

# A BILL

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

## 3   **SECTION 1. SHORT TITLE.**

4           This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2021”.

## 5   **SEC. 2. TABLE OF CONTENTS.**

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

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

### TITLE I—PROCUREMENT

#### Subtitle A—Authorization of Appropriations

Sec. 101. Army.  
Sec. 102. Navy and Marine Corps.  
Sec. 103. Air Force and Space Force.  
Sec. 104. Defense-wide activities.  
Sec. 105. Defense production act purchases.

#### Subtitle B—Defense-wide, Joint, and Multiservice Matters

Sec. 111. Economic order quantity contracting authority F-35 joint strike fighter program.

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

Sec. 201. Authorization of appropriations.

### TITLE III—OPERATION AND MAINTENANCE

#### Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

#### Subtitle B—Energy and Environment

Sec. 311. Regulation of discharges incidental to the normal operations of a vessel of the Armed Forces under the Federal Water Pollution Control Act.

Subtitle C—[RESERVED]

Subtitle D—Reports

SEC. 331. Repeal of statutory requirement for Director of the Defense Logistics Agency to be notified three years prior to implementing changes to any uniform or uniform component.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Repeal of report on end-of-quarter strength levels.

Subtitle B—Reserve Forces

Sec. 411. End strengths for selected reserve.

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

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

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

Sec. 415. Authorities of Secretary of Defense and service secretaries to vary personnel end strengths.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—[RESERVED]

Subtitle B—Reserve Component Management

Sec. 511. Authorized strength: exclusion of certain reserve component general and flag officers on active duty.

Subtitle C—[RESERVED]

Subtitle D—[RESERVED]

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

Sec. 541. Authority for accredited military education institutions to accept research grants.

Sec. 542. Employment authority for civilian faculty at certain military department schools.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Sec. 601. Codification and permanent extension of government lodging program.

Sec. 602. Reorganization of certain allowances other than travel and transportation allowances.

Sec. 603. Rest and recuperation leave and foreign holiday leave.

Sec. 604. Modification of briefing requirement on defense commissary system.

TITLE VII—[RESERVED]

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

Sec. 801. Revision of authority for procedures to allow rapid acquisition and deployment of capabilities needed under specified high-priority circumstances.

TITLE IX—[RESERVED]

TITLE X—GENERAL PROVISIONS

Subtitle A—[RESERVED]

Subtitle B—Counterdrug Activities

Sec. 1011. Small scale construction in support of counterdrug activities and activities to counter transnational organized crime.

Subtitle C—Counterterrorism

Sec. 1021. Revisions to Department of Defense authority for joint task forces to support law enforcement agencies conducting counterterrorism and counter transnational organized crime activities.

Subtitle D—Miscellaneous Authorities and Limitations

Sec. 1031. Clarification of activities with respect to the Department of Defense by certain officers of the Armed Forces and civilian employees of the Department.

Sec. 1032. Provision of goods and services at Kwajalein Atoll, Republic of the Marshall Islands.

Sec. 1033. Repeal of hardship exemption from absentee voting requirements applicable to States.

Sec. 1034. Extension of reporting deadline for the annual report on the assessment of the effectiveness of activities of the Federal voting assistance program.

Sec. 1035. Council on Oversight of the National Leadership Command, Control, and Communications System.

Sec. 1036. Providing protection to the National Museum of the Marine Corps, the National Museum of the United States Army, the National Museum of the United States Navy, and the National Museum of the United States Air Force.

TITLE XI— CIVILIAN PERSONNEL MATTERS

Sec. 1101. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1102. Authority to provide travel and transportation allowances in connection with transfer ceremonies of Department of Defense and Coast Guard civilian employees who die overseas.

Sec. 1103. Enhancement of capabilities to manage civilian faculty at Army, Navy, and Air Force educational institutions.

TITLE XII— MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Cross fiscal year authority for programs to provide assistance to the national security forces of foreign countries.

Sec. 1202. Authority to reimburse National Guard and reserve salaries for certain activities in support of the Department of State.

Subtitle B—[RESERVED]

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

Sec. 1221. Extension of authority to provide assistance to counter the Islamic State of Iraq and Syria.

- Sec. 1222. Extension of authority to provide assistance to the vetted Syrian opposition.
- Sec. 1223. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.

TITLE XIII— COOPERATIVE THREAT REDUCTION

- Sec. 1301. Authority to carry out Department of Defense Cooperative Threat Reduction Program.
- Sec. 1302. Use of contributions to Department of Defense Cooperative Threat Reduction Program.

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.
- Sec. 1404. Defense Inspector General.
- Sec. 1405. Defense health program.

Subtitle B—Other Matters

- Sec. 1411. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs medical facility demonstration fund for Captain James A. Lovell health care center, Illinois.
- Sec. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

- Sec. 1501. Purpose.
- Sec. 1502. Army Procurement.
- Sec. 1503. Navy and Marine Corps procurement.
- Sec. 1504. Air Force Procurement.
- Sec. 1505. Defense-Wide Activities Procurement.
- Sec. 1506. Research, Development, Test, and Evaluation.
- Sec. 1507. Operation and Maintenance.
- Sec. 1508. Military Personnel.
- Sec. 1509. Working Capital Funds.
- Sec. 1510. Defense Health Program.
- Sec. 1511. Defense Inspector General.

TITLE XVI— STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—[RESERVED]

Subtitle B—[RESERVED]

Subtitle C—[RESERVED]

Subtitle D—[RESERVED]

Subtitle E—Missile Defense Programs

- Sec. 1641. Repeal of requirement to transition ballistic missile defense programs to the military departments.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

TITLE XXI-[RESERVED]

TITLE XXII-[RESERVED]

TITLE XXIII-[RESERVED]

TITLE XXIV-[RESERVED]

TITLE XXV-[RESERVED]

TITLE XXVI-[RESERVED]

TITLE XXVII-[RESERVED]

TITLE XXVIII-MILITARY CONSTRUCTION GENERAL PROVISIONS

Sec. 2801. Construction requirements related to antiterrorism and force protection or urban-training operations.

1

**TITLE I—PROCUREMENT**

2

**Subtitle A—Authorization of Appropriations**

3

**SEC. 101. ARMY.**

4

Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement for

5

the Army as follows:

6

(1) For aircraft, \$3,074,594,000.

7

(2) For missiles, \$3,491,507,000.

8

(3) For ammunition, \$2,777,716,000.

9

(4) For weapons and tracked combat vehicles, \$3,696,740,000.

10

(5) For other procurement, \$8,625,206,000.

11

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

12

Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement for

13

the Navy and Marine Corps as follows:

14

(1) For aircraft, \$17,127,378,000.

15

(2) For shipbuilding and conversion, \$19,902,757,000.

1 (3) For ammunition procurement, Navy and Marine Corps, \$883,602,000.

2 (4) For weapons, \$4,884,995,000.

3 (5) For other procurement, \$10,948,518,000.

4 (6) For procurement, Marine Corps, \$2,903,976,000.

5 **SEC. 103. AIR FORCE AND SPACE FORCE.**

6 Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement for  
7 the Air Force and Space Force as follows:

8 (1) For aircraft, \$17,908,145,000.

9 (2) For missiles, \$2,396,417,000.

10 (3) For procurement, Space Force, \$2,446,064,000.

11 (4) For ammunition, \$596,338,000.

12 (5) For other procurement, \$23,695,720,000.

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

14 Funds are hereby authorized to be appropriated for fiscal year 2021 for Defense-wide  
15 procurement in the amount of \$5,324,487,000.

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

17 Funds are hereby authorized to be appropriated for fiscal year 2021 for purchases under  
18 the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in the amount of \$181,931,000.

19 **Subtitle B—Defense-wide, Joint, and Multiservice Matters**

20 **SEC. 111. ECONOMIC ORDER QUANTITY CONTRACTING AUTHORITY F-35**

21 **JOINT STRIKE FIGHTER PROGRAM.**

22 (a) AUTHORITY FOR ADVANCE PROCUREMENT AND ECONOMIC ORDER QUANTITY.—The  
23 Secretary of Defense may enter into one or more contracts, beginning with the fiscal year 2020

1 program year, for the procurement of economic order quantities of material and equipment for  
2 the F-35 aircraft program for use in procurement contracts to be awarded for such program  
3 during fiscal years 2021 through 2023.

4 (b) LIMITATION.—The total amount obligated in fiscal year 2021 under all contracts  
5 entered into under subsection (a) shall not exceed \$493,000,000.

6 (c) PRELIMINARY FINDINGS.—Before entering into a contract under subsection (a), the  
7 Secretary shall make each of the following findings with respect to such contract:

8 (1) The use of such a contract will result in significant savings of the total  
9 anticipated costs of carrying out the program through annual contract.

10 (2) The minimum need for the property to be procured is expected to remain  
11 substantially unchanged during the contemplated contract period in terms of production  
12 rate, procurement rate, and total quantities.

13 (3) There is a reasonable expectation that, throughout the contemplated contract  
14 period, the Secretary will request funding for the contract at the level required to avoid  
15 contract cancellation.

16 (4) There is a stable design for the property to be procured and the technical risks  
17 associated with such property are not excessive.

18 (5) The estimates of both the cost of the contract and the anticipated cost  
19 avoidance through the use of an economic order quantity contract are realistic.

20 (6) Entering into the contract will promote the national security interests of the  
21 United States.

22 (d) CERTIFICATION Requirement.—Except as provided in subsection (e), the Secretary of  
23 Defense may not enter into a contract under subsection (a) until a period of 30 days has elapsed

1 following the date on which the Secretary certifies to the congressional defense committees, in  
2 writing, that each of the following conditions is satisfied:

3 (1) A sufficient number of end items of the system being acquired under such  
4 contract have been delivered at or within the most recently available estimates of the  
5 program acquisition unit cost or procurement unit cost for such system to determine that  
6 the estimates of the unit costs are realistic.

7 (2) During the fiscal year in which such contract is to be awarded, sufficient funds  
8 will be available to perform the contract in such fiscal year, and the future-years defense  
9 program submitted to Congress under section 221 of title 10, United States Code, for that  
10 fiscal year will include the funding required to execute the program without cancellation.

11 (3) The contract is a fixed-price type contract.

12 (4) The proposed contract provides for production at not less than minimum  
13 economic rates given the existing tooling and facilities.

14 (5) The Secretary has determined that each of the conditions described in  
15 paragraphs (1) through (6) of subsection (c) will be met by such contract and has  
16 provided the basis for such determination to the congressional defense committees.

17 (6) The determination under paragraph (5) was made after the completion of a  
18 cost analysis performed by the Director of Cost Assessment and Program Evaluation for  
19 the purpose of section 2334(f)(2) of title 10, United States Code, and the analysis  
20 supports that determination.

21 (e) EXCEPTION.—Notwithstanding subsection (d), the Secretary of Defense may enter  
22 into a contract under subsection (a) on or after December 1, 2020, if—



1 (1) the Director of Cost Assessment and Program Evaluation has not completed a  
2 cost analysis of the preliminary findings made by the Secretary under subsection (c) with  
3 respect to the contract;

4 (2) the Secretary certifies to the congressional defense committees, in writing, that  
5 each of the conditions described in paragraphs (1) through (5) of subsection (d) is  
6 satisfied; and

7 (3) a period of 30 days has elapsed following the date on which the Secretary  
8 submits the certification under paragraph (2).

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

### 10 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

11 Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the  
12 Department of Defense for research, development, test, and evaluation as follows:

13 (1) For the Army, \$12,587,343,000.

14 (2) For the Navy, \$21,427,048,000.

15 (3) For the Air Force, \$37,391,826,000.

16 (4) For the Space Force, \$10,327,595,000.

17 (5) For Defense-wide activities, \$24,280,891,000.

18 (6) For the Director of Operational Test and Evaluation, \$210,090,000.

## 19 **TITLE III—OPERATION AND MAINTENANCE**

### 20 **Subtitle A—Authorization of Appropriations**

### 21 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

1 Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the  
2 Armed Forces and other activities and agencies of the Department of Defense for expenses, not  
3 otherwise provided for, for operation and maintenance, in amounts as follows:

4 (1) For the Army, \$40,312,968,000.

5 (2) For the Navy, \$49,692,742,000.

6 (3) For the Marine Corps, \$7,328,607,000.

7 (4) For the Air Force, \$34,750,597,000.

8 (5) For the Space Force, \$2,531,294,000.

9 (6) For Defense-wide activities, \$38,649,079,000.

10 (7) For the Army Reserve, \$2,934,717,000.

11 (8) For the Navy Reserve, \$1,127,046,000.

12 (9) For the Marine Corps Reserve, \$284,656,000.

13 (10) For the Air Force Reserve, \$3,350,284,000.

14 (11) For the Army National Guard, \$7,420,014,000.

15 (12) For the Air National Guard, \$6,753,642,000.

16 (13) For the United States Court of Appeals for the Armed Forces, \$15,211,000.

17 (14) For Environmental Restoration, Army, \$207,518,000.

18 (15) For Environmental Restoration, Navy, \$335,932,000.

19 (16) For Environmental Restoration, Air Force, \$303,926,000.

20 (17) For Environmental Restoration, Defense-wide, \$9,105,000.

21 (18) For Environmental Restoration, Formerly Used Defense Sites, \$216,587,000.

22 (19) For Overseas Humanitarian, Disaster, and Civic Aid programs,

23 \$109,900,000.

1 (20) For Cooperative Threat Reduction programs, \$238,490,000.

2 (21) For Department of Defense Acquisition Workforce Development Fund,  
3 \$58,181,000.

4 (22) For Disposal of Department of Defense Real Property, \$9,739,000.

5 (23) For Lease of Department of Defense Real Property, \$32,623,000.

6 **Subtitle B—Energy and Environment**

7 **SEC. 311. REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL**  
8 **OPERATIONS OF A VESSEL OF THE ARMED FORCES UNDER THE**  
9 **FEDERAL WATER POLLUTION CONTROL ACT.**

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

17 **Subtitle C—[RESERVED]**

18 **Subtitle D—Reports**

19 **SEC. 331. REPEAL OF STATUTORY REQUIREMENT FOR DIRECTOR OF THE**  
20 **DEFENSE LOGISTICS AGENCY TO BE NOTIFIED THREE YEARS**  
21 **PRIOR TO IMPLEMENTING CHANGES TO ANY UNIFORM OR**  
22 **UNIFORM COMPONENT.**

1 Section 356 of the John S. McCain National Defense Authorization Act for Fiscal Year  
2 2019 (Public Law 115-232; 132 Stat. 1636) is amended—

3 (1) by striking subsection (a);

4 (2) by redesignating subsections (b) and (c) as subsections (a) and (b),  
5 respectively; and

6 (3) in subsections (a) and (b), as so redesignated, by striking “Commander” each  
7 place it appears and inserting “Director”.

## 8 **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

### 9 **Subtitle A—Active Forces**

#### 10 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

11 The Armed Forces are authorized strengths for active duty personnel as of September 30,  
12 2021, as follows:

13 (1) The Army, 485,900.

14 (2) The Navy, 347,800.

15 (3) The Marine Corps, 184,100.

16 (4) The Air Force, 327,266.

17 (5) The Space Force, 6,434.

#### 18 **SEC. 402. REPEAL OF REPORT ON END-OF-QUARTER STRENGTH LEVELS.**

19 Section 115(e) of title 10, United States Code, is amended by striking paragraph (3).

### 20 **Subtitle B—Reserve Forces**

#### 21 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

22 (a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve  
23 personnel of the reserve components as of September 30, 2021, as follows:

1 (1) The Army National Guard of the United States, 336,500.

2 (2) The Army Reserve, 189,800.

3 (3) The Navy Reserve, 58,800.

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

5 (5) The Air National Guard of the United States, 108,100.

6 (6) The Air Force Reserve, 70,300.

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

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

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

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

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

22 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF**  
23 **THE RESERVES.**

1           Within the end strengths prescribed in section 411(a), the reserve components of the  
2 Armed Forces are authorized, as of September 30, 2021, the following number of Reserves to be  
3 serving on full-time active duty or full-time duty, in the case of members of the National Guard,  
4 for the purpose of organizing, administering, recruiting, instructing, or training the reserve  
5 components:

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

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

8                   (3) The Navy Reserve, 10,215.

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

10                  (5) The Air National Guard of the United States, 25,333.

11                  (6) The Air Force Reserve, 5,256.

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

13           The minimum number of military technicians (dual status) as of the last day of fiscal year  
14 2021 for the reserve components of the Army and the Air Force (notwithstanding section 129 of  
15 title 10, United States Code) shall be the following:

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

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

18                   (3) For the Air National Guard of the United States, 10,994.

19                   (4) For the Air Force Reserve, 7,947.

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

1           During fiscal year 2021, the maximum number of members of the reserve components of  
2 the Armed Forces who may be serving at any time on full-time operational support duty under  
3 section 115(b) of title 10, United States Code, is the following:

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

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

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

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

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

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

10 **SEC. 415. AUTHORITIES OF SECRETARY OF DEFENSE AND SERVICE**

11 **SECRETARIES TO VARY PERSONNEL END STRENGTHS.**

12           (a) **AUTHORITY FOR SECRETARY OF DEFENSE VARIANCES.** —Section 115(f)(2) of title 10,  
13 United States Code, is amended by striking “increase” and inserting “vary”.

14           (b) **AUTHORITY FOR SERVICE SECRETARY VARIANCES.** —Section 115(g) of title 10,  
15 United States Code, is amended—

16                   (1) in paragraph (1)—

17                           (A) in subparagraph (A), by striking “and” at the end; and

18                           (B) in subparagraph (B)—

19                                   (i) by striking “increase” and inserting “vary”; and

20                                   (ii) by striking the period at the end and inserting “; and”; and

21                           (C) by adding at the end the following:

22                                   “(C) vary the end strength authorized pursuant to subsection (a)(1)(B) for a fiscal  
23 year for the Active Guard and Reserve category of the Selected Reserve of the reserve

1 component of the armed force under the jurisdiction of that Secretary or, in the case of  
2 the Secretary of the Navy, for the Active Guard and Reserve category of the Selected  
3 Reserve of the reserve component of any armed force under the jurisdiction of that  
4 Secretary, by a number equal to not more than 1 percent of such authorized end  
5 strength.”; and

6 (2) in paragraph (2)—

7 (A) in the second sentence, by striking “increase” each place it occurs and  
8 inserting “variance”; and

9 (B) by adding at the end the following new sentence: “Any variance under  
10 paragraph (1)(C) of the end strength for the Active Guard and Reserve category of  
11 the Selected Reserve of an armed force for a fiscal year shall be counted as part of  
12 the variance for that Selected Reserve for that fiscal year authorized under  
13 subsection (f)(2).”.

## 14 **Subtitle C—Authorization of Appropriations**

### 15 **SEC. 421. MILITARY PERSONNEL.**

16 There is hereby authorized to be appropriated for military personnel for fiscal year 2021 a  
17 total of \$150,524,104,000.

## 18 **TITLE V—MILITARY PERSONNEL POLICY**

### 19 **Subtitle A—[RESERVED]**

### 20 **Subtitle B—Reserve Component Management**

### 21 **SEC. 511. AUTHORIZED STRENGTH: EXCLUSION OF CERTAIN RESERVE**

### 22 **COMPONENT GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.**

23 Section 526a of title 10, United States Code, is amended—



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

2 “(3) CERTAIN RESERVE COMPONENT GENERAL AND FLAG OFFICERS ON ACTIVE  
3 DUTY.—(A) The Chairman of the Joint Chiefs of Staff may designate up to 15 general  
4 and flag officer positions in the unified and specified combatant commands, and up to  
5 three general and flag officer positions on the Joint Staff, as positions to be held only by  
6 reserve component officers who are in a general or flag officer grade below lieutenant  
7 general or vice admiral. Each position so designated shall be considered to be a joint duty  
8 assignment position for purposes of chapter 38 of this title.

9 “(B) A reserve component officer serving in a position designated under  
10 subparagraph (A) while on active duty under a call or order to active duty that does not  
11 specify a period of 180 days or less shall not be counted for purposes of the limitations  
12 under subsection (a) and under section 525 of this title.”;

13 (2) by redesignating subsections (c) through (h) as subsections (d) through (i),  
14 respectively; and

15 (3) by inserting after subsection (b) the following new subsection:

16 “(c) EXCLUSION OF CERTAIN RESERVE OFFICERS.—

17 “(1) GENERAL OR FLAG OFFICERS SERVING LESS THAN 180 DAYS.—The limitations  
18 of this section do not apply to a reserve component general or flag officer who is on  
19 active duty for training or who is on active duty under a call or order specifying a period  
20 of less than 180 days.

21 “(2) GENERAL OR FLAG OFFICERS SERVING 365 DAYS OR LESS.—The limitations of  
22 this section also do not apply to a number, as specified by the Secretary of the military  
23 department concerned, of reserve component general or flag officers authorized to serve

1 on active duty for a period of not more than 365 days. The number so specified for an  
2 armed force may not exceed the number equal to 10 percent of the authorized number of  
3 general or flag officers, as the case may be, of that armed force under section 12004 of  
4 this title. In determining such number, any fraction shall be rounded down to the next  
5 whole number, except that such number shall be at least one.

6 “(3) GENERAL OR FLAG OFFICERS SERVING MORE THAN 365 DAYS.—The  
7 limitations of this section do not apply to a reserve component general or flag officer who  
8 is on active duty for a period in excess of 365 days but not to exceed three years, except  
9 that the number of such officers from each reserve component who are covered by this  
10 paragraph and not serving in a position that is a joint duty assignment for purposes of  
11 chapter 38 of this title may not exceed 5 per component, unless authorized by the  
12 Secretary of Defense.”.

13 **Subtitle C—[RESERVED]**

14 **Subtitle D—[RESERVED]**

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

16 **SEC. 541. AUTHORITY FOR ACCREDITED MILITARY EDUCATION**

17 **INSTITUTIONS TO ACCEPT RESEARCH GRANTS.**

18 (a) ARMY INSTITUTIONS.—

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

20 (A) in subsection (a)—

21 (i) in the first sentence, by inserting “or the head of any other  
22 accredited military education institution of the Army” after “the  
23 Commandant of the United States Army War College”; and

1 (ii) in the second sentence—

2 (I) by striking “professor or instructor” and inserting  
3 “faculty member”; and

4 (II) by inserting “or institution” after “the College”;

5 (B) in the second sentence of subsection (d), by inserting “or the head of  
6 any other accredited military education institution of the Army” after “The  
7 Commandant”; and

8 (C) in subsection (e)—

9 (i) by inserting “or any other accredited military education  
10 institution of the Army” after “the Army War College”; and

11 (ii) by inserting “or institution” after “the College”.

12 (2) CLERICAL AMENDMENTS.—

13 (A) SECTION HEADING.—The heading of such section is amended by  
14 inserting “**and other accredited military education institutions of the Army**”  
15 after “**United States Army War College**”.

16 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter  
17 757 of such title is amended by striking the item relating to section 7487 and  
18 inserting the following new item:

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

19 (b) NAVY INSTITUTIONS.—

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

21 (A) in subsection (a)—

1 (i) in the first sentence, by inserting “or the head of any other  
2 accredited military education institution of the Navy” after “the President  
3 of the Naval War College”; and

4 (ii) in the second sentence—

5 (I) by striking “professor or instructor” and inserting  
6 “faculty member”; and

7 (II) by inserting “or institution” after “the College”;

8 (B) in the second sentence of subsection (d), by inserting “or the head of  
9 any other accredited military education institution of the Navy” after “The  
10 President of the Naval War College”; and

11 (C) in subsection (e)—

12 (i) by inserting “or any other accredited military education  
13 institution of the Navy” after “the Naval War College”; and

14 (ii) by inserting “or institution” after “the College”.

15 (2) CLERICAL AMENDMENTS.—

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

19 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter  
20 859 of such title is amended by striking the item relating to section 8593 and  
21 inserting the following new item:

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

22 (c) MARINE CORPS INSTITUTIONS.—

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

2 (A) in subsection (a)—

3 (i) in the first sentence, by inserting “or the head of any other  
4 accredited military education institution of the Marine Corps” after “the  
5 President of the Marine Corps University”; and

6 (ii) in the second sentence—

7 (I) by striking “professor or instructor” and inserting  
8 “faculty member”; and

9 (II) by inserting “or by a faculty member of any other  
10 accredited military education institution of the Marine Corps” after  
11 “the University”;

12 (B) in the second sentence of subsection (d), by inserting “or the head of  
13 any other accredited military education institution of the Marine Corps” after  
14 “The President of the Marine Corps University”; and

15 (C) in subsection (e)—

16 (i) by inserting “or any other accredited military education  
17 institution of the Marine Corps” after “the Marine Corps University”; and

18 (ii) by inserting “or institution” after “the University”.

19 (2) CLERICAL AMENDMENTS.—

20 (A) SECTION HEADING.—The heading of such section is amended by  
21 inserting “**and other accredited military education institutions of the Marine**  
22 **Corps**” after “**Marine Corps University**”.

1 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter  
2 859 of such title is amended by striking the item relating to section 8594 and  
3 inserting the following:

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

4 (d) AIR FORCE INSTITUTIONS.—

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

6 (A) in subsection (a)—

7 (i) in the first sentence, by inserting “or the head of any other  
8 accredited military education institution of the Air Force” after “the  
9 Commandant of the Air War College”; and

10 (ii) in the second sentence—

11 (I) by striking “professor or instructor” and inserting  
12 “faculty member”; and

13 (II) by inserting “or institution” after “the College”;

14 (B) in the second sentence of subsection (d), by inserting “or the head of  
15 any other accredited military education institution of the Air Force” after “The  
16 Commandant”; and

17 (C) in subsection (e)—

18 (i) by inserting “or any other accredited military education  
19 institution of the Air Force” after “the Air War College”; and

20 (ii) by inserting “or institution” after “the College”.

21 (2) CLERICAL AMENDMENTS.—

1 (A) SECTION HEADING.—The heading of such section is amended by  
2 inserting “**and other accredited military education institutions of the Air**  
3 **Force**” after “**Air War College**”.

4 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter  
5 957 of such title is amended by striking the item relating to section 9487 and  
6 inserting the following new item:

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

7 (e) DEPARTMENT OF DEFENSE INSTITUTIONS.—

8 (1) IN GENERAL.—Chapter 108 of title 10, United States Code, is amended by  
9 adding at the end the following new section:

10 “**§ 2170. Department of Defense accredited military education institutions: acceptance of**  
11 **grants for faculty research for scientific, literary, and educational purposes**

12 “(a) ACCEPTANCE OF RESEARCH GRANTS.—The Secretary of Defense may authorize the  
13 head of any accredited military education institution administered by or under the authority of  
14 the Department of Defense to accept qualifying research grants. Any such grant may only be  
15 accepted if the work under the grant is to be carried out by a faculty member of the institution for  
16 a scientific, literary, or educational purpose.

17 “(b) QUALIFYING GRANTS.—A qualifying research grant under this section is a grant that  
18 is awarded on a competitive basis by an entity referred to in subsection (c) for a research project  
19 with a scientific, literary, or educational purpose.

20 “(c) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.—A grant may be accepted  
21 under this section only from a corporation, fund, foundation, educational institution, or similar  
22 entity that is organized and operated primarily for scientific, literary, or educational purposes.

1           “(d) ADMINISTRATION OF GRANT FUNDS.—The Secretary shall establish an account for  
2 administering funds received as research grants under this section. The head of an accredited  
3 military education institution shall use the funds in the account in accordance with applicable  
4 provisions of the regulations and the terms and condition of the grants received.

5           “(e) RELATED EXPENSES.—Subject to such limitations as may be provided in  
6 appropriations Acts, appropriations available for an accredited military education institution may  
7 be used to pay expenses incurred by the institution in applying for, and otherwise pursuing, the  
8 award of qualifying research grants.

9           “(f) REGULATIONS.—The Secretary shall prescribe regulations for the administration of  
10 this section.”.

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

“2170. Department of Defense accredited military education institutions: acceptance of grants for faculty  
research for scientific, literary, and educational purposes.”.

13   **SEC. 542. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN**  
14           **MILITARY DEPARTMENT SCHOOLS.**

15           (a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

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

17                   (A) in subsection (a), by striking “the Army War College or the United  
18 States Army Command and General Staff College” and inserting “the Army War  
19 College, the United States Army Command and General Staff College, and the  
20 Army University”; and

21                   (B) by striking subsection (c).

22           (2) CONFORMING AMENDMENTS.—



1 (A) SECTION HEADING.—Section 7371 of such title is amended by striking  
2 the section designation and heading and inserting the following:

3 **“§7371. Army War College, United States Army Command and General Staff College, and**  
4 **Army University: civilian faculty members”.**

5 (B) TABLE OF CONTENTS.—The table of sections at the beginning of  
6 chapter 747 of such title is amended by striking the item relating to section 7371  
7 and inserting the following:

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

8 (b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY—Section 8748 of such title  
9 is amended by striking subsection (c).

10 (c) AIR UNIVERSITY.—Section 9371 of such title is amended by striking subsection (c).

## 11 **TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

### 12 **SEC. 601. CODIFICATION AND PERMANENT EXTENSION OF GOVERNMENT**

#### 13 **LODGING PROGRAM.**

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

16 (1) a heading as follows:

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

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

22 (b) CONFORMING AMENDMENTS.—

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

3 (A) in subsection (a)—

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

5 (ii) by striking “, for the period of time described in subsection

6 (b),”;

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

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

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

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

12 (3) REPEAL OF PILOT PROGRAM.—Section 914 of the Carl Levin and Howard P.  
13 “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (5 U.S.C.  
14 5911 note) is repealed.

15 **SEC. 602. REORGANIZATION OF CERTAIN ALLOWANCES OTHER THAN**  
16 **TRAVEL AND TRANSPORTATION ALLOWANCES.**

17 (a) PER DIEM FOR DUTY OUTSIDE THE CONTINENTAL UNITED STATES.—

18 (1) TRANSFER TO CHAPTER 7.—Section 475 of title 37, United States Code, is  
19 transferred to chapter 7 of such title, inserted after section 403b, and redesignated as  
20 section 405.

21 (2) REPEAL OF TERMINATION PROVISION.—Section 405 of title 37, United States  
22 Code, as added by paragraph (1), is amended by striking subsection (f).

23 (b) ALLOWANCE FOR FUNERAL HONORS DUTY.—

1 (1) TRANSFER TO CHAPTER 7.—Section 495 of title 37, United States Code, is  
2 transferred to chapter 7 of such title, inserted after section 433a, and redesignated as  
3 section 435.

4 (2) REPEAL OF TERMINATION PROVISION.—Section 435 of title 37, United States  
5 Code, as added by paragraph (1), is amended by striking subsection (c).

6 (d) CLERICAL AMENDMENTS.—

7 (1) CHAPTER 7.—The table of sections at the beginning of chapter 7 of title 37,  
8 United States Code, is amended—

9 (A) by inserting after the item relating to section 403b the following new

10 item:

“405. Travel and transportation allowances: per diem while on duty outside the continental United States.”; and

11 (B) by inserting after the item relating to section 433a the following new

12 item:

“435. Funeral honors duty: allowance.”.

13 (2) CHAPTER 8.—The table of sections at the beginning of chapter 8 of title 37,  
14 United States Code, is amended by striking the items relating to sections 475 and 495.

15 **SEC. 603. REST AND RECUPERATION LEAVE AND FOREIGN HOLIDAY LEAVE.**

16 (a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended  
17 by adding at the end the following new sections:

18 **“§6329d. Rest and recuperation leave**

19 “(a) DEFINITIONS.—In this section—

20 “(1) the term ‘agency’ means an Executive agency (as defined in section 105),  
21 excluding the Government Accountability Office;

1           “(2) the term ‘combat zone’ means a geographic area designated by an Executive  
2 Order of the President as an area in which the Armed Forces are engaging or have  
3 engaged in combat, an area designated by law to be treated as a combat zone, or a  
4 location the Department of Defense has certified for combat zone tax benefits due to its  
5 direct support of military operations;

6           “(3) the term ‘employee’ has the meaning given that term in section 6301;

7           “(4) the term ‘high risk, high threat post’ has the meaning given that term in  
8 section 104 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22  
9 U.S.C. 4803); and

10           “(5) the term ‘leave year’ means the period beginning on the first day of the first  
11 complete pay period in a calendar year and ending on the day immediately before the first  
12 day of the first complete pay period in the following calendar year.

13           “(b) LEAVE FOR REST AND RECUPERATION.—

14           “(1) IN GENERAL.—The head of an agency may grant up to 20 days of paid leave,  
15 per leave year, to a civilian employee of the agency serving in a combat zone or other  
16 high risk, high threat post for the purposes of rest and recuperation.

17           “(2) CONVERSION OF LEAVE PERIOD INTO HOURS.—The 20 days of leave referred  
18 to in paragraph (1) shall be converted to 160 hours of leave for full-time employees and  
19 proportionally adjusted for employees with a part-time tour of duty or an uncommon tour  
20 of duty in which the hours for which leave may be charged are in excess of 80 hours in a  
21 biweekly pay period.

22           “(c) DISCRETIONARY AUTHORITY OF AGENCY HEAD.—Use of the authority under  
23 subsection (b) is at the sole and exclusive discretion of the head of the agency concerned. The

1 head of the agency may prescribe agency-wide policies to govern the use of the authority within  
2 the agency.

3 “(d) RECORDS.—An agency shall record leave provided under this section separately  
4 from leave authorized under any other provision of law.

5 **“§6329e. Foreign holiday leave**

6 “(a) DEFINITIONS.—In this section—

7 “(1) the term ‘agency’ means an Executive agency (as defined in section 105),  
8 excluding the Government Accountability Office;

9 “(2) the term ‘employee’ has the meaning given that term in section 6301; and

10 “(3) the term ‘leave year’ means the period beginning on the first day of the first  
11 complete pay period in a calendar year and ending on the day immediately before the first  
12 day of the first complete pay period in the following calendar year.

13 “(b) LEAVE FOR LOCAL HOLIDAYS OBSERVED IN FOREIGN AREAS.—The head of an  
14 agency may grant up to 5 days of paid leave, per leave year, under this section to a civilian  
15 employee of the agency serving in a foreign area for local holidays observed in the foreign  
16 area—

17 “(1) if the head of the agency determines that the conduct of business during the  
18 local holidays would be inconsistent with host-country practice or otherwise not in the  
19 best interest of the United States; or

20 “(2) for such other reasons as the head of the agency determines necessary to  
21 advance the diplomatic interests of the United States.

22 “(c) DISCRETIONARY AUTHORITY OF AGENCY HEAD.—Use of the authority under  
23 subsection (b) is at the sole and exclusive discretion of the head of the agency concerned. The

1 head of the agency may prescribe agency-wide policies to govern the use of the authority within  
2 the agency.

3 “(d) RECORDS.—An agency shall record leave provided under this section separately  
4 from leave authorized under any other provision of law.”.

5 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is  
6 amended by inserting after the item relating to section 6329c the following new items:

“6329d. Rest and recuperation leave.

“6329e. Foreign holiday leave.”.

7 **SEC. 604. MODIFICATION OF BRIEFING REQUIREMENT ON DEFENSE**

8 **COMMISSARY SYSTEM.**

9 Section 2481(c)(4) of title 10, United States Code, is amended, in the matter preceding  
10 subparagraph (A)—

11 (1) by striking “a quarterly basis” and inserting “an annual basis”;

12 (2) by striking “provide to” and inserting “submit to”; and

13 (3) by striking “a briefing” and inserting “a written report”.

14 **TITLE VII—[RESERVED]**

15 **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT,**

16 **AND RELATED MATTERS**

17 **SEC. 801. REVISION OF AUTHORITY FOR PROCEDURES TO ALLOW RAPID**

18 **ACQUISITION AND DEPLOYMENT OF CAPABILITIES NEEDED**

19 **UNDER SPECIFIED HIGH-PRIORITY CIRCUMSTANCES.**

20 (a) REVISION AND CODIFICATION OF RAPID ACQUISITION AUTHORITY.—

21 (1) IN GENERAL.— Chapter 137 of title 10, United States Code, is amended by

22 inserting after section 2316 the following new section:

1 **“§ 2317. Procedures for urgent acquisition and deployment of capability needed in**  
2 **response to urgent operational needs or vital national security interest**

3 “(a) PROCEDURES.—

4 “(1) IN GENERAL.—The Secretary of Defense shall prescribe procedures for the  
5 urgent acquisition and deployment of capability needed in response to urgent operational  
6 needs. The capabilities for which such procedures may be used in response to an urgent  
7 operational need are those—

8 “(A) that, subject to such exceptions as the Secretary considers appropriate  
9 for purposes of this section—

10 “(i) can be fielded within a period of two to 24 months;

11 “(ii) do not require substantial development effort;

12 “(iii) are based on technologies that are proven and available; and

13 “(iv) can appropriately be acquired under fixed price contracts; or

14 “(B) that can be developed or procured under a section 804 rapid  
15 acquisition pathway.

16 “(2) DEFINITION.—In this section, the term ‘section 804 rapid acquisition  
17 pathway’ means the rapid fielding acquisition pathway or the rapid prototyping  
18 acquisition pathway authorized under section 804 of the National Defense Authorization  
19 Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S. C. 2302 note).

20 “(b) MATTERS TO BE INCLUDED.—The procedures prescribed under subsection (a) shall  
21 include the following:

1           “(1) A process for streamlined communications between the Chairman of the  
2 Joint Chiefs of Staff, the acquisition community, and the research and development  
3 community, including—

4                   “(A) a process for the commanders of the combatant commands and the  
5 Chairman of the Joint Chiefs of Staff to communicate their needs to the  
6 acquisition community and the research and development community; and

7                   “(B) a process for the acquisition community and the research and  
8 development community to propose capability that meet the needs communicated  
9 by the combatant commands and the Chairman of the Joint Chiefs of Staff.

10           “(2) Procedures for demonstrating, rapidly acquiring, and deploying a capability  
11 proposed pursuant to paragraph (1)(B), including—

12                   “(A) a process for demonstrating performance and evaluating for current  
13 operational purposes the performance of the capability;

14                   “(B) a process for developing an acquisition and funding strategy for the  
15 deployment of the capability; and

16                   “(C) a process for making deployment and utilization determinations  
17 based on information obtained pursuant to subparagraphs (A) and (B).

18           “(3) A process to determine the disposition of a capability, including termination  
19 (demilitarization or disposal), continued sustainment, or transition to a program of record.

20           “(4) Specific procedures in accordance with the guidance developed under section  
21 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-  
22 92; 10 U.S. C. 2302 note).



1           “(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL

2   NEEDS.—

3           “(1) DETERMINATION OF NEED FOR URGENT ACQUISITION AND DEPLOYMENT.—

4           “(A) In the case of any capability that, as determined in writing by the  
5   Secretary of Defense, is urgently needed to eliminate a documented deficiency  
6   that has resulted in combat casualties, or is likely to result in combat casualties,  
7   the Secretary may use the procedures developed under this section in order to  
8   accomplish the urgent acquisition and deployment of the needed capability.

9           “(B) In the case of any capability that, as determined in writing by the  
10   Secretary of Defense, is urgently needed to eliminate a documented deficiency  
11   that impacts an ongoing or anticipated contingency operation and that, if left  
12   unfulfilled, could potentially result in loss of life or critical mission failure, the  
13   Secretary may use the procedures developed under this section in order to  
14   accomplish the urgent acquisition and deployment of the needed capability.

15           “(C)(i) In the case of any cyber capability that, as determined in writing by  
16   the Secretary of Defense, is urgently needed to eliminate a deficiency that as the  
17   result of a cyber attack has resulted in critical mission failure, the loss of life,  
18   property destruction, or economic effects, or if left unfilled is likely to result in  
19   critical mission failure, the loss of life, property destruction, or economic effects,  
20   the Secretary may use the procedures developed under this section in order to  
21   accomplish the urgent acquisition and deployment of the needed offensive or  
22   defensive cyber capability.

1                   “(ii) In this subparagraph, the term ‘cyber attack’ means a deliberate  
2                   action to alter, disrupt, deceive, degrade, or destroy computer systems or networks  
3                   or the information or programs resident in or transiting these systems or networks.

4                   “(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—

5                   “(A)(i) Except as provided under clause (ii), whenever the Secretary  
6                   makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that a  
7                   capability is urgently needed to eliminate a deficiency described in that  
8                   subparagraph, the Secretary shall designate a senior official of the Department of  
9                   Defense to ensure that the needed capability is acquired and deployed as quickly  
10                  as possible, with a goal of awarding a contract for the acquisition of the capability  
11                  within 15 days.

12                  “(ii) Clause (i) does not apply to an acquisition initiated in the case of a  
13                  determination by the Secretary that funds are necessary to immediately initiate a  
14                  project under a section 804 rapid acquisition pathway if the designated official for  
15                  acquisitions using such pathway is a service acquisition executive.

16                  “(B) Upon designation of a senior official under subparagraph (A) with  
17                  respect to a needed capability, the Secretary shall authorize that official to waive  
18                  any provision of law or regulation described in subsection (d) that such official  
19                  determines in writing would unnecessarily impede the urgent acquisition and  
20                  deployment of the needed capability. In a case in which the needed capability  
21                  cannot be acquired without an extensive delay, the senior official shall require  
22                  that an interim solution be implemented and deployed using the procedures

1 developed under this section to minimize adverse consequences resulting from the  
2 urgent need.

3 “(3) USE OF FUNDS.—

4 “(A) In any fiscal year in which the Secretary makes a determination  
5 described in subparagraph (A), (B), or (C) of paragraph (1), or upon the Secretary  
6 making a determination that funds are necessary to immediately initiate a project  
7 under a section 804 rapid acquisition pathway based on compelling national  
8 security need, the Secretary may use any funds available to the Department of  
9 Defense if the determination includes a written finding that the use of such funds  
10 is necessary to address in a timely manner the deficiency documented or  
11 identified under such subparagraph (A), (B), or (C) or the compelling national  
12 security need identified for purposes of such section 804 pathway, respectively.

13 “(B) Except as provided under subparagraph (C), the authority provided  
14 by this section may only be used to acquire capability—

15 “(i) in the case of determinations by the Secretary under paragraph  
16 (1)(A), in an amount aggregating not more than \$200,000,000 during any  
17 fiscal year;

18 “(ii) in the case of determinations by the Secretary under paragraph  
19 (1)(B), in an amount aggregating not more than \$200,000,000 during any  
20 fiscal year;

21 “(iii) in the case of determinations by the Secretary under  
22 paragraph (1)(C), in an amount aggregating not more than \$200,000,000  
23 during any fiscal year; and

1                   “(iv) in the case of a determination by the Secretary that funds are  
2                   necessary to immediately initiate a project under a section 804 rapid  
3                   acquisition pathway, in an amount aggregating not more than  
4                   \$200,000,000 during any fiscal year.

5                   “(C) For each fiscal year, the limits set forth in clauses (i) and (ii) of  
6                   subparagraph (B) do not apply to the exercise of authority under such clauses  
7                   provided that the total amount of capabilities acquired as provided under such  
8                   subparagraph does not exceed \$800,000,000 during such fiscal year.

9                   “(4) Notification to congressional defense committees.—

10                   “(A) In the case of a determination by the Secretary under paragraph  
11                   (1)(A) and (1)(C), the Secretary shall notify the congressional defense committees  
12                   of the determination within 15 days after the date of the determination.

13                   “(B) In the case of a determination by the Secretary under paragraph  
14                   (1)(B), the Secretary shall notify the congressional defense committees of the  
15                   determination at least 10 days before the date on which the determination is  
16                   effective.

17                   “(C) In the case of a determination by the Secretary under paragraph  
18                   (3)(A) that funds are necessary to immediately initiate a project under a section  
19                   804 rapid acquisition pathway, the Secretary shall notify the congressional  
20                   defense committees of the determination within 10 days after the date of the use  
21                   of such funds.

22                   “(D) A notice under this paragraph shall include the following:

23                   “(i) Identification of the capability to be acquired.

1                   “(ii) The amount anticipated to be expended for the acquisition.

2                   “(iii) The source of funds for the acquisition.

3                   “(E) A notice under this paragraph shall fulfill any requirement to provide  
4 notification to Congress for a program (referred to as a ‘new start program’) that  
5 has not previously been specifically authorized by law or for which funds have  
6 not previously been appropriated.

7                   “(F) A notice under this paragraph shall be provided in consultation with  
8 the Director of the Office of Management and Budget.

9                   “(5) LIMITATION ON OFFICERS WITH AUTHORITY.—The authority to make a  
10 determination under subparagraph (A), (B), or (C) of paragraph (1) and under paragraph  
11 (3)(A) that funds are necessary to immediately initiate a project under a section 804 rapid  
12 acquisition pathway, to designate a senior official responsible under paragraph (3), and to  
13 provide notification to the congressional defense committees under paragraph (4) may be  
14 exercised only by the Secretary or Deputy Secretary of Defense.

15                   “(d) AUTHORITY TO WAIVE CERTAIN LAWS AND REGULATIONS.—

16                   “(1) AUTHORITY.—The Secretary or Deputy Secretary of Defense, for a capability  
17 required to address the needs described in subsection (c)(1) or, upon a determination  
18 described in subsection (c)(1), and the senior official designated in accordance with  
19 subsection (c)(2), with respect to that designation, is authorized to waive any provision of  
20 law or regulation addressing—

21                   “(A) the establishment of a requirement or specification for the capability  
22 to be acquired;

1                   “(B) the research, development, test, and evaluation of the capability to be  
2                   acquired;

3                   “(C) the production, fielding, and sustainment of the capability to be  
4                   acquired; or

5                   “(D) the solicitation, selection of sources, and award of the contracts for  
6                   procurement of the capability to be acquired.

7                   “(2) LIMITATIONS.—Nothing in this subsection authorizes the waiver of—

8                   “(A) the requirements of this section;

9                   “(B) any provision of law imposing civil or criminal penalties; or

10                   “(C) any provision of law governing the proper expenditure of  
11                   appropriated funds.

12                   “(e) OPERATIONAL ASSESSMENTS.—

13                   “(1) The process prescribed under subsection (b)(2)(A) for demonstrating  
14                   performance and evaluating the current operational performance of a capability proposed  
15                   pursuant to subsection (b)(1)(B) shall include the following:

16                   “(A) An operational assessment in accordance with procedures prescribed  
17                   by the Director of Operational Test and Evaluation.

18                   “(B) A requirement to provide information about any deficiency of the  
19                   capability in meeting the original requirements for the capability (as stated in a  
20                   statement of the urgent operational need or similar document) to the deployment  
21                   decision-making authority.



1 **Subtitle A—[RESERVED]**

2 **Subtitle B—Counterdrug Activities**

3 **SEC. 1011. SMALL SCALE CONSTRUCTION IN SUPPORT OF COUNTERDRUG**  
4 **ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL**  
5 **ORGANIZED CRIME.**

6 Section 284 of title 10, United States Code, is amended—

7 (1) in subsection (c), by amending paragraph (2) to read as follows:

8 “(2) SECRETARY OF STATE CONCURRENCE.—The Secretary may only provide  
9 support for a purpose described in this subsection with the concurrence of the Secretary  
10 of State.”; and

11 (2) in subsection (i)(3), by striking “\$750,000” and inserting “\$1,500,000”.

12 **Subtitle C—Counterterrorism**

13 **SEC. 1021. REVISIONS TO DEPARTMENT OF DEFENSE AUTHORITY FOR JOINT**  
14 **TASK FORCES TO SUPPORT LAW ENFORCEMENT AGENCIES**  
15 **CONDUCTING COUNTERTERRORISM AND COUNTER**  
16 **TRANSNATIONAL ORGANIZED CRIME ACTIVITIES.**

17 (a) CODIFICATION IN TITLE 10.—Chapter 15 of title 10, United States Code, is amended  
18 by adding at the end a new section consisting of—

19 (1) a heading as follows:

20 “§ 285. Authority for **joint task forces to support law enforcement agencies conducting**  
21 **counterterrorism and counter transnational organized crime activities**”; and

22 (2) a text consisting of the text of section 1022 of the National Defense  
23 Authorization Act for Fiscal Year 2004 (Public Law 108-136; 10 U.S.C. 271 note).



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

“285. Authority for joint task forces to support law enforcement agencies conducting counterterrorism and counter transnational organized crime activities.”.

3 (c) REVISIONS.—Section 285 of title 10, United States Code, as added by subsection (a),  
4 is amended—

5 (1) in subsection (b), by striking “During fiscal years 2006 through 2020, funds  
6 for drug interdiction” and inserting “Funds for drug interdiction”;

7 (2) in subsection (d)—

8 (A) by striking “(d) CONDITIONS.—(1)” and all that follows through  
9 “(2)(A) Support” and inserting “(d) CONDITIONS.—(1) Support”; and

10 (B) by striking “(B) The Secretary of Defense may waive the requirements  
11 of subparagraph (A)” and inserting “(2) The Secretary may waive the  
12 requirements of paragraph (1)”;

13 (3) by striking subsection (e) and inserting the following new subsection:

14 “(e) DEFINITIONS.—(1) In this section, the term ‘transnational organized crime’ has the  
15 meaning given such term in section 284(i) of this title.

16 “(2) For purposes of applying the definition of transnational organized crime under  
17 paragraph (1) to this section, the term ‘illegal means’, as it appears in such definition, includes  
18 the trafficking of money, human trafficking, illicit financial flows, illegal trade in natural  
19 resources and wildlife, trade in illegal drugs and weapons, and other forms of illegal means  
20 determined by the Secretary of Defense.”.

21 (d) REPEAL.—Section 1022 of the National Defense Authorization Act for Fiscal Year  
22 2004 (Public Law 108-136; 10 U.S.C. 271 note) is repealed.

1                   **Subtitle D—Miscellaneous Authorities and Limitations**

2   **SEC. 1031. CLARIFICATION OF ACTIVITIES WITH RESPECT TO THE**  
3                   **DEPARTMENT OF DEFENSE BY CERTAIN OFFICERS OF THE**  
4                   **ARMED FORCES AND CIVILIAN EMPLOYEES OF THE**  
5                   **DEPARTMENT.**

6                   (a) CLARIFICATION.—Section 1045 of the National Defense Authorization Act for Fiscal  
7   Year 2018 (10 U.S.C. 971 note prec.) is amended—

8                   (1) in subsection (a)(1)—

9                               (A) by striking “activities” and inserting “contacts”; and

10                              (B) by striking “the Department of Defense” and inserting “a Department  
11                   of Defense component in which such individual served within one year of  
12                   retirement or separation”;

13                   (2) in subsection (b)(1)—

14                              (A) by striking “activities” and inserting “contacts”; and

15                              (B) by striking “the Department of Defense” and inserting “a Department  
16                   of Defense component in which such individual served within one year of  
17                   retirement or separation”;

18                   (3) by redesignating subsection (c) as subsection (d);

19                   (4) by inserting after subsection (b) the following new subsection:

20                   “(c) SPECIAL RULE FOR CERTAIN APPOINTEES.—Notwithstanding any other provision of  
21   this section, for purposes of applying the prohibitions in subsections (a)(1) and (b)(1) with  
22   respect to an individual who is employed at a rate of pay specified in or fixed according to

1 subchapter II of chapter 53 of title 5, United States Code, the Department of Defense shall be  
2 treated as a single component.”; and

3 (5) in subsection (d) (as redesignated by paragraph (3) of this subsection)—

4 (A) in paragraph (1)—

5 (i) by redesignating subparagraphs (A) and (B) as clauses (i) and

6 (ii), respectively;

7 (ii) in the matter preceding clause (i) (as so redesignated), by

8 striking “The term ‘lobbying activities with respect to the Department of

9 Defense’ means the following” and inserting the following: “(A) The term

10 ‘lobbying contacts with respect to a Department of Defense component in

11 which such individual served within one year of retirement or separation’

12 means, subject to subparagraph (B), the following.”;

13 (iii) in clause (i) (as so redesignated)—

14 (I) by striking “and other lobbying activities”; and

15 (II) by striking “the Department of Defense” and inserting

16 “a Department of Defense component in which such individual

17 served within one year of retirement or separation”;

18 (iv) in clause (ii) (as so redesignated), by striking “the Department

19 of Defense” and inserting “a Department of Defense component in which

20 such individual served within one year of retirement or separation”; and

21 (v) by adding at the end the following new subparagraph:

22 “(B) Such term does not include communications and appearances described in

23 section 207(j) of title 18, United States Code.”;

1 (B) in paragraph (2), by striking “The terms ‘lobbying activities’ and  
2 ‘lobbying contacts’ have the meaning given such terms” and inserting “The term  
3 ‘lobbying contacts’ has the meaning given such term”; and

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

5 “(4) The term ‘Department of Defense component’ means—

6 “(A) an agency or bureau of the Department of Defense designated by the  
7 Director of the Office of Government Ethics as a separate department or agency  
8 under subsection (h) of section 207 of title 18, United States Code, for purposes of  
9 subsection (c) of such section; and

10 “(B) an element of the Department of Defense that has not been so  
11 designated, except that all such elements shall be collectively treated as a single  
12 Department of Defense component.”.

13 (b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if  
14 enacted on December 12, 2017, immediately following the enactment of the National Defense  
15 Authorization Act for Fiscal Year 2018 (Public Law 115–91).

16 **SEC. 1032. PROVISION OF GOODS AND SERVICES AT KWAJALEIN ATOLL,**  
17 **REPUBLIC OF THE MARSHALL ISLANDS.**

18 (a) IN GENERAL.—Chapter 767 of title 10, United States Code, is amended by adding at  
19 the end the following new section:

20 **“§7596. Goods and services at Kwajalein Atoll**

21 “(a) AUTHORITY.—(1) Subject to the requirements of this section, the Secretary of the  
22 Army may, with the concurrence of the Secretary of State, provide goods and services, including

1 inter-atoll transportation, to the Government of the Republic of the Marshall Islands and to other  
2 eligible patrons, as determined by the Secretary, at Kwajalein Atoll.

3 “(2) The Secretary may not provide goods or services under this section if doing so  
4 would be inconsistent, as determined by the Secretary of State, with the Compact of Free  
5 Association between the Government of the United States of America and the Government of the  
6 Republic of the Marshall Islands or any subsidiary agreement or implementing arrangement.

7 “(b) REIMBURSEMENT.—(1) The Secretary of the Army may collect reimbursement from  
8 the Government of the Republic of the Marshall Islands and eligible patrons for the provision of  
9 goods and services under subsection (a).

10 “(2) Any amount collected for goods or services under this subsection shall not be greater  
11 than the total amount of the actual costs to the United States of providing the goods or services.

12 “(c) NECESSARY EXPENSES.—Amounts appropriated to the Department of the Army may  
13 be used for all necessary expenses associated with providing goods and services under this  
14 section.

15 “(d) REGULATIONS.—The Secretary of the Army shall issue regulations to carry out this  
16 section.”.

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

“7596. Goods and services at Kwajalein Atoll.”.

19 **SEC. 1033. REPEAL OF HARDSHIP EXEMPTION FROM ABSENTEE VOTING**

20 **REQUIREMENTS APPLICABLE TO STATES.**

21 Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C.  
22 20302) is amended—

23 (1) in subsection (a)(8)(A), by striking “except as provided in subsection (g),”;

1 (2) by striking subsection (g); and

2 (3) by redesignating subsections (h) and (i) as subsections (g) and (h),

3 respectively.

4 **SEC. 1034. EXTENSION OF REPORTING DEADLINE FOR THE ANNUAL REPORT**  
5 **ON THE ASSESSMENT OF THE EFFECTIVENESS OF ACTIVITIES OF**  
6 **THE FEDERAL VOTING ASSISTANCE PROGRAM.**

7 (a) ELIMINATION OF REPORTS FOR NON-ELECTION YEARS.—Section 105A(b) of the  
8 Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20308(b)) is amended, in the  
9 matter preceding paragraph (1)—

10 (1) by striking “March 31 of each year” and inserting “September 30 of each odd-  
11 numbered year”; and

12 (2) by striking “the following information” and inserting “the following  
13 information with respect to the Federal elections held during the preceding calendar  
14 year”.

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

16 (1) in the subsection heading, by striking “ANNUAL REPORT” and inserting  
17 “BIENNIAL REPORT”; and

18 (2) in paragraph (3), by striking “In the case of” and all that follows through “a  
19 description” and inserting “A description”.

20 **SEC. 1035. COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP**  
21 **COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.**

22 Section 171a of title 10, United States Code, is amended—

23 (1) in subsection (b)—

1 (A) by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs  
2 (4), (5), (6), (7), and (8), respectively; and

3 (B) by inserting after paragraph (2) the following new paragraph (3):  
4 “(3) The Under Secretary of Defense for Research and Engineering.”; and  
5 (2) in subsection (e)—

6 (A) in the matter preceding paragraph (1), by striking “at the same time  
7 each year that” and inserting “not later than 90 days each year after”; and

8 (B) in paragraph (1), by striking “fiscal” and inserting “calendar”.

9 **SEC. 1036. PROVIDING PROTECTION TO THE NATIONAL MUSEUM OF THE**  
10 **MARINE CORPS, THE NATIONAL MUSEUM OF THE UNITED**  
11 **STATES ARMY, THE NATIONAL MUSEUM OF THE UNITED STATES**  
12 **NAVY, AND THE NATIONAL MUSEUM OF THE UNITED STATES AIR**  
13 **FORCE.**

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

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

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

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

22 “(C) at the Heritage Center for the National Museum of the United States  
23 Navy at Washington, District of Columbia; or

1                   “(D) at the Heritage Center for the National Museum of the United States  
2                   Air Force at Wright-Patterson Air Force Base, Ohio.”.

3                   **TITLE XI— CIVILIAN PERSONNEL MATTERS**

4                   **SEC. 1101. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT**  
5                   **ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN**  
6                   **PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

7                   Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for  
8                   Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120  
9                   Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act  
10                  for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and as most recently amended by  
11                  section 1104 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-  
12                  92), is further amended by striking “2021” and inserting “2022”.

13                  **SEC. 1102. AUTHORITY TO PROVIDE TRAVEL AND TRANSPORTATION**  
14                  **ALLOWANCES IN CONNECTION WITH TRANSFER CEREMONIES**  
15                  **OF DEPARTMENT OF DEFENSE AND COAST GUARD CIVILIAN**  
16                  **EMPLOYEES WHO DIE OVERSEAS.**

17                  (a) TRAVEL AND TRANSPORTATION ALLOWANCES.—

18                  (1) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is  
19                  amended by adding at the end the following new section:

20                  **“§1492. Authority to provide travel and transportation allowances in connection with**  
21                  **transfer ceremonies of Department of Defense and Coast Guard civilian**  
22                  **employees who die overseas**



1           “The Secretary of the military department concerned, the agency head of a Defense  
2 Agency or Department of Defense Field Activity, or the Secretary of Homeland Security, as  
3 appropriate, may provide round trip travel and transportation allowances in connection with  
4 ceremonies for the transfer of a Department of Defense or Coast Guard civilian employee who  
5 dies while located or serving overseas to eligible relatives and provide for the accompaniment of  
6 such persons to the same extent as the Secretary of Defense may provide such travel and  
7 transportation allowances and accompaniment services to such persons with respect to a  
8 deceased service member under chapter 8 of title 37.”.

9           (2) CLERICAL AMENDMENT.—The table of chapters at the beginning of such subchapter is  
10 amended by adding at the end the following new item:

          “Sec. 1492. Authority to provide travel and transportation allowances in connection with transfer ceremonies of  
          Department of Defense and Coast Guard civilian employees who die overseas.”.

11           (b) TECHNICAL AMENDMENTS.—Section 481f(d) of title 37, United States Code, is  
12 amended—

13                   (1) in the subsection heading, by striking “TRANSPORTATION TO” and inserting  
14 “TRAVEL AND TRANSPORTATION ALLOWANCES IN CONNECTION WITH”; and

15                   (2) in paragraph (1) in the matter preceding subparagraph (A), by striking  
16 “transportation to” and inserting “travel and transportation allowances in connection  
17 with”.

18 **SEC. 1103. ENHANCEMENT OF CAPABILITIES TO MANAGE CIVILIAN FACULTY**  
19 **AT ARMY, NAVY, AND AIR FORCE EDUCATIONAL INSTITUTIONS.**

20           (a) FACULTY MEMBERS AT ARMY INSTITUTIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

6 (c) FACULTY MEMBERS AT AIR FORCE INSTITUTIONS.—Section 9371 of such title is  
7 amended by striking subsection (c) and inserting the following new subsections:

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

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

## 15 **TITLE XII— MATTERS RELATING TO FOREIGN NATIONS**

### 16 **Subtitle A—Assistance and Training**

#### 17 **SEC. 1201. CROSS FISCAL YEAR AUTHORITY FOR PROGRAMS TO PROVIDE** 18 **ASSISTANCE TO THE NATIONAL SECURITY FORCES OF FOREIGN** 19 **COUNTRIES.**

20 Section 333(g)(2) of title 10, United States Code, is amended—

21 (1) by striking subparagraph (B);

22 (2) in subparagraph (A), by striking “second” and inserting “fourth”; and

1           (3) by striking “(2)” and all that follows through “(A) IN GENERAL.—Amounts  
2 available in a fiscal year” and inserting the following: “(2) AVAILABILITY OF FUNDS FOR  
3 PROGRAMS ACROSS FISCAL YEARS.—Amounts available in a fiscal year”.

4 **SEC. 1202. AUTHORITY TO REIMBURSE NATIONAL GUARD AND RESERVE**  
5 **SALARIES FOR CERTAIN ACTIVITIES IN SUPPORT OF THE**  
6 **DEPARTMENT OF STATE.**

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

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

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

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

13           “(2) Sales that”;

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

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

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

18           “(A) the Coast Guard; and

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

1 **Subtitle B—[RESERVED]**

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

3 **SEC. 1221. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER**  
4 **THE ISLAMIC STATE OF IRAQ AND SYRIA.**

5 (a) EXTENSION.—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck”  
6 McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128  
7 Stat. 3559), as most recently amended by section 1221 of the National Defense Authorization  
8 Act for Fiscal year 2020 (Public Law 116–92), is further amended by striking “December 31,  
9 2020” and inserting “December 31, 2021”.

10 (b) FUNDING.—Subsection (g) of such section 1236, as most recently so amended, is  
11 further amended by striking “fiscal year 2020” and inserting “fiscal year 2021”.

12 **SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE**  
13 **VETTED SYRIAN OPPOSITION.**

14 Subsection (a) of section 1209 of the Carl Levin and Howard P. “Buck” McKeon  
15 National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541),  
16 as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal  
17 year 2020 (Public Law 116–92), is further amended in the matter preceding paragraph (1) by  
18 striking “December 31, 2020” and inserting “December 31, 2021”.

19 **SEC. 1223. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND**  
20 **ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN**  
21 **IRAQ.**

22 Subsections (c) and (d) of section 1215 of the National Defense Authorization Act for  
23 Fiscal Year 2012 (10 U.S.C. 113 note), as most recently amended by section 1223 of the

1 National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), are each  
2 amended by striking “fiscal year 2020” and inserting “fiscal year 2021”.

3 **TITLE XIII— COOPERATIVE THREAT REDUCTION**

4 **SEC. 1301. AUTHORITY TO CARRY OUT DEPARTMENT OF DEFENSE**

5 **COOPERATIVE THREAT REDUCTION PROGRAM.**

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

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

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

16 **SEC. 1302. USE OF CONTRIBUTIONS TO DEPARTMENT OF DEFENSE**

17 **COOPERATIVE THREAT REDUCTION PROGRAM.**

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

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

22 (2) in subsection (a)(1)—

1 (A) by striking “agreements with any person” and inserting the following:  
2 “agreements with—  
3 “(A) any person”;  
4 (B) in subparagraph (A), as designated by subparagraph (A) of this  
5 paragraph, by striking the period and inserting “; and”; and  
6 (C) by adding at the end the following new subparagraph:  
7 “(B) a foreign government or international organization under which the  
8 Department of Defense may contribute to a program of such foreign government  
9 or international organization that is intended to accomplish goals described in  
10 section 1321(a).”.

11 (b) CONFORMING AMENDMENTS.—Such section is further amended—  
12 (1) in subsection (b), by striking “subsection (a)” and inserting “subsection  
13 (a)(1)(A)”;  
14 (2) in subsection (c), by striking “subsection (a)” and inserting “subsection  
15 (a)(1)(A)”;  
16 (3) in subsection (d)—  
17 (A) in paragraph (1)—  
18 (i) in the matter preceding subparagraph (A), by striking “funds  
19 contributed” and inserting “or contributing funds”; and  
20 (ii) in subparagraph (B), by inserting “or identifying the foreign  
21 government or international organization who received the contribution, as  
22 the case may be” before the period; and

1 (B) in paragraph (2), by striking “subsection (a)” and inserting “subsection  
2 (a)(1)(A)””; and  
3 (4) in subsection (e)(1), by striking “subsection (a)” and inserting “subsection  
4 (a)(1)(A)”.

## 5 **TITLE XIV—OTHER AUTHORIZATIONS**

### 6 **Subtitle A—Military Programs**

#### 7 **SEC. 1401. WORKING CAPITAL FUNDS.**

8 Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the  
9 Armed Forces and other activities and agencies of the Department of Defense for providing  
10 capital for working capital and revolving funds in the amount of \$1,348,910,000.

#### 11 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be  
13 appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise  
14 provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of  
15 \$889,500,000 of which—

16 (1) \$106,691,000 is for Operation and Maintenance;

17 (2) \$782,193,000 is for Research, Development, Test, and Evaluation; and

18 (3) \$616,000 is for Procurement.

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

21 (1) the destruction of lethal chemical agents and munitions in accordance with  
22 section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521);  
23 and



1 (2) the destruction of chemical warfare materiel of the United States that is not  
2 covered by section 1412 of such Act.

3 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE.**

4 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
5 year 2021 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug  
6 Activities, Defense, in the amount of \$769,629,000.

7 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

8 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
9 year 2021 for expenses, not otherwise provided for, for the Office of the Inspector General of the  
10 Department of Defense, in the amount of \$371,439,000 of which—

11 (1) \$369,483,000 is for Operation and Maintenance;

12 (2) \$1,098,000 is for Research, Development, Test and Evaluation; and

13 (3) \$858,000 is for Procurement.

14 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

15 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
16 year 2021 for expenses, not otherwise provided for, for the Defense Health Program, in the  
17 amount of \$32,690,372,000 of which—

18 (1) \$31,349,553,000 is for Operation and Maintenance;

19 (2) \$562,465,000 is for Research, Development, Test, and Evaluation;

20 (3) \$617,926,000 is for Procurement; and

21 (4) \$160,428,000 is for Software and Digital Technology Pilot Programs.

1 **Subtitle B—Other Matters**

2 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF**  
3 **DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL**  
4 **FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A.**  
5 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

6 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated  
7 for section 1405 and available for the Defense Health Program for operation and maintenance,  
8 \$137,000,000 may be transferred by the Secretary of Defense to the Joint Department of  
9 Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by  
10 subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010  
11 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any  
12 funds so transferred shall be treated as amounts authorized and appropriated specifically for the  
13 purpose of such a transfer.

14 (b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section  
15 1704, facility operations for which funds transferred under subsection (a) may be used are  
16 operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North  
17 Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting  
18 facilities designated as a combined Federal medical facility under an operational agreement  
19 covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal  
20 Year 2009 (Public Law 110-417; 122 Stat. 4500).

21 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES**  
22 **RETIREMENT HOME.**



1 (4) For other procurement, Navy, \$343,526,000.

2 (5) For procurement, Marine Corps, \$47,963,000.

3 **SEC. 1504. AIR FORCE PROCUREMENT.**

4 Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement for  
5 the Air Force in amounts as follows:

6 (1) For aircraft procurement, \$569,155,000.

7 (2) For missile procurement, \$223,772,000.

8 (3) For ammunition procurement, \$802,455,000.

9 (4) For other procurement, \$355,339,000.

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

11 Funds are hereby authorized to be appropriated for fiscal year 2021 for the procurement  
12 account for Defense-wide activities in the amount of \$258,491,000.

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

14 Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the  
15 Department of Defense for research, development, test, and evaluation as follows:

16 (1) For the Army, \$182,824,000.

17 (2) For the Navy, \$59,562,000.

18 (3) For the Air Force, \$5,304,000.

19 (4) For Defense-wide activities, \$82,818,000.

20 **SEC. 1507. OPERATION AND MAINTENANCE.**

21 Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the  
22 Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in  
23 amounts as follows:

- 1 (1) For the Army, \$17,137,754,000.
- 2 (2) For the Navy, \$10,700,305,000.
- 3 (3) For the Marine Corps, \$1,102,600,000.
- 4 (4) For the Air Force, \$17,930,020,000.
- 5 (5) For the Space Force, \$77,115,000.
- 6 (6) For Defense-wide activities, \$6,022,254,000.
- 7 (7) For the Army Reserve, \$33,399,000.
- 8 (8) For the Navy Reserve, \$21,492,000.
- 9 (9) For the Marine Corps Reserve, \$8,707,000.
- 10 (10) For the Air Force Reserve, \$30,090,000.
- 11 (11) For the Army National Guard, \$79,792,000.
- 12 (12) For the Air National Guard, \$175,642,000.
- 13 (13) For the Afghanistan Security Forces Fund, \$4,015,612,000.
- 14 (14) Counter-Islamic State of Iraq and Syria Train and Equip Fund, \$845,000,000.

15 **SEC. 1508. MILITARY PERSONNEL.**

16 Funds are hereby authorized to be appropriated for fiscal year 2021 to the Department of  
17 Defense for military personnel accounts in the total amount of \$4,602,593,000.

18 **SEC. 1509. WORKING CAPITAL FUNDS.**

19 Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the  
20 Armed Forces and other activities and agencies of the Department of Defense for providing  
21 capital for working capital and revolving funds in the amount of \$20,090,000.

22 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

1 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
2 year 2021 for expenses, not otherwise provided for, for the Defense Health Program in the  
3 amount of \$365,098,000 for operation and maintenance.

4 **SEC. 1511. DEFENSE INSPECTOR GENERAL.**

5 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal  
6 year 2021 for expenses, not otherwise provided for, for the Office of the Inspector General of the  
7 Department of Defense in the amount of \$24,069,000.

8 **TITLE XVI— STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE**  
9 **MATTERS**

10 **Subtitle A—[RESERVED]**

11 **Subtitle B—[RESERVED]**

12 **Subtitle C—[RESERVED]**

13 **Subtitle D—[RESERVED]**

14 **Subtitle E—Missile Defense Programs**

15 **SEC. 1641. REPEAL OF REQUIREMENT TO TRANSITION BALLISTIC MISSILE**  
16 **DEFENSE PROGRAMS TO THE MILITARY DEPARTMENTS.**

17 Effective October 1, 2020, section 1676(b) of the National Defense Authorization Act for  
18 Fiscal Year 2018 (P.L. 115-91; 10 U.S.C. 2431 note) is repealed.

19 **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

20 **TITLE XXI—[RESERVED]**

21 **TITLE XXII—[RESERVED]**

22 **TITLE XXIII—[RESERVED]**

1 **TITLE XXIV—[RESERVED]**

2 **TITLE XXV—[RESERVED]**

3 **TITLE XXVI—[RESERVED]**

4 **TITLE XXVII—[RESERVED]**

5 **TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**

6 **SEC. 2801. CONSTRUCTION REQUIREMENTS RELATED TO ANTITERRORISM**

7 **AND FORCE PROTECTION OR URBAN-TRAINING OPERATIONS.**

8 Section 2859 of title 10, United States Code, is amended by striking subsection (c).