(I)(aa) by, or on behalf of, the United States Government, in the case of an alien submitting an application for Chief of Mission approval pursuant to subparagraph (D) before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017; or

“(bb) by, or on behalf of, the United States Government, in the case of an alien submitting an application for Chief of Mission approval pursuant to subparagraph (D) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, which employment required the alien—

“(AA) to serve as an interpreter or translator for personnel of the Department of State or the United States Agency for International Development in Afghanistan, particularly while traveling away from United States embassies or consulates with such personnel;

“(BB) to serve as an interpreter or translator for United States military personnel in Afghanistan, particularly while traveling off-base with such personnel; or

“(CC) to perform sensitive and trusted activities for the United States Government in Afghanistan; or”.

(b) **NUMERICAL LIMITATIONS.**—Section 602(b)(3)(F) of such Act is amended—

(1) in the matter preceding clause (i), by striking “7,000” and inserting “8,500”; and

(2) in each of clauses (i) and (ii), by striking “December 31, 2016;” and inserting “December 31, 2020”.

(c) **REPORT.**—Section 602(b)(14) of such Act is amended—

(1) by striking “Not later than 60 days after the date of the enactment of this paragraph,” and inserting “Not later than December 31, 2016, and annually thereafter through January 31, 2021;” and

(2) in subparagraph (A)(i), by striking “under this section;” and inserting “under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);”.

SEC. 1215. MODIFICATION TO SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

(a) **REPORTS REQUIRED.**—Subsection (a)(2) of section 1225 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3550) is amended by striking “December 15, 2017” and inserting “December 15, 2019”.

(b) **MATTERS TO BE INCLUDED.**—Subsection (b) of such section is amended by adding at the end the following:

“(8) **AFGHAN PERSONNEL AND PAY SYSTEM.**—A description of the status of the implementation of the Afghan Personnel and Pay System (APPS) at the Afghan Ministry of Interior and the Afghan Ministry of Defense for personnel funds provided through the Afghanistan Security Forces Fund, including, with respect to each such Ministry—

“(A) the expected completion date for full implementation of the APPS;

“(B) the extent to which the APPS is being utilized;

“(C) an explanation of any challenges or delays affecting full implementation of the APPS;

“(D) a description of the steps taken to mitigate fraud, waste, and abuse in the disbursement of personnel funds prior to full implementation of the APPS; and

“(E) an estimate of cost savings by reason of full implementation of the APPS.”.

SEC. 1216. PROHIBITION ON USE OF FUNDS FOR CERTAIN PROGRAMS AND PROJECTS OF THE DEPARTMENT OF DEFENSE IN AFGHANISTAN THAT CANNOT BE SAFELY ACCESSED BY UNITED STATES GOVERNMENT PERSONNEL.

(a) PROHIBITION.—

(1) IN GENERAL.—Amounts available to the Department of Defense may not be obligated or expended for a construction or other infrastructure program or project of the Department in Afghanistan if military or civilian personnel of the United States Government or their representatives with authority to conduct oversight of such program or project cannot safely access such program or project.

(2) APPLICABILITY.—Paragraph (1) shall apply only with respect to a program or project that is initiated on or after the date of the enactment of this Act.

(b) WAIVER.—

(1) IN GENERAL.—The prohibition in subsection (a) may be waived with respect to a program or project otherwise covered by that subsection if a determination described in paragraph (2) is made as follows:

(A) In the case of a program or project with an estimated lifecycle cost of less than \$1,000,000, by the contracting officer assigned to oversee the program or project.

(B) In the case of a program or project with an estimated lifecycle cost of \$1,000,000 or more, but less than \$20,000,000, by the Commander of the Combined Security Transition Command-Afghanistan.

(C) In the case of a program or project with an estimated lifecycle cost of \$20,000,000 or more, but less than \$40,000,000, by the Commander of United States Forces-Afghanistan.

(D) In the case of a program or project with an estimated lifecycle cost of \$40,000,000 or more, by the Secretary of Defense.

(2) DETERMINATION.—A determination described in this paragraph with respect to a program or project is a determination of each of the following:

(A) That the program or project clearly contributes to United States national interests or strategic objectives.

(B) That the Government of Afghanistan has requested or expressed a need for the program or project.

(C) That the program or project has been coordinated with the Government of Afghanistan, and with any other implementing agencies or international donors.

(D) That security conditions permit effective implementation and oversight of the program or project.

(E) That the program or project includes safeguards to detect, deter, and mitigate corruption and waste, fraud, and abuse of funds.

(F) That adequate arrangements have been made for the sustainment of the program or project following its completion, including arrangements with respect to funding and technical capacity for sustainment.

(G) That meaningful metrics have been established to measure the progress and effectiveness of the program or project in meeting its objectives.

(3) *NOTICE ON CERTAIN WAIVERS.*—*In the event a waiver is issued under paragraph (1) for a program or project described in subparagraph (D) of that paragraph, the Secretary of Defense shall notify Congress of the waiver not later than 15 days after the issuance of the waiver.*

SEC. 1217. IMPROVEMENT OF OVERSIGHT OF UNITED STATES GOVERNMENT EFFORTS IN AFGHANISTAN.

(a) *REPORT ON IG OVERSIGHT ACTIVITIES IN AFGHANISTAN DURING FISCAL YEAR 2017.*—*Not later than 60 days after the date of the enactment of this Act, the Lead Inspector General for Operation Freedom's Sentinel, as designated pursuant to section 8L of the Inspector General Act of 1978 (5 U.S.C. App.), shall, in coordination with the Inspector General of the Department of State, the Inspector General of the United States Agency for International Development, and the Special Inspector General for Afghanistan Reconstruction, submit to the appropriate committees of Congress a report on the oversight activities of United States Inspectors General in Afghanistan planned for fiscal year 2017.*

(b) *ELEMENTS.*—*The report required by subsection (a) shall include the following:*

(1) *A description of the requirements, responsibilities, and focus areas of each Inspector General of the United States planning to conduct oversight activities in Afghanistan during fiscal year 2017.*

(2) *A comprehensive list of the funding to be used for the oversight activities described in paragraph (1).*

(3) *A list of the oversight activities and products anticipated to be produced by each Inspector General of the United States in connection with oversight activities in Afghanistan during fiscal year 2017.*

(4) *An identification of any anticipated overlap among the planned oversight activities of Inspectors General of the United States in Afghanistan during fiscal year 2017, and a justification for such overlap.*

(5) *A description of the processes by which the Inspectors General of the United States coordinate and reduce redundancies in requests for information to United States Government officials executing funds in Afghanistan.*

(6) *A description of the specific professional standards expected to be used to ensure the quality of different types of products issued by the Inspectors General regarding Afghanistan, including periodic reports to Congress and audits of Federal establishments, organizations, programs, activities, and functions.*

(7) *Any other matters the Lead Inspector General for Operation Freedom's Sentinel considers appropriate.*

(c) *APPROPRIATE COMMITTEES OF CONGRESS DEFINED.*—*In this section, the term "appropriate committees of Congress" means—*

(1) *the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee Appropriations of the Senate; and*

(2) *the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee Appropriations of the House of Representatives.*

SEC. 1218. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) *EXTENSION.*—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1043), is further amended by striking “fiscal year 2016” and inserting “the period beginning on October 1, 2016, and ending on December 31, 2017.”

(b) *MODIFICATION OF AUTHORITIES.*—Such section, as so amended, is further amended—

(1) in subsection (a), by striking “the Secretary of Defense may reimburse any key cooperating nation” and all that follows and inserting “the Secretary of Defense may reimburse—

“(1) any key cooperating nation (other than Pakistan) for—

“(A) logistical and military support provided by that nation to or in connection with United States military operations in Afghanistan, Iraq, or Syria; and

“(B) logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations described in subparagraph (A); and

“(2) Pakistan for certain activities meant to enhance the security situation in the Afghanistan-Pakistan border region and for counterterrorism.”; and

(2) in subsection (b), by striking “in Iraq or in Operation Enduring Freedom in Afghanistan” and inserting “in Afghanistan, Iraq, or Syria”.

(c) *LIMITATION ON AMOUNTS AVAILABLE.*—Subsection (d)(1) of such section, as so amended, is further amended—

(1) in the second sentence, by striking “during fiscal year 2016 may not exceed \$1,160,000,000” and inserting “during the period beginning on October 1, 2016, and ending on December 31, 2017, may not exceed \$1,100,000,000”;

(2) in the third sentence, by striking “fiscal year 2016” and inserting “the period beginning on October 1, 2016, and ending on December 31, 2017.”; and

(3) by striking the first sentence.

(d) *REIMBURSEMENT OF PAKISTAN FOR SECURITY ENHANCEMENT ACTIVITIES.*—Such section, as so amended, is further amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following:

“(e) *REIMBURSEMENT OF PAKISTAN FOR SECURITY ENHANCEMENT ACTIVITIES.*—

“(1) *ACTIVITIES.*—Reimbursement authorized by subsection (a)(2) may be provided for activities as follows:

“(A) Counterterrorism activities, including the following:

“(i) Eliminating infrastructure, training areas, and sanctuaries used by terrorist groups, and preventing the establishment of new or additional infrastructure, training areas, and sanctuaries.

“(ii) Direct action against individuals that are involved in or supporting terrorist activities.

“(iii) Any other activity recognized by the Secretary of Defense as a counterterrorism activity for purposes of subsection (a)(2).

“(B) Border security activities along the Afghanistan-Pakistan border, including the following:

“(i) Building and maintaining border outposts.

“(ii) Strengthening cooperative efforts between the Pakistan military and the Afghan National Defense and Security Forces, including border security cooperation.

“(iii) Maintaining access to and securing key ground lines of communication.

“(iv) Providing training and equipment for the Pakistan Frontier Corps Khyber Pakhtunkhwa.

“(v) Improving interoperability between the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa.

“(C) Any activities carried out by the Pakistan military that the Secretary of Defense determines and reports to the appropriate congressional committees have enhanced the security of United States personnel stationed in Afghanistan or enhanced the effectiveness of United States military personnel in conducting counterterrorism operations and training, advising, and assisting the Afghan National Defense and Security Forces.

“(2) REPORT.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds under the authority in subsection (a)(2), including a description of the following:

“(A) The purpose for which such funds were expended.

“(B) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization supported by such amount.

“(C) Any limitation imposed on the expenditure of funds under subsection (a)(2), including on any recipient of funds or any use of funds expended.

“(3) INFORMATION ON CLAIMS DISALLOWED OR DEFERRED BY THE UNITED STATES.—

“(A) IN GENERAL.—The Secretary of Defense shall submit to the appropriate congressional committees, in the manner specified in subparagraph (B), an itemized description of the costs claimed by the Government of Pakistan for activities specified in paragraph (1) provided by Government of Pakistan to the United States for which the United States will disallow or defer reimbursement to the Government of Pakistan under the authority in subsection (a)(2).

“(B) MANNER OF SUBMITTAL.—

“(i) IN GENERAL.—To the maximum extent practicable, the Secretary shall submit each itemized description of costs required by subparagraph (A) not later than 180 days after the date on which a decision

to disallow or defer reimbursement for the costs claimed is made.

“(ii) FORM.—Each itemized description of costs under clause (i) shall be submitted in an unclassified form, but may include a classified annex.”

(e) **EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.**—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1212(c) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 1043), is further amended by striking “September 30, 2016” and inserting “December 31, 2017”.

(f) **EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.**—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as most recently amended by section 1212(d) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 1043), is further amended by striking “for fiscal year 2016 or any prior fiscal year” and inserting “for any period prior to December 31, 2017”.

(g) **ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.**—Of the total amount of reimbursements and support authorized for Pakistan during the period beginning on October 1, 2016, and ending on December 31, 2017, pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (b)(2)), \$400,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan continues to conduct military operations that are contributing to significantly disrupting the safe haven and freedom of movement of the Haqqani Network in Pakistan;

(2) Pakistan has taken steps to demonstrate its commitment to prevent the Haqqani Network from using any Pakistani territory as a safe haven;

(3) the Government of Pakistan actively coordinates with the Government of Afghanistan to restrict the movement of militants, such as the Haqqani Network, along the Afghanistan-Pakistan border; and

(4) Pakistan has shown progress in arresting and prosecuting Haqqani Network senior leaders and mid-level operatives.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. MODIFICATION AND EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) **IN GENERAL.**—Subsection (a) of section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended by striking “December 31, 2016” and inserting “December 31, 2018”.

(b) **REPROGRAMMING REQUIREMENT.**—Subsection (f) of such section, as amended by section 1225(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.

1055), is further amended in paragraph (1) by striking “December 31, 2016” and inserting “December 31, 2018”.

SEC. 1222. MODIFICATION AND EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) **AUTHORITY.**—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended by striking “December 31, 2016” and inserting “December 31, 2018”.

(b) **FUNDING.**—Subsection (g) of such section, as amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1049), is further amended—

(1) by striking the first sentence and inserting the following: “Of the amounts authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2017 for Overseas Contingency Operations in title XV for fiscal year 2017, there are authorized to be appropriated \$630,000,000 to carry out this section.”; and

(2) by striking the second sentence.

(c) **ADDITIONAL ASSESSMENT ON CERTAIN ACTIONS BY GOVERNMENT OF IRAQ.**—Subsection (l) of such section, as added by section 1223(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1050), is amended in paragraph (1)(A) by striking “National Defense Authorization Act for Fiscal Year 2016” and inserting “National Defense Authorization Act for Fiscal Year 2017, and annually thereafter”.

(d) **PROHIBITION ON ASSISTANCE AND REPORT ON EQUIPMENT OR SUPPLIES TRANSFERRED TO OR ACQUIRED BY VIOLENT EXTREMIST ORGANIZATIONS.**—Subsection (f) of section 1223 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1050) is amended—

(1) in paragraph (1)—

(A) by striking “, as so amended,”; and

(B) by inserting “(and annually thereafter until December 31, 2018)” after “certifies to the appropriate congressional committees, after the date of the enactment of this Act”; and

(2) in paragraph (2), by striking “, as so amended,”.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) **EXTENSION OF AUTHORITY.**—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1047), is further amended by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(b) **LIMITATION ON AMOUNT.**—Subsection (c) of such section is amended—

(1) by striking “fiscal year 2016” and inserting “fiscal year 2017”; and

(2) by striking “\$80,000,000” and inserting “\$70,000,000”.

(c) *SOURCE OF FUNDS.*—Subsection (d) of such section is amended by striking “fiscal year 2016” and inserting “fiscal year 2017”.

SEC. 1224. LIMITATION ON PROVISION OF MAN-PORTABLE AIR DEFENSE SYSTEMS TO THE VETTED SYRIAN OPPOSITION DURING FISCAL YEAR 2017.

(a) *NOTICE AND WAIT.*—If a determination is made during fiscal year 2017 to use funds available to the Department of Defense for that fiscal year to provide man-portable air defense systems (MANPADs) to the vetted Syrian opposition pursuant to the authority in section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), such funds may not be used for that purpose until—

(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees a report on the determination; and

(2) 30 days elapses after the date of the submittal of such report to the appropriate congressional committees.

(b) *ELEMENTS.*—The report under subsection (a) shall set forth the following:

(1) A description of each element of the vetted Syrian opposition that will be provided man-portable air defense systems as described in subsection (a), including—

(A) the geographic location of such element;

(B) a detailed intelligence assessment of such element;

(C) a description of the alignment of such element within the broader conflict in Syria; and

(D) a description and assessment of the assurance, if any, received by the commander of such element in connection with the provision of man-portable air defense systems.

(2) The number and type of man-portable air defense systems to be so provided.

(3) The logistics plan for providing and resupplying each element to be so provided man-portable air defense systems with additional man-portable air defense systems.

(4) The duration of support to be provided in connection with the provision of man-portable air defense systems.

(5) The justification for the provision of man-portable air defense systems to each element of the vetted Syrian opposition, including an explanation of the purpose and expected employment of such systems.

(6) Any other matters that the Secretary of Defense and the Secretary of State jointly consider appropriate.

(c) *APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.*—In this section, the term “appropriate congressional committees” has the meaning given that term in section 1209(e)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015.

SEC. 1225. MODIFICATION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) *IN GENERAL.*—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 113 note) is amended by striking subparagraph (F) and inserting the following new subparagraph (F):

“(F) Iran’s cyber capabilities, including—

“(i) Iran’s ability to use proxies and other actors to mask its cyber operations;

“(ii) Iran’s ability to target United States governmental and nongovernmental entities and activities; and

“(iii) cooperation with or assistance from state and non-state actors in support or enhancement of Iran’s cyber capabilities;”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010 on or after that date.

SEC. 1226. QUARTERLY REPORT ON CONFIRMED BALLISTIC MISSILE LAUNCHES FROM IRAN.

(a) **QUARTERLY REPORT ON CONFIRMED LAUNCHES.**—Not later than the last day of the first fiscal year quarter beginning after the date of the enactment of this Act, and every 90 days thereafter, the Director of National Intelligence shall submit to the appropriate committees of Congress a report describing any confirmed ballistic missile launch by Iran during the previous calendar quarter.

(b) **QUARTERLY REPORT ON IMPOSITION OF SANCTIONS IN CONNECTION WITH LAUNCHES.**—Not later than the last day of the second fiscal year quarter beginning after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Treasury shall jointly submit to the appropriate committees of Congress a report setting forth a description of the following:

(1) The efforts, if any, to impose unilateral sanctions against appropriate entities or individuals in connection with a confirmed ballistic missile launch from Iran.

(2) The diplomatic efforts, if any, to impose multilateral sanctions against appropriate entities or individuals in connection with such a confirmed ballistic missile launch.

(3) Any other matters the Secretaries consider appropriate.

(c) **CONCURRENT SUBMITTAL OF QUARTERLY REPORTS.**—The report on a calendar quarter under subsection (a) shall be submitted concurrently with the report on the calendar quarter under subsection (b).

(d) **FORM.**—Each report under this section shall, to the extent practicable, be submitted in unclassified form, but may include a classified annex.

(e) **SUNSET.**—No report is required under this section after December 31, 2019.

(f) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1231. MILITARY RESPONSE OPTIONS TO RUSSIAN FEDERATION VIOLATION OF INF TREATY.

An amount equal to \$10,000,000 of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2017 to provide support services to the Executive Office of the President shall be withheld from obligation or expenditure until the Secretary of Defense completes the meaningful development of the military capabilities described in paragraph (1) of section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062), as required to be addressed in the plan under that paragraph, in accordance with the requirements described in paragraph (3) of such section.

SEC. 1232. LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2017 for the Department of Defense may be used for any bilateral military-to-military cooperation between the Governments of the United States and the Russian Federation until the Secretary of Defense, in coordination with the Secretary of State, certifies to the appropriate congressional committees that—

(1) the Russian Federation has ceased its occupation of Ukrainian territory and its aggressive activities that threaten the sovereignty and territorial integrity of Ukraine and members of the North Atlantic Treaty Organization; and

(2) the Russian Federation is abiding by the terms of and taking steps in support of the Minsk Protocols regarding a ceasefire in eastern Ukraine.

(b) NONAPPLICABILITY.—The limitation in subsection (a) shall not apply to—

(1) any activities necessary to ensure the compliance of the United States with its obligations or the exercise of rights of the United States under any bilateral or multilateral arms control or nonproliferation agreement or any other treaty obligation of the United States; and

(2) any activities required to provide logistical or other support to the conduct of United States or North Atlantic Treaty Organization military operations in Afghanistan or the withdrawal from Afghanistan.

(c) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary of Defense, in coordination with the Secretary of State—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees—

(A) a notification that the waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver; and

(B) a report explaining why the Secretary of Defense cannot make the certification under subsection (a).

(d) EXCEPTION FOR CERTAIN MILITARY BASES.—The certification requirement specified in paragraph (1) of subsection (a) shall not apply to military bases of the Russian Federation in Ukraine's Crimean peninsula operating in accordance with its 1997 agreement

on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1233. EXTENSION AND MODIFICATION OF AUTHORITY ON TRAINING FOR EASTERN EUROPEAN NATIONAL MILITARY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

(a) **FORCES ELIGIBLE FOR TRAINING.**—Subsection (a) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1070; 10 U.S.C. 2282 note) is amended by striking “national military forces” and inserting “national security forces”.

(b) **ADDITIONAL SOURCE OF FUNDING.**—Subsection (d)(2) of such section is amended by adding at the end the following new subparagraph:

“(C) Amounts authorized to be appropriated for a fiscal year for overseas contingency operations for operation and maintenance, Army, and available for additional activities for the European Deterrence Initiative for that fiscal year.”.

(c) **ONE-YEAR EXTENSION.**—Subsection (h) of such section is amended—

(1) by striking “September 30, 2017” and inserting “September 30, 2018”; and

(2) by striking “through 2017” and inserting “through 2018”.

(d) **CONFORMING AMENDMENT.**—The heading of such section is amended to read as follows:

“SEC. 1251. TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.”.

SEC. 1234. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) **WAIVER.**—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notification of the waiver at the time the waiver is invoked.

SEC. 1235. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) **ADDITIONAL MATTERS TO BE INCLUDED IN REPORT.**—Subsection (b) of section 1245 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566), as amended by section 1248 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1066), is further amended—

(1) by redesignating paragraphs (10) through (18) as paragraphs (12) through (20), respectively;

(2) by inserting after paragraph (9) the following new paragraphs:

“(10) In consultation with the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, an assessment of Russia’s diplomatic, economic, and intelligence operations in Ukraine.

“(11) A summary of all Russian foreign military deployments, as of the date that is one month before the date of submission of the report, including for each deployment the estimated number of forces deployed, the types of capabilities deployed (including any advanced weapons), the length of deployment as of such date, and, if known, any basing agreement with the host nation.”;

(3) by striking paragraph (14), as redesignated by paragraph (1) of this subsection, and inserting the following new paragraph:

“(14) An analysis of the nuclear strategy and associated doctrine of Russia and of the capabilities, range, and readiness of all Russian nuclear systems and delivery methods.”; and

(4) in paragraph (18)(B), as redesignated by paragraph (1) of this subsection, by striking “day before the date of submission of the report” and inserting “date that is one month before the date of submission of the report”.

(b) **PUBLISHING REQUIREMENT.**—Such section is further amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) **PUBLISHING REQUIREMENT.**—Upon submission of the report required under subsection (a) in both classified and unclassified form, the Secretary of Defense shall publish the unclassified form on the website of the Department of Defense.”.

(c) **SUNSET.**—Subsection (g) of such section, as redesignated by subsection (b)(1) of this section, is amended by striking “June 1, 2018” and inserting “January 31, 2021”.

SEC. 1236. LIMITATION ON USE OF FUNDS TO VOTE TO APPROVE OR OTHERWISE ADOPT ANY IMPLEMENTING DECISION OF THE OPEN SKIES CONSULTATIVE COMMISSION AND RELATED REQUIREMENTS.

(a) **LIMITATION.**—None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2017 or any subsequent fiscal year may be used to vote to approve or otherwise adopt any implementing decision of the Open Skies Consultative Commission pursuant to Article X of the Open Skies Treaty to authorize approval of requests by state parties

to the Treaty to certify infra-red or synthetic aperture radar sensors pursuant to Article IV of the Treaty unless and until the Secretary of Defense, jointly with the relevant United States Government officials, submits to the appropriate congressional committees the following:

(1) A certification that the implementing decision would not be detrimental or otherwise harmful to the national security of the United States.

(2) A report on the Open Skies Treaty that includes the following:

(A) The annual costs to the United States associated with countermeasures to combat potential abuses of observation flights by the Russian Federation carried out under the Treaty over European and United States territories involving infra-red or synthetic aperture radar sensors.

(B) A plan, and its estimated comparative cost, to replace the Treaty architecture with a more robust sharing of overhead commercial imagery, consistent with United States national security, with covered state parties, excluding the Russian Federation.

(C) An evaluation by the Director of National Intelligence of matters concerning how an observation flight described in subparagraph (A) could implicate intelligence activities of the Russian Federation in the United States and United States counterintelligence activities and vulnerabilities.

(D) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(b) CERTIFICATION.—Not later than 90 days before the date on which the United States votes to approve or otherwise adopt any implementing decision of the Open Skies Consultative Commission as described in subsection (a), the Secretary of State shall—

(1) submit to the appropriate congressional committees a certification that—

(A) the Russian Federation—

(i) is not taking any actions that are inconsistent with the terms of the Open Skies Treaty;

(ii) is not exceeding the imagery limits set forth in the Treaty; and

(iii) is allowing observation flights by covered state parties over all of Moscow, Chechnya, Kaliningrad and within 10 kilometers of its border with Georgia's occupied territories of Abkhazia and South Ossetia without restriction and without inconsistency to requirements under the Treaty; and

(B) covered state parties have been notified and briefed on concerns of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) regarding infra-red or synthetic aperture radar sensors used under the Open Skies Treaty; or

(2) if the Secretary of State is unable to make a certification under paragraph (1), submit to the appropriate congressional committees a report that contains the reasons why the Secretary

cannot make such certification and a justification why it is in the national interest of the United States to vote to approve or otherwise adopt such implementing decision.

(c) *QUARTERLY REPORT.*—

(1) *IN GENERAL.*—The Secretary of Defense, jointly with the Secretary of Energy, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall submit to the appropriate congressional committees on a quarterly basis a report on all observation flights by the Russian Federation over the United States during the preceding calendar quarter.

(2) *CONTENTS.*—The report required under paragraph (1) shall include the following with respect to each such observation flight:

(A) A description of the flight path.

(B) An analysis of whether and the extent to which any United States critical infrastructure was the subject of image capture activities of such observation flight.

(C) An estimate for the mitigation costs imposed on the Department of Defense or other United States Government agencies by such observation flight.

(D) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(3) *SUNSET.*—The requirements of this subsection shall terminate 5 years after the date of the enactment of this Act.

(d) *ADDITIONAL LIMITATION.*—

(1) *IN GENERAL.*—Not more than 65 percent of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2017 may be used to carry out any activities to implement the Open Skies Treaty until the requirements described in paragraph (2) are met.

(2) *REQUIREMENTS DESCRIBED.*—The requirements described in this paragraph are the following:

(A) The Director of National Intelligence and the Director of the National Geospatial-Intelligence Agency jointly submit to the appropriate congressional committees a report on the following:

(i) Whether it is possible, consistent with United States national security interests, to provide enhanced access to United States commercial imagery or other United States capabilities, consistent with the protection of sources and methods and United States national security, to covered state parties that is qualitatively similar to that derived by observation flights over the territory of the United States or over the territory of a covered state party under the Open Skies Treaty, on a more timely basis.

(ii) What the cost would be to provide enhanced access to such commercial imagery or other capabilities as compared to the current imagery sharing through the Treaty.

(iii) Whether any new agreements would be needed to provide enhanced access to such commercial imagery

or other capabilities and what would be required to obtain such agreements.

(iv) Whether transitioning to such commercial imagery or other capabilities from the current imagery sharing through the Treaty would reduce opportunities by the Russian Federation to exceed imagery limits and reduce utility for Russian intelligence collection against the United States or covered state parties.

(v) How such commercial imagery or other capabilities would compare to the current imagery sharing through the Treaty.

(B) The Secretary of State, in consultation with the Director of the National Geospatial Intelligence Agency and the Secretary of Defense, submits to the appropriate congressional committees a report that—

(i) details the costs for implementation of the Open Skies Treaty, including—

(I) mitigation costs relating to national security; and

(II) aircraft, sensors, and related overhead and implementation costs for covered state parties; and

(ii) describes the impact on contributions and participation by covered state parties and relationships among covered state parties in the context of the Open Skies Treaty, the North Atlantic Treaty Organization, and any other venues for United States partnership dialogue and activity.

(e) FORM.—Each certification, report, and notice required under this section shall be submitted in unclassified form, but may contain a classified annex if necessary.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED STATE PARTY.—The term “covered state party” means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(3) INFRA-RED OR SYNTHETIC APERTURE RADAR SENSOR.—The term “infra-red or synthetic aperture radar sensor” means a sensor that is classified as—

(A) an infra-red line-scanning device under category C of paragraph 1 of Article IV of the Open Skies Treaty; or

(B) a sideways-looking synthetic aperture radar under category D of paragraph 1 of Article IV of the Open Skies Treaty.

(4) OBSERVATION FLIGHT.—The term “observation flight” has the meaning given such term in Article II of the Open Skies Treaty.

(5) *OPEN SKIES TREATY; TREATY.*—The term “Open Skies Treaty” or “Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(6) *RELEVANT UNITED STATES GOVERNMENT OFFICIALS.*—The term “relevant United States Government officials” means the following:

(A) *The Secretary of Energy.*

(B) *The Secretary of Homeland Security.*

(C) *The Director of the Federal Bureau of Investigation.*

(D) *The Director of National Intelligence.*

(E) *The Commander of U.S. Strategic Command and the Commander of U.S. Northern Command in the case of an observation flight over the territory of the United States.*

(F) *The Commander of U.S. European Command in the case of an observation flight other than an observation flight described in subparagraph (E).*

(7) *SENSOR.*—The term “sensor” has the meaning given such term in Article II of the Open Skies Treaty.

SEC. 1237. EXTENSION AND ENHANCEMENT OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) *FUNDING.*—Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in subsection (a), by striking “Of the amounts” and all that follows through “shall be available to” and inserting “Amounts available for a fiscal year under subsection (f) shall be available to”;

(2) by redesignating subsection (f) as subsection (h); and

(3) by inserting after subsection (e) the following new subsection (f):

“(f) *FUNDING.*—From amounts authorized to be appropriated for the fiscal year concerned for the Department of Defense for overseas contingency operations, up to the following shall be available for purposes of subsection (a):

“(1) For fiscal year 2016, \$300,000,000.

“(2) For fiscal year 2017, \$350,000,000.”.

(b) *ADDITIONAL AUTHORIZED ASSISTANCE.*—Subsection (b) of such section is amended by adding at the end the following new paragraphs:

“(10) *Equipment and technical assistance to the State Border Guard Service of Ukraine for the purpose of developing a comprehensive border surveillance network for Ukraine.*

“(11) *Training for staff officers and senior leadership of the military.*”.

(c) *AVAILABILITY OF FUNDS.*—Subsection (c) of such section is amended—

(1) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) *ASSISTANCE FOR UKRAINE.*—Not more than \$175,000,000 of the funds available for fiscal year 2017 pursuant to subsection (f)(2) may be used for purposes of subsection (a) until the certification described in paragraph (2) is made.

“(2) *CERTIFICATION.*—The certification described in this paragraph is a certification by the Secretary of Defense, in co-

ordination with the Secretary of State, that the Government of Ukraine has taken substantial actions to make defense institutional reforms, in such areas as civilian control of the military, cooperation and coordination with Verkhovna Rada efforts to exercise oversight of the Ministry of Defense and military forces, increased transparency and accountability in defense procurement, and improvement in transparency, accountability, and potential opportunities for privatization in the defense industrial sector, for purposes of decreasing corruption, increasing accountability, and sustaining improvements of combat capability enabled by assistance under subsection (a). The certification shall include an assessment of the substantial actions taken to make such defense institutional reforms and the areas in which additional action is needed.”;

(2) in paragraph (3), by striking the matter preceding subparagraph (A) and inserting the following:

“(3) OTHER PURPOSES.—If in fiscal year 2017 funds are not available for purposes of subsection (a) by reason of the lack of a certification described in paragraph (2), such funds may be used in that fiscal year for the purposes as follows, with not more than \$100,000,000 available for the purposes as follows for any particular country.”; and

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

“(4) NOTICE TO CONGRESS.—Not later than 15 days before providing assistance or support under paragraph (3), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification containing the following:

“(A) The recipient foreign country.

“(B) A detailed description of the assistance or support to be provided, including—

“(i) the objectives of such assistance or support;

“(ii) the budget for such assistance or support; and

“(iii) the expected or estimated timeline for delivery of such assistance or support.

“(C) Such other matters as the Secretary considers appropriate.”.

(d) CONSTRUCTION WITH OTHER AUTHORITY.—Such section is further amended by inserting after subsection (f), as amended by subsection (a)(3) of this section, the following new subsection (g):

“(g) CONSTRUCTION WITH OTHER AUTHORITY.—The authority to provide assistance and support pursuant to subsection (a), and the authority to provide assistance and support under subsection (c), is in addition to authority to provide assistance and support under title 10, United States Code, the Foreign Assistance Act of 1961, the Arms Export Control Act, or any other provision of law.”.

(e) EXTENSION.—Subsection (h) of such section, as redesignated by subsection (a)(2) of this section, is amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(f) EXTENSION OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.—Section 1275(e) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592), as amended by section 1250(g) of the National Defense Authorization Act for Fiscal Year

2016, is further amended by striking “December 31, 2017” and inserting “January 31, 2021”.

SEC. 1238. REPORTS ON INF TREATY AND OPEN SKIES TREATY.

(a) **REPORTS.**—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall submit to the appropriate congressional committees the following reports:

(1) A report on the Open Skies Treaty containing—

(A) an assessment, conducted by the Chairman jointly with the Secretary of Defense and the Secretary of State, of whether and why the Treaty remains in the national security interest of the United States, including if there are compliance concerns related to implementation of the Treaty by the Russian Federation;

(B) a specific plan by the Chairman jointly with the Secretary of Defense and the Secretary of State on remedying any such compliance concerns; and

(C) a military assessment conducted by the Chairman of such compliance concerns.

(2) A report on the INF Treaty containing—

(A) an assessment, conducted by the Chairman jointly with the Secretary of Defense and the Secretary of State, of whether and why the Treaty remains in the national security interest of the United States, including how any ongoing violations bear on the assessment if such a violation is not resolved in the near-term;

(B) a specific plan by the Chairman jointly with the Secretary of Defense and the Secretary of State to remedy violation of the Treaty by the Russian Federation, and a judgment of whether the Russian Federation intends to take the steps required to establish verifiable evidence that the Russian Federation has resumed its compliance with the Treaty if such non-compliance and inconsistencies are not resolved by the date of the enactment of this Act; and

(C) a military assessment conducted by the Chairman of the risks posed by violation of the Treaty by the Russian Federation.

(b) **UPDATE.**—Not later than February 15, 2018, the Chairman, the Secretary of Defense, and the Secretary of State shall jointly submit to the appropriate congressional committees an update to each report under subsection (a).

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(2) The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the “Inter-

mediate-Range Nuclear Forces (INF) Treaty”, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(3) The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

Subtitle E—Reform of Department of Defense Security Cooperation

SEC. 1241. ENACTMENT OF NEW CHAPTER FOR DEFENSE SECURITY COOPERATION.

(a) STATUTORY REORGANIZATION.—Part I of subtitle A of title 10, United States Code, is amended—

(1) by redesignating chapters 13, 15, 17, and 18 as chapters 12, 13, 14, and 15, respectively;

(2) by redesignating sections 261, 311, 312, 331, 332, 333, 334, 335, 351, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384 (as added by section 1011 of this Act) as sections 241, 246, 247, 251, 252, 253, 254, 255, 261, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 284, respectively; and

(3) by inserting after chapter 15, as redesignated by paragraph (1), the following new chapter:

“CHAPTER 16—SECURITY COOPERATION

“Subchapter	Sec.
“I. General Matters	301
“II. Military-to-Military Engagements	311
“III. Training With Foreign Forces	321
“IV. Support for Operations and Capacity Building	331
“V. Educational and Training Activities	341
“VI. Limitations on Use of Department of Defense Funds	361
“VII. Administrative and Miscellaneous Matters	381

“SUBCHAPTER I—GENERAL MATTERS

“Sec.

“301. Definitions.

“§ 301. Definitions

“In this chapter:

“(1) The terms ‘appropriate congressional committees’ and ‘appropriate committees of Congress’ mean—

“(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

“(2) The term ‘defense article’ has the meaning given that term in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

“(3) The term ‘defense service’ has the meaning given that term in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

“(4) The term ‘developing country’ has the meaning prescribed by the Secretary of Defense for purposes of this chapter in accordance with section 1241(n) of the National Defense Authorization Act for Fiscal Year 2017.

“(5) The term ‘incremental expenses’, with respect to a foreign country—

“(A) means the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the country’s participation in activities authorized by this chapter; and

“(B) does not include—

“(i) any form of lethal assistance (excluding training ammunition); or

“(ii) pay, allowances, and other normal costs of the personnel of the country.

“(6) The term ‘national security forces’, in the case of a foreign country, means the following:

“(A) National military and national-level security forces of the foreign country that have the functional responsibilities for which training is authorized in section 333(a) of this title.

“(B) With respect to operations referred to in section 333(a)(2) of this title, military and civilian first responders of the foreign country at the national or local level that have such operations among their functional responsibilities.

“(7) The term ‘security cooperation programs and activities of the Department of Defense’ means any program, activity (including an exercise), or interaction of the Department of Defense with the security establishment of a foreign country to achieve a purpose as follows:

“(A) To build and develop allied and friendly security capabilities for self-defense and multinational operations.

“(B) To provide the armed forces with access to the foreign country during peacetime or a contingency operation.

“(C) To build relationships that promote specific United States security interests.

“(8) The term ‘small-scale construction’ means construction at a cost not to exceed \$750,000 for any project.

“(9) The term ‘training’ has the meaning given the term ‘military education and training’ in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403).

“SUBCHAPTER II—MILITARY-TO-MILITARY ENGAGEMENTS

“Sec.

“311. Exchange of defense personnel between United States and friendly foreign countries: authority.

“312. Payment of personnel expenses necessary for theater security cooperation.

“313. Bilateral or regional cooperation programs: awards and mementos to recognize superior noncombat achievements or performance.

“SUBCHAPTER III—TRAINING WITH FOREIGN FORCES

“Sec.

“321. Training with friendly foreign countries: payment of training and exercise expenses.

“322. Special operations forces: training with friendly foreign forces.

“SUBCHAPTER IV—SUPPORT FOR OPERATIONS AND CAPACITY BUILDING

“Sec.

“331. Friendly foreign countries: authority to provide support for conduct of operations.

- “332. *Friendly foreign countries; international and regional organizations: defense institution capacity building.*
 “333. *Foreign security forces: authority to build capacity.*

“SUBCHAPTER V—EDUCATIONAL AND TRAINING ACTIVITIES

- “Sec.
 “341. *Department of Defense State Partnership Program.*
 “342. *Regional centers for security studies.*
 “343. *Western Hemisphere Institute for Security Cooperation.*
 “344. *Participation in multinational military centers of excellence.*
 “345. *Regional Defense Combating Terrorism Fellowship Program.*
 “346. *Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces.*
 “347. *International engagement authorities for service academies.*
 “348. *Aviation Leadership Program.*
 “349. *Inter-American Air Forces Academy.*
 “350. *Inter-European Air Forces Academy.*

“SUBCHAPTER VI—LIMITATIONS ON USE OF DEPARTMENT OF DEFENSE FUNDS

- “Sec.
 “361. *Prohibition on providing financial assistance to terrorist countries.*
 “362. *Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.*

“SUBCHAPTER VII—ADMINISTRATIVE AND MISCELLANEOUS MATTERS

- “Sec.
 “381. *Consolidated budget.*
 “382. *Execution and administration of programs and activities.*
 “383. *Assessment, monitoring, and evaluation of programs and activities.*
 “384. *Department of Defense security cooperation workforce development.*
 “385. *Department of Defense support for other departments and agencies of the United States Government that advance Department of Defense security cooperation objectives.*
 “386. *Annual report.”.*

(b) *TRANSFER OF SECTION 1051B.—Section 1051b of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after the table of sections at the beginning of subchapter II of such chapter, and redesignated as section 313.*

(c) *CODIFICATION OF SECTION 1081 OF FY 2012 NDAA.—*

(1) *CODIFICATION.—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after the table of sections at the beginning of subchapter IV a new section 332 consisting of—*

(A) *a heading as follows:*

“§ 332. *Friendly foreign countries; international and regional organizations: defense institution capacity building*”; and

(B) *a text consisting of the text of subsections (a), (b), and (d) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 168 note).*

(2) *CONFORMING AMENDMENT.—Section 332 of title 10, United States Code, as so amended, is further amended by redesignating subsection (d) as subsection (c).*

(3) *CONFORMING REPEAL.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 is repealed.*

(d) *SUPERSEDING AUTHORITY TO TRAIN AND EQUIP FOREIGN SECURITY FORCES.—*

(1) *SUPERSEDING AUTHORITY.*—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after section 332, as added by subsection (c), the following new section:

“§ 333. Foreign security forces: authority to build capacity

“(a) *AUTHORITY.*—The Secretary of Defense is authorized to conduct or support a program or programs to provide training and equipment to the national security forces of one or more foreign countries for the purpose of building the capacity of such forces to conduct one or more of the following:

“(1) Counterterrorism operations.

“(2) Counter-weapons of mass destruction operations.

“(3) Counter-illicit drug trafficking operations.

“(4) Counter-transnational organized crime operations.

“(5) Maritime and border security operations.

“(6) Military intelligence operations.

“(7) Operations or activities that contribute to an international coalition operation that is determined by the Secretary to be in the national interest of the United States.

“(b) *CONCURRENCE AND COORDINATION WITH SECRETARY OF STATE.*—

“(1) *CONCURRENCE IN CONDUCT OF PROGRAMS.*—The concurrence of the Secretary of State is required to conduct or support any program authorized by subsection (a).

“(2) *JOINT DEVELOPMENT AND PLANNING OF PROGRAMS.*—The Secretary of Defense and the Secretary of State shall jointly develop and plan any program carried out pursuant to subsection (a).

“(3) *IMPLEMENTATION OF PROGRAMS.*—The Secretary of Defense and the Secretary of State shall coordinate the implementation of any program under subsection (a). The Secretary of Defense and the Secretary of State shall each designate an individual responsible for program coordination under this paragraph at the lowest appropriate level in the Department concerned.

“(4) *COORDINATION IN PREPARATION OF CERTAIN NOTICES.*—Any notice required by this section to be submitted to the appropriate committees of Congress shall be prepared in coordination with the Secretary of State.

“(c) *TYPES OF CAPACITY BUILDING.*—

“(1) *AUTHORIZED ELEMENTS.*—A program under subsection (a) may include the provision and sustainment of defense articles, training, defense services, supplies (including consumables), and small-scale construction.

“(2) *REQUIRED ELEMENTS.*—A program under subsection (a) shall include elements that promote the following:

“(A) Observance of and respect for the law of armed conflict, human rights and fundamental freedoms, and the rule of law.

“(B) Respect for civilian control of the military.

“(3) *HUMAN RIGHTS TRAINING.*—In order to meet the requirement in paragraph (2)(A) with respect to particular national security forces under a program under subsection (a), the Secretary of Defense shall certify, prior to the initiation of the

program, that the Department of Defense is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, human rights training that includes a comprehensive curriculum on human rights and the law of armed conflict, as applicable, to such national security forces.

“(4) *INSTITUTIONAL CAPACITY BUILDING.*—In order to meet the requirement in paragraph (2)(B) with respect to a particular foreign country under a program under subsection (a), the Secretary shall certify, prior to the initiation of the program, that the Department is already undertaking, or will undertake as part of the program, a program of institutional capacity building with appropriate institutions of such foreign country that is complementary to the program with respect to such foreign country under subsection (a). The purpose of the program of institutional capacity building shall be to enhance the capacity of such foreign country to exercise responsible civilian control of the national security forces of such foreign country.

“(d) *LIMITATIONS.*—

“(1) *ASSISTANCE OTHERWISE PROHIBITED BY LAW.*—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (c) that is otherwise prohibited by any provision of law.

“(2) *PROHIBITION ON ASSISTANCE TO UNITS THAT HAVE COMMITTED GROSS VIOLATIONS OF HUMAN RIGHTS.*—The provision of assistance pursuant to a program under subsection (a) shall be subject to the provisions of section 362 of this title.

“(3) *DURATION OF SUSTAINMENT SUPPORT.*—Sustainment support may not be provided pursuant to a program under subsection (a), or for equipment previously provided by the Department of Defense under any authority available to the Secretary during fiscal year 2015 or 2016, for a period in excess of five years unless the notice on the program pursuant to subsection (e) includes the information specified in paragraph (7) of subsection (e).

“(e) *NOTICE AND WAIT ON ACTIVITIES UNDER PROGRAMS.*—Not later than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a written and electronic notice of the following:

“(1) The foreign country, and specific unit, whose capacity to engage in activities specified in subsection (a) will be built under the program, and the amount, type, and purpose of the support to be provided.

“(2) A detailed evaluation of the capacity of the foreign country and unit to absorb the training or equipment to be provided under the program.

“(3) The cost, implementation timeline, and delivery schedule for assistance under the program.

“(4) A description of the arrangements, if any, for the sustainment of the program and the estimated cost and source of funds to support sustainment of the capabilities and performance outcomes achieved under the program beyond its completion date, if applicable.

“(5) Information, including the amount, type, and purpose, on the security assistance provided the foreign country during the three preceding fiscal years pursuant to authorities under this title, the Foreign Assistance Act of 1961, and any other train and equip authorities of the Department of Defense.

“(6) A description of the elements of the theater security cooperation plan of the geographic combatant command concerned, and of the interagency integrated country strategy, that will be advanced by the program.

“(7) In the case of a program described in subsection (d)(3), each of the following:

“(A) A written justification that the provision of sustainment support described in that subsection for a period in excess of five years will enhance the security interest of the United States.

“(B) To the extent practicable, a plan to transition such sustainment support from funding through the Department to funding through another security sector assistance program of the United States Government or funding through partner nations.

“(f) QUARTERLY MONITORING REPORTS.—The Director of the Defense Security Cooperation Agency shall, on a quarterly basis, submit to the appropriate committees of Congress a report setting forth, for the preceding calendar quarter, the following:

“(1) Information, by recipient country, of the delivery and execution status of all defense articles, training, defense services, supplies (including consumables), and small-scale construction under programs under subsection (a).

“(2) Information on the timeliness of delivery of defense articles, defense services, supplies (including consumables), and small-scale construction when compared with delivery schedules for such articles, services, supplies, and construction previously provided to Congress.

“(3) Information, by recipient country, on the status of funds allocated for programs under subsection (a), including amounts of unobligated funds, unliquidated obligations, and disbursements.

“(g) FUNDING.—

“(1) SOLE SOURCE OF FUNDS.—Amounts for programs carried out pursuant to subsection (a) in a fiscal year, and for other purposes in connection with such programs as authorized by this section, may be derived only from amounts authorized to be appropriated for such fiscal year for the Department of Defense for operation and maintenance, Defense-wide, and available for the Defense Security Cooperation Agency for such programs and purposes.

“(2) AVAILABILITY OF FUNDS FOR PROGRAMS ACROSS FISCAL YEARS.—

“(A) IN GENERAL.—Amounts available in a fiscal year to carry out the authority in subsection (a) may be used for programs under that authority that begin in such fiscal year and end not later than the end of the second fiscal year thereafter.

“(B) ACHIEVEMENT OF FULL OPERATIONAL CAPACITY.—If, in accordance with subparagraph (A), equipment or

training is delivered under a program under the authority in subsection (a) in the fiscal year after the fiscal year in which the program begins, amounts for defense articles, training, defense services, supplies (including consumables), and small-scale construction associated with such equipment or training and necessary to ensure that the recipient unit achieves full operational capability for such equipment or training may be used in the fiscal year in which the foreign country takes receipt of such equipment and in the next two fiscal years.”.

(2) *FUNDING FOR FISCAL YEAR 2017.—Amounts may be available for fiscal year 2017 for programs and other purposes described in subsection (g) of section 333 of title 10, United States Code, as added by paragraph (1), as follows:*

(A) *Amounts authorized to be appropriated by section 301 for operation and maintenance, Defense-wide, and available for the Defense Security Cooperation Agency for such programs and purposes as specified in the funding table in section 4301.*

(B) *Amounts authorized to be appropriated by section 1407 for Drug Interdiction and Counter-Drug Activities, Defense-Wide, as specified in the funding table in section 4501.*

(C) *Amounts authorized to be appropriated by section 1504 for operation and maintenance, Defense-wide, for overseas contingency operations and available for the Defense Security Cooperation Agency for such programs and purposes as specified in the funding table in section 4302.*

(D) *Amounts authorized to be appropriated by section 1504 for operation and maintenance, Defense-wide, for overseas contingency operations and available for the Counter Islamic State of Iraq and the Levant Fund as specified in the funding table in section 4302, which amounts may be available for such programs and other purposes with respect to a country other than Iraq or Syria if—*

(i) *such programs and other purposes are for the purpose of countering the Islamic State of Iraq and the Levant; and*

(ii) *notice on the use of such amounts for such programs and other purposes is provided to Congress in accordance with subsection (e) of section 333 of title 10, United States Code, as so added.*

(E) *Amounts authorized to be appropriated by section 1507 for Drug Interdiction and Counter-Drug Activities, Defense-Wide, for overseas contingency operations as specified in the funding table in section 4502 or 4503.*

(F) *Amounts available for fiscal years before fiscal year 2017 for the Counterterrorism Partnerships Fund that remain available for obligation in fiscal year 2017.*

(3) *LIMITATION ON AVAILABILITY OF FUNDS FOR FISCAL YEAR 2017.—Of the amounts available for fiscal year 2017 pursuant to paragraph (2) for programs and other purposes described in subsection (g) of section 333 of title 10, United States Code, as so added, not more than 65 percent of such amounts may be used for such purposes until the guidance required by para-*

graph (4) is submitted to the congressional defense committees as required by paragraph (4).

(4) *GUIDANCE.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe, and submit to the congressional defense committees, initial policy guidance on roles, responsibilities, and processes in connection with programs and activities authorized by section 333 of title 10, United States Code, as so added. Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe, and submit to the congressional defense committees, final policy guidance on roles, responsibilities, and processes in connection with such programs and activities.

(5) *CONFORMING REPEALS.*—Effective as of the date that is 270 days after the date of the enactment of this Act, the following provisions of law are repealed:

(A) Section 2282 of title 10, United States Code.

(B) The following provisions of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66):

(i) Section 1204 (127 Stat. 896; 10 U.S.C. 401 note).

(ii) Section 1207 (127 Stat. 902; 22 U.S.C. 2151 note).

(C) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881).

(6) *CLERICAL AMENDMENT.*—Effective as of the date that is 270 days after the date of the enactment of this Act, the table of sections at the beginning of chapter 136 of title 10, United States Code, is amended by striking the item relating to section 2282.

(e) *TRANSFER AND MODIFICATION OF SECTION 184 AND CODIFICATION OF RELATED PROVISIONS.*—

(1) *TRANSFER AND REDESIGNATION.*—Section 184 of title 10, United States Code, is transferred to chapter 16 of such title as added by subsection (a)(3), inserted after the table of sections at the beginning of subchapter V of such chapter, and redesignated as section 342.

(2) *MODIFICATION OF AUTHORITIES AND CODIFICATION OF REIMBURSEMENT-RELATED PROVISIONS.*—Section 342 of title 10, United States Code, as so transferred and redesignated, is amended—

(A) in subsection (a), by striking “and exchange of ideas” and inserting “exchange of ideas, and training”;

(B) in subsection (b)—

(i) in paragraph (1)(B), by striking “and exchange of ideas” and inserting “exchange of ideas, and training”; and

(ii) in paragraph (3), by striking “, except as specifically provided by law after October 17, 2006”;

(C) in subsection (c), by adding at the end the following new sentence: “The regulations shall prioritize within the respective areas of focus of each Regional Center the functional areas for engagement of territorial and maritime se-

curity, transnational and asymmetric threats, and defense sector governance.”; and

(D) in subsection (f)—

(i) in paragraph (3)—

(I) by inserting “(A)” after “(3)”;

(II) in subparagraph (A), as so designated, by striking “civilian government officials” and inserting “personnel”; and

(III) by adding at the end the following new subparagraph:

“(B)(i) The Secretary of Defense may, with the concurrence of the Secretary of State, waive reimbursement otherwise required under this subsection of the costs of activities of the Regional Centers for personnel of nongovernmental and international organizations who participate in activities of the Regional Centers that enhance cooperation of nongovernmental organizations and international organizations with United States forces if the Secretary of Defense determines that attendance of such personnel without reimbursement is in the national security interest of the United States.

“(ii) The amount of reimbursement that may be waived under clause (i) in any fiscal year may not exceed \$1,000,000.”; and

(ii) in paragraph (5), by striking “under the Latin American cooperation authority” and all that follows and inserting “under section 312 of this title are also available for the costs of the operation of the Regional Centers.”.

(3) CODIFICATION OF PROVISIONS RELATING TO SPECIFIC CENTERS.—Such section 342, as so transferred and redesignated, is further amended by adding at the end the following new subsections:

“(h) AUTHORITIES SPECIFIC TO MARSHALL CENTER.—(1) The Secretary of Defense may authorize participation by a European or Eurasian country in programs of the George C. Marshall Center for Security Studies (in this subsection referred to as the ‘Marshall Center’) if the Secretary determines, after consultation with the Secretary of State, that such participation is in the national interest of the United States.

“(2)(A) In the case of any person invited to serve without compensation on the Marshall Center Board of Visitors, the Secretary of Defense may waive any requirement for financial disclosure that would otherwise apply to that person solely by reason of service on such Board.

“(B) A member of the Marshall Center Board of Visitors may not be required to register as an agent of a foreign government solely by reason of service as a member of the Board.

“(C) Notwithstanding section 219 of title 18, a non-United States citizen may serve on the Marshall Center Board of Visitors even though registered as a foreign agent.

“(3)(A) The Secretary of Defense may waive reimbursement of the costs of conferences, seminars, courses of instruction, or similar educational activities of the Marshall Center for military officers and civilian officials from states located in Europe or the territory of the former Soviet Union if the Secretary determines that attendance by such personnel without reimbursement is in the national security interest of the United States.

“(B) Costs for which reimbursement is waived pursuant to subparagraph (A) shall be paid from appropriations available for the Center.”

“(i) *AUTHORITIES SPECIFIC TO INOUYE CENTER.*—(1) The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Daniel K. Inouye Center for Security Studies for military officers and civilian officials of foreign countries if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States.

“(2) Costs for which reimbursement is waived pursuant to paragraph (1) shall be paid from appropriations available for the Center.”

(4) *ANNUAL REVIEW OF PROGRAM STRUCTURE AND PROGRAMS OF CENTERS.*—Such section 342, as amended by this subsection, is further amended by adding at the end the following new subsection:

“(j) *ANNUAL REVIEW OF PROGRAM STRUCTURE AND PROGRAMS OF CENTERS.*—(1) The Secretary shall on an annual basis review the program and structure of each Regional Center in order to determine whether such Regional Center is appropriately aligned with the strategic priorities of the Department of Defense and the applicable geographic combatant commands.

“(2) The Secretary may revise the program, structure, or both of a Regional Center following an annual review under paragraph (1) in order to more appropriately align the Regional Center with strategic priorities and the geographic combatant commands as described in that paragraph.”

(5) *REPEAL OF CODIFIED PROVISIONS.*—The following provisions of law are repealed:

(A) Section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 184 note).

(B) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 10 U.S.C. 113 note).

(C) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2892).

(D) Section 8073 of the Department of Defense Appropriations Act, 2003 (Public Law 107-248; 10 U.S.C. prec. 2161 note).

(f) *TRANSFER OF SECTION 2166.*—

(1) *TRANSFER AND REDESIGNATION.*—Section 2166 of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 342, as transferred and redesignated by subsection (e), and redesignated as section 343.

(2) *CONFORMING STYLISTIC AMENDMENTS.*—Such section 343, as so transferred and redesignated, is amended by striking “nations” each place it appears in subsections (b) and (c) and inserting “countries”.

(g) *TRANSFER OF SECTION 2350M.*—

(1) *TRANSFER AND REDESIGNATION.*—Section 2350m of title 10, United States Code, is transferred to chapter 16 of such

title, as added by subsection (a)(3), inserted after section 343, as transferred and redesignated by subsection (f), and redesignated as section 344.

(2) CONFORMING AMENDMENTS.—Such section 344, as so transferred and redesignated, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(h) TRANSFER OF SECTION 2249D.—

(1) TRANSFER AND REDESIGNATION.—Section 2249d of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 344, as transferred and redesignated by subsection (g), and redesignated as section 346.

(2) CONFORMING AND STYLISTIC AMENDMENTS.—Such section 346, as so transferred and redesignated, is amended—

(A) by striking “nations” in subsections (a) and (d) and inserting “countries”; and

(B) by striking subsections (f) and (g).

(i) REENACTMENT OF CHAPTER 905.—

(1) CONSOLIDATION OF SECTIONS 9381, 9382, AND 9383.—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after section 346, as transferred and redesignated by subsection (h), the following new section:

“§ 348. Aviation Leadership Program

“(a) IN GENERAL.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may carry out an Aviation Leadership Program to provide undergraduate pilot training and necessary related training to personnel of the air forces of friendly, developing foreign countries. Training under this section shall include language training and programs to promote better awareness and understanding of the democratic institutions and social framework of the United States.

“(b) SUPPLIES AND CLOTHING.—(1) The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving training under this section—

“(A) transportation incident to the training;

“(B) supplies and equipment to be used during the training;

“(C) flight clothing and other special clothing required for the training; and

“(D) billeting, food, and health services.

“(2) The Secretary may authorize such expenditures from the appropriations of the Air Force as the Secretary considers necessary for the efficient and effective maintenance of the Program in accordance with this section.

“(c) ALLOWANCES.—The Secretary of the Air Force may pay to a person receiving training under this section a living allowance at a rate to be prescribed by the Secretary, taking into account the amount of living allowances authorized for a member of the armed forces under similar circumstances.”

(2) CONFORMING REPEAL.—Chapter 905 of such title is repealed.

(j) TRANSFER OF SECTION 9415.—

(1) *IN GENERAL.*—Section 9415 of title 10, United States Code, is transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after section 348, as added by subsection (i), and redesignated as section 349.

(2) *CONFORMING AMENDMENT FOR STANDARDIZATION WITH CERTAIN OTHER AIR FORCES ACADEMY AUTHORITY.*—Such section 349, as so transferred and amended, is amended—

(A) by redesignating subsection (b) as subsection (c);

and

(B) by inserting after subsection (a) the following new subsection (b):

“(b) *LIMITATIONS.*—

“(1) *CONCURRENCE OF SECRETARY OF STATE.*—Military personnel of a foreign country may be provided education and training under this section only with the concurrence of the Secretary of State.

“(2) *ASSISTANCE OTHERWISE PROHIBITED BY LAW.*—Education and training may not be provided under this section to the military personnel of any country that is otherwise prohibited from receiving such type of assistance under any other provision of law.”.

(k) *CODIFICATION OF SECTION 1268 OF FY 2015 NDAA.*—

(1) *CODIFICATION.*—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after section 349, as transferred and redesignated by subsection (j), a new section 350 consisting of—

(A) a heading as follows:

“§ 350. Inter-European Air Forces Academy”; and

(B) a text consisting of the text of subsections (a) through (f) of section 1268 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3585; 10 U.S.C. 9411 note).

(2) *CONFORMING REPEAL.*—Section 1268 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is repealed.

(l) *TRANSFER OF SECTIONS 2249A AND 2249E.*—

(1) *TRANSFER AND REDESIGNATION.*—Sections 2249a and 2249e of title 10, United States Code, are transferred to chapter 16 of such title, as added by subsection (a)(3), inserted after the table of sections at the beginning of subchapter VI of such chapter, and redesignated as sections 361 and 362, respectively.

(2) *CONFORMING REPEAL RELATING TO SUPERSEDED DEFINITION OF CONGRESSIONAL COMMITTEES.*—Section 362 of such title, as transferred and redesignated by paragraph (1), is amended by striking subsection (f).

(m) *ADMINISTRATIVE MATTERS.*—Chapter 16 of title 10, United States Code, as added by subsection (a)(3), is amended by inserting after the table of sections at the beginning of subchapter VII the following new sections:

“§ 382. Execution and administration of programs and activities

“(a) POLICY OVERSIGHT AND RESOURCE ALLOCATION.—The Secretary of Defense shall assign responsibility for the oversight of strategic policy and guidance and responsibility for overall resource allocation for security cooperation programs and activities of the Department of Defense to a single official and office in the Office of the Secretary of Defense at the level of Under Secretary of Defense or below.

“(b) EXECUTION AND ADMINISTRATION OF CERTAIN PROGRAMS AND ACTIVITIES.—

“(1) IN GENERAL.—The Director of the Defense Security Cooperation Agency shall be responsible for the execution and administration of all security cooperation programs and activities of the Department of Defense involving the provision of defense articles, military training, and other defense-related services by grant, loan, cash sale, or lease.

“(2) DESIGNATION OF RESPONSIBILITY.—The Director may designate an element of an armed force, combatant command, Defense Agency, Department of Defense Field Activity, or other element or organization of the Department of Defense to execute and administer security cooperation programs and activities described in paragraph (1) if the Director determines that the designation will achieve maximum effectiveness, efficiency, and economy in the activities for which designated.

“(c) AVAILABILITY OF FUNDS.—

“(1) IN GENERAL.—Funds available to the Defense Security Cooperation Agency, and other funds available to the Department of Defense for security cooperation programs and activities of the Department of Defense, may be used to implement security cooperation programs and activities of the Department of Defense authorized by this chapter.

“(2) BUDGET JUSTIFICATION.—Funds necessary for implementing security cooperation programs and activities of the Department of Defense under this chapter for a fiscal year shall be identified, with appropriate justification, in the consolidated budget for such fiscal year required by section 381 of this title.

“§ 383. Assessment, monitoring, and evaluation of programs and activities

“(a) PROGRAM REQUIRED.—The Secretary of Defense shall maintain a program of assessment, monitoring, and evaluation in support of the security cooperation programs and activities of the Department of Defense.

“(b) PROGRAM ELEMENTS AND REQUIREMENTS.—

“(1) ELEMENTS.—The program under subsection (a) shall provide for the following:

“(A) Initial assessments of partner capability requirements, potential programmatic risks, baseline information, and indicators of efficacy for purposes of planning, monitoring, and evaluation of security cooperation programs and activities of the Department of Defense.

“(B) Monitoring of implementation of such programs and activities in order to measure progress in execution

and, to the extent possible, achievement of desired outcomes.

“(C) Evaluation of the efficiency and effectiveness of such programs and activities in achieving desired outcomes.

“(D) Identification of lessons learned in carrying out such programs and activities, and development of recommendation for improving future security cooperation programs and activities of the Department of Defense.

“(2) BEST PRACTICES.—The program shall be conducted in accordance with international best practices, interagency standards, and, if applicable, the Government Performance and Results Act of 1993 (Public Law 103–62), and the amendments made by that Act, and the GPRA Modernization Act of 2010 (Public Law 111–352), and the amendments made by that Act.

“(c) AVAILABILITY OF FUNDS.—

“(1) IN GENERAL.—Funds available to the Defense Security Cooperation Agency, and other funds available to the Department of Defense for security cooperation programs and activities of the Department of Defense, may be used to carry out the program required by subsection (a).

“(2) BUDGET JUSTIFICATION.—Funds described in paragraph (1) for a fiscal year shall be identified, with appropriate justification, in the consolidated budget for such fiscal year required by section 381 of this title.

“(d) REPORTS.—

“(1) REPORTS TO CONGRESS.—The Secretary shall submit to the congressional defense committees each year a report on the program under subsection (a) during the previous year. Each report shall include, for the year covered by such report, the following:

“(A) A description of the activities under the program.

“(B) An evaluation of the lessons learned and best practices identified through activities under the program.

“(2) INFORMATION FOR THE PUBLIC ON EVALUATIONS.—The Secretary shall make available to the public, on an Internet website of the Department of Defense available to the public, a summary of each evaluation conducted pursuant to subsection (b)(1)(C). In making a summary so available, the Secretary may redact or omit any information that the Secretary determines should not be disclosed to the public in order to protect the interest of the United States or the foreign country or countries covered by such evaluation.

“§ 385. Department of Defense support for other departments and agencies of the United States Government that advance Department of Defense security cooperation objectives

“(a) SUPPORT AUTHORIZED.—Subject to subsection (c), the Secretary of Defense is authorized to support other departments and agencies of the United States Government for the purpose of implementing or supporting foreign assistance programs and activities described in subsection (b) that advance security cooperation objectives of the Department of Defense.

“(b) *FOREIGN ASSISTANCE PROGRAMS AND ACTIVITIES.*—The foreign assistance programs and activities described in this subsection are foreign assistance programs and activities that—

“(1) are necessary for the effectiveness of one or more programs of the Department of Defense relating to security cooperation conducted pursuant to an authority in this chapter; and

“(2) cannot be carried out by the Department.

“(c) *ANNUAL LIMITATION ON AMOUNT OF SUPPORT.*—The amount of support provided pursuant to subsection (a) in any fiscal year may not exceed \$75,000,000.

“(d) *NOTICE AND WAIT.*—If a determination is made to transfer funds in connection with the provision of support pursuant to subsection (a) for a program or activity, the transfer may not occur until—

“(1) the Secretary and the head of the department or agency to receive the funds jointly submit to the congressional defense committees a notice on the transfer, which notice shall include—

“(A) a detailed description of the purpose and estimated cost of such program or activity;

“(B) a detailed description of the security cooperation objectives of the Department, include the theater campaign plan of the combatant command concerned, that will be advanced;

“(C) a justification why such program or activity will advance such objectives;

“(D) a justification why such program or activity cannot be carried out by the Department;

“(E) an identification of any funds programmed or obligated by the department or agency other than the Department on such program or activity; and

“(F) a timeline for the provision of such support; and

“(2) a period of 30 days elapses after the date of the submittal of the notice pursuant to paragraph (1).”

(n) *PRESCRIPTION OF TERM “DEVELOPING COUNTRY.”*—

(1) *IN GENERAL.*—The Secretary of Defense shall prescribe the meaning of the term “developing country” for purposes of chapter 16 of title 10, United States Code, as added by subsection (a)(3), and may from time to time prescribe a revision to the meaning of that term for those purposes.

(2) *INITIAL PRESCRIPTION.*—The Secretary shall first prescribe the meaning of the term by not later than 270 days after the date of the enactment of this Act.

(3) *NOTICE TO CONGRESS.*—Whenever the Secretary prescribes the meaning of the term pursuant to paragraph (1), the Secretary shall notify the appropriate committees of Congress of the meaning of the term as so prescribed.

(4) *APPROPRIATE COMMITTEES OF CONGRESS DEFINED.*—In this subsection, the term “appropriate committees of Congress” has the meaning given that term in section 301(1) of title 10, United States Code, as so added.

(o) *CLERICAL AMENDMENTS.*—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of subtitle A, are amended—

(A) by revising the chapter references relating to chapters 13, 15, 17, and 18 (and the section references therein) to conform to the redesignations made by paragraphs (1) and (2) of subsection (a); and

(B) by inserting after the item relating to chapter 15, as revised pursuant to subparagraph (A), the following new item:

“16. Security Cooperation 301”.

(2) The section references in the tables of sections at the beginning of chapters 12, 13, 14, and 15, as redesignated by paragraph (1) of subsection (a), are revised to conform to the redesignations made by paragraph (2) of such subsection.

(3) The table of sections at the beginning of chapter 7 is amended by striking the item relating to section 184.

(4) The table of sections at the beginning of chapter 53 is amended by striking the item relating to section 1051b.

(5) The table of sections at the beginning of chapter 108 is amended by striking the item relating to section 2166.

(6) The table of sections at the beginning of subchapter I of chapter 134 is amended by striking the items relating to sections 2249a, 2249d, and 2249e.

(7) The table of sections at the beginning of subchapter II of chapter 138 is amended by striking the item relating to section 2350m.

(8) The tables of chapters at the beginning of subtitle D, and at the beginning of part III of subtitle D, are amended by striking the item relating to chapter 905.

(9) The table of sections at the beginning of chapter 907 is amended by striking the item relating to section 9415.

SEC. 1242. MILITARY-TO-MILITARY EXCHANGES.

(a) **CODIFICATION IN NEW CHAPTER ON SECURITY COOPERATION ACTIVITIES.**—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after the table of sections at the beginning of subchapter II a new section 311 consisting of—

(1) a heading as follows:

“§ 311. Exchange of defense personnel between United States and friendly foreign countries: authority”; and

(2) a text consisting of the text of section 1082 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2672; 10 U.S.C. 168 note).

(b) **REVISIONS TO INCORPORATE PERMANENT NONRECIPROCAL EXCHANGE AUTHORITY.**—Section 311 of title 10, United States Code, as added by subsection (a), is amended—

(1) in subsection (a)—

(A) in paragraph (1), by adding at the end the following new sentence: “Any exchange of personnel under such an agreement is subject to paragraph (3).”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “an ally of the United States or another friendly foreign country for the exchange” and inserting “a friendly foreign country or international or regional se-

curity organization for the reciprocal or non-reciprocal exchange”;

(ii) in subparagraph (A), by striking “military” and inserting “members of the armed forces”; and

(iii) in subparagraph (B)—

(I) by inserting “or security” after “defense”; and

(II) by inserting before the period at the end the following: “or international or regional security organization”; and

(C) by adding at the end the following new paragraph:

“(3) An exchange of personnel under an international defense personnel exchange agreement under this section may only be made with the concurrence of the Secretary to State to the extent the exchange is with either of the following:

“(A) A non-defense security ministry of a foreign government.

“(B) An international or regional security organization.”;

(2) in subsection (b)(2), by inserting before the period at the end the following: “, subject to the concurrence of the Secretary of State”;

(3) in subsection (c)—

(A) by striking “Each government shall be required under” and inserting “In the case of”; and

(B) by inserting after “exchange agreement” the following: “that provides for reciprocal exchanges, each government shall be required”; and

(4) in subsection (f), by inserting “defense or security ministry of that” after “military personnel of the”.

(c) **CONFORMING REPEALS.**—The following provisions of law are repealed:

(1) Section 1082 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2672; 10 U.S.C. 168 note).

(2) Section 1207 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 168 note).

SEC. 1243. CONSOLIDATION AND REVISION OF AUTHORITIES FOR PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR THEATER SECURITY COOPERATION.

(a) **CONSOLIDATION AND REVISION OF AUTHORITIES IN NEW CHAPTER ON SECURITY COOPERATION ACTIVITIES.**—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after section 311, as added by section 1242(a) of this Act, the following new section:

“§ 312. Payment of personnel expenses necessary for theater security cooperation

“(a) **AUTHORITY.**—The Secretary of Defense may pay expenses specified in subsection (b) that the Secretary considers necessary for theater security cooperation.

“(b) **TYPES OF EXPENSES.**—The expenses that may be paid under the authority provided in subsection (a) are the following:

“(1) **PERSONNEL EXPENSES.**—The Secretary of Defense may pay travel, subsistence, and similar personnel expenses of, and

special compensation for, the following that the Secretary considers necessary for theater security cooperation:

“(A) Defense personnel of friendly foreign governments.

“(B) With the concurrence of the Secretary of State, other personnel of friendly foreign governments and non-governmental personnel.

“(2) ADMINISTRATIVE SERVICES AND SUPPORT FOR LIAISON OFFICERS.—The Secretary of Defense may provide administrative services and support for the performance of duties by a liaison officer of a foreign country while the liaison officer is assigned temporarily to any headquarters in the Department of Defense.

“(3) TRAVEL, SUBSISTENCE, AND MEDICAL CARE FOR LIAISON OFFICERS.—The Secretary of Defense may pay the expenses of a liaison officer in connection with the assignment of that officer as described in paragraph (2) if the assignment is requested by the commander of a combatant command, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the head of a Defense Agency as follows:

“(A) Travel and subsistence expenses.

“(B) Personal expenses directly necessary to carry out the duties of that officer in connection with that assignment.

“(C) Expenses for medical care at a civilian medical facility if—

“(i) adequate medical care is not available to the liaison officer at a local military medical treatment facility;

“(ii) the Secretary determines that payment of such medical expenses is necessary and in the best interests of the United States; and

“(iii) medical care is not otherwise available to the liaison officer pursuant to any treaty or other international agreement.

“(D) Mission-related travel expenses if such travel meets each of the following conditions:

“(i) The travel is in support of the national security interests of the United States.

“(ii) The officer or official making the request directs round-trip travel from the assigned location to one or more travel locations.

“(4) CONFERENCES, SEMINARS, AND SIMILAR MEETINGS.—The authority provided by paragraph (1) includes authority to pay travel and subsistence expenses for personnel described in that paragraph in connection with the attendance of such personnel at any conference, seminar, or similar meeting that is in direct support of enhancing interoperability between the United States armed forces and the national security forces of a friendly foreign country for the purposes of conducting operations, the provision of equipment or training, or the planning for, or the execution of, bilateral or multilateral training, exercises, or military operations.

“(5) OTHER EXPENSES.—In addition to the personnel expenses payable under paragraph (1), the Secretary of Defense

may pay such other limited expenses in connection with conferences, seminars, and similar meetings covered by paragraph (4) as the Secretary considers appropriate in the national security interests of the United States.

“(c) LIMITATIONS ON EXPENSES PAYABLE.—

“(1) PERSONNEL FROM DEVELOPING COUNTRIES.—The authority provided in subsection (a) may be used only for the payment of expenses of, and special compensation for, personnel from developing countries, except that the Secretary of Defense may authorize the payment of such expenses and special compensation for personnel from a country other than a developing country if the Secretary determines that such payment is necessary to respond to extraordinary circumstances and is in the national security interest of the United States.

“(2) NON-DEFENSE LIAISON OFFICERS.—In the case of a non-defense liaison officer of a foreign country, the authority of the Secretary of Defense under subsection (a) to pay expenses specified in paragraph (2) or (3) of subsection (b) may be exercised only if the assignment of that liaison officer as a liaison officer with the Department of Defense was accepted by the Secretary of Defense with the coordination of the Secretary of State.

“(d) REIMBURSEMENT.—The Secretary of Defense may provide the services and support specified in subsection (b)(2) with or without reimbursement from (or on behalf of) the recipients. The terms of reimbursement (if any) shall be specified in the appropriate agreements used to assign the liaison officer.

“(e) MONETARY LIMITATIONS ON EXPENSES PAYABLE.—

“(1) TRAVEL AND SUBSISTENCE EXPENSES GENERALLY.—Travel and subsistence expenses authorized to be paid under subsection (a) may not, in the case of any individual, exceed the amount that would be paid under chapter 7 or 8 of title 37 to a member of the armed forces (of a comparable grade) for authorized travel of a similar nature.

“(2) TRAVEL AND RELATED EXPENSES OF LIAISON OFFICERS.—The amount paid for expenses specified in subsection (b)(3) for any liaison officer in any fiscal year may not exceed \$150,000.

“(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives.

“(g) ADMINISTRATIVE SERVICES AND SUPPORT DEFINED.—In this section, the term ‘administrative services and support’ includes base or installation support services, office space, utilities, copying services, fire and police protection, training programs conducted to familiarize, orient, or certify liaison personnel regarding unique aspects of the assignments of the liaison personnel, and computer support.”

(b) CONFORMING AMENDMENTS.—

(1) REPEALS.—Sections 1050, 1050a, 1051, and 1051a of title 10, United States Code, are repealed.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 53 of such title is amended by striking the items relating to sections 1050, 1050a, 1051, and 1051a.

(c) *SAVINGS PROVISION FOR FISCAL YEAR 2017.*—The authority under section 1050 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to the Inter-American Defense College during fiscal year 2017 under regulations prescribed by the Secretary of Defense.

SEC. 1244. TRANSFER AND REVISION OF CERTAIN AUTHORITIES ON PAYMENT OF EXPENSES OF TRAINING AND EXERCISES WITH FRIENDLY FOREIGN FORCES.

(a) *TRANSFER AND REVISION OF AUTHORITY ON PAYMENT OF EXPENSES OF DEVELOPING COUNTRIES.*—Section 2010 of title 10, United States Code, is transferred to chapter 16 of such title, as added by section 1241(a)(3) of this Act, inserted after the table of sections at the beginning of subchapter III, redesignated as section 321, and amended to read as follows:

“§ 321. Training with friendly foreign countries: payment of training and exercise expenses

“(a) *TRAINING AUTHORIZED.*—

“(1) *TRAINING WITH FOREIGN FORCES GENERALLY.*—The armed forces under the jurisdiction of the Secretary of Defense may train with the military forces or other security forces of a friendly foreign country if the Secretary determines that it is in the national security interest of the United States to do so.

“(2) *LIMITATION ON TRAINING OF GENERAL PURPOSE FORCES.*—The general purpose forces of the United States armed forces may train only with the military forces of a friendly foreign country.

“(3) *TRAINING TO SUPPORT MISSION ESSENTIAL TASKS.*—Any training conducted pursuant to paragraph (1) shall, to the maximum extent practicable, support the mission essential tasks for which the unit of the United States armed forces participating in such training is responsible.

“(4) *ELEMENTS OF TRAINING.*—Any training conducted pursuant to paragraph (1) shall, to the maximum extent practicable, include elements that promote—

“(A) observance of and respect for human rights and fundamental freedoms; and

“(B) respect for legitimate civilian authority within the foreign country concerned.

“(b) *AUTHORITY TO PAY TRAINING AND EXERCISE EXPENSES.*—Under regulations prescribed pursuant to subsection (e), the Secretary of a military department or the commander of a combatant command may pay, or authorize payment for, any of the following expenses:

“(1) Expenses of training forces assigned or allocated to that command in conjunction with training, and training with the military forces or other security forces of a friendly foreign country under subsection (a).

“(2) Expenses of deploying such forces for that training.

“(3) The incremental expenses of a friendly foreign country as the direct result of participating in such training, as specified in the regulations.

“(4) *The incremental expenses of a friendly foreign country as the direct result of participating in an exercise with the armed forces under the jurisdiction of the Secretary of Defense.*

“(5) *Small-scale construction that is directly related to the effective accomplishment of the training described in paragraph (1) or an exercise described in paragraph (4).*

“(c) *PURPOSE OF TRAINING AND EXERCISES.—*

“(1) *IN GENERAL.—The primary purpose of the training and exercises for which payment may be made under subsection (b) shall be to train United States forces.*

“(2) *SELECTION OF FOREIGN PARTNERS.—Training and exercises with friendly foreign countries under subsection (a) should be planned and prioritized consistent with applicable guidance relating to the security cooperation programs and activities of the Department of Defense.*

“(d) *AVAILABILITY OF FUNDS FOR ACTIVITIES THAT CROSS FISCAL YEARS.—Amounts available for the authority to pay expenses in subsection (b) for a fiscal year may be used to pay expenses under that subsection for training and exercises that begin in such fiscal year but end in the next fiscal year.*

“(e) *QUARTERLY NOTICE ON PLANNED TRAINING.—Not later than the end of the first calendar quarter beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, and every calendar quarter thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a notice setting forth the schedule of planned training engagement pursuant to subsection (a) during the calendar quarter first following the calendar quarter in which such notice is submitted.*

“(f) *REGULATIONS.—*

“(1) *IN GENERAL.—The Secretary of Defense shall prescribe regulations for the administration of this section. The Secretary shall submit the regulations to the Committees on Armed Services of the Senate and the House of Representatives.*

“(2) *ELEMENTS.—The regulations required under this section shall provide the following:*

“(A) *A requirement that training and exercise activities may be carried out under this section only with the prior approval of the Secretary.*

“(B) *Accounting procedures to ensure that the expenditures pursuant to this section are appropriate.*

“(C) *Procedures to limit the payment of incremental expenses to friendly foreign countries only to developing countries, except in the case of exceptional circumstances as specified in the regulations.”.*

(b) *TRANSFER OF AUTHORITY FOR PAYMENT OF EXPENSES IN CONNECTION WITH SPECIAL OPERATIONS FORCES TRAINING.—Section 2011 of title 10, United States Code, is transferred to chapter 16 of such title, inserted after section 321, as transferred and amended by subsection (a) of this section, and redesignated as section 322.*

(c) *CONFORMING REPEAL.—Section 1203 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note) is repealed.*

(d) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 101 of title 10, United States Code, is amended by striking the items relating to sections 2010 and 2011.

SEC. 1245. TRANSFER AND REVISION OF AUTHORITY TO PROVIDE OPERATIONAL SUPPORT TO FORCES OF FRIENDLY FOREIGN COUNTRIES.

(a) *TRANSFER AND REVISION.*—Section 127d of title 10, United States Code, is transferred to chapter 16 of such title, as added by section 1241(a)(3) of this Act, inserted after the table of sections at the beginning of subchapter IV, redesignated as section 331, and amended to read as follows:

“§ 331. Friendly foreign countries: authority to provide support for conduct of operations

“(a) *AUTHORITY.*—The Secretary of Defense may provide support to friendly foreign countries in connection with the conduct of operations designated pursuant to subsection (b).

“(b) *DESIGNATED OPERATIONS.*—

“(1) *IN GENERAL.*—The Secretary of Defense shall designate the operations for which support may be provided under the authority in subsection (a).

“(2) *NOTICE TO CONGRESS.*—The Secretary shall notify the appropriate committees of Congress of the designation of any operation pursuant to this subsection.

“(3) *ANNUAL REVIEW FOR CONTINUING DESIGNATION.*—The Secretary shall undertake on an annual basis a review of the operations currently designated pursuant to this subsection in order to determine whether each such operation merits continuing designation for purposes of this section for another year. If the Secretary determines that any operation so reviewed merits continuing designation for purposes of this section for another year, the Secretary—

“(A) may continue the designation of such operation under this subsection for such purposes for another year; and

“(B) if the Secretary so continues the designation of such operation, shall notify the appropriate committees of Congress of the continuation of designation of such operation.

“(c) *TYPES OF SUPPORT AUTHORIZED.*—The types of support that may be provided under the authority in subsection (a) are the following:

“(1) Logistic support, supplies, and services to security forces of a friendly foreign country participating in—

“(A) an operation with the armed forces under the jurisdiction of the Secretary of Defense; or

“(B) a military or stability operation that benefits the national security interests of the United States.

“(2) Logistic support, supplies, and services—

“(A) to military forces of a friendly foreign country solely for the purpose of enhancing the interoperability of the logistical support systems of military forces participating in a combined operation with the United States in order to facilitate such operation; or

“(B) to a nonmilitary logistics, security, or similar agency of a friendly foreign government if such provision would directly benefit the armed forces under the jurisdiction of the Secretary of Defense.

“(3) Procurement of equipment for the purpose of the loan of such equipment to the military forces of a friendly foreign country participating in a United States-supported coalition or combined operation and the loan of such equipment to those forces to enhance capabilities or to increase interoperability with the armed forces under the jurisdiction of the Secretary of Defense and other coalition partners.

“(4) Provision of specialized training to personnel of friendly foreign countries in connection with such an operation, including training of such personnel before deployment in connection with such operation.

“(5) Small-scale construction to support military forces of a friendly foreign country participating in a United States-supported coalition or combined operation when the construction is directly linked to the ability of such forces to participate in such operation effectively and is limited to the geographic area where such operation is taking place.

“(d) CERTIFICATION REQUIRED.—

“(1) OPERATIONS IN WHICH THE UNITED STATES IS NOT PARTICIPATING.—The Secretary of Defense may provide support under subsection (a) to a friendly foreign country with respect to an operation in which the United States is not participating only—

“(A) if the Secretary of Defense and the Secretary of State jointly certify to the appropriate committees of Congress that the operation is in the national security interests of the United States; and

“(B) after the expiration of the 15-day period beginning on the date of such certification.

“(2) ACCOMPANYING REPORT.—Any certification under paragraph (1) shall be accompanied by a report that includes the following:

“(A) A description of the operation, including the geographic area of the operation.

“(B) A list of participating countries.

“(C) A description of the type of support and the duration of support to be provided.

“(D) A description of the national security interests of the United States supported by the operation.

“(E) Such other matters as the Secretary of Defense and the Secretary of State consider significant to a consideration of such certification.

“(e) SECRETARY OF STATE CONCURRENCE.—The provision of support under subsection (a) may be made only with the concurrence of the Secretary of State.

“(f) SUPPORT OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of support described in subsection (c) that is otherwise prohibited by any provision of law.

“(g) LIMITATIONS ON VALUE.—

“(1) The aggregate value of all logistic support, supplies, and services provided under paragraphs (1), (4), and (5) of subsection (c) in any fiscal year may not exceed \$450,000,000.

“(2) The aggregate value of all logistic support, supplies, and services provided under subsection (c)(2) in any fiscal year may not exceed \$5,000,000.

“(h) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES DEFINED.—In this section, the term ‘logistic support, supplies, and services’ has the meaning given that term in section 2350(1) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 127d.

(c) CONFORMING REPEAL.—Section 1207 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1040; 10 U.S.C. 2282 note) is repealed.

SEC. 1246. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.

(a) CODIFICATION IN NEW CHAPTER ON SECURITY COOPERATION ACTIVITIES.—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after the table of sections at the beginning of subchapter V a new section 341 consisting of—

(1) a heading as follows:

“§ 341. Department of Defense State Partnership Program”;
and

(2) a text consisting of subsections (a) through (g) of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (32 U.S.C. 107 note).

(b) PROHIBITION ON ACTIVITIES WITH UNITS HAVING COMMITTED GROSS VIOLATIONS OF HUMAN RIGHTS.—Subsection (b) of section 341 of title 10, United States Code, as added by subsection (a) of this section, is amended—

(1) by striking “(b) LIMITATION.—An activity” and inserting the following:

“(b) LIMITATIONS.—

“(1) IN GENERAL.—An activity”; and

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

“(2) PROHIBITION ON ACTIVITIES WITH UNITS THAT HAVE COMMITTED GROSS VIOLATIONS OF HUMAN RIGHTS.—The conduct of any activities under a program established under subsection (a) shall be subject to the provisions of section 362 of this title.”

(c) REVISIONS TO STRIKE OBSOLETE PROVISIONS AND CONFORM TO PROVISIONS IN NEW CHAPTER.—Such section 341, as so added, is further amended—

(1) by striking subsection (d) and inserting the following new subsection (d):

“(d) REGULATIONS.—This section shall be carried out in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this section. Such regulations shall include accounting procedures to ensure that expenditures of funds to carry out this section are accounted for and appropriate.”; and

(2) in subsection (g), by striking “under title 10” and all that follows and inserting “under title 10 as in effect on December 26, 2013.”

(d) ANNUAL REPORTS.—

(1) REPORTS UNDER CODIFIED AUTHORITY.—Subsection (f) of such section 341, as so added, is amended—

(A) by striking “(f) REPORTS AND NOTIFICATIONS.—” and all that follows through “(B) MATTERS TO BE INCLUDED.—” and inserting the following:

“(f) ANNUAL REPORTS.—

“(1) IN GENERAL.—Not later than February 1 following each of fiscal years 2016, 2017, and 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on activities under each program established under subsection (a) during such fiscal year.

“(2) MATTERS TO BE INCLUDED.—”; and

(B) in paragraph (2), as redesignated by subparagraph

(A) of this paragraph—

(i) by redesignating clauses (i) through (vi) as subparagraphs (A) through (F), respectively, and realigning the margin of each such subparagraph two ems to the left; and

(ii) in subparagraph (F), as redesignated by clause (i) of this subparagraph, by striking “clause (v)” and inserting “subparagraph (E)”.

(2) REPORTS UNDER CODIFIED REPORTING AUTHORITY IN NEW CHAPTER ON SECURITY COOPERATION ACTIVITIES.—Effective as of January 1, 2020—

(A) section 386(c)(1) of title 10, United States Code, as added by section 1251(d)(1) of this Act, is amended by inserting “341,” after “333.”; and

(B) section 341 of title 10, United States Code, as added and amended by this section, is further amended—

(i) by striking subsection (f); and

(ii) by redesignating subsection (g) as subsection (f).

(e) CONFORMING REPEAL.—Section 1205 of the National Defense Authorization Act for Fiscal Year 2014 is repealed.

SEC. 1247. TRANSFER OF AUTHORITY ON REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM.

(a) TRANSFER AND REDESIGNATION.—Section 2249c of title 10, United States Code, is transferred to chapter 16 of such title, as added by section 1241(a)(3) of this Act, inserted after section 344, as transferred and redesignated by section 1241(g) of this Act, and redesignated as section 345.

(b) CONFORMING AMENDMENT IN CONNECTION WITH TRANSFER TO NEW CHAPTER.—Subsection (c) of such section 345, as so transferred and redesignated, is amended by striking “to Congress” and inserting “to the appropriate committees of Congress”.

(c) HEADING AMENDMENT.—The heading of such section 345, as so transferred and redesignated, is amended to read as follows:

“§ 345. Regional Defense Combating Terrorism Fellowship Program”.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by striking the item relating to section 2249c.

SEC. 1248. CONSOLIDATION OF AUTHORITIES FOR SERVICE ACADEMY INTERNATIONAL ENGAGEMENT.

(a) *CONSOLIDATION OF AUTHORITIES.*—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after section 346, as transferred and redesignated by section 1241(h) of this Act, the following new section:

“§ 347. International engagement authorities for service academies

“(a) SELECTION OF PERSONS FROM FOREIGN COUNTRIES TO RECEIVE INSTRUCTION AT SERVICE ACADEMIES.—

“(1) ATTENDANCE AUTHORIZED.—

“(A) IN GENERAL.—The Secretary of each military department may permit persons from foreign countries to receive instruction at the Service Academy under the jurisdiction of the Secretary. Such persons shall be in addition to—

“(i) in the case of the United States Military Academy, the authorized strength of the Corps of the Cadets of the Academy under 4342 of this title;

“(ii) in the case of the United States Naval Academy, the authorized strength of the Brigade of Midshipmen of the Academy under section 6954 of this title; and

“(iii) in the case of the United States Air Force Academy, the authorized strength of the Cadet Wing of the Academy under 9342 of this title.

“(B) LIMITATION ON NUMBER.—The number of persons permitted to receive instruction at each Service Academy under this subsection may not be more than 60 at any one time.

“(2) DETERMINATION OF FOREIGN COUNTRIES FROM WHICH PERSONS MAY BE SELECTED.—The Secretary of a military department, upon approval by the Secretary of Defense, shall determine—

“(A) the countries from which persons may be selected for appointment under this subsection to the Service Academy under the jurisdiction of that Secretary; and

“(B) the number of persons that may be selected from each country.

“(3) QUALIFICATIONS AND SELECTION.—The Secretary of each military department—

“(A) may establish entrance qualifications and methods of competition for selection among individual applicants under this subsection; and

“(B) shall select those persons who will be permitted to receive instruction at the Service Academy under the jurisdiction of the Secretary under this subsection.

“(4) SELECTION PRIORITY TO PERSONS WITH NATIONAL SERVICE OBLIGATION UPON GRADUATION.—In selecting persons to receive instruction under this subsection from among applicants from the countries approved under paragraph (2), the Secretary of the military department concerned shall give a priority to persons who have a national service obligation to their countries upon graduation from the Service Academy concerned.

“(5) *PAY, ALLOWANCES, AND EMOLUMENTS OF PERSONS ADMITTED.*—A person receiving instruction under this subsection is entitled to the pay, allowances, and emoluments of a cadet or midshipman appointed from the United States, and from the same appropriations.

“(6) *REIMBURSEMENT OF COSTS BY FOREIGN COUNTRIES FROM WHICH PERSONS ARE ADMITTED.*—

“(A) *REIMBURSEMENT REQUIRED.*—Each foreign country from which a cadet or midshipman is permitted to receive instruction at one of the Service Academies under this subsection shall reimburse the United States for the cost of providing such instruction, including the cost of pay, allowances, and emoluments provided under paragraph (5). The Secretaries of the military departments shall prescribe the rates for reimbursement under this paragraph, except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a cadet or midshipman appointed from the United States.

“(B) *WAIVER AUTHORITY.*—The Secretary of Defense may waive, in whole or in part, the requirement for reimbursement of the cost of instruction for a cadet or midshipman under subparagraph (A). In the case of a partial waiver, the Secretary of Defense shall establish the amount waived.

“(7) *APPLICABILITY OF ACADEMY REGULATIONS, ETC.*—

“(A) *IN GENERAL.*—Except as the Secretary of the military department concerned determines, a person receiving instruction under this subsection at the Service Academy under the jurisdiction of that Secretary is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet or midshipman at that Academy appointed from the United States.

“(B) *CLASSIFIED INFORMATION.*—The Secretary of the military department concerned may prescribe regulations with respect to access to classified information by a person receiving instruction under this subsection at the Service Academy under the jurisdiction of that Secretary that differ from the regulations that apply to a cadet or midshipman at that Academy appointed from the United States.

“(8) *INELIGIBILITY FOR APPOINTMENT IN THE UNITED STATES ARMED FORCES.*—A person receiving instruction at a Service Academy under this subsection is not entitled to an appointment in an armed force of the United States by reason of graduation from the Academy.

“(9) *INAPPLICABILITY OF REQUIREMENT FOR TAKING OATH OF ADMISSION.*—A person receiving instruction under this subsection is not subject to section 4346(d), 6958(d), or 9346(d) of this title, as the case may be.

“(b) *EXCHANGE PROGRAMS WITH FOREIGN MILITARY ACADEMIES.*—

“(1) *EXCHANGE PROGRAMS AUTHORIZED.*—The Secretary of a military department may permit a student enrolled at a military academy of a foreign country to receive instruction at the

Service Academy under the jurisdiction of that Secretary in exchange for a cadet or midshipman receiving instruction at that foreign military academy pursuant to an exchange agreement entered into between the Secretary and appropriate officials of the foreign country. A student receiving instruction at a Service Academy under the exchange program under this subsection shall be in addition to persons receiving instruction at the Academy under subsection (a).

“(2) LIMITATIONS ON NUMBER AND DURATION OF EXCHANGES.—An exchange agreement under this subsection between the Secretary and a foreign country shall provide for the exchange of students on a one-for-one basis each fiscal year. Not more than 100 cadets or midshipmen from each Service Academy and a comparable number of students from foreign military academies participating in the exchange program may be exchanged during any fiscal year. The duration of an exchange may not exceed the equivalent of one academic semester at a Service Academy.

“(3) COSTS AND EXPENSES.—

“(A) NO PAY AND ALLOWANCES.—A student from a military academy of a foreign country is not entitled to the pay, allowances, and emoluments of a cadet or midshipman by reason of attendance at a Service Academy under the exchange program, and the Department of Defense may not incur any cost of international travel required for transportation of such a student to and from the sponsoring foreign country.

“(B) SUBSISTENCE, TRANSPORTATION, ETC.—The Secretary of the military department concerned may provide a student from a foreign country under the exchange program, during the period of the exchange, with subsistence, transportation within the continental United States, clothing, health care, and other services to the same extent that the foreign country provides comparable support and services to the exchanged cadet or midshipman in that foreign country.

“(C) SOURCE OF FUNDS.—A Service Academy shall bear all costs of the exchange program from funds appropriated for that Academy and from such additional funds as may be available to that Academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training activities in connection with the exchange program.

“(D) LIMITATION ON EXPENDITURES.—Expenditures in support of the exchange program from funds appropriated for each Academy may not exceed \$1,000,000 during any fiscal year.

“(4) APPLICATION OF OTHER LAWS.—Paragraphs (7), (8), and (9) of subsection (a) shall apply with respect to a student enrolled at a military academy of a foreign country while attending a Service Academy under the exchange program.

“(5) REGULATIONS.—The Secretary of the military department concerned shall prescribe regulations to implement this subsection. Such regulations may include qualification criteria

and methods of selection for students of foreign military academies to participate in the exchange program.

“(c) FOREIGN AND CULTURAL EXCHANGE ACTIVITIES.—

“(1) ATTENDANCE AUTHORIZED.—The Secretary of a military department may authorize the Service Academy under the jurisdiction of that Secretary to permit students, officers, and other representatives of a foreign country to attend that Academy for periods of not more than four weeks if the Secretary determines that the attendance of such persons contributes significantly to the development of foreign language, cross-cultural interactions and understanding, and cultural immersion of cadets or midshipmen, as the case may be.

“(2) EFFECT OF ATTENDANCE.—Persons attending a Service Academy under paragraph (1) are not considered to be students enrolled at that Academy and are in addition to persons receiving instruction at that Academy under subsection (a) or (b).

“(3) FINANCIAL MATTERS.—

“(A) COSTS AND EXPENSES.—The Secretary of a military department may pay the travel, subsistence, and similar personal expenses of persons incurred to attend the Service Academy under the jurisdiction of that Secretary under paragraph (1).

“(B) SOURCE OF FUNDS.—Each Service Academy shall bear the costs of the attendance of persons at that Academy under paragraph (1) from funds appropriated for that Academy and from such additional funds as may be available to that Academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training activities in connection with their attendance.

“(C) LIMITATION ON EXPENDITURES.—Expenditures from appropriated funds in support of activities under this subsection for any Service Academy may not exceed \$40,000 during any fiscal year.

“(d) SERVICE ACADEMY DEFINED.—In this section, the term ‘Service Academy’ means the following:

“(1) The United States Military Academy.

“(2) The United States Naval Academy.

“(3) The United States Air Force Academy.”.

(b) CONFORMING REPEALS.—

(1) REPEALS.—Sections 4344, 4345, 4345a, 6957, 6957a, 6957b, 9344, 9345, and 9345a of title 10, United States Code, are repealed.

(2) CLERICAL AMENDMENTS.—

(A) The table of sections at the beginning of chapter 403 of such title is amended by striking the items relating to sections 4344, 4345, and 4345a.

(B) The table of sections at the beginning of chapter 603 of such title is amended by striking the items relating to sections 6957, 6957a, and 6957b.

(C) The table of sections at the beginning of chapter 903 of such title is amended by striking the items relating to sections 9344, 9345, and 9345a.

SEC. 1249. CONSOLIDATED ANNUAL BUDGET FOR SECURITY COOPERATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) *IN GENERAL.*—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after the table at the beginning of subchapter VII the following new section:

“§ 381. Consolidated budget

“(a) *CONSOLIDATED BUDGET.*—The budget of the President for each fiscal year, as submitted to Congress by the President pursuant to section 1105 of title 31, shall set forth by budget function and as a separate item the amounts requested for the Department of Defense for such fiscal year for all security cooperation programs and activities of the Department of Defense, including the military departments, to be conducted in such fiscal year, including the specific country or region and the applicable authority, to the extent practicable.

“(b) *QUARTERLY REPORT ON USE OF FUNDS.*—Not later than 30 days after the end of each calendar quarter, the Secretary shall submit to the appropriate committees of Congress a report on the obligation and expenditure of funds for security cooperation programs and activities of the Department of Defense during such calendar quarter.”

(b) *APPLICABILITY.*—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply as follows:

(1) Subsection (a) of section 381 of title 10, United States Code, as added by subsection (a), shall apply to budgets submitted to Congress by the President pursuant to section 1105 of title 31, United States Code, for each fiscal year after fiscal year 2018.

(2) Subsection (b) of such section 381, as so added, shall apply to calendar quarters beginning on or after the date of the enactment of this Act.

SEC. 1250. DEPARTMENT OF DEFENSE SECURITY COOPERATION WORKFORCE DEVELOPMENT.

(a) *IN GENERAL.*—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after section 383, as added by section 1241(m) of this Act, the following new section:

“§ 384. Department of Defense security cooperation workforce development

“(a) *PROGRAM REQUIRED.*—The Secretary of Defense shall carry out a program to be known as the ‘Department of Defense Security Cooperation Workforce Development Program’ (in this section referred to as the ‘Program’) to oversee the development and management of a professional workforce supporting security cooperation programs and activities of the Department of Defense, including—

“(1) assessment, planning, monitoring, execution, evaluation, and administration of such programs and activities under this chapter; and

“(2) execution of security assistance programs and activities under the Foreign Assistance Act of 1961 and the Arms Export Control Act by the Department of Defense.

“(b) PURPOSE.—The purpose of the Program is to improve the quality and professionalism of the security cooperation workforce in order to ensure that the workforce—

“(1) has the capacity, in both personnel and skills, needed to properly perform its mission, provide appropriate support to the assessment, planning, monitoring, execution, evaluation, and administration of security cooperation programs and activities described in subsection (a), and ensure that the Department receives the best value for the expenditure of public resources on such programs and activities; and

“(2) is assigned in a manner that ensures personnel with the appropriate level of expertise and experience are assigned in sufficient numbers to fulfill requirements for the security cooperation programs and activities of the Department of Defense and the execution of security assistance programs and activities described in subsection (a)(2).

“(c) ELEMENTS.—The Program shall consist of such elements relating to the development and management of the security cooperation workforce as the Secretary considers appropriate for the purposes specified in subsection (b), including elements on training, certification, assignment, and career development of personnel of the security cooperation workforce.

“(d) MANAGEMENT.—The Program shall be managed by the Director of the Defense Security Cooperation Agency.

“(e) GUIDANCE.—

“(1) INTERIM GUIDANCE.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary shall issue interim guidance for the execution and administration of the Program.

“(2) FINAL GUIDANCE.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary shall issue final guidance for the execution and administration of the Program.

“(3) SCOPE OF GUIDANCE.—The guidance shall do the following:

“(A) Provide direction to the Department of Defense on the establishment of professional career paths for the personnel of the security cooperation workforce, addressing training and education standards, promotion opportunities and requirements, retention policies, and scope of workforce demands.

“(B) Provide for a mechanism to identify and define training and certification requirements for security cooperation positions in the Department and a means to track workforce skills and certifications.

“(C) Provide for a mechanism to establish a program of professional certification in Department of Defense security cooperation for personnel of the security cooperation workforce in different career tracks and levels of competency based on requisite training and experience.

“(D) Establish requirements for training and professional development associated with each level of certification provided for under subparagraph (C).”

“(E) Establish and maintain a school to train, educate, and certify the security cooperation workforce according to standards developed for purposes of subparagraph (C).”

“(F) Provide for a mechanism for assigning appropriately certified personnel of the security cooperation workforce to assignments associated with key positions in connection with security cooperation programs and activities.”

“(G) Identify the appropriate composition of career and temporary personnel necessary to constitute the security cooperation workforce.”

“(H) Identify specific positions throughout the security cooperation workforce to be managed and assigned through the Program.”

“(f) SOURCE OF FUNDS.—”

“(1) IN GENERAL.—Funds available to the Defense Security Cooperation Agency, and other funds available to the Department of Defense for security cooperation programs and activities of the Department of Defense, may be used to carry out the Program.”

“(2) BUDGET JUSTIFICATION.—Funds necessary to carry out the Program as described in paragraph (1) for a fiscal year shall be identified, with appropriate justification, in the consolidated budget for such fiscal year required by section 381 of this title.”

“(g) USE OF FUNDS.—Amounts available for use for the Program may be transferred to any account of the military departments or the Defense Agencies for purposes of the Program.”

“(h) SECURITY COOPERATION WORKFORCE DEFINED.—In this section, the term ‘security cooperation workforce’ means the following:

“(1) Members of the armed forces and civilian employees of the Department of Defense working in the security cooperation organizations of United States missions overseas.”

“(2) Members of the armed forces and civilian employees of the Department of Defense in the geographic combatant commands and functional combatant commands responsible for planning, monitoring, or conducting security cooperation activities.”

“(3) Members of the armed forces and civilian employees of the Department of Defense in the military departments performing security cooperation activities, including activities in connection with the acquisition and development of technology release policies.”

“(4) Other military and civilian personnel of Defense Agencies and Field Activities who perform security cooperation activities.”

“(5) Personnel of the Department of Defense who perform assessments, monitoring, or evaluations of security cooperation programs and activities of the Department of Defense, including assessments under section 383 of this title.”

“(6) Other members of the armed forces or civilian employees of the Department of Defense who contribute significantly to

the security cooperation programs and activities of the Department of Defense by virtue of their assigned duties, as determined pursuant to the guidance issued under subsection (e)."

(b) **REPORTS ON WORKFORCE DEVELOPMENT.**—

(1) **IN GENERAL.**—Not later than March 1, 2018, and each year thereafter through 2021, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the Department of Defense Security Cooperation Workforce Development Program required by section 384 of title 10, United States Code, as added by subsection (a), for the fiscal year beginning in the year in which such report is submitted.

(2) **ELEMENTS.**—Each report under this subsection shall include, for the fiscal year covered by such report, the following:

(A) The funds requested or allocated for the Department of Defense Security Cooperation Workforce Development Program and for the security cooperation workforce.

(B) A description of how the funds identified pursuant to subparagraph (A) will be implemented for the following:

(i) To address any gaps in the skills and competencies of the current or anticipated security cooperation workforce

(ii) To provide incentives to retain qualified, experienced personnel in the security cooperation workforce.

(iii) To provide incentives to attract and recruit new, high-quality personnel to the security cooperation workforce.

(C) Any other matters the Secretary considers appropriate.

(3) **DEFINITIONS.**—In this subsection:

(A) The term “appropriate committees of Congress” has the meaning given that term in section 301(1) of title 10, United States Code, as added by section 1241(a)(3) of this Act.

(B) The term “security cooperation workforce” has the meaning given that term in section 384(h) of title 10, United States Code, as added by subsection (a).

SEC. 1251. REPORTING REQUIREMENTS.

(a) **CODIFICATION IN NEW CHAPTER ON SECURITY COOPERATION ACTIVITIES.**—Chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, is amended by inserting after section 385, as added by section 1241(m) of this Act, a new section 386 consisting of—

(1) a heading as follows:

“§ 386. Annual report”; and

(2) a text consisting of subsections (a) through (e) of section 1211 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544).

(b) **REVISIONS TO PROVIDE FOR PERMANENT, ANNUAL REPORT.**—Subsection (a) of section 386 of title 10, United States Code, as added by subsection (a) of this section, is amended—

(1) by striking “BIENNIAL” and all that follows through “the Secretary of Defense” and inserting “ANNUAL REPORT RE-

REQUIRED.—Not later than January 31 of each year beginning in 2018, the Secretary of Defense”;

(2) by striking “congressional defense committees” and inserting “appropriate congressional committees”;

(3) by inserting “under the authorities in subsection (c)” after “Department of Defense”;

(4) by striking “security assistance” and inserting “assistance”;

(5) by striking “the two fiscal years” and inserting “the fiscal year”; and

(6) by striking “under the authorities in subsection (c)” after “submitted”.

(c) ELEMENTS OF REPORT.—Subsection (b) of such section 386, as so added, is amended—

(1) in paragraph (1), by inserting “, duration,” after “purpose”;

(2) in paragraph (2), by striking “The cost” and inserting “The cost and expenditures”;

(3) by adding at the end the following:

“(4) For each foreign country in which defense articles, defense services, supplies (including consumables), small-scale construction, or reimbursement were provided, a description of the extent of participation, if any, by the military forces and security forces or other government organizations of such foreign country.

“(5) The number of members of the United States armed forces involved in providing such defense articles, defense services, supplies (including consumables), and small-scale construction, and, if applicable, a description of the military benefits for such members involved in providing such training, equipment, or assistance.

“(6) A summary, by authority, of the activities carried out under each authority specified in subsection (c).”.

(d) MODIFICATION TO SPECIFIED AUTHORITIES.—Subsection (c) of such section 386, as so added, is amended—

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

“(1) Sections 311, 321, 331, 332, 333, 344, 348, 349, and 350 of this title.”;

(2) by striking paragraphs (4), (5), (7), (10), (11), and (12);

(3) by redesignating paragraphs (6), (8), (9), and (13) through (16) as paragraphs (4) through (10), respectively;

(4) by inserting after paragraph (10), as redesignated by paragraph (3) of this subsection, the following new paragraphs:

“(11) Section 401 of this title, relating to humanitarian and civic assistance provided in conjunction with military operations.

“(12) Section 1206 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3538; 10 U.S.C. 2282 note), relating to authority to conduct human rights training of security forces and associated security ministries of foreign countries.”;

(5) by redesignating paragraph (17) as paragraph (13); and

(6) by striking “of title 10, United States Code” each place it appears and inserting “of this title”.

(e) *MODIFICATION OF NONDUPLICATION OF EFFORT REQUIREMENT.*—Subsection (d) of such section 386, as so added, is amended—

(1) by striking “If any information” and inserting the following:

“(1) *IN GENERAL.*—Except as provided in paragraph (2), if any information”; and

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

“(2) *EXCEPTION.*—Paragraph (1) does not apply with respect to information required under subsection (a) that is required to be submitted as described in paragraphs (1) and (2) of subsection (b).”.

(f) *FORM.*—Subsection (e) of such section 386, as so added, is amended by inserting “that may also include other sensitive information” after “annex”.

(g) *CONFORMING REPEAL.*—Section 1211 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is repealed.

SEC. 1252. QUADRENNIAL REVIEW OF SECURITY SECTOR ASSISTANCE PROGRAMS AND AUTHORITIES OF THE UNITED STATES GOVERNMENT.

(a) *STATEMENT OF POLICY.*—It is the policy of the United States that the principal goals of the security sector assistance programs and authorities of the United States Government are as follows:

(1) To assist partner nations in building sustainable capability to address common security challenges with the United States.

(2) To promote partner nation support for United States interests.

(3) To promote universal values, such as good governance, transparent and accountable oversight of security forces, rule of law, transparency, accountability, delivery of fair and effective justice, and respect for human rights.

(4) To strengthen collective security and multinational defense arrangements and organizations of which the United States is a participant.

(b) *QUADRENNIAL REVIEW.*—

(1) *REVIEW REQUIRED.*—Not later than January 31, 2018, and every four years thereafter through 2034, the President shall complete a review of the security sector assistance programs, policies, authorities, and resources of the United States Government across the United States Government.

(2) *ELEMENTS.*—Each review under this subsection shall include the following:

(A) An examination whether the current security sector assistance programs, policies, authorities, and resources of the United States Government are sufficient to achieve the goals specified in subsection (a), and an identification of any gaps or shortfalls needing mitigation.

(B) An examination of the success of such programs and resources in achieving such goals, based on a review of relevant departmental and interagency programmatic and strategic evaluations.

(C) An examination of the extent to which the security sector assistance of the United States Government is

aligned with national security and foreign policy objectives, conducted in support of clear and coherent policy guidance, and planned and executed in accordance with identified best practices.

(D) The development of recommendations, as appropriate, for improving the security sector assistance programs, policies, authorities, and resources of the United States Government to more effectively achieve the goals specified in subsection (a) and support other national security objectives.

(3) **SUBMITTAL TO CONGRESS.**—Not later than 60 days after the completion of a review under this subsection, the President shall submit to the appropriate committees of Congress a report setting forth a summary of the review, including any recommendations developed pursuant to paragraph (2)(D).

(4) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” has the meaning given that term in section 301(1) of title 10, United States Code, as added by section 1241(a)(3) of this Act.

SEC. 1253. OTHER CONFORMING AMENDMENTS AND AUTHORITY FOR ADMINISTRATION.

(a) **REPEAL OF OTHER SUPERSEDED, OBSOLETE, OR DUPLICATIVE STATUTES.**—

(1) **IN GENERAL.**—The following provisions of title 10, United States Code, are repealed:

(A) Section 168, relating to military-to-military contacts and comparable activities.

(B) Section 1051c, relating to assignment of members of foreign military forces to improve education and training in information security through multilateral, bilateral, or regional cooperation programs.

(C) Section 2562, relating to a limitation on use of excess construction or fire equipment from Department of Defense stocks in foreign assistance or military sales programs.

(D) Sections 4681 and 9681, relating to sale of surplus war material to States and foreign governments.

(2) **CLERICAL AMENDMENTS.**—Title 10, United States Code, is amended as follows:

(A) The table of sections at the beginning of chapter 6 is amended by striking the item relating to section 168.

(B) The table of sections at the beginning of chapter 53 is amended by striking the item relating to section 1051c.

(C) The table of sections at the beginning of chapter 152 is amended by striking the item relating to section 2562.

(D) The table of sections at the beginning of chapter 443 is amended by striking the item relating to section 4681.

(E) The table of sections at the beginning of chapter 943 is amended by striking the item relating to section 9681.

(b) **SAVINGS CLAUSE.**—Any determination or other action made or taken before the date of the enactment of this Act under a provi-

sion of law transferred or repealed by this subchapter that is in effect as of the date of the enactment of this Act and is necessary for the administration of a successor authority to such provision of law under chapter 16 of title 10, United States Code, by reason of the enactment of such chapter by this subchapter shall remain in effect, in accordance with the terms of such determination or action when made or taken, for purposes of the administration of such successor authority.

(c) **REPORT ON DISCHARGE OF CERTAIN ACTIVITIES UNDER NEW SECURITY COOPERATION AUTHORITY.**—

(1) **IN GENERAL.**—Not later than October 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of any gaps that exist between applicable authorities in chapter 16 of title 10, United States Code, as added by section 1241(a)(3) of this Act, and the current law or other authorities under which activities under the initiatives specified in paragraph (2) are carried out.

(2) **INITIATIVES.**—The initiatives specified in this paragraph are the following:

(A) The Southeast Asia Maritime Security Initiative.

(B) The Ukraine Security Assistance Initiative.

(3) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) A description of each discrete set of activities under an initiative specified in paragraph (2) for which gaps exist between the applicable authorities in chapter 16 of title 10, United States Code, as so added, and current law or other authorities under which such activities are carried out.

(B) For each discrete set of activities covered by subparagraph (A), the following:

(i) A description of the gaps described in subparagraph (A).

(ii) Recommendations for legislative or administrative action to address such gaps.

Subtitle F—Human Rights Sanctions

SEC. 1261. SHORT TITLE.

This subtitle may be cited as the “Global Magnitsky Human Rights Accountability Act”.

SEC. 1262. DEFINITIONS.

In this subtitle:

(1) **FOREIGN PERSON.**—The term “foreign person” has the meaning given that term in section 595.304 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(2) **GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.**—The term “gross violations of internationally recognized human rights” has the meaning given that term in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)).

(3) **PERSON.**—The term “person” has the meaning given that term in section 591.308 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(4) *UNITED STATES PERSON.*—The term “United States person” has the meaning given that term in section 595.315 of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

SEC. 1263. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

(a) *IN GENERAL.*—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country who seek—

(A) to expose illegal activity carried out by government officials; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections;

(2) acted as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1);

(3) is a government official, or a senior associate of such an official, that is responsible for, or complicit in, ordering, controlling, or otherwise directing, acts of significant corruption, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; or

(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (3).

(b) *SANCTIONS DESCRIBED.*—The sanctions described in this subsection are the following:

(1) *INADMISSIBILITY TO UNITED STATES.*—In the case of a foreign person who is an individual—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

(2) *BLOCKING OF PROPERTY.*—

(A) *IN GENERAL.*—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) *INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.*—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(C) *EXCEPTION RELATING TO IMPORTATION OF GOODS.*—

(i) *IN GENERAL.*—The authority to block and prohibit all transactions in all property and interests in

property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(ii) *GOOD*.—In this subparagraph, the term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(c) *CONSIDERATION OF CERTAIN INFORMATION IN IMPOSING SANCTIONS*.—In determining whether to impose sanctions under subsection (a), the President shall consider—

(1) information provided jointly by the chairperson and ranking member of each of the appropriate congressional committees; and

(2) credible information obtained by other countries and nongovernmental organizations that monitor violations of human rights.

(d) *REQUESTS BY APPROPRIATE CONGRESSIONAL COMMITTEES*.—

(1) *IN GENERAL*.—Not later than 120 days after receiving a request that meets the requirements of paragraph (2) with respect to whether a foreign person has engaged in an activity described in subsection (a), the President shall—

(A) determine if that person has engaged in such an activity; and

(B) submit a classified or unclassified report to the chairperson and ranking member of the committee or committees that submitted the request with respect to that determination that includes—

(i) a statement of whether or not the President imposed or intends to impose sanctions with respect to the person; and

(ii) if the President imposed or intends to impose sanctions, a description of those sanctions.

(2) *REQUIREMENTS*.—

(A) *REQUESTS RELATING TO HUMAN RIGHTS VIOLATIONS*.—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in paragraph (1) or (2) of subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.

(B) *REQUESTS RELATING TO CORRUPTION*.—A request under paragraph (1) with respect to whether a foreign person has engaged in an activity described in paragraph (3) or (4) of subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of—

(i) one of the appropriate congressional committees of the Senate; and

(ii) one of the appropriate congressional committees of the House of Representatives.

(e) *EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES*.—Sanctions under subsection (b)(1) shall not apply to an individual if admitting the individual into the United States would further im-

portant law enforcement objectives or is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(f) **ENFORCEMENT OF BLOCKING OF PROPERTY.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of a sanction described in subsection (b)(2) that is imposed by the President or any regulation, license, or order issued to carry out such a sanction shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(g) **TERMINATION OF SANCTIONS.**—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

(1) credible information exists that the person did not engage in the activity for which sanctions were imposed;

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed;

(3) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future; or

(4) the termination of the sanctions is in the national security interests of the United States.

(h) **REGULATORY AUTHORITY.**—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(i) **IDENTIFICATION OF SANCTIONABLE FOREIGN PERSONS.**—The Assistant Secretary of State for Democracy, Human Rights, and Labor, in consultation with the Assistant Secretary of State for Consular Affairs and other bureaus of the Department of State, as appropriate, is authorized to submit to the Secretary of State, for review and consideration, the names of foreign persons who may meet the criteria described in subsection (a).

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

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1264. REPORTS TO CONGRESS.

(a) **IN GENERAL.**—The President shall submit to the appropriate congressional committees, in accordance with subsection (b), a report that includes—

(1) a list of each foreign person with respect to which the President imposed sanctions pursuant to section 1263 during the year preceding the submission of the report;

(2) a description of the type of sanctions imposed with respect to each such person;

(3) the number of foreign persons with respect to which the President—

(A) imposed sanctions under section 1263(a) during that year; and

(B) terminated sanctions under section 1263(g) during that year;

(4) the dates on which such sanctions were imposed or terminated, as the case may be;

(5) the reasons for imposing or terminating such sanctions; and

(6) a description of the efforts of the President to encourage the governments of other countries to impose sanctions that are similar to the sanctions authorized by section 1263.

(b) DATES FOR SUBMISSION.—

(1) INITIAL REPORT.—The President shall submit the initial report under subsection (a) not later than 120 days after the date of the enactment of this Act.

(2) SUBSEQUENT REPORTS.—

(A) IN GENERAL.—The President shall submit a subsequent report under subsection (a) on December 10, or the first day thereafter on which both Houses of Congress are in session, of—

(i) the calendar year in which the initial report is submitted if the initial report is submitted before December 10 of that calendar year; and

(ii) each calendar year thereafter.

(B) CONGRESSIONAL STATEMENT.—Congress notes that December 10 of each calendar year has been recognized in the United States and internationally since 1950 as “Human Rights Day”.

(c) FORM OF REPORT.—

(1) IN GENERAL.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(2) EXCEPTION.—The name of a foreign person to be included in the list required by subsection (a)(1) may be submitted in the classified annex authorized by paragraph (1) only if the President—

(A) determines that it is vital for the national security interests of the United States to do so;

(B) uses the annex in a manner consistent with congressional intent and the purposes of this subtitle; and

(C) not later than 15 days before submitting the name in a classified annex, provides to the appropriate congressional committees notice of, and a justification for, including the name in the classified annex despite any publicly available credible information indicating that the person engaged in an activity described in section 1263(a).

(d) PUBLIC AVAILABILITY.—

(1) IN GENERAL.—The unclassified portion of the report required by subsection (a) shall be made available to the public, including through publication in the Federal Register.

(2) **NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.**—The President shall publish the list required by subsection (a)(1) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

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

(1) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Appropriations, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

SEC. 1265. SUNSET.

(a) **IN GENERAL.**—The authority to impose sanctions under this subtitle shall terminate on the date that is 6 years after the date of the enactment of this Act.

(b) **CONTINUATION IN EFFECT OF SANCTIONS.**—Sanctions imposed under this subtitle on or before the date specified in subsection (a), and in effect as of such date, shall remain in effect until terminated in accordance with the requirements of section 1263(g).

Subtitle G—Miscellaneous Reports

SEC. 1271. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

(a) **ANNUAL REPORT.**—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended by striking “March 1 each year” and inserting “January 31 of each year through January 31, 2021”.

(b) **MATTERS TO BE INCLUDED.**—Subsection (b) of such section, as most recently amended by section 1252(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3571), is further amended by adding at the end the following:

“(21) A summary of the order of battle of the People’s Liberation Army, including anti-ship ballistic missiles, theater ballistic missiles, and land attack cruise missile inventory.

“(22) A description of the People’s Republic of China’s military and nonmilitary activities in the South China Sea.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after that date.

SEC. 1272. MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—Of the amounts authorized to be appropriated by this Act for Overseas Humanitarian, Disaster, and Civic Aid, the

Secretary of Defense is authorized to use up to 5 percent of such amounts to conduct monitoring and evaluation of programs that are funded using such amounts during fiscal years 2017 and 2018.

(b) **BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a).

(c) **DEFINITION.**—In subsection (b), the term “appropriate congressional committees” means—

- (1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
- (2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1273. STRATEGY FOR UNITED STATES DEFENSE INTERESTS IN AFRICA.

(a) **REQUIRED REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees a report that contains the strategy for United States defense interests in Africa.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall address the following:

- (1) United States national security interests in Africa, including an assessment of threats to global and regional United States national security interests emanating from the continent.
- (2) United States defense objectives in Africa.
- (3) Courses of action to accomplish United States defense objectives in Africa, including those conducted in cooperation with other Federal agencies.
- (4) Measures to improve coordination between United States Africa Command and other combatant commands to achieve unity of effort to counter threats that cross combatant command boundaries.
- (5) Department of Defense capabilities and resources required to achieve defense objectives in Africa, and the mitigation plan to address any gaps in such capabilities or resources that affect the implementation of the strategy required by subsection (a).
- (6) Security cooperation initiatives to advance defense objectives in Africa.
- (7) Any other matters the Secretary of Defense determines to be appropriate.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 1274. REPORT ON THE POTENTIAL FOR COOPERATION BETWEEN THE UNITED STATES AND ISRAEL ON DIRECTED ENERGY CAPABILITIES.

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the potential for cooperative development by the United States and Israel of a directed energy capability to defeat ballistic missiles, cruise missiles, unmanned aerial vehicles, mortars, and improvised explosive devices

that threaten the United States, deployed forces of the United States, or Israel. The report shall include the following:

(1) An assessment of the technological maturity of United States and Israeli directed energy capabilities to defeat adversary threat systems.

(2) An assessment of the respective military capability gaps of each country that such directed energy developments could address.

(3) An assessment of the opportunities for the United States and Israel to cooperate to develop directed energy capabilities to defeat adversary threat systems, including estimated costs of pursuing such opportunities.

(4) An assessment of whether such opportunities should be pursued, including any potential risks from the pursuit of such opportunities.

(5) Any other matters the Secretary considers appropriate.

(b) *FORM.*—The report shall be submitted in unclassified form, but may include a classified annex.

(c) *APPROPRIATE COMMITTEES OF CONGRESS DEFINED.*—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1275. ANNUAL UPDATE OF DEPARTMENT OF DEFENSE FREEDOM OF NAVIGATION REPORT.

(a) *IN GENERAL.*—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives on an annual basis a report setting forth an update of the most current Department of Defense Freedom of Navigation Report under the Freedom of Navigation Operations (FONOPS) program. The purpose of each report shall be to document the types and locations of excessive claims that the Armed Forces of the United States have challenged in the previous year in order to preserve the rights, freedoms, and uses of the sea and airspace guaranteed to all countries by international law.

(b) *ELEMENTS.*—Each report under this section shall include, for the year covered by such report, the following:

(1) Each excessive maritime claim challenged by the United States under the program referred to in subsection (a), including the country making each such claim.

(2) The nature of each claim, including the geographic location or area covered by such claim (including the body of water and island grouping, when applicable).

(3) The specific legal challenge asserted through the program.

(c) *FORM.*—Each report under this section shall be submitted in unclassified form.

(d) *SUNSET.*—No report is required under this section after December 31, 2021.

SEC. 1276. ASSESSMENT OF PROLIFERATION OF CERTAIN REMOTELY PILOTED AIRCRAFT SYSTEMS.

(a) *REPORT ON ASSESSMENT OF PROLIFERATION OF REMOTELY PILOTED AIRCRAFT SYSTEMS.*—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees a report setting forth an assessment, obtained by the Chairman for purposes of the report, of the impact to United States national security interests of the proliferation of remotely piloted aircraft that are assessed to be “Category I” items under the Missile Technology Control Regime (MTCR).

(b) *INDEPENDENT ASSESSMENT.*—

(1) *IN GENERAL.*—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in the procurement and operation of remotely piloted aircraft, selected by the Chairman for purposes of the assessment.

(2) *USE OF PREVIOUS STUDIES.*—The entity conducting the assessment may use and incorporate information from previous studies on matters appropriate to the assessment.

(c) *ELEMENTS.*—The assessment obtained for purposes of subsection (a) shall include the following:

(1) A qualitative and quantitative assessment of the scope and scale of the proliferation of remotely piloted aircraft that are “Category I” items under the Missile Technology Control Regime.

(2) An assessment of the threat posed to United States interests as a result of the proliferation of such aircraft to adversaries.

(3) An assessment of the impact of the proliferation of such aircraft on the combat capabilities of and interoperability with partners and allies of the United States.

(4) An analysis of the degree to which the United States has limited the proliferation of such aircraft as a result of the application of a “strong presumption of denial” for exports of such aircraft.

(5) An assessment of the benefits and risks of continuing to limit exports of such aircraft.

(6) Such other matters as the Chairman considers appropriate.

(d) *FORM.*—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle H—Other Matters

SEC. 1281. ENHANCEMENT OF INTERAGENCY SUPPORT DURING CONTINGENCY OPERATIONS AND TRANSITION PERIODS.

(a) *AUTHORITY.*—The Secretary of Defense and the Secretary of State may enter into an agreement under which each Secretary may provide covered support, supplies, and services on a reimbursement basis, or by exchange of covered support, supplies, and services, to the other Secretary during a contingency operation and related transition period for up to 2 years following the end of such contingency operation.

(b) *AGREEMENT.*—An agreement entered into under this section shall be in writing and shall include the following terms:

(1) The price charged by a supplying agency shall be the direct costs that such agency incurred by providing the covered support, supplies, or services to the requesting agency under this section.

(2) Credits and liabilities of the agencies accrued as a result of acquisitions and transfers of covered support, supplies, and services under this section shall be liquidated not less often than once every 3 months by direct payment to the agency supplying such support, supplies, or services by the agency receiving such support, supplies, or services.

(3) Exchange entitlements accrued as a result of acquisitions and transfers of covered support, supplies, and services under this section shall be satisfied within 12 months after the date of the delivery of the covered support, supplies, or services. Exchange entitlements not so satisfied shall be immediately liquidated by direct payment to the agency supplying such covered support, supplies, or services.

(c) *EFFECT OF OBLIGATION AND AVAILABILITY OF FUNDS.*—An order placed by an agency pursuant to an agreement under this section is deemed to be an obligation in the same manner that a similar order placed under a contract with, or a contract for similar goods or services awarded to, a private contractor is an obligation. Appropriations remain available to pay an obligation to the servicing agency in the same manner as appropriations remain available to pay an obligation to a private contractor.

(d) *DEFINITIONS.*—In this section:

(1) *COVERED SUPPORT, SUPPLIES, AND SERVICES.*—The term “covered support, supplies, and services” means food, billeting, transportation (including airlift), petroleum, oils, lubricants, communications services, medical services, ammunition, base operations support, use of facilities, spare parts and components, repair and maintenance services, and calibration services.

(2) *CONTINGENCY OPERATION.*—The term “contingency operation” has the meaning given that term in section 101(a)(13) of title 10, United States Code.

(e) *CREDITING OF RECEIPTS.*—Any receipt as a result of an agreement entered into under this section shall be credited, at the option of the Secretary of Defense with respect to the Department of Defense and the Secretary of State with respect to the Department of State, to—

(1) the appropriation, fund, or account used in incurring the obligation; or

(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.

(f) *NOTIFICATION.*—Not later than 30 days after the end of a fiscal year in which covered support, supplies, and services are provided or exchanged pursuant to an agreement under this section, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification that contains a copy

of such agreement and a description of such covered support, supplies, and services.

SEC. 1282. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) **EXTENSION OF AUTHORITY.**—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1271 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1075), is further amended by striking “2018” and inserting “2021”.

(b) **MODIFICATION TO AUTHORIZED ACTIVITIES.**—Subsection (c) of such section is amended by inserting “, or other individuals, as determined by the Secretary of Defense, with respect to already established non-conventional assisted recovery capabilities” before the period at the end of the first sentence.

SEC. 1283. AUTHORITY TO DESTROY CERTAIN SPECIFIED WORLD WAR II-ERA UNITED STATES-ORIGIN CHEMICAL MUNITIONS LOCATED ON SAN JOSE ISLAND, REPUBLIC OF PANAMA.

(a) **AUTHORITY.**—

(1) **IN GENERAL.**—Subject to subsection (b), the Secretary of Defense may destroy the chemical munitions described in subsection (c).

(2) **EX GRATIA ACTION.**—The action authorized by this section is “ex gratia” on the part of the United States, as the term “ex gratia” is used in section 321 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2701 note).

(3) **CONSULTATION BETWEEN SECRETARY OF DEFENSE AND SECRETARY OF STATE.**—The Secretary of Defense and the Secretary of State shall consult and develop any arrangements with the Republic of Panama with respect to this section.

(b) **CONDITIONS.**—The Secretary of Defense may exercise the authority under subsection (a) only if the Republic of Panama has—

(1) revised the declaration of the Republic of Panama under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction to indicate that the chemical munitions described in subsection (c) are “old chemical weapons” rather than “abandoned chemical weapons”; and

(2) affirmed, in writing, that it understands (A) that the United States intends only to destroy the munitions described in subsections (c) and (d), and (B) that the United States is not legally obligated and does not intend to destroy any other munitions, munitions constituents, and associated debris that may be located on San Jose Island as a result of research, development, and testing activities conducted on San Jose Island during the period of 1943 through 1947.

(c) **CHEMICAL MUNITIONS.**—The chemical munitions described in this subsection are the eight United States-origin chemical munitions located on San Jose Island, Republic of Panama, that were identified in the 2002 Final Inspection Report of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons.

(d) **LIMITED INCIDENTAL AUTHORITY TO DESTROY OTHER MUNITIONS.**—In exercising the authority under subsection (a), the Secretary of Defense may destroy other munitions located on San Jose Island, Republic of Panama, but only to the extent essential and required to reach and destroy the chemical munitions described in subsection (c).

(e) **SOURCE OF FUNDS.**—Of the amounts authorized to be appropriated by this Act, the Secretary of Defense may use up to \$30,000,000 from amounts made available for Chemical Agents and Munitions Destruction, Defense to carry out the authority in subsection (a).

(f) **SUNSET.**—The authority under subsection (a) shall terminate on the date that is 3 years after the date of the enactment of this Act.

SEC. 1284. SENSE OF CONGRESS ON MILITARY EXCHANGES BETWEEN THE UNITED STATES AND TAIWAN.

(a) **MILITARY EXCHANGES BETWEEN SENIOR OFFICERS AND OFFICIALS OF THE UNITED STATES AND TAIWAN.**—The Secretary of Defense should carry out a program of exchanges of senior military officers and senior officials between the United States and Taiwan designed to improve military to military relations between the United States and Taiwan.

(b) **EXCHANGES DESCRIBED.**—For the purposes of this section, an exchange is an activity, exercise, event, or observation opportunity between members of the Armed Forces and officials of the Department of Defense, on the one hand, and armed forces personnel and officials of Taiwan, on the other hand.

(c) **FOCUS OF EXCHANGES.**—The exchanges under the program described in subsection (a) should include exchanges focused on the following:

- (1) Threat analysis.
- (2) Military doctrine.
- (3) Force planning.
- (4) Logistical support.
- (5) Intelligence collection and analysis.
- (6) Operational tactics, techniques, and procedures.
- (7) Humanitarian assistance and disaster relief.

(d) **CIVIL-MILITARY AFFAIRS.**—The exchanges under the program described in subsection (a) should include activities and exercises focused on civil-military relations, including parliamentary relations.

(e) **LOCATION OF EXCHANGES.**—The exchanges under the program described in subsection (a) should be conducted in both the United States and Taiwan.

(f) **DEFINITIONS.**—In this section:

(1) The term “senior military officer”, with respect to the Armed Forces, means a general or flag officer of the Armed Forces on active duty.

(2) The term “senior official”, with respect to the Department of Defense, means a civilian official of the Department of Defense at the level of Assistant Secretary of Defense or above.

SEC. 1285. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017

for the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by Congress.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

SEC. 1286. PROHIBITION ON USE OF FUNDS TO INVITE, ASSIST, OR OTHERWISE ASSURE THE PARTICIPATION OF CUBA IN CERTAIN JOINT OR MULTILATERAL EXERCISES.

(a) **PROHIBITION.**—The Secretary of Defense may not use any funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Defense to invite, assist, or otherwise assure the participation of the Government of Cuba in any joint or multilateral exercise or related security conference between the Governments of the United States and Cuba until the Secretary of Defense and the Secretary of State, in consultation with the Director of National Intelligence, certify to the appropriate congressional committees that—

(1) the Cuban military has ceased committing human rights abuses against civil rights activists and other citizens of Cuba;

(2) the Cuban military has ceased providing military intelligence, weapons training, strategic planning, and security logistics to the military and security forces of Venezuela;

(3) the Cuban military and other security forces in Cuba have ceased all persecution, intimidation, arrest, imprisonment, and assassination of dissidents and members of faith-based organizations;

(4) the Government of Cuba no longer demands that the United States relinquish control of Guantanamo Bay, in violation of an international treaty; and

(5) the officials of the Cuban military that were indicted in the murder of United States citizens during the shutdown of planes operated by the Brothers to the Rescue humanitarian organization in 1996 are brought to justice.

(b) **EXCEPTIONS.**—The prohibition in subsection (a) shall not apply with respect to—

(1) payments in furtherance of the lease agreement, or other financial transactions necessary for maintenance and improvements of the military base at Guantanamo Bay, Cuba, including any adjacent areas under the control or possession of the United States;

(2) assistance or support in furtherance of democracy-building efforts for Cuba described in section 109 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039);

(3) customary and routine financial transactions necessary for the maintenance, improvements, or regular duties of the United States mission in Havana, including outreach to the pro-democracy opposition; or

(4) any joint or multilateral exercise or operation related to humanitarian assistance or disaster response.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1287. GLOBAL ENGAGEMENT CENTER.

(a) *ESTABLISHMENT.*—

(1) *IN GENERAL.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the heads of other relevant Federal departments and agencies, shall establish within the Department of State a Global Engagement Center (in this section referred to as the “Center”).

(2) *PURPOSE.*—The purpose of the Center shall be to lead, synchronize, and coordinate efforts of the Federal Government to recognize, understand, expose, and counter foreign state and non-state propaganda and disinformation efforts aimed at undermining United States national security interests.

(b) *FUNCTIONS.*—The Center shall carry out the following functions:

(1) Integrate interagency and international efforts to track and evaluate counterfactual narratives abroad that threaten the national security interests of the United States and United States allies and partner nations.

(2) Analyze relevant information, data, analysis, and analytics from United States Government agencies, United States allies and partner nations, think tanks, academic institutions, civil society groups, and other nongovernmental organizations.

(3) As needed, support the development and dissemination of fact-based narratives and analysis to counter propaganda and disinformation directed at the United States and United States allies and partner nations.

(4) Identify current and emerging trends in foreign propaganda and disinformation in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign misinformation and disinformation and proactively promote fact-based narratives and policies to audiences outside the United States.

(5) Facilitate the use of a wide range of technologies and techniques by sharing expertise among Federal departments and agencies, seeking expertise from external sources, and implementing best practices.

(6) Identify gaps in United States capabilities in areas relevant to the purpose of the Center and recommend necessary enhancements or changes.

(7) Identify the countries and populations most susceptible to propaganda and disinformation based on information provided by appropriate interagency entities.

(8) Administer the information access fund established pursuant to subsection (f).

(9) *Coordinate with United States allies and partner nations in order to amplify the Center's efforts and avoid duplication.*

(10) *Maintain, collect, use, and disseminate records (as such term is defined in section 552a(a)(4) of title 5, United States Code) for research and data analysis of foreign state and non-state propaganda and disinformation efforts and communications related to public diplomacy efforts intended for foreign audiences. Such research and data analysis shall be reasonably tailored to meet the purposes of this paragraph and shall be carried out with due regard for privacy and civil liberties guidance and oversight.*

(c) *HEAD OF CENTER.—*

(1) *APPOINTMENT.—The head of the Center shall be an individual who is an official of the Federal Government, who shall be appointed by the President.*

(2) *COMPLIANCE WITH PRIVACY AND CIVIL LIBERTIES LAWS.—The President shall designate a senior official to develop guidance for the Center relating to relevant privacy and civil liberties laws and to ensure compliance with such guidance.*

(d) *EMPLOYEES OF THE CENTER.—*

(1) *DETAILEES.—Any Federal Government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege for a period of not more than 3 years.*

(2) *PERSONAL SERVICE CONTRACTORS.—The Secretary of State may hire United States citizens or aliens as personal services contractors for purposes of personnel resources of the Center, if—*

(A) *the Secretary determines that existing personnel resources are insufficient;*

(B) *the period in which services are provided by a personal services contractor, including options, does not exceed 3 years, unless the Secretary determines that exceptional circumstances justify an extension of up to one additional year;*

(C) *not more than 50 United States citizens or aliens are employed as personal services contractors under the authority of this paragraph at any time; and*

(D) *the authority of this paragraph is only used to obtain specialized skills or experience or to respond to urgent needs.*

(e) *TRANSFER OF AMOUNTS AUTHORIZED.—*

(1) *IN GENERAL.—If amounts authorized to be appropriated or otherwise made available to carry out the functions of the Center—*

(A) *for fiscal year 2017 are less than \$80,000,000, the Secretary of Defense is authorized to transfer, from amounts authorized to be appropriated by this Act for the Department of Defense for fiscal year 2017, to the Secretary of State an amount, not to exceed \$60,000,000, to be available to carry out the functions of the Center for fiscal year 2017; and*

(B) *for fiscal year 2018 are less than \$80,000,000, the Secretary of Defense is authorized to transfer, from*

amounts authorized to be appropriated by an Act authorizing funds for the Department of Defense for fiscal year 2018, to the Secretary of State an amount, not to exceed \$60,000,000, to be available to carry out the functions of the Center for fiscal year 2018.

(2) *NOTICE REQUIREMENT.*—The Secretary of Defense shall notify the congressional defense committees of a proposed transfer under paragraph (1) not less than 15 days prior to making such transfer.

(3) *INAPPLICABILITY OF REPROGRAMMING REQUIREMENTS.*—The authority to transfer amounts under paragraph (1) shall not be subject to any reprogramming requirement under any other provision of law.

(f) *INFORMATION ACCESS FUND.*—

(1) *AUTHORITY FOR GRANTS.*—The Center is authorized to provide grants or contracts of financial support to civil society groups, media content providers, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

(A) To support local independent media who are best placed to refute foreign disinformation and manipulation in their own communities.

(B) To collect and store examples in print, online, and social media, disinformation, misinformation, and propaganda directed at the United States and its allies and partners.

(C) To analyze and report on tactics, techniques, and procedures of foreign information warfare with respect to disinformation, misinformation, and propaganda.

(D) To support efforts by the Center to counter efforts by foreign entities to use disinformation, misinformation, and propaganda to influence the policies and social and political stability of the United States and United States allies and partner nations.

(2) *FUNDING AVAILABILITY AND LIMITATIONS.*—The Secretary of State shall provide that each organization that applies to receive funds under this subsection is selected in accordance with the relevant existing regulations to ensure its bona fides, capability, and experience, and its compatibility with United States interests and objectives.

(g) *REPORTS.*—

(1) *IN GENERAL.*—Not later than one year after the date on which the Center is established, the Secretary of State shall submit to the appropriate congressional committees a report evaluating the success of the Center in carrying out its functions under subsection (b) and outlining steps to improve any areas of deficiency.

(2) *DEFINITION.*—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(h) *LIMITATION.*—None of the funds authorized to be appropriated or otherwise made available to carry out this section shall be used for purposes other than countering foreign propaganda and misinformation that threatens United States national security.

(i) *TERMINATION.*—The Center shall terminate on the date that is 8 years after the date of the enactment of this Act.

SEC. 1288. MODIFICATION OF UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.

The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 *et seq.*; Public Law 103–236) is amended—

(1) by amending section 304 (22 U.S.C. 6203) to read as follows:

“SEC. 304. ESTABLISHMENT OF THE CHIEF EXECUTIVE OFFICER OF THE BROADCASTING BOARD OF GOVERNORS.

“(a) *CONTINUED EXISTENCE WITHIN EXECUTIVE BRANCH.*—The Broadcasting Board of Governors shall continue to exist within the Executive branch of Government as an entity described in section 104 of title 5, United States Code.

“(b) *CHIEF EXECUTIVE OFFICER.*—

“(1) *IN GENERAL.*—The head of the Broadcasting Board of Governors shall be a Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate. Notwithstanding any other provision of law, until such time as a Chief Executive Officer is appointed and has qualified, the current or acting Chief Executive Officer appointed by the Board may continue to serve and exercise the authorities and powers under this Act.

“(2) *TERM.*—The first Chief Executive Officer appointed pursuant to paragraph (1) shall serve for an initial term of three years.

“(3) *COMPENSATION.*—A Chief Executive Officer appointed pursuant to paragraph (1) shall be compensated at the annual rate of basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

“(c) *TERMINATION OF DIRECTOR OF INTERNATIONAL BROADCASTING BUREAU.*—Effective on the date of the enactment of this section, the position of the Director of the International Broadcasting Bureau shall be terminated, and all of the responsibilities, offices, authorities, and immunities of the Director or the Board under this or any other Act or authority before such date of enactment shall be transferred or available to, assumed by, or overseen by the Chief Executive Officer, as head of the Board.

“(d) *IMMUNITY FROM CIVIL LIABILITY.*—Notwithstanding any other provision of law, all limitations on liability that apply to the Chief Executive Officer shall also apply to members of the boards of directors of RFE/RL, Inc., Radio Free Asia, the Middle East Broadcasting Networks, or any organization that consolidates such entities when such members are acting in their official capacities.”;

(2) in section 305 (22 U.S.C. 6204)—

(A) in subsection (a)—

- (i) by striking “Board” each place it appears and inserting “Chief Executive Officer”;
- (ii) in paragraph (1), by inserting “direct and” before “supervise”;
- (iii) in paragraph (5)—
 - (I) by inserting “and cooperative agreements” after “grants”; and
 - (II) by striking “in accordance with sections 308 and 309” and inserting “in furtherance of the purposes of this Act and on behalf of other agencies, accordingly”;
- (iv) in paragraph (6)—
 - (I) by striking “International Broadcasting Bureau” and inserting “Board”; and
 - (II) by striking “subject to the limitations in sections 308 and 309 and”;
- (v) in paragraph (10)—
 - (I) by inserting “, rent, or lease” after “procure”; and
 - (II) by striking “personal property” and inserting “property for journalism, media, production, and broadcasting, and related support services, notwithstanding any other provision of law relating to such acquisition, rental, or lease, and under the same terms and conditions as authorized under section 501(b) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461(b)), and for multiyear contracts and leases for periods of up to 20 years subject to the requirements of subsections (b) through (f) of section 3903 of title 41, United States Code”;
- (vi) in paragraph (11)—
 - (I) by striking “staff”;
 - (II) by striking “as the Board” and inserting “as the Chief Executive Officer”; and
 - (III) by striking “subject” and inserting “which shall not be subject”;
- (vii) in paragraph (13)—
 - (I) by striking “Bureau” and inserting “Board”; and
 - (II) by striking “Board has taken” and inserting “Chief Executive Officer has taken”;
- (viii) in paragraph (14)—
 - (I) by inserting “transmission or” before “relay”; and
 - (II) by inserting “or any other grantee authorized under this Act” after “Radio Free Asia”;
- (ix) in paragraph (15)(A), by striking—
 - (I) “temporary and intermittent”; and
 - (II) “to the same extent as is authorized by section 3109 of title 5, United States Code,”;
- (x) in paragraph (16), by striking “Board determines” and inserting “Chief Executive Officer determines”;

(xi) in paragraph (18), by striking “the Bureau” and inserting “the Chief Executive Officer”; and

(xii) by adding at the end the following new paragraphs:

“(20) Notwithstanding any other provision of law, including section 308(a), to condition, if appropriate, any grant or cooperative agreement to RFE/RL, Inc., Radio Free Asia, or the Middle East Broadcasting Networks, or any organization that is established through the consolidation of such entities, on authority to determine membership of their respective boards, and the consolidation of such grantee entities into a single grantee organization under terms and conditions established by the Board.

“(21) To redirect or reprogram funds within the scope of any grant or cooperative agreement, or between grantees, as necessary (and not later than 15 days before any such redirection of funds between language services, to notify the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate regarding such redirection), and to condition grants or cooperative agreements, if appropriate, on such grants or cooperative agreements or any similar amendments as authorized under section 308(a), including authority to name and replace the board of any grantee authorized under this Act, including with Federal officials, to meet the purposes of this Act.

“(22) To change the name of the Board pursuant to congressional notification 60 days prior to any such change.”;

(B) by striking subsections (b) and (c); and

(C) by redesignating subsection (d) as subsection (b);

and

(D) in subsection (b) (as so redesignated)—

(i) by striking “and the Board” and inserting “and the Chief Executive Officer”; and

(ii) by striking “International Broadcasting Bureau” and inserting “Board”;

(3) by amending section 306 (22 U.S.C. 6205) to read as follows:

“SEC. 306. ESTABLISHMENT OF THE INTERNATIONAL BROADCASTING ADVISORY BOARD.

“(a) **IN GENERAL.**—Except as provided in subsection (b)(2), the International Broadcasting Advisory Board (referred to in this section as the ‘Advisory Board’) shall consist of five members, including the Secretary of State, appointed by the President and in accordance with subsection (d), to advise the Chief Executive Officer of the Broadcasting Board of Governors, as appropriate.

“(b) **RETENTION OF EXISTING BBG BOARD MEMBERS.**—

“(1) **IN GENERAL.**—The presidentially appointed and Senate-confirmed members of the Board of the Broadcasting Board of Governors who are serving on unexpired terms as of the date of the enactment of this section shall—

“(A) constitute the first Advisory Board; and

“(B) hold office for the remainder of their original terms of office without reappointment to the Advisory Board.

“(2) *EFFECT OF ADDITIONAL MEMBERS.*—If, on the date of the enactment of this section, more than five members described in subsection (a) are serving their original terms of office on the Broadcasting Board of Governors, each such member may serve on the Advisory Board for a period equal to the time remaining on each such member’s respective term without reappointment.

“(c) *TERMS OF OFFICE.*—

“(1) *IN GENERAL.*—Except as provided in paragraph (2), the term of office of each member of the Advisory Board appointed pursuant to subsection (a) shall be three years.

“(2) *VACANCIES.*—If a vacancy on the Advisory Board occurs before the expiration of the term of the member who created such vacancy—

“(A) the President shall appoint a new member to fill such vacancy in accordance with subsection (d); and

“(B) the member appointed pursuant to such subsection shall serve for the remainder of such term.

“(3) *SERVICE BEYOND TERM PROHIBITED.*—Members may not serve beyond the term for which they were appointed.

“(d) *SELECTION OF THE BOARD.*—In identifying individuals for appointment to the Advisory Board under subsection (a), the President shall appoint United States citizens—

“(1) who, with the exception of the Secretary of State, are not regular, full-time employees of the United States Government; and

“(2) distinguished in the fields of public diplomacy, mass communications, print, broadcast or digital media, or foreign affairs, of whom—

“(A) one individual should be appointed from among a list of at least three individuals submitted by the Chair of the Committee on Foreign Affairs of the House of Representatives;

“(B) one individual should be appointed from among a list of at least three individuals submitted by the Ranking Member of the Committee on Foreign Affairs of the House of Representatives;

“(C) one individual should be appointed from among a list of at least three individuals submitted by the Chair of the Committee on Foreign Relations of the Senate; and

“(D) one individual should be appointed from among a list of at least three individuals submitted by the Ranking Member of the Committee on Foreign Relations of the Senate.

“(e) *FUNCTIONS OF THE BOARD.*—The members of the Advisory Board shall perform the following advisory functions:

“(1) To provide the Chief Executive Officer of the Broadcasting Board of Governors with counsel and recommendations for improving the effectiveness and efficiency of the agency and its programming.

“(2) To meet with the Chief Executive Officer at least twice annually and at additional meetings at the request of the Chief Executive Officer.

“(3) To report periodically or upon request to the congressional committees specified in subsection (d)(2) regarding its counsel and recommendations for improving the effectiveness

and efficiency of the Broadcasting Board of Governors and its programming.

“(4) To obtain information from the Chief Executive Officer, as needed, for the purposes of fulfilling the functions described in this subsection.

“(f) COMPENSATION.—Members of the Advisory Board, including the Secretary of State, may not receive any fee, salary, or remuneration of any kind for their service as members.”;

(4) by striking section 307 (22 U.S.C. 6206);

(5) in section 308 (22 U.S.C. 6207)—

(A) in subsection (a)(1), by striking “of the Broadcasting Board of Governors established under section 304 and no other members” and inserting “authorized under section 305(a)(20)”;

(B) by amending subsection (d) to read as follows:

“(d) ALTERNATIVE GRANTEE.—If the Chief Executive Officer determines at any time that RFE/RL, Incorporated is not carrying out the functions described in this section in an effective and economical manner, the Board may award the grant to carry out such functions to another entity.”; and

(C) in subsection (g)(4)—

(i) by striking “International Broadcasting Bureau” and inserting “any other grantee of the Board”;

and

(ii) by striking “by the Board” and inserting “by the Chief Executive Officer”; and

(D) in subsection (i), by striking “(1) Effective” and inserting “Effective”;

(6) in section 309 (22 U.S.C. 6208)—

(A) in subsection (f)(2), by striking “Chairman of the Board” and inserting “Chief Executive Officer of the Board”;

(B) by redesignating subsection (g) as subsection (h);

and

(C) by inserting after subsection (f) the following new subsection:

“(g) ALTERNATIVE GRANTEE.—If the Chief Executive Officer determines at any time that Radio Free Asia is not carrying out the functions described in this section in an effective and economical manner, the Board may award the grant to carry out such functions to another entity.”;

(7) by inserting after section 309 (22 U.S.C. 6208) the following new sections:

“SEC. 310. BROADCAST ENTITIES REPORTING TO CHIEF EXECUTIVE OFFICER.

“(a) CONSOLIDATION OF GRANTEE ORGANIZATIONS.—

“(1) IN GENERAL.—The Chief Executive Officer, subject to the regular notification procedures of the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate, who is authorized to incorporate a grantee, may condition annual grants to RFE/RL, Inc., Radio Free Asia, and the Middle East Broadcasting Networks on the consolidation of such grantees into a single, consolidated private, non-profit corporation (in accord-

ance with section 501(c)(3) of the Internal Revenue Code and exempt from tax under section 501(a) of such Code), in such a manner and under such terms and conditions as determined by the Chief Executive Officer, which may broadcast and provide news and information to audiences wherever the agency may broadcast, for activities that the Chief Executive Officer determines are consistent with the purposes of this Act, including the terms and conditions of subsections (g)(5), (h), (i), and (j) of section 308, except that the Agency may select any name for such a consolidated grantee.

“(2) **SPECIAL RULE.**—No State or political subdivision of a State may establish, enforce, or continue in effect any provision of law or legal requirement that is different from, or is in conflict with, any requirement or authority applicable under this Act relating to the consolidation, incorporation, structure, or dissolution of any grantee under this Act.

“(b) **MISSION.**—The consolidated grantee established under subsection (a) shall—

“(1) counter state-sponsored propaganda which undermines the national security or foreign policy interests of the United States and its allies;

“(2) provide uncensored local and regional news and analysis to people in societies where a robust, indigenous, independent, and free media does not exist;

“(3) help countries improve their indigenous capacity to enhance media professionalism and independence, and develop partnerships with local media outlets, as appropriate; and

“(4) promote unrestricted access to uncensored sources of information, especially via the internet, and use all effective and efficient mediums of communication to reach target audiences.

“(c) **FEDERAL STATUS.**—Nothing in this or any other Act, or any action taken pursuant to this or any other Act, may be construed to make such a consolidated grantee described in subsection (a) or RFE/RL, Inc., Radio Free Asia, or the Middle East Broadcasting Networks or any other grantee or entity provided funding by the agency a Federal agency or instrumentality. Employees or staff of such grantees or entities may not be Federal employees. For purposes of this section and this Act, the term ‘grant’ includes agreements under section 6305 of title 31, United States Code, and the term ‘grantee’ includes recipients of such agreements.

“(d) **LEADERSHIP OF GRANTEE ORGANIZATIONS.**—Officers and directors of RFE/RL Inc., Radio Free Asia, and the Middle East Broadcasting Networks or any organization that is established through the consolidation of such entities, or authorized under this Act, shall serve at the pleasure of and may be named by the Chief Executive Officer of the Board.

“(e) **MAINTENANCE OF THE EXISTING INDIVIDUAL GRANTEE BRANDS.**—RFE/RL, Incorporated, Radio Free Asia, and the Middle East Broadcasting Networks, Incorporated should remain brand names under which news and related programming and content may be disseminated by the consolidated grantee. Additional brands may be created as necessary.

“**SEC. 310A. INSPECTOR GENERAL AUTHORITIES.**

“(a) **IN GENERAL.**—The Inspector General of the Department of State and the Foreign Service shall exercise the same authorities

with respect to the Broadcasting Board of Governors as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 (22 U.S.C. 3929) with respect to the Department of State.

“(b) **RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.**—The Inspector General of the Department of State and the Foreign Service shall respect the journalistic integrity of all the broadcasters covered by this Act and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.

“SEC. 310B. ROLE OF THE SECRETARY OF STATE IN FOREIGN POLICY GUIDANCE.

“To assist the Board in carrying out its functions, the Chief Executive Officer shall regularly consult with and seek from the Secretary of State guidance on foreign policy issues.”; and

(8) in section 314 (22 U.S.C. 6213)—

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

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

“(4) the terms ‘Board’ and ‘Chief Executive Officer of the Board’ mean the Broadcasting Board of Governors and the position, respectively, authorized in accordance with this Act.”.

SEC. 1289. REDESIGNATION OF SOUTH CHINA SEA INITIATIVE.

(a) **REDESIGNATION AS SOUTHEAST ASIA MARITIME SECURITY INITIATIVE.**—Subsection (a)(2) of section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1073; 10 U.S.C. 2282 note) is amended by striking “the ‘South China Sea Initiative’” and inserting “the ‘Southeast Asia Maritime Security Initiative’”.

(b) **CONFORMING AMENDMENT.**—The heading of such section is amended to read as follows:

“SEC. 1263. SOUTHEAST ASIA MARITIME SECURITY INITIATIVE.”.

SEC. 1290. MEASURES AGAINST PERSONS INVOLVED IN ACTIVITIES THAT VIOLATE ARMS CONTROL TREATIES OR AGREEMENTS WITH THE UNITED STATES.

(a) **REPORTS ON PERSONS THAT VIOLATE TREATIES OR AGREEMENTS.**—

(1) **IN GENERAL.**—Not later than 30 days after the submittal to Congress of an annual report on the status of United States policy and actions with respect to arms control, non-proliferation, and disarmament pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), the Secretary of the Treasury shall submit to the appropriate congressional committees a report, consistent with the protection of intelligence sources and methods, identifying every person with respect to whom there is credible information indicating that—

(A) the person—

(i)(I) is an individual who is a citizen, national, or permanent resident of a country described in paragraph (2); or

(II) is an entity organized under the laws of a country described in paragraph (2); and

(ii) has engaged in any activity that contributed to or is a significant factor in the President's or the Secretary of State's determination that such country is not in full compliance with its obligations as further described in paragraph (2); or

(B) the person has provided material support for such non-compliance to a person described in subparagraph (A).

(2) COUNTRY DESCRIBED.—A country described in this paragraph is a country (other than a country described in paragraph (3)) that the President or the Secretary of State has determined, in the most recent annual report described in paragraph (1), to be not in full compliance with its obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a participating state.

(3) EXCLUDED COUNTRIES.—The following countries are not described for purposes of paragraph (2):

(A) The United States.

(B) Any country determined by the Director of National Intelligence to be closely cooperating in intelligence matters with the United States in the period covered by the most recent annual report described in paragraph (1), regardless of the extent of the compliance of such country with the obligations described in paragraph (2) during such period.

(b) IMPOSITION OF MEASURES.—Except as provided in subsections (d), (e), and (f), the President shall impose the measures described in subsection (c) with respect to each person identified in a report under subsection (a).

(c) MEASURES DESCRIBED.—

(1) IN GENERAL.—The measures to be imposed with respect to a person under subsection (b) are the head of any executive agency (as defined in section 133 of title 41, United States Code) may not enter into, renew, or extend a contract for the procurement of goods or services with the person.

(2) EXCEPTION FOR MAJOR ROUTES OF SUPPLY.—The requirement to impose measures under paragraph (1) shall not apply with respect to any contract for the procurement of goods or services along a major route of supply to a zone of active combat or major contingency operation.

(3) REQUIREMENT TO REVISE REGULATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall be revised to implement paragraph (1).

(B) CERTIFICATIONS.—The revisions to the Federal Acquisition Regulation under subparagraph (A) shall include a requirement for a certification from each person that is a prospective contractor that the person, and any person owned or controlled by the person, does not engage in any activity described in subsection (a)(1)(A)(ii).

(C) REMEDIES.—If the head of an executive agency determines that a person has submitted a false certification under subparagraph (B) on or after the date on which the

applicable revision of the Federal Acquisition Regulation required by this paragraph becomes effective—

(i) the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not less than 2 years;

(ii) any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations; and

(iii) the Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under subparagraph (B).

(d) WAIVER FOR LACK OF KNOWING VIOLATION.—

(1) IN GENERAL.—The President may waive the application of measures on a case-by-case basis under subsection (b) with respect to a person if the President—

(A) determines that—

(i)(I) in the case of a person described in subsection (a)(1)(A), the person did not knowingly engage in any activity described in such subsection;

(II) in the case of a person described in subsection (a)(1)(B), the person conducted or facilitated a transaction or transactions with, or provided financial services to, a person described in subsection (a)(1)(A) that did not knowingly engage in any activity described in such subsection; and

(III) in the case of a person described in subsection (a)(1)(A) or (a)(1)(B), the person has terminated the activity for which otherwise covered by such subsection or has provided verifiable assurances that the person will terminate such activity; and

(ii) the waiver is in the national security interest of the United States; and

(B) submits to the appropriate congressional committees a report on the determination and the reasons for the determination.

(2) FORM OF REPORT.—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(e) WAIVER TO PREVENT DISCLOSURE OF INTELLIGENCE SOURCES AND METHODS.—The President may waive the application of measures on a case-by-case basis under subsection (b) with respect to a person if the President—

(1) determines that the waiver is necessary to prevent the disclosure of intelligence sources or methods; and

(2) submits to the appropriate congressional committees a report, consistent with the protection of intelligence sources and

methods, on the determination and the reasons for the determination.

(f) TIMING OF IMPOSITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President shall immediately impose measures under subsection (b) against a person described in subsection (a)(1) upon the submittal to Congress of the report identifying the person pursuant to subsection (a)(1) unless the President determines and certifies to the appropriate congressional committees that the government of the country concerned has taken specific and effective actions, including, as appropriate, the imposition of appropriate penalties, to terminate the involvement of the person in the activities that resulted in the identification of the person in the report.

(2) DELAY.—

(A) IN GENERAL.—The President may delay the imposition of measures against a person for up to 120 days after the date of the submittal to Congress of the report identifying the person pursuant to subsection (a)(1) if the President initiates consultations with the government concerned with respect to the taking of actions described in paragraph (1).

(B) ADDITIONAL DELAY.—The President may delay the imposition of measures for up to an additional 120 days after the delay authorized by subparagraph (A) if the President determines and certifies to the appropriate congressional committees that the government concerned is in the process of taking the actions described in paragraph (1).

(3) REPORT.—Not later than 60 days after the submittal to Congress of the report identifying a person pursuant to subsection (a)(1), the President shall submit to the appropriate congressional committees a report on the status of consultations, if any, with the government concerned under this subsection, and the basis for any determination under paragraph (1).

(g) TERMINATION.—

(1) TERMINATION THROUGH COMPLIANCE OF COUNTRY WITH ARMS CONTROL AND OTHER AGREEMENTS.—The measures imposed with respect to a person under subsection (b) shall terminate on the date on which the President submits to Congress a subsequent annual report pursuant to section 403 of the Arms Control and Disarmament Act that does not contain a determination of the President that the country described in subsection (a)(2) with respect to which the measures were imposed with respect to the person is a country that is not in full compliance with its obligations undertaken in all arms control, non-proliferation, and disarmament agreements or commitments to which the United States is a participating state.

(2) TERMINATION THROUGH CESSATION BY PERSON OF VIOLATING ACTIVITIES.—In addition to termination provided for by paragraph (1), the measures imposed with respect to a person under subsection (b) in connection with a particular activity shall terminate upon a determination of the President that the person has ceased such activity. The termination of measures imposed with respect to a person in connection with a particular activity pursuant to this paragraph shall not result in

the termination of any measures imposed with respect to the person in connection with any other activity for which measures were imposed under subsection (b).

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

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

SEC. 1291. AGREEMENTS WITH FOREIGN GOVERNMENTS TO DEVELOP LAND-BASED WATER RESOURCES IN SUPPORT OF AND IN PREPARATION FOR CONTINGENCY OPERATIONS.

(a) AGREEMENTS AUTHORIZED.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to enter into agreements with the governments of foreign countries to develop land-based water resources in support of and in preparation for contingency operations, including water selection, pumping, purification, storage, distribution, cooling, consumption, water reuse, water source intelligence, research and development, training, acquisition of water support equipment, and water support operations.

(b) NOTIFICATION REQUIRED.—Not later than 30 days after entering into an agreement under subsection (a), the Secretary of Defense shall notify the appropriate congressional committees of the existence of the agreement and provide a summary of the terms of the agreement.

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1292. ENHANCING DEFENSE AND SECURITY COOPERATION WITH INDIA.

(a) ACTIONS.—

(1) IN GENERAL.—The Secretary of Defense and Secretary of State should jointly take such actions as may be necessary to—

(A) recognize India’s status as a major defense partner of the United States;

(B) designate an individual within the executive branch who has experience in defense acquisition and technology—

(i) to reinforce and ensure, through interagency policy coordination, the success of the Framework for the United States-India Defense Relationship; and

(ii) to help resolve remaining issues impeding United States-India defense trade, security cooperation, and co-production and co-development opportunities;

(C) approve and facilitate the transfer of advanced technology, consistent with United States conventional arms transfer policy, to support combined military planning with India’s military for missions such as humanitarian assistance and disaster relief, counter piracy, free-

dom of navigation, and maritime domain awareness missions, and to promote weapons systems interoperability;

(D) strengthen the effectiveness of the U.S.-India Defense Trade and Technology Initiative and the durability of the Department of Defense's "India Rapid Reaction Cell";

(E) collaborate with the Government of India to develop mutually agreeable mechanisms to verify the security of defense articles, defense services, and related technology, such as appropriate cyber security and end use monitoring arrangements, consistent with United States export control laws and policy;

(F) promote policies that will encourage the efficient review and authorization of defense sales and exports to India;

(G) encourage greater government-to-government and commercial military transactions between the United States and India;

(H) support the development and alignment of India's export control and procurement regimes with those of the United States and multilateral control regimes; and

(I) continue to enhance defense and security cooperation with India in order to advance United States interests in the South Asia and greater Indo-Asia-Pacific regions.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense and Secretary of State shall jointly submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on how the United States is supporting its defense relationship with India in relation to the actions described in paragraph (1).

(b) BILATERAL COORDINATION.—To enhance cooperation and encourage military-to-military engagement between the United States and India, the Secretary of Defense should take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the United States Government and the Government of India—

(1) are at a level appropriate to enhance engagement between the militaries of the two countries for threat analysis, military doctrine, force planning, mutual security interests, logistical support, intelligence, tactics, techniques and procedures, humanitarian assistance, and disaster relief;

(2) include exchanges of general and flag officers between the two countries;

(3) enhance cooperative military operations, including maritime security, counter-piracy, counter-terror cooperation, and domain awareness, in the Indo-Asia-Pacific region;

(4) accelerate the development of combined military planning for missions such as those identified in subsection (a)(1)(C) or in paragraph (1) of this subsection, or other missions in the national security interests of both countries; and

(5) solicit and recognize actions and efforts by India that would allow the United States to treat India as a major defense partner.

(c) ASSESSMENT REQUIRED.—

(1) *IN GENERAL.*—The Secretary of Defense and Secretary of State shall jointly, on an ongoing basis, conduct an assessment of the extent to which India possesses capabilities to support and carry out military operations of mutual interest to the United States and India, including an assessment of the defense export control regulations and policies that need appropriate modification, in recognition of India's capabilities and its status as a major defense partner.

(2) *USE OF ASSESSMENT.*—The President shall ensure that the assessment described in paragraph (1) is used, consistent with United States conventional arms transfer policy, to inform the review by the United States of requests to export defense articles, defense services, or related technology to India under the Arms Export Control Act (22 U.S.C. 2751 et seq.), and to inform any regulatory and policy adjustments that may be appropriate.

SEC. 1293. COORDINATION OF EFFORTS TO DEVELOP FREE TRADE AGREEMENTS WITH SUB-SAHARAN AFRICAN COUNTRIES.

(a) *COORDINATION BETWEEN THE UNITED STATES TRADE REPRESENTATIVE AND OTHER AGENCIES.*—The United States Trade Representative shall consult and coordinate with other relevant Federal agencies to assist countries identified under paragraph (1) of section 110(b) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 370; 19 U.S.C. 3705 note) in the most recent report required by that section, including through the deployment of resources from those agencies to such countries and through trade capacity building, in addressing the plan developed under paragraph (3) of that section.

(b) *COORDINATION OF USAID WITH FREE TRADE AGREEMENT POLICY.*—

(1) *AUTHORIZATION OF FUNDS.*—Funds made available to the United States Agency for International Development under section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) after the date of the enactment of this Act may be used, in consultation with the United States Trade Representative—

(A) to assist eligible countries, including by deploying resources to such countries, in addressing the plan developed under section 116(b) of the African Growth and Opportunity Act (19 U.S.C. 3723(b)); and

(B) to assist eligible countries in the implementation of the commitments of those countries under agreements with the United States and under the WTO Agreement (as defined in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9))) and agreements annexed to the WTO Agreement.

(2) *DEFINITIONS.*—In this subsection:

(A) *ELIGIBLE COUNTRY.*—The term “eligible country” means a sub-Saharan African country that receives—

(i) benefits under the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.); and

(ii) funding from the United States Agency for International Development.

(B) *SUB-SAHARAN AFRICAN COUNTRY.*—The term “sub-Saharan African country” has the meaning given that term in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706).

SEC. 1294. EXTENSION AND EXPANSION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

(a) *EXPANSION OF AUTHORITY.*—Section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1056; 22 U.S.C. 2551 note) is amended—

(1) in subsection (a)(1)—

(A) by striking “the Government of Jordan and the Government of Lebanon” and inserting “the Government of Egypt, the Government of Jordan, the Government of Lebanon, and the Government of Tunisia”;

(B) by striking “efforts of the armed forces” and inserting “efforts as follows:

“(A) Efforts of the armed forces”; and

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

“(B) Efforts of the armed forces of Egypt and the armed forces of Tunisia to increase security and sustain increased security along the border of Egypt and the border of Tunisia with Libya, as applicable.”; and

(2) in subsection (c)(4), by striking “along the border” and all that follows and inserting “along the border of the country as specified in subsection (a)(1).”.

(b) *FUNDS AVAILABLE FOR SUPPORT.*—Subsection (b) of such section is amended—

(1) in paragraphs (1) and (2), by striking “Amounts” and inserting “In fiscal year 2016, amounts”; and

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

“(3) In any fiscal year after fiscal year 2016, amounts authorized to be appropriated for such fiscal year and available for Operation and Maintenance, Defense-Wide, and the Counter Islamic State of Iraq and the Levant Fund for such fiscal year.”.

(c) *EXTENSION.*—Subsection (f) of such section is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

(d) *CONFORMING AMENDMENT.*—The heading of such section is amended to read as follows:

“SEC. 1226. SUPPORT TO CERTAIN GOVERNMENTS FOR BORDER SECURITY OPERATIONS.”.

SEC. 1295. MODIFICATION AND CLARIFICATION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION AUTHORITY.

(a) *AMOUNT OF SUPPORT PROVIDABLE BY THE UNITED STATES.*—Paragraph (4) of section 1279(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1079; 22 U.S.C. 8606 note) is amended by striking “\$25,000,000” and inserting “\$50,000,000”.

(b) *SCOPE OF REQUIREMENT FOR MATCHING CONTRIBUTION BY ISRAEL.*—Paragraph (3) of such section is amended by inserting before the period at the end the following: “in the calendar year in which the support is provided”.

(c) *USE OF CERTAIN AMOUNT FOR RDT&E ACTIVITIES IN THE UNITED STATES.*—Of the amount contributed by the United States for activities under section 1279 of the National Defense Authorization Act for Fiscal Year 2016, not less than 50 percent of such amount shall be used in fiscal year 2017 for research, development,

test, and evaluation activities for purposes of such section in the United States.

SEC. 1296. MAINTENANCE OF PROHIBITION ON PROCUREMENT BY DEPARTMENT OF DEFENSE OF PEOPLE'S REPUBLIC OF CHINA-ORIGIN ITEMS THAT MEET THE DEFINITION OF GOODS AND SERVICES CONTROLLED AS MUNITIONS ITEMS WHEN MOVED TO THE "600 SERIES" OF THE COMMERCE CONTROL LIST.

(a) *IN GENERAL.*—Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2302 note) is amended—

(1) in subsection (b), by inserting “or in the 600 series of the control list of the Export Administration Regulations” after “in Arms Regulations”; and

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

“(3) The term ‘600 series of the control list of the Export Administration Regulations’ means the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15 of the Code of Federal Regulations.”

(b) *TECHNICAL CORRECTIONS TO ITAR REFERENCES.*—Such section is further amended by striking “Trafficking” both places it appears and inserting “Traffic”.

SEC. 1297. INTERNATIONAL SALES PROCESS IMPROVEMENTS.

(a) *PLAN REQUIRED.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan to improve the management and use of fees collected on transfer of defense articles and services via sale, lease, or grant to international customers under programs over which the Defense Security Cooperation Agency has administration responsibilities. The plan shall include options to use fees more effectively—

(1) to improve the staffing and processes of the licensing review cycle at the Defense Technology Security Administration and other reviewing authorities; and

(2) to maintain a cadre of contracting officers and acquisition officials who specialize in foreign military sales contracting.

(b) *PROCESS FOR GATHERING INPUT.*—The Secretary of Defense shall establish a process for contractors to provide input, feedback, and adjudication of any differences regarding the appropriateness of governmental pricing and availability estimates prior to the delivery to potential foreign customers of formal responses to Letters of Request for Pricing and Availability.

SEC. 1298. EFFORTS TO END MODERN SLAVERY.

(a) *ACTIONS BY THE SECRETARY OF DEFENSE.*—

(1) *IN GENERAL.*—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the policies and guidance of the Department of Defense with respect to the education and training on human slavery and the appropriate role of the United States Armed Forces in combatting trafficking in persons that is received by personnel of the Armed Forces, including uniformed personnel and civilians engaged in partnership with foreign nations.

(2) *ELEMENTS.*—*The briefing required under paragraph (1) shall address—*

(A) *resources available for Armed Forces personnel who become aware of instances of human slavery or trafficking in persons while deployed overseas; and*

(B) *guidance on the requirement to make official reports through the chain of command, the roles and responsibilities of military and civilian officials of the United States Armed Forces and host nations, circumstances in which members of the Armed Forces are authorized to take immediate action to prevent loss of life or serious injury, and the authority to use appropriate force to stop or prevent sexual abuse or exploitation of children.*

(b) *GRANT AUTHORIZATION.*—*The Secretary of State is authorized to make a grant or grants of funding to provide support for transformational programs and projects that seek to achieve a measurable and substantial reduction of the prevalence of modern slavery in targeted populations within partner countries (or jurisdictions thereof).*

(c) *MONITORING AND EVALUATION.*—*Any grantee shall—*

(1) *develop specific and detailed criteria for the monitoring and evaluation of supported projects;*

(2) *implement a system for measuring progress against baseline data that is rigorously designed based on international corporate and nongovernmental best practices;*

(3) *ensure that each supported project is regularly and rigorously monitored and evaluated, on a not less than biennial basis, by an independent monitoring and evaluation entity, against the specific and detailed criteria established pursuant to paragraph (1), and that the progress of the project towards its stated goals is measured by such entity against baseline data;*

(4) *support the development of a scientifically sound, representative survey methodology for measuring prevalence with reference to existing research and experience, and apply the methodology consistently to determine the baseline prevalence in target populations and outcomes in order to periodically assess progress in reducing prevalence; and*

(5) *establish, and revise on a not less than annual basis, specific and detailed criteria for the suspension and termination, as appropriate, of projects supported by the grantee that regularly or consistently fail to meet the criteria required by this section.*

(d) *AUDITING.*—

(1) *IN GENERAL.*—*Any grantee shall be subject to the same auditing, recordkeeping, and reporting obligations required under subsections (e), (f), (g), and (i) of section 504 of the National Endowment for Democracy Act (22 U.S.C. 4413).*

(2) *COMPTROLLER GENERAL AUDIT AUTHORITY.*—

(A) *IN GENERAL.*—*The Comptroller General of the United States may evaluate the financial transactions of the grantee as well as the programs or activities the grantee carries out pursuant to this section.*

(B) *ACCESS TO RECORDS.*—*Any grantee shall provide the Comptroller General, or the Comptroller General's duly*

authorized representatives, access to such records as the Comptroller General determines necessary to conduct evaluations authorized by this section.

(e) *ANNUAL REPORT.*—Any grant recipient shall submit a report to the Secretary of State annually and the Secretary shall transmit it to the appropriate congressional committees within 30 days. Such report shall include the names of each of the projects or sub-grantees receiving such funding pursuant to this section and the amount of funding provided for, along with a detailed description of, each such project.

(f) *RULE OF CONSTRUCTION REGARDING AVAILABILITY OF FISCAL YEAR 2016 APPROPRIATIONS.*—The enactment of this section is deemed to meet the condition of the first proviso of paragraph (2) of section 7060(f) of the Department of State, Foreign Operations, and Related Appropriations Act, 2016 (division K of Public Law 114–113), and the funds referred to in such paragraph shall be made available in accordance with, and for the purposes set forth in, such paragraph.

(g) *AUTHORIZATION OF APPROPRIATIONS; SUNSET.*—

(1) *AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 2017 THROUGH 2020.*—There is authorized to be appropriated to the Department of State for the purpose of making a grant or grants authorized under this section, for each fiscal year from 2017 through 2020, \$37,500,000.

(2) *SUNSET.*—The authorities of subsections (b) through (f) shall expire on September 30, 2020.

(h) *COMPTROLLER GENERAL REVIEW OF EXISTING PROGRAMS.*—

(1) *IN GENERAL.*—Not later than September 30, 2018, and September 30, 2020, the Comptroller General of the United States shall submit to Congress a report on all of the programs conducted by the Department of State, the United States Agency for International Development, the Department of Labor, the Department of Defense, and the Department of the Treasury that address human trafficking and modern slavery, including a detailed analysis of the effectiveness of such programs in limiting human trafficking and modern slavery and specific recommendations on which programs are not effective at reducing the prevalence of human trafficking and modern slavery and how the funding for such programs may be redirected to more effective efforts.

(2) *CONSIDERATION OF REPORT.*—The Comptroller General of the United States shall brief the appropriate congressional committees on the report submitted under paragraph (1). The appropriate congressional committees shall review and consider the reports and shall, as appropriate, consider modifications to authorization levels and programs within the jurisdiction of such committees to address the recommendations made in the report.

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

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of Cooperative Threat Reduction funds.

Sec. 1302. Funding allocations.

Sec. 1303. Limitation on availability of funds for Cooperative Threat Reduction in People's Republic of China.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) **FISCAL YEAR 2017 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.**—In this title, the term “fiscal year 2017 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2017, 2018, and 2019.

SEC. 1302. FUNDING ALLOCATIONS.

(a) **IN GENERAL.**—Of the \$325,604,000 authorized to be appropriated to the Department of Defense for fiscal year 2017 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$11,791,000.

(2) For chemical weapons destruction, \$2,942,000.

(3) For global nuclear security, \$16,899,000.

(4) For cooperative biological engagement, \$213,984,000.

(5) For proliferation prevention, \$50,709,000, of which—

(A) \$4,000,000 may be obligated for purposes relating to nuclear nonproliferation assisted or caused by additive manufacture technology (commonly referred to as “3D printing”);

(B) \$4,000,000 may be obligated for monitoring the “proliferation pathways” under the Joint Comprehensive Plan of Action;

(C) \$4,000,000 may be obligated for enhancing law enforcement cooperation and intelligence sharing; and

(D) \$4,000,000 may be obligated for the Proliferation Security Initiative under subtitle B of title XVIII of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2911 et seq.).

(6) For threat reduction engagement, \$2,000,000.

(7) For activities designated as Other Assessments/Administrative Costs, \$27,279,000.

(b) **MODIFICATIONS TO CERTAIN REQUIREMENTS.**—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended as follows:

(1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is amended by striking “15 days” and inserting “45 days”.

(2) Section 1322(b) (50 U.S.C. 3712(b)) is amended—

(A) by striking “At the time at which” and inserting “Not later than 15 days before the date on which”;

(B) in paragraph (1), by striking “; and” and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting “; and”; and

(D) by adding at the end the following new paragraph:

“(3) a discussion of—

“(A) whether authorities other than the authority under this section are available to the Secretaries to perform such project or activity to meet the threats or goals identified under subsection (a)(1); and

“(B) if such other authorities exist, why the Secretaries were not able to use such authorities for such project or activity.”

(3) Section 1323(b)(3) (50 U.S.C. 3713(b)(3)) is amended by striking “at the time at which” and inserting “not later than seven days before the date on which”.

(4) Section 1324 (50 U.S.C. 3714) is amended—

(A) in subsection (a)(1)(C), by striking “15 days” and inserting “45 days”; and

(B) in subsection (b)(3), by striking “15 days” and inserting “45 days”.

(c) **JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.**—In this section, the term “Joint Comprehensive Plan of Action” means the Joint Comprehensive Plan of Action, signed at Vienna July 14, 2015, by Iran and by the People’s Republic of China, France, Germany, the Russian Federation, the United Kingdom, and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action, and transmitted by the President to Congress on July 19, 2015, pursuant to section 135(a) of the Atomic Energy Act of 1954, as amended by the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17; 129 Stat. 201).

SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION IN PEOPLE’S REPUBLIC OF CHINA.

(a) **IN GENERAL.**—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended by inserting after section 1334 the following new section:

“SEC. 1335. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION ACTIVITIES IN PEOPLE’S REPUBLIC OF CHINA.

“(a) **SEMIANNUAL INSTALLMENTS.**—In carrying out activities under the Program in the People’s Republic of China, the Secretary of Defense shall ensure that Cooperative Threat Reduction funds for such activities are obligated or expended in semiannual installments.

“(b) **REQUIRED REPORTS.**—

“(1) **ADDITIONAL INFORMATION.**—With respect to carrying out activities under the Program in the People’s Republic of

China, the Secretary of Defense shall submit to the congressional defense committees the reports required by section 1321(g) on a semiannual basis by not later than 15 days before any obligation of Cooperative Threat Reduction funds for such activities during the covered semiannual period. In addition to the matters required by such section, each such report shall include, in coordination with the Secretary of State—

“(A) whether China has taken material steps to—

“(i) disrupt the proliferation activities of Li Fangwei (also known as Karl Lee, or any other alias known by the United States); and

“(ii) arrest Li Fangwei pursuant the indictment charged in the United States District Court for the Southern District of New York on April 29, 2014;

“(B) whether China has proliferated to any non-nuclear weapons state, or any nuclear weapons state in violation of the Treaty on the Non-Proliferation of Nuclear Weapons, any item that contributes to a ballistic missile or nuclear weapons delivery system; and

“(C) the number, type, and summary of any demarches between the United States and China with respect to the matters described in subparagraphs (A) and (B).

“(2) **ADDITIONAL SUBMISSIONS.**—At the same time as the Secretary of Defense submits to the congressional defense committees the information described in subparagraphs (A), (B), and (C) of paragraph (1) as part of the reports required by section 1321(g), the Secretary shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate such information.

“(3) **COVERAGE.**—With respect to the information described in subparagraphs (A), (B), and (C) of paragraph (1)—

“(A) the first report described in such paragraph that is submitted after the date of the enactment of this section shall cover the preceding 12-month period before the date of such submission; and

“(B) each subsequent report shall cover the semiannual period preceding the date of such submission.

“(4) **FORM.**—The information described in subparagraphs (A), (B), and (C) of paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”

(b) **CONFORMING AMENDMENTS.**—Section 1321(g) of such Act (50 U.S.C. 3711(g)) is amended—

(1) in paragraph (1)—

(A) in the heading, by striking “ANNUAL REQUIREMENT” and inserting “REPORTS REQUIREMENT”; and

(B) by striking “that fiscal year” and inserting “that fiscal year (or, in accordance with section 1335(b), the semiannual period covered by the report)”; and

(2) in paragraph (3), by striking “Paragraph (1)” and inserting “Except for Cooperative Threat Reduction funds subject to section 1335, paragraph (1)”.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.

- Sec. 1402. *Chemical Agents and Munitions Destruction, Defense.*
 Sec. 1403. *Drug Interdiction and Counter-Drug Activities, Defense-wide.*
 Sec. 1404. *Defense Inspector General.*
 Sec. 1405. *Defense Health Program.*

Subtitle B—National Defense Stockpile

- Sec. 1411. *Authority to dispose of certain materials from and to acquire additional materials for the National Defense Stockpile.*
 Sec. 1412. *National Defense Stockpile matters.*

Subtitle C—Chemical Demilitarization Matters

- Sec. 1421. *National Academies of Sciences study on conventional munitions demilitarization alternative technologies.*

Subtitle D—Other Matters

- Sec. 1431. *Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.*
 Sec. 1432. *Authorization of appropriations for Armed Forces Retirement Home.*

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

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

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activi-

ties and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORITY TO DISPOSE OF CERTAIN MATERIALS FROM AND TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) *DISPOSAL AUTHORITY.*—Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may dispose of the following materials contained in the National Defense Stockpile in the following quantities:

- (1) 27 short tons of beryllium.
- (2) 111,149 short tons of chromium, ferroalloy.
- (3) 2,973 short tons of chromium metal.
- (4) 8,380 troy ounces of platinum.
- (5) 275,741 pounds of contained tungsten metal powder.
- (6) 12,433,796 pounds of contained tungsten ores and concentrates.

(b) *ACQUISITION AUTHORITY.*—

(1) *AUTHORITY.*—Using funds available in the National Defense Stockpile Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

- (A) High modulus and high strength carbon fibers.
- (B) Tantalum.
- (C) Germanium.
- (D) Tungsten rhenium metal.
- (E) Boron carbide powder.
- (F) Europium.
- (G) Silicon carbide fiber.

(2) *AMOUNT OF AUTHORITY.*—The National Defense Stockpile Manager may use up to \$55,000,000 in the National Defense Stockpile Transaction Fund for acquisition of the materials specified paragraph (1).

(3) *FISCAL YEAR LIMITATION.*—The authority under paragraph (1) is available for purchases during fiscal year 2017 through fiscal year 2021.

SEC. 1412. NATIONAL DEFENSE STOCKPILE MATTERS.

(a) *MATERIALS CONSTITUTING THE NATIONAL DEFENSE STOCKPILE.*—Section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c) is amended—

(1) in subsection (b), by striking “required for” and inserting “suitable for transfer or disposal through”; and

(2) in subsection (c)—

(A) by striking “(1)” and all that follows through “(2)”; and

(B) by striking “this subsection” and inserting “subsection (b)”.

(b) *QUALIFICATION OF DOMESTIC SOURCES.*—Section 15(a) of such Act (50 U.S.C. 98h–6(a)) is amended—

(1) in paragraph (1), by striking “and” at the end ;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(3) by qualifying existing domestic facilities and domestically produced strategic and critical materials to meet the requirements of defense and essential civilian industries in times of national emergency when existing domestic sources of supply are either insufficient or vulnerable to single points of failure; and

“(4) by contracting with domestic facilities to recycle strategic and critical materials, thereby increasing domestic supplies when such materials would otherwise be insufficient to support defense and essential civilian industries in times of national emergency.”.

Subtitle C—Chemical Demilitarization Matters

SEC. 1421. NATIONAL ACADEMIES OF SCIENCES STUDY ON CONVENTIONAL MUNITIONS DEMILITARIZATION ALTERNATIVE TECHNOLOGIES.

(a) *IN GENERAL.*—The Secretary of the Army shall enter into an arrangement with the Board on Army Science and Technology of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the conventional munitions demilitarization program of the Department of Defense.

(b) *ELEMENTS.*—The study required pursuant to subsection (a) shall include the following:

(1) A review of the current conventional munitions demilitarization stockpile, including types of munitions and types of materials contaminated with propellants or energetics, and the disposal technologies used.

(2) An analysis of disposal, treatment, and reuse technologies, including technologies currently used by the Department and emerging technologies used or being developed by private or other governmental agencies, including a comparison of cost, throughput capacity, personnel safety, and environmental impacts.

(3) An identification of munitions types for which alternatives to open burning, open detonation, or non-closed loop incineration/combustion are not used.

(4) An identification and evaluation of any barriers to full-scale deployment of alternatives to open burning, open detonation, or non-closed loop incineration/combustion, and recommendations to overcome such barriers.

(5) An evaluation whether the maturation and deployment of governmental or private technologies currently in research and development would enhance the conventional munitions demilitarization capabilities of the Department.

(c) *SUBMITTAL TO CONGRESS.*—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study conducted pursuant to subsection (a).

Subtitle D—Other Matters

SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) *AUTHORITY FOR TRANSFER OF FUNDS.*—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, \$122,400,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

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

SEC. 1432. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2017 from the Armed Forces Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

- Sec. 1501. Purpose and treatment of certain authorizations of appropriations.*
- Sec. 1502. Procurement.*
- Sec. 1503. Research, development, test, and evaluation.*
- Sec. 1504. Operation and maintenance.*
- Sec. 1505. Military personnel.*
- Sec. 1506. Working capital funds.*
- Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.*
- Sec. 1508. Defense Inspector General.*
- Sec. 1509. Defense Health program.*

Subtitle B—Financial Matters

- Sec. 1511. Treatment as additional authorizations.*
- Sec. 1512. Special transfer authority.*

Subtitle C—Limitations, Reports, and Other Matters

- Sec. 1521. Afghanistan Security Forces Fund.*
- Sec. 1522. Joint Improvised Explosive Device Defeat Fund.*
- Sec. 1523. Extension of authority to use Joint Improvised Explosive Device Defeat Fund for training of foreign security forces to defeat improvised explosive devices.*
- Sec. 1524. Overseas contingency operations.*
- Sec. 1525. Extension and modification of authorities on Counterterrorism Partnerships Fund.*

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

(a) *PURPOSE.*—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2017 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and

(2) pursuant to sections 1502, 1503, 1504, 1505, and 1507 for expenses, not otherwise provided for, for procurement, research, development, test, and evaluation, operation and maintenance, military personnel, and defense-wide drug interdiction and counter-drug activities, as specified in the funding tables in sections 4103, 4203, 4303, 4403, and 4503.

(b) *SUPPORT OF BASE BUDGET REQUIREMENTS; TREATMENT.*—Funds identified in subsection (a)(2) are being authorized to be appropriated in support of base budget requirements as requested by the President for fiscal year 2017 pursuant to section 1105(a) of title 31, United States Code. The Director of the Office of Management and Budget shall apportion the funds identified in such subsection to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled “Criteria for War/Overseas Contingency Operations Funding Requests” transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2017 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Department of Defense for research, development, test, and evaluation, as specified in—

(1) the funding table in section 4202; or

(2) the funding table in section 4203.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in—

(1) the funding table in section 4402; or

(2) the funding table in section 4403.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in—

- (1) the funding table in section 4502; or
- (2) the funding table in section 4503.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1512. SPECIAL TRANSFER AUTHORITY.

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2017 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) **EFFECT OF TRANSFER.**—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) **LIMITATIONS.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$3,500,000,000.

(4) **EXCEPTION.**—In the case of the authorizations of appropriations contained in sections 1502, 1503, 1504, 1505, and 1507 that are provided for the purpose specified in section 1501(a)(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorizations.

(b) *TERMS AND CONDITIONS.*—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) *ADDITIONAL AUTHORITY.*—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.

(a) *CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.*—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2017 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) *EQUIPMENT DISPOSITION.*—

(1) *ACCEPTANCE OF CERTAIN EQUIPMENT.*—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) *CONDITIONS ON ACCEPTANCE OF EQUIPMENT.*—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) *ELEMENTS OF DETERMINATION.*—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) *TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.*—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) *QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.*—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees a report describing the equipment accepted under this subsection, section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302

note), and section 1532(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3612) during the period covered by the report. Each report shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department and copies of the determinations made under paragraph (2), as required by paragraph (3).

(c) **PLAN TO PROMOTE SECURITY OF AFGHAN WOMEN.**—

(1) **REPORTING REQUIREMENT.**—The Secretary of Defense, with the concurrence of the Secretary of State, shall include in each report required under section 1225 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3550)—

(A) a current assessment of the security of Afghan women and girls, including information regarding efforts to increase the recruitment and retention of women in the Afghan National Security Forces; and

(B) a current assessment of the implementation of the plans for the recruitment, integration, retention, training, treatment, and provision of appropriate facilities and transportation for women in the Afghan National Security Forces, including the challenges associated with such implementation and the steps being taken to address those challenges.

(2) **PLAN REQUIRED.**—

(A) **IN GENERAL.**—The Secretary of Defense, with the concurrence of the Secretary of State, shall support, to the extent practicable, the efforts of the Government of Afghanistan to promote the security of Afghan women and girls during and after the security transition process through the development and implementation by the Government of Afghanistan of an Afghan-led plan that should include the elements described in this paragraph.

(B) **TRAINING.**—The Secretary of Defense, with the concurrence of the Secretary of State and working with the NATO-led Resolute Support mission, should encourage the Government of Afghanistan to develop—

(i) measures for the evaluation of the effectiveness of existing training for Afghan National Security Forces on this issue;

(ii) a plan to increase the number of female security officers specifically trained to address cases of gender-based violence, including ensuring the Afghan National Police’s Family Response Units have the necessary resources and are available to women across Afghanistan;

(iii) mechanisms to enhance the capacity for units of National Police’s Family Response Units to fulfill their mandate as well as indicators measuring the operational effectiveness of these units;

(iv) a plan to address the development of accountability mechanisms for Afghanistan National Army and Afghanistan National Police personnel who violate codes of conduct relating to the human rights of women

and girls, including female members of the Afghan National Security Forces;

(v) a plan to address the development of accountability mechanisms for Afghanistan National Army and Afghanistan National Police personnel who violate codes of conduct relating to protecting children from sexual abuse; and

(vi) a plan to develop training for the Afghanistan National Army and the Afghanistan National Police to increase awareness and responsiveness among Afghanistan National Army and Afghanistan National Police personnel regarding the unique security challenges women confront when serving in those forces.

(C) *ENROLLMENT AND TREATMENT.*—The Secretary of Defense, with the concurrence of the Secretary of State and in cooperation with the Afghan Ministries of Defense and Interior, shall seek to assist the Government of Afghanistan in including as part of the plan developed under subparagraph (A) the development and implementation of a plan to increase the number of female members of the Afghanistan National Army and the Afghanistan National Police and to promote their equal treatment, including through such steps as providing appropriate equipment, modifying facilities, and ensuring literacy and gender awareness training for recruits.

(D) *ALLOCATION OF FUNDS.*—

(i) *IN GENERAL.*—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2017, it is the goal that \$25,000,000, but in no event less than \$10,000,000, shall be used for—

(I) the recruitment, integration, retention, training, and treatment of women in the Afghan National Security Forces; and

(II) the recruitment, training, and contracting of female security personnel for future elections.

(ii) *TYPES OF PROGRAMS AND ACTIVITIES.*—Such programs and activities may include—

(I) efforts to recruit women into the Afghan National Security Forces, including the special operations forces;

(II) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(III) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(IV) efforts to address harassment and violence against women within the Afghan National Security Forces;

(V) improvements to infrastructure that address the requirements of women serving in the Af-

ghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(VI) support for Afghanistan National Police Family Response Units; and

(VII) security provisions for high-profile female police and army officers.

(d) REPORTING REQUIREMENT.—

(1) **SEMI-ANNUAL REPORTS.**—Not later than January 31 and July 31 of each year through January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report summarizing the details of any obligation or transfer of funds from the Afghanistan Security Forces Fund during the preceding six-calendar month period.

(2) **CONFORMING REPEALS.**—(A) Section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424), is further amended by striking subsection (g).

(B) Section 1517 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2442) is amended by striking subsection (f).

SEC. 1522. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) **USE AND TRANSFER OF FUNDS.**—Subsection 1532(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1091) is amended by striking “fiscal year 2016” and inserting “fiscal years 2016 and 2017”.

(b) **EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.**—Subsection (c) of section 1532 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057) is amended—

(1) in paragraph (1)—

(A) by striking “for fiscal year 2013 and for fiscal year 2016,” and inserting “for fiscal years 2013, 2016, and 2017”;

(B) by inserting “with the concurrence of the Secretary of State” after “may be available to the Secretary of Defense”;

(C) by striking “of the Government of Pakistan” and inserting “of foreign governments”; and

(D) by striking “from Pakistan to locations in Afghanistan”;

(2) in paragraph (2), by striking “of the Government of Pakistan” and inserting “of foreign governments”; and

(3) in paragraph (4), as most recently amended by section 1532(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1091), by striking “December 31, 2016” and inserting “December 31, 2017”.

(c) **NOTICE TO CONGRESS.**—Paragraph (3) of such subsection is amended to read as follows:

“(3) **NOTICE TO CONGRESS.**—None of the funds made available pursuant to paragraph (1) may be obligated or expended to supply training, equipment, supplies, or services to a foreign

country before the date that is 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notice that contains—

“(A) the foreign country for which training, equipment, supplies, or services are proposed to be supplied;

“(B) a description of the training, equipment, supplies, and services to be provided using such funds;

“(C) a detailed description of the amount of funds proposed to be obligated or expended to supply such training, equipment, supplies or services, including any funds proposed to be obligated or expended to support the participation of another department or agency of the United States and a description of the training, equipment, supplies, or services proposed to be supplied;

“(D) an evaluation of the effectiveness of the efforts of the foreign country identified under subparagraph (A) to counter the flow of improvised explosive device precursor chemicals; and

“(E) an overall plan for countering the flow of precursor chemicals in the foreign country identified under subparagraph (A).”.

SEC. 1523. EXTENSION OF AUTHORITY TO USE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IMPROVISED EXPLOSIVE DEVICES.

Section 1533(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1093) is amended by striking “September 30, 2018” and inserting “September 30, 2020”.

SEC. 1524. OVERSEAS CONTINGENCY OPERATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the Department of Defense for overseas contingency operations in such amounts as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1525. EXTENSION AND MODIFICATION OF AUTHORITIES ON COUNTERTERRORISM PARTNERSHIPS FUND.

(a) *EXTENSION.*—Section 1534 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3616) is amended—

(1) in subsection (a), by striking “Amounts authorized to be appropriated for fiscal year 2015 by this title” and inserting “Subject to subsection (b), amounts authorized to be appropriated through fiscal year 2017”; and

(2) in subsection (h), by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) *LIMITATION ON USE OF FUNDS AUTHORIZED FOR FISCAL YEAR 2016.*—Such section is further amended—

(1) by redesignating subsections (b) through (h) as subsections (c) through (i), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) *LIMITATION ON USE OF FUNDS AUTHORIZED FOR FISCAL YEAR 2016.*—Amounts authorized to be appropriated for fiscal year 2016 for the Counterterrorism Partnerships Fund may only be used for the purposes specified in subsection (a)(2). In the use of such amounts, any reference in this section to ‘subsection (a)’ shall be deemed to be a reference to ‘subsection (a)(2)’.”

(c) *ADMINISTRATION OF FUND.*—Subsection (e) of such section, as redesignated by subsection (b)(1) of this section, is amended—

- (1) by striking paragraph (3); and
- (2) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

(d) *REPORTS.*—Subsection (h) of such section, as redesignated by subsection (b)(1) of this section, is amended—

- (1) in the matter preceding paragraph (1)—
 - (A) by striking “and 2017” and inserting “2017, and 2018”; and
 - (B) by striking “and 2016” and inserting “2016, and 2017”;
- (2) in paragraph (4), by striking “subsection (d)(5)” and inserting “subsection (e)(4)”; and
- (3) in paragraph (5), by striking “subsection (f)” and inserting “subsection (g)”.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

- Sec. 1601. *Repeal of provision permitting the use of rocket engines from the Russian Federation for the evolved expendable launch vehicle program.*
- Sec. 1602. *Exception to the prohibition on contracting with Russian suppliers of rocket engines for the evolved expendable launch vehicle program.*
- Sec. 1603. *Rocket propulsion system to replace RD-180.*
- Sec. 1604. *Plan for use of allied launch vehicles.*
- Sec. 1605. *Analysis of alternatives for wide-band communications.*
- Sec. 1606. *Modification of pilot program for acquisition of commercial satellite communication services.*
- Sec. 1607. *Space-based environmental monitoring.*
- Sec. 1608. *Prohibition on use of certain non-allied positioning, navigation, and timing systems.*
- Sec. 1609. *Limitation of availability of funds for the Joint Space Operations Center Mission System.*
- Sec. 1610. *Limitations on availability of funds for the Global Positioning System Next Generation Operational Control System.*
- Sec. 1611. *Availability of funds for certain secure voice conferencing capabilities.*
- Sec. 1612. *Space-based infrared system and advanced extremely high frequency program.*
- Sec. 1613. *Pilot program on commercial weather data.*
- Sec. 1614. *Plans on transfer of acquisition and funding authority of certain weather missions to National Reconnaissance Office.*
- Sec. 1615. *Five-year plan for Joint Interagency Combined Space Operations Center.*
- Sec. 1616. *Organization and management of national security space activities of the Department of Defense.*
- Sec. 1617. *Review of charter of Operationally Responsive Space Program Office.*
- Sec. 1618. *Backup and complementary positioning, navigation, and timing capabilities of Global Positioning System.*
- Sec. 1619. *Report on use of spacecraft assets of the space-based infrared system wide-field-of-view program.*
- Sec. 1620. *Provision of certain information to Government Accountability Office by National Reconnaissance Office.*
- Sec. 1621. *Cost-benefit analysis of commercial use of excess ballistic missile solid rocket motors.*
- Sec. 1622. *Independent assessment of Global Positioning System Next Generation Operational Control System.*

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1631. Report on United States Central Command Intelligence Fusion Center.*
- Sec. 1632. Prohibition on availability of funds for certain relocation activities for NATO Intelligence Fusion Cell.*
- Sec. 1633. Survey and review of Defense Intelligence Enterprise.*

Subtitle C—Cyberspace-Related Matters

- Sec. 1641. Special emergency procurement authority to facilitate the defense against or recovery from a cyber attack.*
- Sec. 1642. Limitation on termination of dual-hat arrangement for Commander of the United States Cyber Command.*
- Sec. 1643. Cyber mission forces matters.*
- Sec. 1644. Requirement to enter into agreements relating to use of cyber opposition forces.*
- Sec. 1645. Cyber protection support for Department of Defense personnel in positions highly vulnerable to cyber attack.*
- Sec. 1646. Limitation on full deployment of joint regional security stacks.*
- Sec. 1647. Advisory committee on industrial security and industrial base policy.*
- Sec. 1648. Change in name of National Defense University's Information Resources Management College to College of Information and Cyberspace.*
- Sec. 1649. Evaluation of cyber vulnerabilities of F-35 aircraft and support systems.*
- Sec. 1650. Evaluation of cyber vulnerabilities of Department of Defense critical infrastructure.*
- Sec. 1651. Strategy to incorporate Army reserve component cyber protection teams into Department of Defense cyber mission force.*
- Sec. 1652. Strategic Plan for the Defense Information Systems Agency.*
- Sec. 1653. Plan for information security continuous monitoring capability and comply-to-connect policy; limitation on software licensing.*
- Sec. 1654. Reports on deterrence of adversaries in cyberspace.*
- Sec. 1655. Sense of Congress on cyber resiliency of the networks and communications systems of the National Guard.*

Subtitle D—Nuclear Forces

- Sec. 1661. Improvements to Council on Oversight of National Leadership Command, Control, and Communications System.*
- Sec. 1662. Treatment of certain sensitive information by State and local governments.*
- Sec. 1663. Procurement authority for certain parts of intercontinental ballistic missile fuzes.*
- Sec. 1664. Prohibition on availability of funds for mobile variant of ground-based strategic deterrent missile.*
- Sec. 1665. Limitation on availability of funds for extension of New START Treaty.*
- Sec. 1666. Certifications regarding integrated tactical warning and attack assessment mission of the Air Force.*
- Sec. 1667. Matters relating to intercontinental ballistic missiles.*
- Sec. 1668. Requests for forces to meet security requirements for land-based nuclear forces.*
- Sec. 1669. Report on Russian and Chinese political and military leadership survivability, command and control, and continuity of government programs and activities.*
- Sec. 1670. Review by Comptroller General of the United States of recommendations relating to nuclear enterprise of Department of Defense.*
- Sec. 1671. Sense of Congress on nuclear deterrence.*
- Sec. 1672. Sense of Congress on importance of independent nuclear deterrent of United Kingdom.*

Subtitle E—Missile Defense Programs

- Sec. 1681. National missile defense policy.*
- Sec. 1682. Extensions of prohibitions relating to missile defense information and systems.*
- Sec. 1683. Non-terrestrial missile defense intercept and defeat capability for the ballistic missile defense system.*
- Sec. 1684. Review of the missile defeat policy and strategy of the United States.*
- Sec. 1685. Maximizing Aegis Ashore capability and developing medium range discrimination radar.*
- Sec. 1686. Technical authority for integrated air and missile defense activities and programs.*
- Sec. 1687. Hypersonic defense capability development.*

- Sec. 1688. Conventional Prompt Global Strike weapons system.
- Sec. 1689. Required testing by Missile Defense Agency of ground-based midcourse defense element of ballistic missile defense system.
- Sec. 1690. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program codevelopment and coproduction.
- Sec. 1691. Limitations on availability of funds for lower tier air and missile defense capability of the Army.
- Sec. 1692. Pilot program on loss of unclassified, controlled technical information.
- Sec. 1693. Plan for procurement of medium-range discrimination radar to improve homeland missile defense.
- Sec. 1694. Review of Missile Defense Agency budget submissions for ground-based midcourse defense and evaluation of alternative ground-based interceptor deployments.
- Sec. 1695. Semiannual notifications on missile defense tests and costs.
- Sec. 1696. Reports on unfunded priorities of the Missile Defense Agency.

Subtitle F—Other Matters

- Sec. 1697. Protection of certain facilities and assets from unmanned aircraft.
- Sec. 1698. Harmful interference to Department of Defense Global Positioning System.

Subtitle A—Space Activities

SEC. 1601. REPEAL OF PROVISION PERMITTING THE USE OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 8048 of the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113; 129 Stat. 2363) is repealed.

SEC. 1602. EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note), as amended by section 1607 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1100), is further amended by striking subsection (c) and inserting the following new subsection:

“(c) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any of the following:

“(1) The placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013.

“(2) Contracts that are awarded during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 and ending December 31, 2022, for the procurement of property or services for space launch activities that include the use of a total of 18 rocket engines designed or manufactured in the Russian Federation, in addition to the Russian-designed or Russian-manufactured engines to which paragraph (1) applies.”.

SEC. 1603. ROCKET PROPULSION SYSTEM TO REPLACE RD–180.

Section 1604 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note), as amended by section 1606 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1099), is further amended

by striking subsection (d) and inserting the following new subsections:

“(d) USE OF FUNDS UNDER DEVELOPMENT PROGRAM.—

“(1) DEVELOPMENT OF ROCKET PROPULSION SYSTEM.—The funds described in paragraph (2)—

“(A) may be obligated or expended for—

“(i) the development of the rocket propulsion system to replace non-allied space launch engines pursuant to subsection (a); and

“(ii) the necessary interfaces to, or integration of, the rocket propulsion system with an existing or new launch vehicle; and

“(B) except as provided by paragraph (3), may not be obligated or expended to develop or procure a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

“(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

“(A) Funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2017 or otherwise made available for fiscal year 2017 for the Department of Defense for the development of the rocket propulsion system under subsection (a).

“(B) Funds authorized to be appropriated by this Act or the National Defense Authorization Act for Fiscal Year 2016 or otherwise made available for fiscal years 2015 or 2016 for the Department of Defense for the development of the rocket propulsion system under subsection (a) that are unobligated as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

“(3) OTHER PURPOSES.—The Secretary may obligate or expend not more than a total of the amount calculated under paragraph (4) of the funds that are authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2017 or otherwise made available for fiscal year 2017 for the rocket propulsion system and launch system investment for activities not authorized by paragraph (1)(A), including for developing a launch vehicle, an upper stage, a strap-on motor, or related infrastructure. The Secretary may exceed such limit calculated under paragraph (4) in fiscal year 2017 for such purposes if—

“(A) the Secretary certifies to the appropriate congressional committees that, as of the date of the certification—

“(i) the development of the rocket propulsion system is being carried out pursuant to paragraph (1)(A) in a manner that ensures that the rocket propulsion system will meet each requirement under subsection (a)(2); and

“(ii) such obligation or expenditure will not negatively affect the development of the rocket propulsion system, including with respect to meeting such requirements; and

“(B) the reprogramming or transfer is carried out in accordance with established procedures for reprogramming

or transfers, including with respect to presenting a request for a reprogramming of funds.

“(4) **CALCULATION OF AMOUNTS FOR OTHER PURPOSES.**—In carrying out paragraph (3), the Secretary shall calculate the amount of the funds specified in such paragraph as follows:

“(A) If the total amount of funds that are authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2017 or otherwise made available for fiscal year 2017 for the rocket propulsion system and launch system investment is equal to or less than \$320,000,000, such amount shall equal 31 percent.

“(B) If the total amount of funds that are authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2017 or otherwise made available for fiscal year 2017 for the rocket propulsion system and launch system investment is greater than \$320,000,000, such amount shall equal the difference of—

“(i) the amount of funds so authorized to be appropriated, minus

“(ii) \$220,000,000.

“(e) **DEFINITIONS.**—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(2) The term ‘rocket propulsion system’ means, with respect to the development authorized by subsection (a), a main booster, first-stage rocket engine or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.”.

SEC. 1604. PLAN FOR USE OF ALLIED LAUNCH VEHICLES.

(a) **PLAN.**—The Secretary of Defense, in coordination with the Director of National Intelligence, shall develop a plan to use allied launch vehicles to meet the requirements for achieving the policy relating to assured access to space set forth in section 2273 of title 10, United States Code, in the event that such requirements cannot be met, for a limited period, using only launch vehicles of the United States.

(b) **ASSESSMENTS.**—In developing the plan required by subsection (a), the Secretary shall conduct assessments of the following:

(1) What satellites of the United States would be appropriate to be launched on an allied launch vehicle.

(2) The relevant laws, regulations, and policies governing the launch of national security satellites and whether any legislative, regulatory, or policy actions (including with respect to waivers) would be necessary to allow for the launch of a national security satellite on an allied launch vehicle.

(3) The certification requirements for using allied launch vehicles pursuant to the plan and the estimated cost, schedule, and actions that would be necessary to certify allied launch vehicles.

(4) Any other matters the Secretary determines appropriate.

(c) *SUBMISSION TO CONGRESS.*—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the plan required by subsection (a) and the assessments required by subsection (b).

(d) *DEFINITIONS.*—In this section:

(1) The term “allied launch vehicle” means a launch vehicle of the government of a country that is an ally of the United States. The term does not include a launch vehicle of the Government of the Russian Federation, the Government of the People’s Republic of China, the Government of the Islamic Republic of Iran, or the Government of the Democratic People’s Republic of Korea.

(2) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(3) The term “national security satellite” means a satellite launched for national security purposes, including such a satellite launched by the Air Force, the Navy, or the National Reconnaissance Office, or any other element of the Department of Defense.

SEC. 1605. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

Section 1611 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1103) is amended by striking subsection (b) and inserting the following new subsections:

“(b) *SCOPE.*—

“(1) *STUDY GUIDANCE.*—In conducting the analysis of alternatives under subsection (a), the Secretary shall develop study guidance that requires such analysis to include the full range of military and commercial satellite communications capabilities, acquisition processes, and service delivery models.

“(2) *OTHER CONSIDERATIONS.*—The Secretary shall ensure that—

“(A) any cost assessments of military or commercial satellite communications systems included in the analysis of alternatives conducted under subsection (a) include detailed full life-cycle costs, as applicable, including with respect to—

“(i) military personnel, military construction, military infrastructure operation, maintenance costs, and ground and user terminal impacts; and

“(ii) any other costs regarding military or commercial satellite communications systems the Secretary determines appropriate; and

“(B) such analysis identifies any considerations relating to the use of military versus commercial systems.

“(c) *COMPTROLLER GENERAL REPORT.*—

“(1) *SUBMISSION.*—Upon completion of the analysis of alternatives conducted under subsection (a), the Secretary shall submit such analysis to the Comptroller General of the United States.

“(2) *REPORT*.—Not later than 120 days after the date on which the Comptroller General receives the analysis of alternatives under paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing—

“(A) a review of the analysis; and

“(B) an assessment of the types of analyses the Secretary has conducted to understand the costs and benefits of the use of KA-band commercial satellite communications by the Department of Defense.

“(3) *MATTERS INCLUDED*.—The report under paragraph (2) shall include the following:

“(A) With respect to the review of the analysis of alternatives conducted under subsection (a)—

“(i) whether, and to what extent, the Secretary—

“(I) conducted such analysis using best practices;

“(II) fully addressed the concerns of the acquisition, operational, and user communities; and

“(III) complied with subsection (b); and

“(ii) a description of how the Secretary identified the requirements and assessed and addressed the cost, schedule, and risks posed for each alternative included in such analysis.

“(B) With respect to the assessment under paragraph (2)(B)—

“(i) whether the Secretary has evaluated the use of KA-band commercial satellite communications, based on total cost, capabilities, and interoperability with existing or planned terminals; and

“(ii) such other matters as the Comptroller General considers appropriate.

“(d) *BRIEFINGS*.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, and semiannually thereafter until the date on which the analysis of alternatives conducted under subsection (a) is completed, the Secretary shall provide the Committees on Armed Services of the House of Representatives and the Senate (and any other congressional defense committee upon request) a briefing on such analysis.”.

SEC. 1606. MODIFICATION OF PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

(a) *IMPLEMENTATION OF GOALS*.—Section 1605 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2208 note), as amended by section 1612 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1103), is further amended by adding at the end the following new subsection:

“(e) *IMPLEMENTATION OF GOALS*.—In developing and carrying out the pilot program under subsection (a)(1), by not later than September 30, 2017, the Secretary shall take actions to begin the implementation of each goal specified in subsection (b).”.

(b) *LIMITATION*.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the

headquarters operations of the Air Force Space Command, not more than 95 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees a plan to demonstrate that the pilot program under section 1605 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2208 note) will achieve order-of-magnitude improvements in satellite communications capability, as required by subsection (b)(5) of such section.

SEC. 1607. SPACE-BASED ENVIRONMENTAL MONITORING.

(a) **ROLES OF DOD AND NOAA.**—

(1) **MECHANISMS.**—The Secretary of Defense and the Administrator of the National Oceanic and Atmospheric Administration shall jointly establish mechanisms to collaborate and coordinate in defining the roles and responsibilities of the Department of Defense and the National Oceanic and Atmospheric Administration to—

(A) carry out space-based environmental monitoring; and

(B) plan for future non-governmental space-based environmental monitoring capabilities, as appropriate.

(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) may be construed to authorize a joint satellite program of the Department of Defense and the National Oceanic and Atmospheric Administration.

(b) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Administrator shall jointly submit to the appropriate congressional committees a report on the mechanisms established under subsection (a)(1).

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

(1) the congressional defense committees;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 1608. PROHIBITION ON USE OF CERTAIN NON-ALLIED POSITIONING, NAVIGATION, AND TIMING SYSTEMS.

(a) **PROHIBITION.**—During the period beginning not later than 60 days after the date of the enactment of this Act and ending on September 30, 2018, the Secretary of Defense shall ensure that the Armed Forces and each element of the Department of Defense do not use a non-allied positioning, navigation, and timing system or service provided by such a system.

(b) **WAIVER.**—The Secretary may waive the prohibition in subsection (a) if—

(1) the Secretary determines that the waiver is—

(A) in the national security interest of the United States; and

(B) necessary to mitigate exigent operational concerns;

(2) the Secretary notifies, in writing, the appropriate congressional committees of such waiver; and

(3) a period of 30 days has elapsed following the date of such notification.

(c) **ASSESSMENT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall jointly submit to the appropriate congressional committees an assessment of the risks to national security and to the operations and plans of the Department of Defense from using a non-allied positioning, navigation, and timing system or service provided by such a system. Such assessment shall—

(1) address risks regarding—

(A) espionage, counterintelligence, and targeting;

(B) the use of the Global Positioning System by allies and partners of the United States and others; and

(C) harmful interference to the Global Positioning System; and

(2) include any other matters the Secretary, the Chairman, and the Director determine appropriate.

(d) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “non-allied positioning, navigation, and timing system” means any of the following systems:

(A) The Beidou system.

(B) The Glonass global navigation satellite system.

SEC. 1609. LIMITATION OF AVAILABILITY OF FUNDS FOR THE JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for increment 3 of the Joint Space Operations Center Mission System may be obligated or expended until the date on which the Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, submits to the congressional defense committees a report on such increment, including—

(1) an acquisition strategy and strategic plan for such increment that includes—

(A) the space battlement management, communication, and control capabilities, as of the date of the enactment of this Act;

(B) the plan to develop and perform space battlement management, communication, and control capabilities in the future; and

(C) the critical elements described in subparagraphs (A) and (B) that will require common software and hardware in other similar space battle management software and systems to promote a common operating environment and reduce acquisition costs and long-term maintenance requirements;

(2) the warfighter requirements of such increment;

(3) the funding and schedule for such increment;

(4) the strategy for use of commercially available capabilities, as appropriate, relating to such increment to rapidly address warfighter requirements, including the market research and evaluation of such commercial capabilities; and

(5) the relationship of such increment with the other related activities and investments of the Department of Defense.

SEC. 1610. LIMITATIONS ON AVAILABILITY OF FUNDS FOR THE GLOBAL POSITIONING SYSTEM NEXT GENERATION OPERATIONAL CONTROL SYSTEM.

(a) **LIMITATION UNTIL CERTIFICATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Global Positioning System Next Generation Operational Control System (in this section referred to as “OCX”), not more than five percent may be obligated or expended for the current product development contract for the OCX, or for any other purpose in connection with the OCX, until the date on which the Secretary of Defense submits to Congress the certification on the OCX required pursuant to section 2433a(b) of title 10, United States Code, as a result of the determination not to terminate the procurement of the OCX.

(b) **ADDITIONAL LIMITATION UNTIL INITIAL BRIEFING.**—In addition to the limitation in subsection (a), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the OCX, not more than 50 percent may be obligated or expended for the current product development contract for the OCX, or for any other purpose in connection with the OCX, unless—

(1) the Secretary has submitted to Congress the certification described in subsection (a); and

(2) not earlier than January 15, 2017, the Secretary provides to the congressional defense committees a briefing on the OCX with respect to—

(A) the status of the OCX program, including information on the risks, costs, and schedule, and technical information;

(B) contingency plans and investments, and the status of such plans and investments;

(C) an assessment of the OCX by the Director of Operational Test and Evaluation; and

(D) the total program cost that is validated by the Director of Cost Assessment and Program and a five-year budget that is based on an updated and rebaselined program cost.

(c) **ADDITIONAL LIMITATION UNTIL SECOND BRIEFING.**—In addition to the limitations in subsection (a) and (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the OCX, not more than 75 percent may be obligated or expended for the current product development contract for the OCX, or for any other purpose in connection with the OCX, unless—

(1) the Secretary has submitted to Congress the certification described in subsection (a);

(2) the Secretary has provided to the congressional defense committees the briefing under subsection (b)(2); and

(3) not earlier than March 15, 2017, the Secretary provides to the congressional defense committees an update to such briefing.

(d) **ADJUSTMENT OF BRIEFING DATES.**—The Secretary may provide the briefing under subsection (b)(2) or subsection (c)(3), respectively, before the date specified by such subsection if the Secretary determines that providing such briefing before such date is necessary for the national security interests of the United States.

SEC. 1611. AVAILABILITY OF FUNDS FOR CERTAIN SECURE VOICE CONFERENCING CAPABILITIES.

Of the funds authorized to be appropriated or otherwise made available by the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) or the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) or otherwise made available for fiscal years 2015 or 2016 for research, development, test, and evaluation, Air Force, and available for obligation as of the date of the enactment of this Act, not more than \$10,200,000 may be used to support the accomplishment by the Air Force of integration and associated critical testing and systems engineering activities for the Presidential and National Voice Conferencing program and the Advanced Extremely High Frequency Extended Data Rate, worldwide, secure, survivable voice conferencing capability for the President and national leaders, as described in the reprogramming action prior approval request submitted by the Under Secretary of Defense (Comptroller) to Congress on March 3, 2016.

SEC. 1612. SPACE-BASED INFRARED SYSTEM AND ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.

(a) **LIMITATION ON DEVELOPMENT AND ACQUISITION OF ALTERNATIVES.**—

(1) **LIMITATION.**—Except as provided by paragraph (4), the Secretary of Defense may not develop or acquire an alternative to the space-based infrared system program of record or develop or acquire an alternative to the advanced extremely high frequency program of record until the date on which the Commander of the United States Strategic Command and the Director of the Space Security and Defense Program, in consultation with the Defense Intelligence Officer for Science and Technology of the Defense Intelligence Agency, jointly submit to the appropriate congressional committees the assessments described in paragraph (2) for the respective program.

(2) **ASSESSMENT.**—The assessments described in this paragraph are—

(A) an assessment of the resilience and mission assurance of each alternative to the space-based infrared system being considered by the Secretary of the Air Force; and

(B) an assessment of the resilience and mission assurance of each alternative to the advanced extremely high frequency program being considered by the Secretary of the Air Force.

(3) **ELEMENTS.**—An assessment described in paragraph (2) shall include, with respect to each alternative to the space-based infrared system program of record and each alternative to the advanced extremely high frequency program of record being considered by the Secretary of the Air Force, the following:

(A) *The requirements for resilience and mission assurance.*

(B) *The criteria to measure such resilience and mission assurance.*

(C) *How the alternative affects—*

(i) *deterrence and full spectrum warfighting;*

(ii) *warfighter requirements and relative costs to include ground station and user terminals;*

(iii) *the potential order of battle of adversaries;*
and

(iv) *the required capabilities of the broader space security and defense enterprise.*

(4) **EXCEPTION.**—*The limitation in paragraph (1) shall not apply to efforts to examine and develop technology insertion opportunities for the space-based infrared system program of record or the satellite communications programs of record.*

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

(1) *With respect to the submission of the assessment described in subparagraph (A) of subsection (a)(2), the—*

(A) *the congressional defense committees; and*

(B) *the Permanent Select Committee on Intelligence of the House of Representatives.*

(2) *With respect to the submission of the assessment described in subparagraph (B) of subsection (a)(2), the congressional defense committees.*

SEC. 1613. PILOT PROGRAM ON COMMERCIAL WEATHER DATA.

(a) **IN GENERAL.**—*Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the viability of commercial satellite weather data to support requirements of the Department of Defense.*

(b) **DURATION.**—*The Secretary may carry out the pilot program under subsection (a) for a period not exceeding one year.*

(c) **BRIEFINGS.**—

(1) **INTERIM BRIEFING.**—*Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) demonstrating how the Secretary plans to implement the pilot program under subsection (a).*

(2) **FINAL BRIEFING.**—*Not later than 90 days after the pilot program under subsection (a) is completed, the Secretary shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) on the utility, cost, and other considerations regarding the purchase of commercial satellite weather data to support the requirements of the Department of Defense.*

SEC. 1614. PLANS ON TRANSFER OF ACQUISITION AND FUNDING AUTHORITY OF CERTAIN WEATHER MISSIONS TO NATIONAL RECONNAISSANCE OFFICE.

(a) **LIMITATION.**—*Except as provided by subsection (c), of the funds authorized to be appropriated by this Act or otherwise made*

available for fiscal year 2017 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees the plan under subsection (b)(1).

(b) PLANS FOR TRANSFER OF AUTHORITY.—

(1) AIR FORCE PLAN.—Except as provided by subsection (c), the Secretary of the Air Force shall develop a plan for the Air Force to transfer, beginning with fiscal year 2018, the acquisition authority and the funding authority for covered space-based environmental monitoring missions from the Air Force to the National Reconnaissance Office, including a description of the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(2) NRO PLAN.—

(A) Except as provided by subsection (c), the Director of the National Reconnaissance Office shall develop a plan for the National Reconnaissance Office to address how to carry out covered space-based environmental monitoring missions. Such plan shall include—

(i) a description of the related national security requirements for such missions;

(ii) a description of the appropriate manner to meet such requirements; and

(iii) the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(B) In developing the plan under subparagraph (A), the Director may conduct pre-acquisition activities, including with respect to requests for information, analyses of alternatives, study contracts, modeling and simulation, and other activities the Director determines necessary to develop such plan.

(C) Except as provided by subsection (c), the Director shall submit to the appropriate congressional committees such plan by not later than July 1, 2017.

(3) INDEPENDENT COST ESTIMATE.—The Director of the Cost Assessment Improvement Group of the Office of the Director of National Intelligence, in coordination with the Director of Cost Assessment and Program Evaluation, shall certify to the appropriate congressional committees that the amounts of funds identified under paragraphs (1) and (2)(A)(iii) as being necessary to transfer are appropriate and include funding for positions and personnel to support program office costs.

(c) WAIVER BASED ON REPORT AND CERTIFICATION OF AIR FORCE ACQUISITION PROGRAM.—The Secretary of the Air Force may waive the limitation in subsection (a) and the requirement to develop a plan under subsection (b)(1), and the Director of the National Reconnaissance Office may waive the requirement to develop a plan under subsection (b)(2), if the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Chairman of the Joint Chiefs of Staff jointly submit to the appropriate congressional committees a report by not later than July 1, 2017, that contains—

(1) a certification that the Secretary of the Air Force is carrying out a formal acquisition program that has received Milestone A approval to address the cloud characterization and theater weather imagery requirements of the Department of Defense; and

(2) an identification of the cost, schedule, requirements, and acquisition strategy of such acquisition program.

(d) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives the Select Committee on Intelligence of the Senate.

(2) The term “covered space-based environmental monitoring missions” means the acquisition programs necessary to meet the national security requirements for cloud characterization and theater weather imagery.

(3) The term “Milestone A approval” has the meaning given that term in section 2366a(d) of title 10, United States Code.

SEC. 1615. FIVE-YEAR PLAN FOR JOINT INTERAGENCY COMBINED SPACE OPERATIONS CENTER.

(a) **PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a plan for the Joint Interagency Combined Space Operations Center for the five-year period beginning on such date of enactment that includes—

(1) a description of the roles, responsibilities, and objective of the Center;

(2) an estimate of funding during the period covered by the current future-years defense program under section 221 of title 10, United States Code, needed for the Center that includes a description of contributions from other Federal agencies;

(3) an estimate of the personnel needed for the Center, listed by military personnel, civilian personnel, and contractor personnel, and the organization or commercial entity such personnel are representing;

(4) a description of planned activities of the Center;

(5) a description of planned use of commercial capabilities by the Center, as appropriate;

(6) a description of how the Center will complement and support the mission of the Joint Space Operations Center; and

(7) a description of the command and control of the related operations of the Joint Interagency Combined Space Operations Center.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1616. ORGANIZATION AND MANAGEMENT OF NATIONAL SECURITY SPACE ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) *FINDINGS.*—Congress finds the following:

(1) *National security space capabilities are a vital element of the national defense of the United States.*

(2) *The advantages of the United States in national security space are now threatened to an unprecedented degree by growing and serious counterspace capabilities of potential foreign adversaries, and the space advantages of the United States must be protected.*

(3) *The Department of Defense has recognized the threat and has taken initial steps necessary to defend space, however the organization and management may not be strategically postured to fully address this changed domain of operations over the long term.*

(4) *The defense of space is currently a priority for the leaders of the Department, however the space mission is managed within competing priorities of each of the Armed Forces.*

(5) *Space elements provide critical capabilities to all of the Armed Forces in the joint fight, however the disparate activities throughout the Department have no single leader that is empowered to make decisions affecting the space forces of the Department.*

(b) *SENSE OF CONGRESS.*—It is the sense of Congress that, to modernize and fully address the growing threat to the national security space advantage of the United States, the Secretary of Defense must evaluate the range of options and take further action to strengthen the leadership, management, and organization of the national security space activities of the Department of Defense, including with respect to—

(1) *unifying, integrating, and de-conflicting activities to provide for stronger prioritization, accountability, coherency, focus, strategy, and integration of the joint space program of the Department;*

(2) *streamlining decision-making, limiting unnecessary bureaucracy, and empowering the appropriate level of authority, while enabling effective oversight;*

(3) *maintaining the involvement of each of the Armed Forces and adapting the culture and improving the capabilities of the workforce to ensure the workforce has the appropriate training, experience, and tools to accomplish the mission; and*

(4) *reviewing authorities and preparing for a conflict that could extend to space.*

(c) *RECOMMENDATIONS.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall each separately submit to the appropriate congressional committees recommendations to—

(1) *in accordance with subsection (b), strengthen the leadership, management, and organization of the Department of Defense with respect to the national security space activities of the Department; and*

(2) *address the findings covered in the report of the Comptroller General of the United States numbered GAO-16-592R*

regarding space acquisition and oversight of the Department of Defense.

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

- (1) The congressional defense committees.
- (2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1617. REVIEW OF CHARTER OF OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.

(a) **REVIEW.**—The Secretary of Defense shall conduct a review of charter of the Operationally Responsive Space Program Office established by section 2273a of title 10, United States Code (in this section referred to as the “Office”).

(b) **ELEMENTS.**—The review under subsection (a) shall include the following:

- (1) A review of the key operationally responsive space needs with respect to the warfighter and with respect to national security.
- (2) How the Office could fit into the broader resilience and space security strategy of the Department of Defense.
- (3) An assessment of the potential of the Office to focus on the reconstitution capabilities with small satellites using low-cost launch vehicles and existing infrastructure.
- (4) An assessment of the potential of the Office to leverage existing or planned commercial capabilities.
- (5) A review of the necessary workforce specialties and acquisition authorities of the Office.
- (6) A review of the funding profile of the Office.
- (7) A review of the organizational placement and reporting structure of the Office.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the review under subsection (a), including any recommendations for legislative actions based on such review.

SEC. 1618. BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

(a) **STUDY.**—

(1) **IN GENERAL.**—The covered Secretaries shall jointly conduct a study to assess and identify the technology-neutral requirements to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure.

(2) **REPORT.**—Not later than one year after the date of the enactment of this Act, the covered Secretaries shall submit to the appropriate congressional committees a report on the study under paragraph (1). Such report shall include—

- (A) with respect to the Department of each covered Secretary, the identification of the respective requirements to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure;

(B) *an analysis of alternatives to meet such requirements, including, at a minimum—*

(i) *an analysis of appropriate technology options;*

(ii) *an analysis of the viability of a public-private partnership to establish a complementary positioning, navigation, and timing system; and*

(iii) *an analysis of the viability of service level agreements to operate a complementary positioning, navigation, and timing system; and*

(C) *a plan to meet such requirements that includes—*

(i) *for each such Department, the estimated costs, schedule, and system level technical considerations, including end user equipment and integration considerations; and*

(ii) *identification of the appropriate resourcing for each such Department in accordance with the respective requirements of the Department, including domestic or international requirements.*

(b) **SINGLE DESIGNATED OFFICIAL.**—*Each covered Secretary shall designate a single senior official of the Department of the Secretary to act as the primary representative of such Department for purposes of conducting the study under subsection (a)(1).*

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

(1) *The term “appropriate congressional committees” means—*

(A) *the congressional defense committees;*

(B) *the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives; and*

(C) *the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.*

(2) *The term “covered Secretaries” means the Secretary of Defense, the Secretary of Transportation, and the Secretary of Homeland Security.*

SEC. 1619. REPORT ON USE OF SPACECRAFT ASSETS OF THE SPACE-BASED INFRARED SYSTEM WIDE-FIELD-OF-VIEW PROGRAM.

(a) **REPORT.**—*Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the advisability and feasibility of using available spacecraft assets of the space-based infrared system wide-field-of-view program to satisfy other mission requirements of the Department of Defense or the intelligence community.*

(b) **MATTERS COVERED.**—*The report required by subsection (a) shall include, at a minimum, the following:*

(1) *An evaluation of using the space-based infrared system wide-field-of-view spacecraft bus for other urgent national security space priorities.*

(2) *An evaluation of the cost and schedule impact, if any, to the space-based infrared system wide-field-of-view program if the spacecraft bus is used for another purpose.*

(c) *FORM.*—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary to protect the national security interests of the United States.

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

- (1) the congressional defense committees; and
- (2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1620. PROVISION OF CERTAIN INFORMATION TO GOVERNMENT ACCOUNTABILITY OFFICE BY NATIONAL RECONNAISSANCE OFFICE.

(a) *IN GENERAL.*—The Director of the National Reconnaissance Office shall provide to the Comptroller General of the United States, in a timely manner, access to the cost, schedule, and performance information the Comptroller General requires to conduct assessments, as required by any of the appropriate congressional committees, of programs of the National Reconnaissance Office.

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

- (1) the congressional defense committees; and
- (2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1621. COST-BENEFIT ANALYSIS OF COMMERCIAL USE OF EXCESS BALLISTIC MISSILE SOLID ROCKET MOTORS.

(a) *IN GENERAL.*—The Comptroller General of the United States shall conduct an analysis of the costs and benefits of allowing the use of solid rocket motors from missiles described in section 50134(c) of title 51, United States Code, for commercial space launch purposes. Such analysis shall include an evaluation of the effect, if any, of allowing such use on national security, the Department of Defense, the solid rocket motor industrial base, the commercial space launch market, and any other areas the Comptroller General considers appropriate.

(b) *BRIEFINGS.*—

(1) *INTERIM BRIEFING.*—Not later than March 15, 2017, the Comptroller General shall provide to the appropriate congressional committees an interim briefing on the analysis under subsection (a).

(2) *FINAL BRIEFING.*—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall provide to the appropriate congressional committees a final briefing on the analysis under subsection (a).

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

- (A) The congressional defense committees.
- (B) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 1622. INDEPENDENT ASSESSMENT OF GLOBAL POSITIONING SYSTEM NEXT GENERATION OPERATIONAL CONTROL SYSTEM.

(a) *IN GENERAL.*—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an arrangement with a federally funded research and development center, or other appropriate independent entity, to assess the acquisition strategy of the Air Force for the Global Positioning System Next Generation Operational Control System (in this section referred to as “OCX”).

(b) *ELEMENTS.*—The assessment required by subsection (a) shall include the following:

(1) An assessment of the ability of the Air Force to complete blocks zero through two of the OCX operating system on a schedule necessary to transition the OCX to full operation.

(2) An estimate of the cost of completing blocks zero through two on the schedule described in paragraph (1), taking into account—

(A) the rate of software defects;

(B) earned value management; and

(C) information assurance requirements.

(3) An assessment of the ability of the Air Force to implement contingency plans for sustaining the Global Positioning System constellation to mitigate the effects of delays to the implementation of the OCX and to alleviate challenges with respect to the operations and checkout of the Global Positioning System III satellites.

(4) An assessment of any risks to the viability and required availability of the Global Positioning System constellation associated with efforts to complete blocks zero through two as described in paragraph (1) or the contingency plans described in paragraph (3).

(5) An assessment of whether there are well-defined methods for terminating the OCX program (including an analysis of the ability of alternative systems to satisfy the requirements of the Department of Defense), in the event of the inability of the Air Force to successfully complete blocks zero through two or other requirements for the OCX while ensuring that the Global Positioning System constellation meets requirements for the availability of that System.

(6) Any other matters the entity conducting the assessment determines appropriate.

(c) *SUBMISSION.*—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the assessment required by subsection (a).

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1631. REPORT ON UNITED STATES CENTRAL COMMAND INTELLIGENCE FUSION CENTER.

(a) *REPORT ON PROCEDURES.*—Not later than March 1, 2017, the Commander of the United States Central Command shall submit to the appropriate congressional committees a report on the steps taken by the Commander to formalize and disseminate proce-

dures for establishing, staffing, and operating the Intelligence Fusion Center of the United States Central Command.

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

- (1) the congressional defense committees; and
- (2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1632. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN RELOCATION ACTIVITIES FOR NATO INTELLIGENCE FUSION CELL.

(a) *PROHIBITION.*—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance may be obligated or expended for the procurement of fit-out supplies and equipment to support the relocation of the NATO Intelligence Fusion Cell from Royal Air Force Molesworth, United Kingdom, to Royal Air Force Croughton, United Kingdom.

(b) *REPORT.*—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the NATO Intelligence Fusion Cell that outlines—

- (1) the current facility and support requirements and associated costs, including any adjustments of such requirements and costs, for the NATO Intelligence Fusion Cell to be located and operationally viable at Royal Air Force Croughton; and
- (2) the operational requirements of, and costs associated with, any operations of the United States collocated with the NATO Intelligence Fusion Cell.

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

- (1) the congressional defense committees; and
- (2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1633. SURVEY AND REVIEW OF DEFENSE INTELLIGENCE ENTERPRISE.

(a) *SURVEY AND REVIEW.*—

(1) *IN GENERAL.*—Not later than 120 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall—

(A) review the organization, resources, and processes of the Defense Intelligence Enterprise, including the defense intelligence agencies and intelligence elements of the combatant commands and military departments, to assess the capabilities and capacity of such Enterprise, along with the intelligence community, to meet present and future defense intelligence requirements; and

(B) conduct a survey of each geographic combatant command to assess—

- (i) the current state of intelligence support to military operations;

(ii) the prioritization and allocation of intelligence resources within each combatant command; and

(iii) whether intelligence resources are balanced between support to theater commanders and support to operational commanders.

(2) **ELEMENTS.**—The review and survey required by paragraph (1) shall include the following:

(A) A comprehensive assessment of the Defense Intelligence Enterprise and whether such Enterprise—

(i) is organized and has resources to meet current and future defense intelligence requirements;

(ii) is balancing resources appropriately between operational and strategic defense intelligence requirements;

(iii) is responding with sufficient agility to emerging or unexpected requirements; and

(iv) is sufficiently integrated with combatant commands, subordinate commands, and joint task forces.

(B) With respect to each geographic combatant command surveyed—

(i) information on the total intelligence workforce assigned to the combatant command, including civilians, military, and contract personnel;

(ii) detailed information on the allocation of intelligence resources to meet combatant commander priorities;

(iii) detailed information on the intelligence priorities of the commander of the combatant command and intelligence resources allocated to each priority; and

(iv) detailed information on the intelligence resources, including personnel and assets, dedicated to each of the following:

(I) Direct support to the combatant commander.

(II) Contingency planning.

(III) Ongoing operations.

(IV) Crisis response.

(b) **REPORT.**—

(1) **SUBMISSION.**—Not later than 270 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall submit to the appropriate congressional committees and the Under Secretary of Defense for Intelligence a report on the findings of the Chairman with respect to the review and survey required by subsection (a)(1).

(2) **CONTENT.**—The report required by paragraph (1) shall include—

(A) a detailed analysis of how each combatant command uses the intelligence resources available to such command; and

(B) the recommendations of the Chairman, if any, to improve the Defense Intelligence Enterprise to fulfill operational military requirements.

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

- (A) the congressional defense committees; and
 - (B) the Permanent Select Committee on Intelligence of the House of Representatives.
- (2) The term “Defense Intelligence Enterprise” means the organizations, infrastructure, and measures, including policies, processes, procedures, and products, of the intelligence, counterintelligence, and security components of each of the following:
- (A) The Department of Defense.
 - (B) The Joint Staff.
 - (C) The combatant commands.
 - (D) The military departments.
 - (E) Other elements of the Department of Defense that perform national intelligence, defense intelligence, intelligence-related, counterintelligence, or security functions.

Subtitle C—Cyberspace-Related Matters

SEC. 1641. SPECIAL EMERGENCY PROCUREMENT AUTHORITY TO FACILITATE THE DEFENSE AGAINST OR RECOVERY FROM A CYBER ATTACK.

Section 1903(a)(2) of title 41, United States Code, is amended by inserting “cyber,” before “nuclear,”.

SEC. 1642. LIMITATION ON TERMINATION OF DUAL-HAT ARRANGEMENT FOR COMMANDER OF THE UNITED STATES CYBER COMMAND.

(a) **LIMITATION ON TERMINATION OF DUAL-HAT ARRANGEMENT.**—The Secretary of Defense may not terminate the dual-hat arrangement until the date on which the Secretary and the Chairman of the Joint Chiefs of Staff jointly certify to the appropriate committees of Congress that—

- (1) the Secretary and the Chairman carried out the assessment under subsection (b);
- (2) each of the conditions described in paragraph (2)(C) of such subsection has been met; and
- (3) termination of the dual-hat arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable to the national security interests of the United States.

(b) **ASSESSMENT.**—

(1) **IN GENERAL.**—The Secretary and the Chairman shall jointly assess the military and intelligence necessity and benefit of the dual-hat arrangement.

(2) **ELEMENTS.**—The assessment under paragraph (1) shall include the following elements:

(A) An evaluation of the operational dependence of the United States Cyber Command on the National Security Agency.

(B) An evaluation of the ability of the United States Cyber Command and the National Security Agency to carry out their respective roles and responsibilities independently.

(C) A determination of whether the following conditions have been met:

- (i) Robust operational infrastructure has been deployed that is sufficient to meet the unique cyber mission needs of the United States Cyber Command and the National Security Agency, respectively.

(ii) Robust command and control systems and processes have been established for planning, deconflicting, and executing military cyber operations.

(iii) The tools and weapons used in cyber operations are sufficient for achieving required effects.

(iv) Capabilities have been established to enable intelligence collection and operational preparation of the environment for cyber operations.

(v) Capabilities have been established to train cyber operations personnel, test cyber capabilities, and rehearse cyber missions.

(vi) The cyber mission force has achieved full operational capability.

(c) **DEFINITIONS.**—In this section:

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

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **DUAL-HAT ARRANGEMENT.**—The term “dual-hat arrangement” means the arrangement under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency.

SEC. 1643. CYBER MISSION FORCES MATTERS.

(a) **ACTIONS PENDING FULL IMPLEMENTATION OF PLAN FOR CYBER MISSION FORCE POSITIONS.**—Until the Secretary of Defense completes implementation of the authority in subsection (a) of section 1599f of title 10, United States Code, for United States Cyber Command workforce positions in accordance with the implementation plan required by subsection (d) of such section, the Secretary shall do each of the following:

(1) Notwithstanding sections 3309 through 3318 of title 5, United States Code, provide for and implement an interagency transfer agreement between excepted service position systems and competitive service position systems in military departments and Defense Agencies concerned to satisfy the requirements for cyber workforce positions from among a mix of employees in the excepted service and the competitive service in such military departments and Defense Agencies.

(2) Implement in the defense civilian cyber personnel system a classification system commonly known as a “Rank-in-person” classification system similar to such classification system used by the National Security Agency as of the date of the enactment of this Act.

(3) Approve direct hiring authority for cyber workforce positions up to the GG or GS–15 level in accordance with the criteria in section 3304 of title 5, United States Code.

(4) Notwithstanding section 5333 of title 5, United States Code, authorize officials conducting hiring in the competitive service for cyber workforce positions to set starting salaries at up to a step-five level with no justification and at up to a step-

ten level with justification that meets published guidelines applicable to the excepted service.

(b) *OTHER MATTERS.*—The Principal Cyber Advisor, acting through the cross-functional team established by section 932(c)(3) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) and in consultation with the Commander of the United States Cyber Command, shall supervise—

(1) the development of training standards for computer network operations tool developers for military, civilian, and contractor personnel supporting the cyber mission forces;

(2) the rapid enhancement of capacity to train personnel to those standards to meet the needs of the cyber mission forces for tool development; and

(3) actions necessary to ensure timely completion of personnel security investigations and adjudications of security clearances for tool development personnel.

SEC. 1644. REQUIREMENT TO ENTER INTO AGREEMENTS RELATING TO USE OF CYBER OPPOSITION FORCES.

(a) *REQUIREMENT FOR AGREEMENTS.*—Not later than September 30, 2017, the Secretary of Defense shall ensure that each commander of a combatant command establishes appropriate agreements with the Secretary relating to the use of cyber opposition forces. Each agreement shall require the command—

(1) to support a high state of mission readiness in the command through the use of one or more cyber opposition forces in continuous exercises and other training activities as considered appropriate by the commander of the command; and

(2) in conducting such exercises and training activities, meet the standard required under subsection (b).

(b) *JOINT STANDARD FOR CYBER OPPOSITION FORCES.*—Not later than March 31, 2017, the Secretary of Defense shall issue a joint training and certification standard for use by all cyber opposition forces within the Department of Defense.

(c) *JOINT STANDARD FOR PROTECTION OF CONTROL SYSTEMS.*—Not later than June 30, 2017, the Secretary of Defense shall issue a joint training and certification standard for the protection of control systems for use by all cyber operations forces within the Department of Defense. Such standard shall—

(1) provide for applied training and exercise capabilities; and

(2) use expertise and capabilities from other departments and agencies of the Federal Government, as appropriate.

(d) *BRIEFING REQUIRED.*—Not later than September 30, 2017, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

(1) a list of each combatant command that has established an agreement under subsection (a);

(2) with respect to each such agreement—

(A) special conditions in the agreement placed on any cyber opposition force used by the command;

(B) the process for making decisions about deconfliction and risk mitigation of cyber opposition force activities in continuous exercises and training;

(C) identification of cyber opposition forces trained and certified to operate at the joint standard, as issued under subsection (b);

(D) identification of the annual exercises that will include participation of the cyber opposition forces; and

(E) identification of any shortfalls in resources that may prevent annual exercises using cyber opposition forces; and

(3) any other matters the Secretary of Defense considers appropriate.

SEC. 1645. CYBER PROTECTION SUPPORT FOR DEPARTMENT OF DEFENSE PERSONNEL IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) **AUTHORITY TO PROVIDE CYBER PROTECTION SUPPORT.**—

(1) **IN GENERAL.**—Subject to a determination by the Secretary of Defense, the Secretary may provide cyber protection support for the personal technology devices of the personnel described in paragraph (2).

(2) **AT-RISK PERSONNEL.**—The personnel described in this paragraph are personnel of the Department of Defense—

(A) who the Secretary determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the positions occupied by such personnel in the Department; and

(B) whose personal technology devices are highly vulnerable to cyber attacks and hostile information collection activities.

(b) **NATURE OF CYBER PROTECTION SUPPORT.**—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (a) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(c) **LIMITATION ON SUPPORT.**—Nothing in this section shall be construed—

(1) to encourage personnel of the Department of Defense to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior Department personnel using personal devices and networks in an official capacity.

(d) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the provision of cyber protection support under subsection (a). The report shall include—

(1) a description of the methodology used to make the determination under subsection (a)(2); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support under subsection (a).

(e) **PERSONAL TECHNOLOGY DEVICES DEFINED.**—In this section, the term “personal technology devices” means technology devices used by Department of Defense personnel outside of the scope of their employment with the Department and includes networks to which such devices connect.

SEC. 1646. LIMITATION ON FULL DEPLOYMENT OF JOINT REGIONAL SECURITY STACKS.

(a) *LIMITATION.*—The Secretary of a military department or the head of a Defense Agency may not declare that such department or Defense Agency has achieved full operational capability for the deployment of joint regional security stacks until the date on which—

(1) the department or Defense Agency concerned completes operational test and evaluation activities to determine the effectiveness, suitability, and survivability of the joint regional security stacks system of such department or Defense Agency; and

(2) written certification that such testing and evaluation activities have been completed is provided to the Secretary of such department or the head of such Defense Agency by the appropriate operational test and evaluation organization of such department or Defense Agency.

(b) *WAIVER.*—

(1) *IN GENERAL.*—The Secretary of a military department or the head of a Defense Agency may waive the requirements of subsection (a) if a certification described in paragraph (2) is provided to the Secretary of Defense, and signed by—

(A) the Secretary of the military department or the head of the Defense Agency concerned;

(B) the Director of Operational Test and Evaluation for the Department of Defense; and

(C) the Chief Information Officer of the Department of Defense.

(2) *CERTIFICATION.*—A certification described in this subsection is a written certification that—

(A) the testing and evaluation activities required under subsection (a) are unnecessary, accompanied by an explanation of the reasons such activities are unnecessary;

(B) the effectiveness, suitability, and survivability of the joint regional security stacks system of the military department or Defense Agency concerned has been demonstrated by methods other than the testing and evaluation activities required under subsection (a), accompanied by supporting data; or

(C) national security needs justify full deployment of the joint regional security stacks system of the military department or Defense Agency concerned before the test and evaluation activities required under subsection (a) can be completed, accompanied by an explanation of such justification and a risk management plan.

SEC. 1647. ADVISORY COMMITTEE ON INDUSTRIAL SECURITY AND INDUSTRIAL BASE POLICY.

(a) *ADVISORY COMMITTEE.*—Not later than April 30, 2017, the Secretary of Defense shall establish an advisory committee (referred to in this section as the “Committee”) to review, assess, and make recommendations with respect to industrial security and industrial base policy.

(b) *DUTIES.*—The Committee shall—

(1) review and assess—

(A) the national industrial security program for cleared facilities and the protection of the information and networking systems of cleared defense contractors;

(B) policies and practices relating to physical security and installation access at installations of the Department of Defense;

(C) information security and cyber defense policies, practices, and reporting relating to the unclassified information and networking systems of defense contractors;

(D) policies, practices, regulations, and reporting relating to industrial base issues; and

(E) any other matters the Secretary determines to be appropriate; and

(2) make recommendations to the Secretary based on such review and assessment.

(c) **MEMBERS.**—The Committee shall be composed of 10 members appointed by the Secretary of Defense of which five members shall be representatives of non-governmental entities and five members shall be representatives of departments or agencies of the Federal Government.

(d) **MEETINGS.**—The Committee shall meet not less often than once annually until the date on which the Committee terminates under subsection (e).

(e) **TERMINATION.**—The Committee shall terminate on September 30, 2022.

SEC. 1648. CHANGE IN NAME OF NATIONAL DEFENSE UNIVERSITY'S INFORMATION RESOURCES MANAGEMENT COLLEGE TO COLLEGE OF INFORMATION AND CYBERSPACE.

(a) **IN GENERAL.**—Section 2165(b)(5) of title 10, United States Code, is amended by striking “Information Resources Management College” and inserting “College of Information and Cyberspace”.

(b) **REFERENCES.**—Any reference in any law, regulation, document, record, or other paper of the United States to the Information Resources Management College shall be considered to be a reference to the College of Information and Cyberspace.

SEC. 1649. EVALUATION OF CYBER VULNERABILITIES OF F-35 AIRCRAFT AND SUPPORT SYSTEMS.

(a) **EVALUATION AND REPORT.**—

(1) **EVALUATION.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall complete an evaluation of the cyber vulnerabilities of the F-35 aircraft and the support systems of the aircraft under section 1647(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1118).

(2) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the evaluation completed under paragraph (1) that includes—

(A) the findings of the Secretary with respect to the evaluation;

(B) identification of any major information assurance deficiencies relating to the F-35 aircraft or the support systems of the aircraft (including the autonomic logistics information system); and

(C) a cyber vulnerability mitigation strategy for F-35 aircraft and the support systems of the aircraft.

(3) **WAIVER PROHIBITED.**—Notwithstanding section 1647(a)(2) of the National Defense Authorization Act for Fiscal

Year 2016 (Public Law 114–92; 129 Stat. 1118), the Secretary may not waive the requirements of paragraphs (1) and (2).

(b) **TOOLS AND SOLUTIONS FOR ASSESSING AND MITIGATING CYBER VULNERABILITIES.**—Section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1118) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) **TOOLS AND SOLUTIONS FOR ASSESSING AND MITIGATING CYBER VULNERABILITIES.**—In addition to carrying out the evaluation of cyber vulnerabilities of major weapon systems of the Department under this section, the Secretary may—

“(1) develop tools to improve the detection and evaluation of cyber vulnerabilities;

“(2) conduct non-recurring engineering for the design of solutions to mitigate cyber vulnerabilities; and

“(3) establish Department-wide information repositories to share findings relating to the evaluation and mitigation of cyber vulnerabilities.”.

SEC. 1650. EVALUATION OF CYBER VULNERABILITIES OF DEPARTMENT OF DEFENSE CRITICAL INFRASTRUCTURE.

(a) **PLAN FOR EVALUATION.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan for the evaluation of the cyber vulnerabilities of the critical infrastructure of the Department of Defense.

(2) **ELEMENTS.**—The plan under paragraph (1) shall include—

(A) an identification of each of the military installations to be evaluated; and

(B) an estimate of the cost of the evaluation.

(3) **PRIORITY IN EVALUATION.**—The plan under paragraph (1) shall prioritize the evaluation of military installations based on the criticality of the infrastructure supporting such installations, as determined by the Chairman of the Joint Chiefs of Staff based on an assessment of—

(A) the Armed Forces stationed at such military installations; and

(B) threats to such military installations.

(4) **INTEGRATION WITH OTHER EFFORTS.**—The plan under paragraph (1) shall build upon other efforts of Department of Defense relating to the identification and mitigation of cyber vulnerabilities of major weapon systems and critical infrastructure of the Department and shall not duplicate such efforts.

(b) **PILOT PROGRAM.**—

(1) **IN GENERAL.**—Not later than 30 days after the date on which the Secretary submits the plan under subsection (a), the Secretary, acting through a covered research laboratory, shall initiate a pilot program under which the Secretary shall assess the feasibility and advisability of applying new, innovative methodologies or engineering approaches—

(A) to improve the defense of control systems against cyber attacks;

(B) to increase the resilience of military installations against cybersecurity threats;

(C) to prevent or mitigate the potential for high-consequence cyber attacks; and

(D) to inform future requirements for the development of such control systems.

(2) *LOCATIONS.*—The Secretary shall carry out the pilot program under paragraph (1) at not fewer than two military installations selected by the Secretary from among military installations that support the most critical mission-essential functions of the Department of Defense as identified in the plan under subsection (a).

(3) *TOOLS.*—In carrying out the pilot program under paragraph (1), the Secretary may use tools and solutions developed under subsection (e).

(4) *REPORT.*—Not later than December 31, 2019, the Secretary shall submit to the congressional defense committees a final report on the pilot program that includes—

(A) a description of the activities carried out under the pilot program at each military installation concerned;

(B) an assessment of the value of the methodologies or tools applied during the pilot program in increasing the resilience of military installations against cybersecurity threats;

(C) recommendations for administrative or legislative actions to improve the ability of the Department to employ methodologies and tools for reducing cyber vulnerabilities in other activities of the Department of Defense; and

(D) recommendations for including such methodologies or tools as requirements for relevant activities, including technical requirements for systems or military construction projects.

(5) *TERMINATION.*—The authority of the Secretary to carry out the pilot program under this subsection shall terminate on September 30, 2019.

(c) *EVALUATION.*—

(1) *IN GENERAL.*—Not later than December 31, 2020, the Secretary shall complete an evaluation of the cyber vulnerabilities of the critical infrastructure of the Department of Defense in accordance with the plan under subsection (a).

(2) *RISK MITIGATION STRATEGIES.*—The Secretary shall develop strategies for mitigating the risks of cyber vulnerabilities identified in the course of the evaluation under paragraph (1).

(d) *STATUS ON PROGRESS.*—The Secretary shall include in each quarterly cyber operations briefing submitted to Congress under section 484 of title 10, United States Code, a summary of any activities carried out as part of—

(1) the pilot program under subsection (b); or

(2) the evaluation under subsection (c).

(e) *TOOLS AND SOLUTIONS.*—The Secretary may—

(1) develop tools that improve assessments of cyber vulnerabilities of Department of Defense critical infrastructure;

(2) conduct non-recurring engineering for the design of mitigation solutions for such vulnerabilities; and

(3) establish Department-wide information repositories to share findings relating to such assessments and to share such mitigation solutions.

(f) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE OF THE DEPARTMENT OF DEFENSE.—The term “critical infrastructure of the Department of Defense” means any asset of the Department of Defense of such extraordinary importance to the functioning of the Department and the operation of the Armed Forces that the incapacitation or destruction of such asset by a cyber attack would have a debilitating effect on the ability of the Department to fulfill its missions.

(2) COVERED RESEARCH LABORATORY.—The term “covered research laboratory” means—

(A) a research laboratory of the Department of Defense;

or

(B) a research laboratory of the Department of Energy approved by the Secretary of Energy to carry out the pilot program under subsection (b).

SEC. 1651. STRATEGY TO INCORPORATE ARMY RESERVE COMPONENT CYBER PROTECTION TEAMS INTO DEPARTMENT OF DEFENSE CYBER MISSION FORCE.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on a strategy for incorporating reserve component cyber protection teams into the cyber mission force of the Department of Defense.

(b) ELEMENTS OF STRATEGY.—The strategy required by subsection (a) shall include, at minimum, the following:

(1) A timeline for incorporating reserve component cyber protection teams into the cyber mission force of the Department of Defense, including a timeline for the appropriate training of such teams.

(2) Identification of the specific reserve component cyber protection teams to be incorporated into the cyber mission force of the Department of Defense.

(3) An assessment of how the incorporation of reserve component cyber protection teams into the cyber mission force of the Department of Defense might be used to enhance readiness through improved individual and collective training capabilities.

(4) A status report on the progress of the Army in issuing additional guidance that clarifies how reserve component cyber protection teams of the Army National Guard can support State and civil operations in National Guard status under title 32, United States Code.

(5) Other matters as considered appropriate by the Secretary of the Army.

(c) RESERVE COMPONENT CYBER PROTECTION TEAMS DEFINED.—In this section, the term “reserve component cyber protection teams” means cyber protection teams of—

(1) the Army National Guard; and