

TITLE III—OPERATION AND MAINTENANCE

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations (sec. 301)

The Senate bill contained a provision (sec. 301) that would authorize appropriations for operation and maintenance activities at the levels identified in section 4301 of division D of this Act.

The House amendment contained an identical provision (sec. 301).

The conference agreement includes this provision.

SUBTITLE B—ENERGY AND THE ENVIRONMENT

Modified reporting requirement related to installations energy management (sec. 311)

The Senate bill contained a provision (sec. 302) that would amend subsection (a) of section 2925 of title 10, United States Code, by significantly reducing the contents of the Department of Defense's Annual Energy Management Report.

The House amendment contained a similar provision (sec. 331) that would modify subsection (a) and (b) of section 2925 of title 10, United States Code, to modify and extend, with a sunset date of January 31, 2021, the ``Annual Report Related to Installations Energy Management'' and the ``Annual Report Related to Operational Energy. ''

The House recedes with a technical amendment.

Waiver authority for alternative fuel procurement requirement (sec. 312)

The House amendment contained a provision (sec. 311) that would amend section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140) to clarify that this section

shall not be construed as a constraint on any conventional or unconventional fuel procurement necessary for military operations.

The Senate bill contained no similar provision.

The Senate recesses with an amendment that would allow the Secretary of Defense to waive section 526 of the Energy Independence and Security Act of 2007 if in the interest of national security.

Utility data management for military facilities (sec. 313)

The Senate bill contained a provision (sec. 304) that would direct the Department of Defense, in consultation with the Department of Energy, to develop a pilot program to investigate the utilization of utility data management services to perform utility bill aggregation, analysis, third-party payment, storage and distribution.

The House amendment contained no similar provision.

The House recesses with an amendment that would provide permissive authority to the Secretary of Defense to develop a utility data management program with a funding cap of \$250,000.

Alternative technologies for munitions disposal (sec. 314)

The House amendment contained a provision (sec. 313) that authorizes the Secretary of the Army to consider using cost-competitive technologies that minimize waste generation and air emissions as alternatives to disposal of conventional munitions by open burning, open detonation, direct contact combustion, and incineration.

The Senate bill contained no similar provision.

The Senate recesses.

Report on efforts to reduce high energy costs at military installations (sec. 315)

The Senate bill contained a provision (sec. 303) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the assistant secretaries responsible for energy installations and environment for the military services and the Defense Logistics Agency, to conduct an assessment of the efforts to achieve cost savings at military installations with high energy costs.

The House amendment contained no similar provision.

The House recesses with an amendment to clarify the focus on installations with high levels of energy intensity.

Sense of Congress on funding decisions relating to climate change (sec. 316)

The House amendment contained a provision (sec. 315) that would prohibit the Department of Defense from obligating or expending any funds in fiscal year 2017 to carry out sections 2, 3, 4, 5, 6(b) (iii), and 6(c) of Executive Order 13653 and sections 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, and 15(b) of Executive Order 13693.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would provide the Sense of Congress that Fiscal Year 2017 funding decisions for the Department should be based on supporting and increasing combat capability, in addition to constantly seeking efficiency and efficacy. Additionally, the Department's programs should allocate funds in a manner that best serves our national security interests. Accordingly, the conferees believe that the collective issues regarding energy efficiency, energy use, and climate change should adhere to these principles.

SUBTITLE C—LOGISTICS AND SUSTAINMENT

Revision of deployability rating system and planning reform (sec. 321)

The Senate bill contained a provision (sec. 311) that would amend Chapter 1003 of title 10, United States Code, requiring the Secretary of the Army to maintain a system for identifying the priority of deployment for units of all components of the Army.

The House amendment contained an identical provision (sec. 523).

The conference agreement includes this provision.

Revision of guidance related to corrosion control and prevention executives (sec. 322)

The Senate bill contained a provision (sec. 312) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in coordination with the Director of Corrosion Policy and Oversight, to revise corrosion-related guidance to clearly define the role of the corrosion control and prevention executives of the military departments in assisting the Office of Corrosion Policy and Oversight.

The House amendment contained no similar provision.

The House recedes.

Pilot program for inclusion of certain industrial plants in the Armament Retooling and Manufacturing Support Initiative (sec. 323)

The House amendment contained a provision (sec. 321) that would establish a pilot program for a period of five years requiring the Secretary of Defense to treat all government-owned, contractor-operated (GOCO) industrial plants of the Department of the Army as an eligible facility under section 4551(2) of title 10, United States Code.

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment that would provide permissive authority to the Secretary of Defense to consider all government-owned, contractor operated industrial plants for all military services within the Department of Defense as an eligible facility under section 4551(2) of title 10, United States Code, as part of a pilot program for a period of five years.

The conferees note this provision does not authorize GOCO industrial plants' use of Army Working Capital Funds.

Repair, recapitalization, and certification of dry docks at naval shipyards (sec. 324)

The Senate bill contained a provision (sec. 313) that would authorize amounts available as foreign currency fluctuation savings as specified in the funding table in section 4301 to be authorized to be appropriated for fiscal year 2017 by section 301 for operation and maintenance to be made available for the repair, recapitalization, and certification of dry docks at government-owned and government-operated naval shipyards.

The House amendment contained no similar provision.

The House recedes with a technical amendment that would authorize the Secretary of Defense to transfer up to \$250 million of authorizations made available in this Act to the Department of Defense towards the repair, recapitalization, and certification of dry docks at government-owned and government-operated naval shipyards and if such a transfer occurs, the Secretary of Defense shall promptly notify Congress of the transfer.

Private sector port loading assessment (sec. 325)

The House amendment contained a provision (sec. 322) that would require the Secretary of the Navy to conduct quarterly assessments of naval ship maintenance and loading activities carried out by private sector entities at each covered port.

The Senate bill contained no similar provision.

The Senate recesses with a technical amendment that would remove the Sense of Congress.

Strategy on revitalizing Army organic industrial base (sec. 326)

The House amendment contained a provision (sec. 332) that would require the Secretary of Defense to provide a report on certain equipment purchased from foreign entities with an assessment of how that work could be performed by the Army arsenals and establish a pilot program for the period of two years to allow the Army arsenals to adjust their labor rates through the fiscal year.

The Senate bill contained no similar provision.

The Senate recesses with a technical amendment that would expand the report to include the Department of Defense organic industrial base in its entirety and strike the pilot program for adjustable labor rates.

SUBTITLE D—REPORTS

Modifications to Quarterly Readiness Report to Congress (sec. 331)

The Senate bill contained a provision (sec. 321) that would amend subsection (a) of section 482 of title 10, United States Code, modifying the Department of Defense's requirements for the Quarterly Readiness Report to Congress.

The House amendment contained no similar provision.

The House recesses.

Report on average travel costs of members of the reserve components (sec. 332)

The House amendment contained a provisions (sec. 333) that would require the Secretary of Defense to submit a report to the congressional defense committees on the travel expenses of members of the reserve components performing certain service, to include the average annual cost for all travel expenses for a member of a reserve component.

The Senate bill contained no similar provision.

The Senate recesses with an amendment that would require the report be executed by the Comptroller General of the United States.

Report on HH-60G sustainment and Combat Rescue Helicopter program (sec. 333)

The Senate bill contained a provision (sec. 322) that would require the Secretary of Defense to report to the congressional defense committees a plan to modernize, train, and maintain the HH-60 fleet.

The House amendment contained no similar provision.

The House recesses.

SUBTITLE E—OTHER MATTERS

Air navigation matters (sec. 341)

The Senate bill contained a provision (sec. 333) that would amend Section 358 of the National Defense Authorization Act for fiscal year 2011 (Public Law 111-383) to ensure that due diligence and proper assessment is given so energy projects do not interfere with operational training of the military services.

The House amendment contained a similar provision (sec. 343) that would amend section 44718 of title 49, United States Code, to authorize the Secretary of Transportation to include the interests of national security, as determined by the Secretary of Defense, in the Secretary's aeronautical studies and reports required under this statute.

The Senate recesses with an amendment that would include the due diligence and proper assessment to ensure energy projects do not interfere with operational training, and would amend title 49, United States Code, to require the Secretary of Transportation to review flight path changes at civilian airports to determine if recent adjustments have had an impact on local communities.

Contract working dogs (sec. 342)

The Senate bill contained a provision (sec. 337) that would amend Section 2583(h) of title 10, United States Code, and require each future contract with a provider of tactical explosive detection dogs to include a provision requiring the contractor to transfer the dog to the 341st Training Squadron after the animal's service life.

The House amendment contained no similar provision.

The House recesses with a technical amendment that would include the terminology a working dog that is "trained and

kenneled by an entity that provides such a dog pursuant to such a contract."

Plan, funding documents, and management review relating to explosive ordnance disposal (sec. 343)

The House amendment contained a provision (sec. 342) that would establish a joint Explosive Ordnance Disposal (EOD) program, with the Navy as executive agent for the Department of Defense, to coordinate and integrate research, development, and procurement for EOD defense programs. This section would also require the Secretary of Defense to conduct a review of the management structure of the program and to brief the results of the review to the Committees on Armed Services of the Senate and the House of Representatives by May 1, 2018.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to develop a plan to create an EOD program, in addition to requiring the Secretary of Defense to identify EOD funding documents in all military services and to conduct an EOD management review. The amendment also requires the Secretary of Defense to brief both the results of the management review and the details of the plan to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2017.

Process for communicating availability of surplus ammunition (sec. 344)

The House amendment contained a provision (sec. 351) that would require the Secretary of Defense to implement a formal process for communicating to other Federal Government agencies the availability of surplus, serviceable ammunition from the Department of Defense.

The Senate bill contained no similar provision.

The Senate recedes.

Mitigation of risks posed by window coverings with accessible cords in certain military housing units (sec. 345)

The Senate bill contained a provision (sec. 336) that would direct the Secretary of Defense to remove and replace window coverings with accessible cords from military housing units in which children under the age of 9 reside and require housing contractors to phase out window coverings with accessible cords.

The House amendment contained no similar provision.

The House recedes with an amendment that would ensure that the requirement would be applied to contracts for housing units going forward and would not violate existing contract terms.

Access to military installations by transportation companies (sec. 346)

The Senate bill contained a provision (sec. 339) that would require the Secretary of Defense to establish policies, terms, and conditions under which online transportation networks and their drivers shall be permitted access to military installations to serve base personnel.

The House amendment contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense, within one year of enactment, to establish policies under which covered drivers may be authorized to access military installations.

Access to wireless high-speed Internet and network connections for certain members of the Armed Forces (sec. 347)

The House amendment contained a provision (sec. 350) that would encourage the Secretary of Defense to provide members of the Armed Forces who are deployed overseas at any United States military facility access to high-speed internet and network connections without charge.

The Senate bill contained no similar provision.

The Senate recedes.

Limitation on availability of funds for Office of the Under Secretary of Defense for Intelligence (sec. 348)

The House amendment contained a provision (sec. 347) that would limit the obligation or expenditure of 15 percent of the funds authorized to be appropriated for Operation and Maintenance, Defense-Wide, for the Office of the Under Secretary of Defense for Policy for fiscal year 2017, until the Secretary of Defense establishes and implements a process by which members of the Armed Forces may carry an appropriate firearm on a military installation, as required by section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92).

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would limit the obligation or expenditure of 10 percent of the funds authorized to be appropriated for Operation and Maintenance, Defense-Wide, for the Office of the Under Secretary of Defense for

Intelligence for fiscal year 2017, until the Secretary of Defense issues guidance on the process by which members of the Armed Forces may carry an appropriate firearm on a military installation, as required by section 526 of the National Defense Authorization Act for Fiscal Year 2016. The conferees note that the Under Secretary of Defense for Intelligence is the official responsible to provide the Secretary of Defense recommendations for the policy and regulations implementing the process required under section 526 of the National Defense Authorization Act for Fiscal Year 2016.

Limitation on development and fielding of new camouflage and utility uniforms (sec. 349)

The Senate bill contained a provision (sec. 332) that would restrict funds to be obligated or expended for the development or fielding of new camouflage or utility uniforms or families of uniforms until one year after the Secretary of Defense notifies the congressional defense committees of the proposed development or fielding.

The House amendment contained no similar provision.
The House recedes.

Plan for improved dedicated adversary air training enterprise of the Air Force (sec. 350)

The Senate bill contained a provision (Sec. 334) that would direct the Chief of Staff of the Air Force to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 3, 2017, a resource ready and executable plan and briefing for developing and emplacing a modernized dedicated adversary air training enterprise to support the full spectrum air combat readiness of the United States Air Force.

The House amendment contained no similar provision.
The House recedes with minor technical corrections.

Independent review and assessment of the Ready Aircrew Program of the Air Force (sec. 351)

The Senate bill contained a provision (Sec. 335) that would direct the Secretary of the Air Force to commission an independent review and assessment of the assumptions underlying the Air Force's annual continuation training requirements, and the efficacy of the overall Ready Aircrew Program in the management of the Air Force's aircrew training requirements.

The House amendment contained no similar provision.

The House recesses with minor technical corrections.

Study on space-available travel system of the Department of Defense (sec. 352)

The House amendment contained a provision (sec. 345) that would require the Secretary of Defense to conduct a study of the space-available travel system and to provide the result of the study to the congressional defense committees within 180 days after entering into a contract with a federally funded research and development center to conduct the study.

The Senate bill contained no similar provision.

The Senate recesses with an amendment that would require the study to consider the feasibility and the impact on the space-available system of extending eligibility for space-available travel to members or former members of the armed forces with a disability rated as total, on the same basis as such transportation is provided to members of the Armed Forces entitled to retired or retainer pay.

Evaluation of motor carrier safety performance and safety technology (sec. 353)

The House amendment contained a provision (sec. 348) that would require the Secretary of Defense to evaluate the need for proven safety technology such as electronic logging devices, roll stability control, forward collision avoidance, lane departure warning systems, and speed limiters in vehicles transporting Transportation Protective Services shipments.

The Senate bill contained no similar position.

The Senate recesses with a clarifying amendment that would strike the Sense of Congress but still include the findings of the Government Accountability Office (GAO) report, GAO 16-82.

LEGISLATIVE PROVISIONS NOT ADOPTED

Increase in funding for civil military programs

The House amendment contained a provision (sec. 302) that would increase funding for the National Guard Youth Challenge Program by \$15.0 million by taking a reduction from Defense-wide Operations and Maintenance funding.

The Senate bill contained no similar provision.

The House recesses.

The conferees note that the National Guard Youth Challenge program is fully funded in the conference agreement at the President's budget request level.

Linear LED lamps

The Senate bill contained a provision (sec. 305) that would amend section 2-4.1.1.2 of the Department of Defense's Unified Facilities Criteria to allow linear light emitting diode lamps for facilities and installation retrofits.

The House amendment contained no similar provision.

The Senate recesses.

The conferees note that the Department of the Navy has safely adopted the use of linear light emitting diode lamps for facilities and installation retrofits. The conferees encourage all of the military services to do so in a safe and effective manner, in order to consume less energy and realize life-cycle cost savings.

Production and use of natural gas at Fort Knox

The House amendment contained a provision (sec. 312) that would amend chapter 449 of title 10, United States Code, to grant the Secretary of the Army authority to provide for the production and management of natural gas located under Fort Knox, Kentucky.

The Senate bill contained no similar provision.

The House recesses.

Sense of Congress on perfluorinated chemicals

The House amendment contained a provision (sec. 314) that would express the sense of Congress that the Department of Defense should work with State and local health officials to prevent human exposure to perfluorinated chemicals.

The Senate bill contained no similar provision.

The House recesses.

Limitation on availability of funds for Defense Contract Management Agency

The House amendment contained a provision (sec. 323) that would limit funding for the Defense Contract Management Agency (DCMA) until the DCMA Director provides a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the agency's plan to foster the adoption, implementation, and verification of the Department of Defense's

revised Item Unique Identification policy across the Department and the defense industrial base.

The Senate bill contained no similar provision.

The House recesses.

The conferees note the importance of use of Item Unique Identification within the Department of Defense and direct the Secretary of Defense to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the agency's plan to foster the adoption, implementation, and verification of the Department of Defense's revised Item Unique Identification policy no later than 45 days after enactment of this Act.

Repurposing and reuse of surplus military firearms

The Senate bill contained a provision (sec. 331) that would require the Secretary of the Army to transfer all excess firearms, related spare parts and components, small arms ammunition, and ammunition components currently stored at Defense Distribution Depot, Anniston, Alabama to Rock Island Arsenal to be melted and repurposed for military use for re-forging of new firearms or related components and force protection barriers and security bollards. The provision would also authorize the Secretary of the Navy to transfer M-1 Garand and caliber .22 rimfire rifles held within the inventories of the United States Navy and the United States Marine Corps and stored at Defense Distribution Depot, Anniston, Alabama, or Naval Surface Warfare Center, Crane, Indiana to the Corporation for the Promotion of Rifle Practice and Firearms Safety to be used as awards for competitors in marksmanship competitions held by the United States Marine Corps or United States Navy.

The House amendment contained no similar provision.

The Senate recesses.

STARBASE Program

The Senate bill contained a provision (sec. 338) that would express a sense of Congress on the importance of the Starbase program.

The House amendment contained no similar provision.

The Senate recesses.

The conferees agree to continue funding for the Starbase program and to include an appropriate funding level in the budget tables of this bill.

Explosive Ordnance Disposal Corps

The House amendment contained a provision (sec. 341) that would amend section 3063 of title 10, United States Code, to add Explosive Ordnance Disposal Corps to the list of Army branches.

The Senate bill contained no similar provision.

The House recesses.

Development of personal protective equipment for female Marines and soldiers

The House amendment contained a provision (sec. 344) that would require the Secretary of the Navy and the Commandant of the Marine Corps to work in coordination with the Secretary of the Army to develop a joint acquisition strategy to provide more effective personal protective equipment and organizational clothing and equipment to meet the specific and unique requirements for female Marines and soldiers.

The Senate bill contained no similar provision.

The House recesses.

The conferees note that both the committee report (H. Rept. 114-537) accompanying the National Defense Authorization Act for Fiscal Year 2017 and the committee report (S. Rept. 114-255) accompanying the National Defense Authorization Act for Fiscal Year 2017 contained directive report language requiring the Secretary of Defense to report on the plans for programming, budgeting, requirements, and procurement of female specific equipment including helmets, combat clothing, body armor, footwear, and other critical safety item equipment categories. The conferees remained concerned that currently available items of personal protective equipment (PPE) and organizational clothing and individual equipment (OCIE) may not meet the specific and unique requirements for female combat troops. The conferees expect the Secretary of Defense to consider development and use of joint acquisition strategies for this equipment as part of the two reporting requirements.

Supply of specialty motors from certain manufacturers

The House amendment contained a provision (sec. 346) that would exempt certain small business manufacturers of specialty motors from the requirements of section 431.25 of title 10, Code of Federal Regulations, regarding energy conservation standards.

The Senate bill contained no similar provision.

The House recesses.

Briefing on well-drilling capabilities of active duty and reserve components

The House amendment contained a provision (sec. 349) that would require the Secretary of Defense to provide a briefing on the well-drilling capabilities of active and reserve components, including details on training requirements and locations.

The Senate bill contained no similar provision.

The House recesses.

The conferees direct the Secretary of Defense, not later than March 1, 2017, to provide the congressional defense committees with a briefing on the well drilling capabilities of active duty and reserve forces. The briefing should include a description of the training requirements of active and reserve units with well-drilling capabilities, the locations at which such units conduct training related to well-drilling, and the cost of feasibility of rotating training locations of such units to areas in the United States that are affected by drought conditions.

Increase in funding for National Guard counter-drug programs

The House amendment contained a provision (sec. 352) that would increase funding to support the National Guard counter-drug program by \$30 million.

The Senate bill contained no similar provision.

The House recesses.