

## S 1356

National Defense Authorization Act for Fiscal Year 2016

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** May 14, 2015

**Current Status:** Became Public Law No: 114-92.

**Latest Action:** Became Public Law No: 114-92. (Nov 25, 2015)

**Law:** 114-92 (Enacted Nov 25, 2015)

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### Sponsor

**Name:** Sen. Johnson, Ron [R-WI]

**Party:** Republican • **State:** WI • **Chamber:** Senate

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cardin, Benjamin L. [D-MD]	D · MD		May 14, 2015
Sen. McCain, John [R-AZ]	R · AZ		May 14, 2015
Sen. Tester, Jon [D-MT]	D · MT		May 14, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Hearings By (subcommittee)	Mar 25, 2015
Armed Services Committee	Senate	Hearings By (subcommittee)	Apr 14, 2015
Armed Services Committee	Senate	Hearings By (subcommittee)	Apr 14, 2015
Armed Services Committee	Senate	Hearings By (subcommittee)	Apr 22, 2015
Armed Services Committee	Senate	Hearings By (subcommittee)	Apr 29, 2015

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
<a href="#">114 HCONRES 90</a>	Procedurally related	<b>Nov 16, 2015:</b> Motion to reconsider laid on the table Agreed to without objection.
<a href="#">114 HR 1735</a>	Related bill	<b>Oct 22, 2015:</b> Vetoed by President.
<a href="#">114 HR 2252</a>	Related bill	<b>May 19, 2015:</b> Became Public Law No: 114-13.

(This measure has not been amended since it was passed by the House on November 5, 2015. The summary of that version is repeated here.)

**Highlights:**

The National Defense Authorization Act for Fiscal Year 2016 authorizes FY2016 appropriations and sets forth policies regarding the military activities of the Department of Defense (DOD), military construction, and the national security programs of the Department of Energy (DOE).

The bill authorizes appropriations, but does not provide appropriations, which are considered in subsequent appropriations legislation.

The bill authorizes appropriations to DOD for:

- Procurement;
- Research, Development, Test, and Evaluation;
- Operation and Maintenance;
- Cooperative Threat Reduction;
- Working Capital Funds;
- the National Defense Sealift Fund;
- Chemical Agents and Munitions Destruction;
- Defense-Wide Drug Interdiction and Counter-Drug Activities;
- the Defense Inspector General;
- the Defense Health Program; and
- the National Sea-Based Deterrence Fund.

This bill also authorizes appropriations for Overseas Contingency Operations (OCO), which are exempt from discretionary spending limits. OCO appropriations authorized in the bill support base budget requirements as well as OCO activities.

The bill authorizes the FY2016 personnel strengths for active duty and reserve forces and sets forth policies regarding military personnel; compensation and other personnel benefits; health care; acquisition policy and management; DOD organization and management; civilian personnel matters; matters relating to foreign nations; cooperative threat reduction; and strategic programs, cyber, and intelligence matters.

The bill authorizes appropriations and sets forth policies regarding military construction for the Army, Navy, Air Force, defense agencies, the North Atlantic Treaty Organization Security Investment Program, and Guard and Reserve Forces facilities.

The bill authorizes appropriations for base realignment and closure (BRAC) activities and prohibits an additional BRAC round.

The bill also authorizes appropriations and sets forth policies for DOE national security programs, including the National Nuclear Security Administration.

**Full Summary:**

## **National Defense Authorization Act for Fiscal Year 2016**

(Sec. 3) Defines "congressional defense committees" as the House and Senate Armed Services and Appropriations Committees.

(Sec. 4) Specifies procedures for determining the budgetary effects of this bill for compliance with the Statutory Pay-As-You-Go (PAYGO) Act of 2010.

(Sec. 5) Provides that the explanatory statement regarding this bill that was printed in the Congressional Record has the same effect as a joint explanatory statement of a committee of conference.

### **DIVISION A--DEPARTMENT OF DEFENSE AUTHORIZATIONS**

#### **TITLE I--PROCUREMENT**

##### **Subtitle A--Authorization of Appropriations**

(Sec. 101) Authorizes appropriations to the Department of Defense (DOD) for Procurement at the levels identified in section 4101 of this bill.

##### **Subtitle B--Army Programs**

(Sec. 111) Requires the National Guard to issue guidance that prioritizes UH-60 Blackhawk helicopter upgrades within the Army National Guard to units with the aircraft that have the highest flight hours and utilization rates.

(Sec. 112) Requires DOD to submit to Congress a roadmap for replacing A/MH-6 Mission Enhanced Little Bird aircraft to meet the rotary-wing, light attack, reconnaissance requirements particular to special operations.

(Sec. 113) Requires the Army to submit to Congress a report containing options for accelerating the replacement of all UH-60A helicopters of the Army National Guard.

(Sec. 114) Expresses the sense of Congress on tactical wheeled vehicle protection kits.

##### **Subtitle C--Navy Programs**

(Sec. 121) Requires the quarterly report for the U.S.S. John F. Kennedy (CVN-79) to include a description of new design and engineering changes to CVN-78 class aircraft carriers.

(Sec. 122) Amends the John Warner National Defense Authorization Act for Fiscal Year 2007 to reduce the limit on the cost of the CVN-78 class aircraft carrier program. Permits a specified increase in the cost cap if the Navy determines that measures required to complete the ship within the revised cost cap will result in an unacceptable reduction to the ship's operational capability.

(Sec. 123) Amends the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 to extend and modify the limitation on funds for the Littoral Combat Ships designated as LCS-25 and LCS-26 until pre-existing requirements are met. Requires the Navy to provide Congress with acquisition strategies, a plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship, and a current test and evaluation master plan for the Littoral Combat Ship mission modules.

(Sec. 124) Amends the National Defense Authorization Act for Fiscal Year 2013 to authorize the Navy to enter into a

multiyear contract for a Flight III destroyer, in addition to the existing authority for a Flight IIA destroyer.

(Sec. 125) Permits the Navy to enter into a contract beginning in FY2016 for the procurement of one Arleigh Burke class destroyer in addition to the 10 DDG-51s in the FY2013-FY2017 multiyear procurement contract or for one DDG-51 in FY2018. Permits incremental funding to be used.

(Sec. 126) Permits the Navy to use incremental funding for the nuclear refueling and complex overhaul of the U.S.S. George Washington (CVN-73).

(Sec. 127) Permits the Navy to enter into one or more contracts to procure up to six Fleet Replenishment Oilers.

(Sec. 128) Limits the funds that may be used for the U.S.S. John. F. Kennedy (CVN-79) until the Navy submits to Congress: (1) a certification that it will conduct full ship shock trials by the end of FY2017, and (2) specified reports regarding cost issues and requirements, capabilities, and alternatives for aircraft carriers that would replace or supplement the CVN-78 class aircraft carrier. Permits DOD to waive the certification requirement if specified conditions are met.

(Sec. 129) Limits the funds that may be used for the U.S.S. Enterprise (CVN-80) until a specified certification and report regarding the design and cost is submitted to Congress.

(Sec. 130) Limits the availability of funds for research and development, design, construction, procurement or advanced procurement of materials for the upgraded Littoral Combat Ships (LCS) until the Navy submits specified capabilities assessments, reports, certifications, and plans to Congress.

(Sec. 131) Sets forth reporting requirements for the Ohio-class replacement submarine program.

#### Subtitle D--Air Force Programs

(Sec. 141) Prohibits the Air Force from moving more than 18 A-10 aircraft in the Active Component to backup flying status pursuant to a DOD authorization under the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015.

(Sec. 142) Prohibits the retirement of certain A-10 aircraft before December 31, 2016. Requires the Air Force to commission and report to Congress on an assessment of the required capabilities or mission platform to replace the A-10 aircraft.

(Sec. 143) Prohibits the retirement of any EC-130H Compass Call aircraft. Requires the Air Force to commission and report to Congress on an assessment of the required capabilities or mission platform to replace the EC-130H Compass Call aircraft.

(Sec. 144) Prohibits the Air Force from using FY2016 or FY2017 funds to retire any operational Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, or Airborne Early Warning and Control (AWACS) aircraft.

(Sec. 145) Limits the use of FY2016 funds for F-35A procurement until DOD certifies to Congress that F-35A aircraft delivered in FY2018 will have full combat capability with currently planned Block 3F hardware, software, and weapons carriage.

(Sec. 146) Prohibits the Air Force from using FY2016 or FY2017 funds for retiring any KC-10 aircraft, unless the aircraft is nonoperational because of mishaps, other damage, or being uneconomical to repair.

(Sec. 147) Limits the use of funds to transfer any C-130H aircraft from one facility to another, initiate any C-130 manpower authorization adjustments, retire or prepare to retire any C-130H aircraft, or close any C-130H unit until after the Air Force makes a specified certification to Congress.

(Sec. 148) Limits the availability of funds to upgrade the executive communications of C-20 and C-37 aircraft until the Air Force certifies to Congress that the upgrades do not cause the aircraft to exceed any weight limitations or reduce operational capability of the aircraft.

(Sec. 149) Limits the use of funds for avionics modification to the T-1A Jayhawk aircraft until after the Air Force submits to Congress a required report on options for the modernization or replacement of the T-1A aircraft capability.

(Sec. 150) Limits the retirement of B-1, B-2, or B-52 bomber aircraft prior to initial operational capability of the long-range strike bomber unless DOD includes a notification of the proposed retirement and specified details in the defense budget materials.

(Sec. 151) Requires the Air Force to maintain a minimum total active inventory of at least 1,900 fighter aircraft and a total primary mission aircraft inventory (combat-coded) of at least 1,100 fighter aircraft. Requires the Air Force to report to Congress in advance of retiring the aircraft.

(Sec. 152) Expresses the sense of Congress regarding basing of the F-35A aircraft outside of the continental United States.

Subtitle E--Defense-wide, Joint, and Multiservice Matters

(Sec. 161) Limits the availability of funds for joint battle command-platform equipment until after the Army submits to Congress a report providing a test and evaluation plan to address the effectiveness, suitability, and survivability shortfalls identified by the Director of Operational Test and Evaluation in the FY2014 report.

(Sec. 162) Requires the Army and the Navy to submit to Congress a report on the plan to modernize small arms for the Army and the Marine Corps.

(Sec. 163) Requires DOD to contract with a federally funded research and development center to study the use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps.

TITLE II--RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A--Authorization of Appropriations

(Sec. 201) Authorizes appropriations for Research, Development, Test, and Evaluation at the levels identified in section 4201 of this bill.

Subtitle B--Program Requirements, Restrictions, and Limitations

(Sec. 211) Requires DOD to: (1) designate each science and technology reinvention laboratory as a Center for Science, Technology, and Engineering Partnership in the core competencies of the designee, and (2) establish a policy to encourage the Secretary of each military department to reengineer management and business processes and adopt best-business and personnel practices at their Centers to serve as recognized leaders in their core competencies.

(Sec. 212) Expands DOD's Science, Mathematics, and Research for Transformation (SMART) program, which awards

scholarships to students studying science, technology, engineering, and mathematics, to include students from countries which are parties to The Technical Cooperation Program memorandum of understanding of October 24, 1995 (currently the United Kingdom, Australia, New Zealand, and Canada). Limits the number of new foreign students entering the program to five per year.

(Sec. 213) Modifies the authority for education partnerships to permit institutions that support technology transition or transfer activities, such as business or law schools with technology management programs, to participate.

(Sec. 214) Revises requirements for the Secretary of Defense to promote, monitor, and evaluate programs for the communication and exchange of research, development, and technological data.

(Sec. 215) Reauthorizes the Global Research Watch Program, which monitors and analyzes research activities and capabilities of foreign nations in areas of military interest. Expands the focus of the program to include the private sector as a part of the global focus.

(Sec. 216) Amends the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to reauthorize the Rapid Innovation Program to accelerate the fielding of innovative technologies. Requires DOD to ensure that projects are selected using merit-based selection procedures and not subject to undue influence by Congress or other federal agencies.

(Sec. 217) Requires DOD to: (1) establish a set of science, technology, and innovation activities to improve the acquisition outcomes of major automated information systems through improved performance and reduced developmental and life cycle costs, and (2) conduct a gap analysis to identify activities that are not being pursued in the current science and technology program.

(Sec. 218) Requires DOD to establish a technology offset program to build and maintain the military technological superiority of the United States by: (1) accelerating the fielding of offset technologies that would help counter technological advantages of potential adversaries, and (2) developing and implementing new policies and acquisition and business practices.

(Sec. 219) Limits the availability of funds for F-15 infrared search and track capability until after DOD reports to Congress on the requirements and cost estimates for the development and procurement of infrared search and track capability for F/A-18 and F-15 aircraft of the Navy and the Air Force.

(Sec. 220) Limits the use of U.S. Special Operations Command funds for the Shallow Water Combat Submersible until the Under Secretary of Defense for Acquisition, Technology, and Logistics: (1) designates a civilian official responsible for oversight and assistance for all undersea mobility programs; and (2) submits a report to Congress on the Shallow Water Combat Submersible.

(Sec. 221) Limits the availability of funds for advanced development and manufacturing activities under the medical countermeasure program within the Chemical-Biological Defense Program until DOD submits a specified report to Congress on the activities.

(Sec. 222) Limits the use of funds for the distributed common ground system of the Army until the Army reviews and reports to Congress on the program planning for the system.

(Sec. 223) Limits the use of U.S. Special Operations Command funds for the distributed common ground system until a specified report is submitted to Congress.

(Sec. 224) Limits funds that the Army may use for the Integrated Personnel and Pay System of the Army until the Army reports to Congress on the performance of legacy systems, changes in human resources organization and financial system capabilities, and alternatives that could reduce the current cost of the system.

#### Subtitle C--Reports and Other Matters

(Sec. 231) Amends the National Defense Authorization Act for Fiscal Year 2014 to eliminate the requirements for the Joint Federated Assurance Center to coordinate certain research and development activities with the Center for Assured Software of the National Security Agency and the Defense Microelectronics Activity. (The Joint Federated Assurance Center was established to serve as a joint, department-wide federation of existing capabilities to ensure security of DOD software and hardware.)

(Sec. 232) Requires the Air Force, the Army, and the Defense Advanced Research Projects Agency to jointly conduct a demonstration of the Persistent Close Air Support (PCAS) capability in FY2016.

(Sec. 233) Requires the Secretaries of the military departments and the Secretary of Defense to each develop and submit to Congress a strategy for engagement with historically black colleges and universities and minority-serving institutions in the development of scientific, technical, engineering, and mathematics capabilities.

(Sec. 234) Requires the Army to submit to Congress a report including the findings of a market survey and assessment of commercial-off-the-shelf wide-area surveillance sensors suitable for insertion into Army tactical unmanned aerial systems.

(Sec. 235) Requires the Navy and the Air Force to submit to Congress a report on the baseline and alternatives for the Navy's Tactical Air Combat Training System (TCTS) Increment II.

(Sec. 236) Requires DOD to submit to Congress and the Government Accountability Office (GAO) to review a report on the Technology Readiness Levels (TRLs) of the technologies and capabilities critical to the long-range strike bomber aircraft.

(Sec. 237) Requires the Director of Cost Assessment and Program Evaluation to seek to enter into a contract with a federally funded research and development center to conduct a comprehensive assessment of current and future requirements and capabilities of the Army with respect to air-land ad hoc, mobile tactical communications and data networks.

(Sec. 238) Requires DOD to conduct a hardware assurance study to assess the presence, scope, and effect on DOD operations of counterfeit electronic parts that have passed through the Department supply chain and into fielded systems.

(Sec. 239) Requires the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff to jointly develop a plan to enable secure and survivable communications between and among fifth- and fourth-generation fighter aircraft, and the aircraft that support them, in anti-access/area denial environments.

(Sec. 240) Requires DOD to submit to Congress a plan for integrating advanced weapons technologies into exercises carried out by the military to improve the development and experimentation of various concepts for employment by the Armed Forces.

(Sec. 241) Requires DOD to contract with a federally funded research and development center to conduct an assessment of the F135 engine program.

(Sec. 242) Requires the GAO to report on the autonomic logistics information system for the F-35 Lightning II aircraft program.

(Sec. 243) Expresses the sense of Congress that DOD should explore using existing authorities for promoting science, technology, engineering, and mathematics programs to allow DOD laboratories and Federally Funded Research and Development Centers to help facilitate and shape a scientific and technical future workforce that can support DOD needs.

### TITLE III--OPERATION AND MAINTENANCE

#### Subtitle A--Authorization of Appropriations

(Sec. 301) Authorizes appropriations for Operation and Maintenance activities at the levels identified in section 4301 of this bill.

#### Subtitle B--Energy and Environment

(Sec. 311) Prohibits DOD from making a bulk purchase of a drop-in fuel (biofuels that are similar to conventional fuels and may be used with existing vehicles and transportation infrastructure) for operational purposes unless the fully burdened cost of the fuel is cost-competitive with a traditional fuel, subject to a national security waiver.

(Sec. 312) Establishes Southern Sea Otter Military Readiness Areas at specified offshore islands in the Southern California Bight. Exempts military readiness activities of the Navy from specified environmental laws pertaining to the southern sea otter in the Areas. Requires the Navy to monitor and report to Congress on the effects of military readiness activities on the southern otter population in the Areas.

(Sec. 313) Amends energy management reporting requirements to eliminate requirements for reporting of renewable energy credits and revise electricity outage reporting requirements to include non-commercial utility outages and DOD-owned infrastructure.

(Sec. 314) Revises the scope of required DOD reviews of projects related to potential obstructions to aviation to: (1) cover requests for reviews by Indian tribes and landowners, (2) provide that information received from private entities is not publicly releasable, (3) eliminate categories of adverse risk, and (4) limit the applicability of the section to only energy projects.

(Sec. 315) Amends the Toxic Substances Control Act to exclude from the definition of "chemical substance" any component of any article subject to the excise tax on firearms and ammunition, limited to shot shells, cartridges, and components of shot shells and cartridges.

#### Subtitle C--Logistics and Sustainment

(Sec. 322) Repeals a limitation on the authority of the Air Force to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine.

(Sec. 323) Requires each of the service acquisition executives of the military departments to: (1) initiate a pilot program in FY2016 for product improvement under the authority provided in the National Defense Authorization Act for Fiscal Year 2008, and (2) spend at least \$5 million in working capital funds in FY2016 to support the initiative.

#### Subtitle D--Reports



(Sec. 331) Revises requirements for the annual report on prepositioned materiel and equipment to require a list of any equipment used in support of contingency operations slated for retrograde and subsequent inclusion in the prepositioned stocks. (Under current law, the list applies specifically to Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.)

(Sec. 332) Requires DOD to report to Congress on the merger of the Office of the Assistant Secretary of Defense for Operational Energy Plans and the Office of the Deputy Under Secretary of Defense for Installations and Environment.

(Sec. 333) Requires DOD to submit to Congress a report on equipment purchased noncompetitively from foreign entities outside of the national technology and industrial base.

#### Subtitle E--Other Matters

(Sec. 341) Prohibits DOD from entering into any contract or other agreement under which payments are to be made for activities by the contractor intended to honor members of the Armed Forces at a sporting event.

(Sec. 342) Revises the priority order of recipients of adopted military animals and requires the Secretary of the military department concerned to make animals available for adoption under certain circumstances.

(Sec. 343) Permits certain contracts or subcontracts entered into under the Armament Retooling and Manufacturing Support (ARMS) Initiative to include an option to extend the term for an additional 25 years.

(Sec. 344) Requires DOD to submit to Congress a plan for the improved management and oversight of the systems, processes, and controls involved in the disposal of excess DOD property by the Defense Logistics Agency Disposition Services.

(Sec. 345) Limits the use of funds for sponsorship, advertising, or marketing associated with a sports-related organization or sporting event until the Under Secretary of Defense for Personnel and Readiness reviews and reports to Congress on current contracts and task orders for sponsorships, advertising, and marketing.

(Sec. 346) Requires DOD to: (1) plan and budget for \$10 billion in cost savings in its headquarters, administrative and support activities between FY2015-FY2019; (2) include at least a 25% reduction to headquarters activities in the savings; and (3) conduct a comprehensive review of headquarters, administrative, and support functions.

### TITLE IV--MILITARY PERSONNEL AUTHORIZATIONS

#### Subtitle A--Active Forces

(Sec. 401) Authorizes specified end strengths for Active Duty personnel of the Armed Forces.

(Sec. 402) Establishes new minimum Active Duty end strengths for the Army, Navy, Marine Corps, and Air Force.

#### Subtitle B--Reserve Forces

(Sec. 411) Authorizes specified end strengths for Selected Reserve personnel.

(Sec. 412) Authorizes specified end strengths for Reserves on Active Duty in support of the Reserves.

(Sec. 413) Authorizes specified end strengths for military technicians (dual status).

(Sec. 414) Establishes the maximum end strengths for the Reserve Components of the Army and Air Force for non-dual status technicians.

(Sec. 415) Authorizes the maximum number of Reserve Component personnel who may be on Active Duty or full-time National Guard duty during FY2016 to provide operational support.

#### Subtitle C--Authorization of Appropriations

(Sec. 421) Authorizes appropriations for Military Personnel at the levels identified in section 4401 of this bill.

(Sec. 422) Requires DOD to submit to Congress a report containing specified assessments, evaluations, and details regarding the force structure of the Army.

### TITLE V--MILITARY PERSONNEL POLICY

#### Subtitle A--Officer Personnel Policy

(Sec. 501) Reinstates the authority for the service secretaries to convene selection boards to consider regular warrant officers on the Active-Duty list for involuntary discharge.

(Sec. 502) Specifies that if the Secretary of a military department determines that one or more officers were not placed on an all-fully-qualified-list for promotion because of administrative error, the Secretary may prepare a supplemental list for promotion containing the names of the officers.

(Sec. 503) Revises the restriction on the number of officers that may be recommended for discharge by a selection board.

(Sec. 504) Permits the Secretaries of the military departments to defer, until age 68, the mandatory retirement age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.

(Sec. 505) Authorizes a service secretary to retire warrant officers in the highest grade in which they served satisfactorily before retirement.

(Sec. 506) Implements GAO recommendations on the definition and availability of general and flag officer costs and requires DOD to submit a report to Congress describing the costs.

#### Subtitle B--Reserve Component Management

(Sec. 511) Provides that a member of the Ready Reserve who is also a Member of Congress may not be transferred to the Standby Reserve or discharged on account of the individual's position as a Member of Congress unless the transfer or discharge is ordered by the Secretary of Defense or the Secretary of Homeland Security, in the case of the Coast Guard Reserve, based on the needs of the services.

(Sec. 512) Provides that the purpose of a Reserve Component special selection board is limited to the correction of errors at a mandatory promotion board.

(Sec. 513) Increases from 90 to 180 days the number of continuous days of Active Duty required to be performed by reserve component members for the duty to be considered satisfactory federal service for purposes of unemployment compensation.

(Sec. 514) Authorizes the Air Force to use up to 50 Active, Guard, and Reserve members and dual status military technicians to provide pilot instruction training to active duty and foreign military personnel in excess of what is currently authorized. Requires the Air Force to submit to Congress a plan to eliminate pilot instructor shortages within the Air Force.

(Sec. 515) Requires DOD submit to Congress an assessment of the Military Compensation and Retirement Modernization Commission's recommendation to consolidate the statutory authorities by which members of the reserve components may be ordered to perform duty.

#### Subtitle C--General Service Authorities

(Sec. 521) Authorizes the service secretaries to apply for a correction to military records on behalf of a group of members or former members of the Armed Forces who were similarly harmed by the same error or injustice.

(Sec. 522) Provides authority through 2020 for the Secretary of a military department to develop and provide incentives to encourage individuals to accept an appointment as a commissioned officer, accept an appointment as a warrant officer, or enlist in the Armed Forces.

(Sec. 523) Amends the Duncan Hunter National Defense Authorization Act of Fiscal Year 2009 to expand the authority to conduct pilot programs on career flexibility to enhance retention of members of the Armed Forces. Removes limitations on the number of participants in the program. (Under the program, officers and enlisted members of the Armed Forces may be inactivated from active duty in order to meet personal or professional needs and returned to active duty at the end of the period of inactivation.)

(Sec. 524) Modifies the waiting period and congressional notification requirements for changes in the ground combat exclusion policy for female members of the Armed Forces. Requires DOD to notify Congress at least 30 days before a change is implemented.

(Sec. 525) Requires gender-neutral occupational standards developed by the Secretaries of the military departments to measure the combat readiness of combat units, including special operations forces.

(Sec. 526) Requires DOD to establish a process by which the commander of a military installation in the United States, reserve center, recruiting center, or other defense facility may authorize a member of the Armed Forces assigned to duty at the installation to carry an appropriate firearm on the installation if it is necessary as a personal- or force-protection measure.

(Sec. 527) Requires the Army to develop a breastfeeding policy for female members of the Army.

(Sec. 528) Expresses the sense of Congress that the United States should (1) continue to recognize and promote diversity in the Armed Forces; and (2) honor those from diverse backgrounds and religious traditions who have made sacrifices in serving the United States through the Armed Services.

#### Subtitle D--Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

(Sec. 531) Amends the Uniform Code of Military Justice (UCMJ) to authorize a victim to petition the Court of Criminal Appeals for a writ of mandamus based on an assertion that the victim's rights at an Article 32, UCMJ, investigation were violated or that the victim is subject to an order to submit to a deposition notwithstanding the fact that the victim is available to testify at a court-martial.

(Sec. 532) Authorizes DOD to provide Special Victims' Counsel (SVC) services to a civilian DOD employee who is the victim of an alleged sex-related offense.

(Sec. 533) Authorizes the SVC to provide legal consultation and assistance to victims of an alleged sex-related offense, in connection with inspector general and equal opportunity complaints, requests under the Freedom of Information Act, and communications with Congress.

(Sec. 534) Requires a victim of a sex-related offense to be notified of the availability of a Special Victims' Counsel prior to interviewing or requesting a statement from the victim, subject to exceptions for exigent circumstances.

(Sec. 535) Requires DOD to develop a policy to standardize the training for Special Victims' Counsel, establish performance measures and standards, and ensure that Special Victims' Counsel are assigned to locations that maximize face-to-face interactions with clients.

(Sec. 536) Provides that federal law protecting the privacy of victims who are servicemembers or adult military dependents and who file restricted reports of sexual assault preempts state laws requiring reporting to a sexual assault response coordinator, a sexual assault victim advocate, or healthcare personnel providing assistance to a victim. Includes an exception if reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual.

(Sec. 537) Requires DOD to establish the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces no later than 90 days after enactment of this bill.

(Sec. 538) Requires DOD to develop a plan to improve prevention and response to sexual assaults of male members of the Armed Forces.

(Sec. 539) Requires DOD to establish a strategy to prevent retaliation against members of the Armed Forces who report or intervene on behalf of sexual assault victims.

(Sec. 540) Requires the service secretaries to ensure that the commanders, administrators, and instructors of each unit of the Senior Reserve Officers' Training Corps receive regular sexual assault prevention and response training and education.

(Sec. 541) Requires DOD to retain all elements of the case file in investigations of sex-related offenses for at least 50 years.

(Sec. 542) Requires the GAO to report on policies of the Army National Guard and the Army Reserve regarding sexual assault response and prevention.

(Sec. 543) Requires DOD to examine the DOD process for implementing changes to the UCMJ to develop options for streamlining the process and ensure that legal guidance is published when the changes are implemented.

(Sec. 544) Modifies the Rules for Courts-Martial to prohibit giving a less favorable rating to any member of the Armed Forces serving as a Special Victims' Counsel because of the zeal with which the Counsel represented a victim.

(Sec. 545) Authorizes the President to modify Rule 304(c) of the Military Rules of Evidence to conform to the rules governing the admissibility of the corroboration of admissions and confessions in the trial of criminal cases in the U.S. district courts.

## Subtitle E--Member Education, Training, and Transition

(Sec. 551) Amends the National Defense Authorization Act for Fiscal Year 2008 to revise the Yellow Ribbon Reintegration Program to:

- expand eligibility for the program;
- add quality of life services to the services that DOD may enter into partnerships to provide under the program;
- provide flexibility in the number and timing of information, events, and activities under the program; and
- require the Office for Reintegration Programs to assist in the collection and analysis of best practices regarding suicide prevention.

(Sec. 552) Excludes any day on which a member: (1) performed full-time training or annual training duty, and (2) attended a school designated as a service school from the calculation of continuous days of Active Duty for the purpose of receiving preseparation counseling.

(Sec. 553) Requires DOD and the Department of Homeland Security to permit a member of the Armed Forces eligible for the Transition Assistance Program to receive additional training in preparation for higher education or training, career or technical training, or entrepreneurship.

(Sec. 554) Authorizes the Joint Professional Military Education Phase II courses to be taught in residence at or offered through the Joint Forces Staff College or senior level service school designated as a joint professional military education institution.

(Sec. 555) Terminates the program to provide educational assistance for reserve component members supporting contingency operations and other operations in four years after the date of enactment of this bill.

(Sec. 556) Adds one additional nomination for appointment to each military service academy by each Delegate in Congress from the territories of Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(Sec. 557) Authorizes the Army to enter into certain contracts and agreements with the Army West Point Athletic Association to support the athletic programs of the U.S. Military Academy and sets forth requirements for the agreements.

(Sec. 558) Removes the requirement that admission of defense industry civilians to the U.S. Air Force Institute of Technology be on a space-available basis as long as the attendance does not require an increase in the size of the faculty, course offerings, or laboratory facilities of the school.

(Sec. 559) Requires the Secretaries of the military departments to ensure that professional accreditation programs provided to members of the Armed Services meet recognized national and international standards.

(Sec. 560) Provides that individuals receiving Post-9/11 Education Assistance may not also receive unemployment insurance while receiving the post-9/11 education benefit, subject to an exception for individuals who were involuntarily separated from service under honorable conditions.

(Sec. 561) Establishes a Job Training and Post-Service Placement Executive Committee within the Department of Veterans Affairs-Department of Defense Joint Executive Committee to: (1) review policies, procedures, and practices with respect to job training and post-service placement programs; and (2) identify changes to improve job training and post-

service placement.

(Sec. 562) Exempts two additional involuntary mobilization duty authorities from the five-year limit on reemployment rights: (1) orders of the Army, Navy, Marine Corps, and Air Force Reserve to active duty to respond to a major disaster or emergency; and (2) orders of the Selected Reserve to active duty for preplanned missions in support of the combatant commands.

(Sec. 563) Amends the Clay Hunt Suicide Prevention for American Veterans Act to expand outreach for veterans transitioning from Active Duty to inform them about community oriented veteran peer support networks and other available support programs.

#### Subtitle F--Defense Dependents' Education and Military Family Readiness Matters

(Sec. 571) Authorizes appropriations to continue DOD assistance to local educational agencies impacted by enrollment of dependent children of military members and DOD civilian employees.

(Sec. 572) Authorizes appropriations for impact aid payments for children with disabilities to continue DOD assistance to local educational agencies that benefit eligible dependents with severe disabilities.

(Sec. 573) Authorizes the use of appropriations to support student meal programs in domestic defense dependents' schools located outside of the United States.

(Sec. 574) Extends the authority for family support programs for immediate family members of members of the Armed Forces assigned to Special Operations Forces and modifies reporting requirements.

#### Subtitle G--Decorations and Awards

(Sec. 581) Waives the statutory time limitation to authorize the Army to award the Distinguished-Service Cross to Edward G. Halcomb for service in the Korean War.

#### Subtitle H--Miscellaneous Reports and Other Matters

(Sec. 591) Authorizes DOD to develop a policy to coordinate the efforts of DOD and non-governmental suicide prevention organizations.

(Sec. 592) Extends the requirement for semiannual reports on involuntary separation of members of the Armed Forces.

(Sec. 593) Requires DOD to report to Congress on the feasibility of conducting preliminary mental health screenings for individuals becoming members of the Armed Forces.

(Sec. 594) Requires DOD to report to Congress on new Military Lending Act regulations related to the identification of covered borrowers, including: (1) the ability of the Defense Manpower Data Center to provide the information needed to determine whether a borrower is covered, or (2) an alternate mechanism for identifying covered borrowers. Specifies requirements for Defense Manpower Data Center reports and meetings with private sector users.

(Sec. 595) Limits the use of Air Force Operation and Maintenance funds until the Air Force reports to Congress on remotely piloted aircraft career field manning levels and actions that will be taken to rectify personnel shortfalls.

### TITLE VI--COMPENSATION AND OTHER PERSONNEL BENEFITS

## Subtitle A--Pay and Allowances

(Sec. 601) Freezes the monthly basic pay for all general and flag officers.

(Sec. 602) Ends the supplemental subsistence allowance for servicemembers serving inside the United States.

(Servicemembers serving outside the United States, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, or Guam would still be eligible to receive the supplemental subsistence allowance from DOD.)

(Sec. 603) Permits DOD to reduce the monthly amount of the basic allowance for housing (BAH) by up to the following percentages of the national average for housing for a given pay grade and dependency status: 1% in 2015, 2% 2016, 3% in 2017, 4% in 2018, and 5% for months after 2018.

(Sec. 604) Extends the authority of DOD to temporarily increase the rates of basic allowance for housing in areas impacted by natural disasters or experiencing a sudden influx of personnel.

(Sec. 605) Permits DOD to obtain information from the Department of Agriculture regarding the number of Supplemental Nutrition Assistance Program (SNAP, formerly known as the food stamp program) applicant households that contain members of the Armed Forces.

## Subtitle B--Bonuses and Special and Incentive Pays

(Sec. 611) Extends certain bonus and special pay authorities for Reserve Forces.

(Sec. 612) Extends certain bonus and special pay authorities for health care professionals.

(Sec. 613) Extends certain bonus and special pay authorities for nuclear officers.

(Sec. 614) Extends the general bonus authority for enlisted members and officers, the special bonus and incentive pay authority for nuclear officers, special aviation incentive pay and bonus authorities, the special health professions incentive pay and bonus authorities, hazardous duty pay, assignment pay or special duty pay, skill incentive pay or the proficiency bonus, the contracting bonus for Senior Reserve Officers' Training Corps cadets and midshipmen, and the retention bonus for members with critical military skills or assigned to high-priority units.

(Sec. 615) Extends the authority for the aviation officer retention bonus, assignment incentive pay, the reenlistment bonus for active members, the enlistment bonus for active members, the incentive pay for members of precommissioning programs pursuing foreign language proficiency, the accession bonus for new officers in critical skills, the incentive bonus for conversion to military occupational specialty to ease personnel shortage, the incentive bonus for transfer between Armed Forces, and the accession bonus for officer candidates.

(Sec. 616) Authorizes the Navy to increase the maximum nuclear officer bonus if necessary to address declining nuclear officer retention and growing retention uncertainty.

(Sec. 617) Increases aviation incentive pay for officers performing qualifying flying duty relating to remotely piloted aircraft and makes technical amendments to the aviation pay and bonus authorities.

(Sec. 618) Repeals the authority of the Army to pay bonuses to encourage Army personnel to refer persons for enlistment in the Army.

## Subtitle C--Travel and Transportation Allowances

(Sec. 621) Permits the Secretary of the military department concerned to provide round trip transportation to transfer ceremonies for family and next of kin of members of the armed forces who die overseas during humanitarian relief operations.

(Sec. 622) Repeals the special travel and transportation allowance for survivors of deceased members of the Armed Forces from the Vietnam conflict to provide equal travel benefits regardless of the location of death or connection to a specific conflict.

(Sec. 623) Requires the GAO to study the impact of the policy changes to the Joint Travel Regulations for uniformed service members and DOD civilian employees related to flat rate per diem for long-term temporary duty travel.

#### Subtitle D--Disability Pay, Retired Pay, and Survivor Benefits

##### Part I--Retired Pay Reform

(Sec. 631) Changes the current uniformed services retirement system by blending the current defined benefit retirement plan with a defined contribution plan, lump sum career continuation pay, and retention bonuses paid at defined career milestones, while continuing a 20-year defined annuity.

Limits service members who may opt-in to the new retirement system to those with less than 12 years of service. Repeals the modified cost-of-living adjustment for members under the age of 62 included in the Bipartisan Budget Act of 2013.

(Sec. 632) Provides a government-matching Thrift Savings Plan (TSP) retirement benefit for those who enter uniformed service on or after January 1, 2018, or a member serving before that date who makes a voluntary election to opt-in to the new plan. Ends the government matching contributions at 26 years of service.

(Sec. 633) Permits the voluntary election of lump sum payments of retired pay for those serving for 20 or more years.

(Sec. 634) Changes the current military retirement system by adding a mandatory lump sum career continuation pay at 12 years of service with an agreement by the service member to continue in service for 4 more years.

(Sec. 635) Establishes January 1, 2018, as the effective date for this subtitle, and requires the Secretaries concerned to submit an implementation plan to Congress.

##### Part II--Other Matters

(Sec. 641) Permits the election of a new spouse beneficiary under the Survivor Benefit Plan after the death of a former spouse beneficiary.

#### Subtitle E--Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

(Sec. 651) Requires DOD to submit to Congress a plan to make delivery of commissary and exchange benefits budget-neutral by October 1, 2018. Requires GAO to assess the plan. Permits DOD to conduct one or more pilot programs to evaluate processes and methods for achieving budget-neutrality in the delivery of commissary and exchange benefits.

(Sec. 652) Requires GAO to report on policies and procedures for construction projects funded through the Commissary Surcharge, Non-appropriated Fund and the Privately-Financed Major Construction Program of DOD.



## Subtitle F--Other Matters

(Sec. 661) Requires DOD to increase the frequency of and make specified improvements to financial literacy and preparedness training for members of the Armed Forces.

(Sec. 662) Authorizes DOD to obligate installment payments of bonus, incentive pay, and similar benefits at the time payment is due.

## TITLE VII--HEALTH CARE PROVISIONS

### Subtitle A--TRICARE and Other Health Care Benefits

(Sec. 701) Modifies residency requirements for certain beneficiaries to receive access to TRICARE Prime.

(Sec. 702) Modifies cost-sharing requirements for the TRICARE pharmacy benefits program.

(Sec. 703) Expands continued health benefits coverage to include discharged and released members of the Selected Reserve.

(Sec. 704) Requires DOD to ensure that TRICARE Prime beneficiaries obtain health care appointments within health care access standards established by DOD. Requires DOD to publish the health care access standards in the Federal Register and on a publicly accessible DOD web site.

(Sec. 705) Expands reimbursement for smoking cessation services for certain TRICARE beneficiaries.

### Subtitle B--Health Care Administration

(Sec. 711) Authorizes DOD to waive recoupment of an erroneous payment to a covered TRICARE beneficiary if:

- the payment was due to an administrative error by an employee of the DOD or a TRICARE contractor,
- the beneficiary reasonably believed that the payment was correct,
- the beneficiary relied on the expectation of the benefit, and
- a waiver of recoupment is necessary to prevent an injustice.

Requires DOD to impose financial responsibility on TRICARE contractors that are responsible for erroneous payments.

(Sec. 712) Requires DOD to publish data on measures used to assess patient safety, quality of care, patient satisfaction, and health outcomes for health care provided under the TRICARE program at each military medical treatment facility on a publicly available DOD website.

Requires data for health care provided by a military medical treatment facility to be accessible on the primary web site of that facility. Prohibits DOD from publishing any data related to risk management activities.

(Sec. 713) Requires DOD to include data on patient safety, quality of care, and access to care at each military medical treatment facility in the annual report to Congress on TRICARE program effectiveness.

(Sec. 714) Requires DOD to ensure that beneficiaries covered under a TRICARE health plan can access health care under that health plan in each TRICARE program region.

(Sec. 715) Requires DOD and the VA to establish a joint uniform formulary with respect to pharmaceutical agents that are

critical for the transition of an individual from receiving treatment furnished by DOD to treatment furnished by the VA.

(Sec. 716) Establishes criteria under which licensed mental health counselors may be reimbursed under the TRICARE program.

(Sec. 717) Requires DOD to develop a system for designating non-department mental health care providers that meet criteria relating to knowledge and understanding of military culture and evidence-based mental health treatments approved by DOD.

(Sec. 718) Requires DOD to: (1) establish and disseminate clinical practice guidelines on standards of care with respect to methods of contraception and counseling on methods of contraception for members of the Armed Forces, and (2) ensure that female members of the Armed Forces have access to comprehensive counseling on the full range of methods of contraception provided by health care providers during health care visits.

#### Subtitle C--Reports and Other Matters

(Sec. 721) Makes permanent the authority to provide transportation for certain dependents receiving obstetrical anesthesia services related to childbirth.

(Sec. 722) Extends the authority for the DOD-VA Health Care Sharing Incentive Fund for five years.

(Sec. 723) Extends the authority for the joint DOD-VA Medical Facility Demonstration Fund.

(Sec. 724) Limits funds that may be spent by the Office of the Secretary of Defense until DOD submits to Congress a required report on the military health system modernization study.

(Sec. 725) Requires DOD to carry out and report to Congress on a pilot program to allow covered beneficiaries under the TRICARE program to access urgent care visits without requiring pre-authorization for the visits.

(Sec. 726) Requires DOD to conduct and report to Congress on a pilot program to assess value-based incentive programs to encourage institutional and individual health care providers under the TRICARE program to improve quality of care, the experience of beneficiaries in receiving care, and the health of beneficiaries.

(Sec. 727) Limits the funds authorized by this bill that may be used for DOD Healthcare Management Systems Modernization until DOD makes a specified certification required by the National Defense Authorization Act for Fiscal Year 2014.

(Sec. 728) Requires DOD to submit to the VA specified information related to the exposure of members of the Armed Forces to airborne hazards, open burn pits, and environmental factors in Iraq and Afghanistan connected to respiratory illnesses.

(Sec. 729) Requires DOD to submit to Congress a plan to compile and assess data relating to: (1) outcomes for mental health care provided by DOD, (2) variations in outcomes among different medical facilities, and (3) barriers to the implementation by mental health care providers of the clinical practice guidelines and other evidence-based treatments and approaches.

(Sec. 730) Requires DOD to submit to Congress and GAO to assess a report describing plans to improve the experience of care of beneficiaries and to eliminate performance variability for health care provided in military medical treatment facilities and in the TRICARE purchased care network.

(Sec. 731) Requires GAO to study gaming facilities at military installations and problem gambling among members of the Armed Forces.

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

### Subtitle A--Acquisition Policy and Management

(Sec. 801) Requires the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps to review their current individual authorities related to defense acquisitions to develop recommendations to further or advance their roles in the development of requirements, acquisition processes, and the associated DOD budget practices.

(Sec. 802) Sets forth the role of the Chiefs of Staff and other specified officials with respect to decisions regarding the balancing of resources, priorities, and associated trade-offs among cost, schedule, technical feasibility, and performance on major defense acquisition programs.

(Sec. 803) Amends the Bob Stump National Defense Authorization Act for Fiscal Year 2003 to allow DOD to use existing rapid acquisition authority for supplies and services that DOD determines are:

- urgently needed and impact an ongoing or anticipated contingency operation that, if left unfulfilled, could potentially result in loss of life or critical mission failure; or
- urgently needed to eliminate a deficiency that as the result of a cyber-attack has resulted or is likely to result in critical mission failure, the loss of life, property destruction, or economic effects.

Increases the amount of rapid acquisition authority for contingency operations and authorizes a specified amount for cyber security.

(Sec. 804) Requires the Undersecretary of Defense for Acquisition, Technology and Logistics to issue guidance for an expedited and streamlined "middle tier" of acquisition programs that are intended to be completed within five years.

Requires the guidance to include two acquisition pathways: (1) a rapid prototyping pathway that can demonstrate new capabilities to meet emerging military needs which could result in a residual operational capability, and (2) a rapid fielding pathway for proven technologies to field production quantities of new or upgraded systems with minimal development required.

Authorizes the use of expedited and streamlined procedures for both of these pathways and establishes a Rapid Prototyping Fund to provide additional funds for each rapid prototyping pathway program.

(Sec. 805) Requires DOD to establish and report to Congress on procedures and guidelines for alternative acquisition pathways to acquire capital assets and services that meet critical national security needs.

(Sec. 806) Permits DOD to waive acquisition laws or regulations to acquire a capability that is in the vital national security interest of the United States and is not otherwise available to the Armed Forces. Requires DOD to notify Congress before using this authority and designate a senior official to be responsible and accountable for the rapid and effective acquisition and deployment of the needed capability.

(Sec. 807) Authorizes limited acquisition authority for non-major systems for the Commander of U.S. Cyber Command. Requires an implementation plan to be submitted to Congress. Requires the Cyber Investment Management Board to

review and assess programs being acquired under this authority.

(Sec. 808) Requires the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps to each submit to Congress a report on efforts to link and streamline the requirements, acquisition, and budget processes within the Army, Navy, Air Force, and Marine Corps.

(Sec. 809) Requires DOD to establish, under the sponsorship of the Defense Acquisition University and the National Defense University, an advisory panel on streamlining acquisition regulations.

(Sec. 810) Requires the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to review the requirements process to: (1) establish an agile and streamlined system that develops requirements that provide stability and foundational direction for acquisition programs, and (2) to determine the advisability of providing a time-based or phased distinction between capabilities needed to be deployed urgently, within two years, within five years, and longer than five years.

Requires DOD to ensure that the acquisition and budgeting systems are structured to meet time-based or phased requirements in a manner that is predictable, cost effective, and efficient and takes advantage of emerging technological developments.

#### Subtitle B--Amendments to General Contracting Authorities, Procedures, and Limitations

(Sec. 811) Replaces a requirement that the head of an agency determine that substantial savings would be achieved before entering into a multiyear contract with a requirement that the savings be significant.

(Sec. 812) Limits the applicability of requirements under the Truth in Negotiations Act to submit certified cost and pricing data if: (1) the data relates to an offset agreement in connection with a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm, and (2) does not relate to a contract or subcontract under the offset agreement for work performed in a foreign country that is directly related to the weapon system or defense-related item being purchased under the contract.

(Sec. 813) Sets forth procedures for the validation of rights in technical data for subsystems and components of major weapon systems and establishes a government-industry advisory panel on rights in technical data.

(Sec. 814) Revises experimental acquisition authority to apply the authority to transportation, energy, medical, and space-flight supplies.

(Sec. 815) Amends the National Defense Authorization Act for Fiscal Year 1994 to make permanent the transaction authority for the Defense Advanced Research Projects Agency to carry out certain prototype projects that are directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by DOD, or to improvement of platforms, systems, components, or materials in use by the Armed Forces.

Sets forth policies regarding the qualification of contractors as nontraditional contractors, permissible uses of the authority, and the participation of small businesses without a cost-share requirement.

(Sec. 816) Raises the special emergency procurement authority threshold.

(Sec. 817) Changes the rounding method used for making inflation adjustments to certain acquisition-related dollar thresholds.

## Subtitle C--Provisions Related to Major Defense Acquisition Programs

(Sec. 821) Requires DOD to create an acquisition strategy for each major defense acquisition program, each major automated information system, and each major system approved by a Milestone Decision Authority (MDA).

(Sec. 822) Requires the program acquisition strategy for each major defense acquisition program or major system to specifically address approaches to manage and mitigate risks.

(Sec. 823) Establishes the MDA's responsibility to ensure that an acquisition program has demonstrated sufficient knowledge to enter into a risk reduction phase following milestone A (initiates technology maturation and risk reduction) and has sound plans to progress to the development phase before granting milestone approval. Specifies the considerations that the MDA must take into account.

(Sec. 824) Establishes the MDA's responsibility to ensure that an acquisition program has demonstrated sufficient knowledge to enter a development phase and has sound plans in place to deliver the required capability before granting milestone B (initiates engineering and manufacturing development) approval. Specifies the considerations that the MDA must take into account.

Requires the MDA to certify that: (1) the program has a high likelihood of accomplishing its intended mission based on a formal post-preliminary design review assessment, and (2) the technology in the program has been demonstrated in a relevant environment based on an independent review and assessment.

(Sec. 825) Designates the service acquisition executives as the MDA for major acquisition programs managed by the military services unless DOD designates another official to serve as the MDA.

(Sec. 826) Requires DOD to revise guidance for defense acquisition programs to address the tenure and accountability of program managers for the program definition period of defense acquisition programs.

(Sec. 827) Requires DOD to revise guidance for major defense acquisition programs to address the tenure and accountability of program managers for the program execution period of major defense acquisition programs. Specifies requirements for the revised guidance.

(Sec. 828) Requires each military department to pay an annual penalty for cost overruns on the covered major defense acquisition programs of the military department.

(Sec. 829) Modifies reporting requirements applicable to the Assistant Secretary of Defense for Research and Engineering regarding major defense acquisition programs.

(Sec. 830) Requires each Configuration Steering Board to track any changes in program requirements for a major defense acquisition program and requires certain changes to be approved by the service chief.

(Sec. 831) Repeals the requirement for separate manpower estimates for major defense acquisition programs.

(Sec. 832) Authorizes the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation and the Deputy Assistant Secretary of Defense for Systems Engineering to review developmental test and evaluation and systems engineering master plans for major defense acquisition programs, respectively, and advise relevant technical authorities on the incorporation of best practices for programs under consideration.

## Subtitle D--Provisions Relating to Acquisition Workforce

(Sec. 841) Makes permanent the authority for the Defense Acquisition Workforce Development Fund and the associated expedited hiring authority.

(Sec. 842) Reinststitutes a dual-track career path for officers and enlisted personnel to gain experience and receive credit for both a primary career in combat arms and a functional secondary career in the acquisition field.

(Sec. 843) Includes acquisition matters addressed by military personnel in the definition of "joint matters" to enable military acquisition professionals to receive joint professional credit and end certain double experience requirements for officers who serve in acquisition positions.

(Sec. 844) Requires DOD to provide mandatory training for members of the Armed Forces and DOD employees responsible for conducting market research.

(Sec. 845) Requires DOD to contract with an independent research entity to study DOD strategic planning related to the defense acquisition workforce.

(Sec. 846) Extends the Civilian Acquisition Workforce Personnel Demonstration Project.

#### Subtitle E--Provisions Relating to Commercial Items

(Sec. 851) Requires DOD to: (1) establish and maintain a centralized capability to oversee the making of commercial item determinations for DOD procurements, and (2) provide public access to the determinations.

Permits a contracting officer to presume that a prior commercial item determination made by a DOD component may serve as a determination for subsequent procurements of the items.

(Sec. 852) Modifies the information that a contractor is required to submit to DOD to support a price reasonableness determination.

(Sec. 853) Requires a contracting officer to consider evidence provided by an offeror of recent purchase prices paid by the government for the same or similar comm

## Actions Timeline

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- **Nov 25, 2015:** Signed by President.
- **Nov 25, 2015:** Became Public Law No: 114-92.
- **Nov 17, 2015:** Presented to President.
- **Nov 10, 2015:** Measure laid before Senate by unanimous consent. (consideration: CR S7875-7878)
- **Nov 10, 2015:** Resolving differences -- Senate actions: Senate agreed to the House amendment to the Senate bill (S. 1356) by Yea-Nay Vote. 91 - 3. Record Vote Number: 301.(text as Senate agree to the House amendment: CR S7875)
- **Nov 10, 2015:** Senate agreed to the House amendment to the Senate bill (S. 1356) by Yea-Nay Vote. 91 - 3. Record Vote Number: 301. (text as Senate agree to the House amendment: CR S7875)
- **Nov 10, 2015:** Message on Senate action sent to the House.
- **Nov 5, 2015:** Mr. Thornberry moved to suspend the rules and pass the bill, as amended.
- **Nov 5, 2015:** Considered under suspension of the rules. (consideration: CR H7747-8129)
- **Nov 5, 2015:** DEBATE - The House proceeded with forty minutes of debate on S. 1356.
- **Nov 5, 2015:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 370 - 58 (Roll no. 618).(text: CR H7747-8123)
- **Nov 5, 2015:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 370 - 58 (Roll no. 618). (text: CR H7747-8123)
- **Nov 5, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 5, 2015:** Message on House action received in Senate and at desk: House amendment to Senate bill.
- **Nov 5, 2015:** Pursuant to the provisions of H. Con. Res. 90, enrollment corrections on S. 1356 have been made.
- **May 14, 2015:** Introduced in Senate
- **May 14, 2015:** Passed/agreed to in Senate: Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S2946; text as passed Senate: CR S2946)
- **May 14, 2015:** Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S2946; text as passed Senate: CR S2946)
- **May 14, 2015:** Received in the House.
- **May 14, 2015:** Message on Senate action sent to the House.
- **May 14, 2015:** Held at the desk.
- **Apr 29, 2015:** Committee on Armed Services Senate Subcommittee on Strategic Forces. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 7.
- **Apr 22, 2015:** Committee on Armed Services Senate Subcommittee on Readiness and Management Support. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 3.
- **Apr 22, 2015:** Committee on Armed Services Senate Subcommittee on Strategic Forces. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 7.
- **Apr 15, 2015:** Committee on Armed Services Senate Subcommittee on Strategic Forces. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 7.
- **Apr 14, 2015:** Committee on Armed Services Senate Subcommittee on Airland. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 4.
- **Apr 14, 2015:** Committee on Armed Services Senate Subcommittee on Emerging Threats and Capabilities. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 5.
- **Mar 25, 2015:** Committee on Armed Services Senate Subcommittee on SeaPower. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 2.
- **Mar 25, 2015:** Committee on Armed Services Senate Subcommittee on Readiness and Management Support. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 3.
- **Mar 25, 2015:** Committee on Armed Services Senate Subcommittee on Strategic Forces. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 7.
- **Mar 19, 2015:** Committee on Armed Services Senate Subcommittee on Airland. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 4.
- **Mar 18, 2015:** Committee on Armed Services Senate Subcommittee on SeaPower. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 2.
- **Mar 11, 2015:** Committee on Armed Services Senate Subcommittee on SeaPower. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 2.

**Mar 11, 2015:** Committee on Armed Services Senate Subcommittee on Readiness and Management Support. Hearings held prior to introduction and/or referral. 114-204, pt. 3.

- **Mar 4, 2015:** Committee on Armed Services Senate Subcommittee on Strategic Forces. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 114-204, pt. 7.