

In the House of Representatives, U. S.,

December 7, 2021.

Resolved, That the bill from the Senate (S. 1605) entitled “An Act to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Defense Au-*
3 *thorization Act for Fiscal Year 2022”.*

4 ***SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF***
5 ***CONTENTS.***

6 *(a) DIVISIONS.—This Act is organized into six divi-*
7 *sions as follows:*

8 *(1) Division A—Department of Defense Author-*
9 *izations.*

10 *(2) Division B—Military Construction Author-*
11 *izations.*

12 *(3) Division C—Department of Energy National*
13 *Security Authorizations and Other Authorizations.*

14 *(4) Division D—Funding Tables.*

1 (5) *Division E—Department of State Authoriza-*
2 *tion*

3 (6) *Division F—Other Non-Department of De-*
4 *fense Matters.*

5 (b) *TABLE OF CONTENTS.—The table of contents for*
6 *this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

Sec. 5. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Modification of deployment by the Army of interim cruise missile de-
fense capability.

Sec. 112. Multiyear procurement authority for AH-64E Apache helicopters.

Sec. 113. Multiyear procurement authority for UH-60M and HH-60M Black
Hawk helicopters.

Sec. 114. Continuation of Soldier Enhancement Program.

Sec. 115. Limitation on availability of funds pending report on the Integrated
Visual Augmentation System.

Sec. 116. Strategy and authority for the procurement of components for the next
generation squad weapon.

Subtitle C—Navy Programs

Sec. 121. Extension of procurement authority for certain amphibious ship-
building programs.

Sec. 122. Extension of prohibition on availability of funds for Navy port water-
borne security barriers.

Sec. 123. Extension of report on Littoral Combat Ship mission packages.

Sec. 124. Incorporation of advanced degaussing systems into Arleigh Burke class
destroyers.

Sec. 125. Report on the potential benefits of a multiyear contract for the procure-
ment of Flight III Arleigh Burke class destroyers.

Sec. 126. Acquisition, modernization, and sustainment plan for carrier air
wings.

Sec. 127. Report on material readiness of Virginia class submarines of the Navy.

Subtitle D—Air Force Programs

- Sec. 131. Extension of inventory requirement for Air Force fighter aircraft.*
Sec. 132. Contract for logistics support for VC-25B aircraft.
Sec. 133. Prohibition on certain reductions to B-1 bomber aircraft squadrons.
Sec. 134. Prohibition on use of funds for retirement of A-10 aircraft.
Sec. 135. Limitation on availability of funds for the B-52 Commercial Engine Replacement Program.
Sec. 136. Limitation on availability of funds pending information on bridge tanker aircraft.
Sec. 137. Inventory requirements and limitations relating to certain air refueling tanker aircraft.
Sec. 138. Minimum inventory of tactical airlift aircraft.
Sec. 139. Report relating to reduction of total number of tactical airlift aircraft.

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

- Sec. 141. Implementation of affordability, operational, and sustainment cost constraints for the F-35 aircraft program.*
Sec. 142. Transfer of F-35 program responsibilities from the F-35 Joint Program Office to the Department of the Air Force and the Department of the Navy.
Sec. 143. Limitation on availability of funds for air-based and space-based ground moving target indicator capabilities.
Sec. 144. Limitation on availability of funds for procurement of aircraft systems for the armed overwatch program.
Sec. 145. Analysis of certain radar investment options.
Sec. 146. Review and briefing on fielded major weapon systems.
Sec. 147. Reports on exercise of waiver authority with respect to certain aircraft ejection seats.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*Subtitle A—Authorization of Appropriations*

- Sec. 201. Authorization of appropriations.*

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Codification of National Defense Science and Technology Strategy.*
Sec. 212. Codification of direct hire authority at personnel demonstration laboratories for advanced degree holders.
Sec. 213. Duties and regional activities of the Defense Innovation Unit.
Sec. 214. Codification of requirement for Defense Established Program to Stimulate Competitive Research.
Sec. 215. Codification of authorities relating to Department of Defense science and technology reinvention laboratories.
Sec. 216. Improvements relating to steering committee on emerging technology and national security threats.
Sec. 217. Improvements relating to national network for microelectronics research and development.
Sec. 218. Modification of mechanisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.
Sec. 219. Technical correction to pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.

- Sec. 220. Defense research and engineering activities at minority institutions.*
- Sec. 221. Test program for engineering plant of DDG(X) destroyer vessels.*
- Sec. 222. Consortium to study irregular warfare.*
- Sec. 223. Development and implementation of digital technologies for survivability and lethality testing.*
- Sec. 224. Assessment and correction of deficiencies in the pilot breathing systems of tactical fighter aircraft.*
- Sec. 225. Identification of the hypersonics facilities and capabilities of the Major Range and Test Facility Base.*
- Sec. 226. Review of artificial intelligence applications and establishment of performance metrics.*
- Sec. 227. Modification of the joint common foundation program.*
- Sec. 228. Executive education on emerging technologies for senior civilian and military leaders.*
- Sec. 229. Activities to accelerate development and deployment of dual-use quantum technologies.*
- Sec. 230. National Guard participation in microreactor testing and evaluation.*
- Sec. 231. Pilot program on the use of private sector partnerships to promote technology transition.*
- Sec. 232. Pilot program on data repositories to facilitate the development of artificial intelligence capabilities for the Department of Defense.*
- Sec. 233. Pilot programs for deployment of telecommunications infrastructure to facilitate 5G deployment on military installations.*
- Sec. 234. Limitation on development of prototypes for the Optionally Manned Fighting Vehicle pending requirements analysis.*
- Sec. 235. Limitation on transfer of certain operational flight test events and reductions in operational flight test capacity.*
- Sec. 236. Limitation on availability of funds for certain C-130 aircraft.*
- Sec. 237. Limitation on availability of funds for VC-25B aircraft program pending submission of documentation.*
- Sec. 238. Limitation on availability of funds for the High Accuracy Detection and Exploitation System.*

Subtitle C—Plans, Reports, and Other Matters

- Sec. 241. Modification to annual report of the Director of Operational Test and Evaluation.*
- Sec. 242. Adaptive engine transition program acquisition strategy for the F-35A aircraft.*
- Sec. 243. Acquisition strategy for an advanced propulsion system for F-35B and F-35C aircraft.*
- Sec. 244. Assessment of the development and test enterprise of the Air Force Research Laboratory.*
- Sec. 245. Study on efficient use of Department of Defense test and evaluation organizations, facilities, and laboratories.*
- Sec. 246. Report on autonomy integration in major weapon systems.*
- Sec. 247. Reports and briefings on recommendations of the National Security Commission on Artificial Intelligence regarding the Department of Defense.*

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Authorization of appropriations.*

Subtitle B—Energy and Environment

- Sec. 311. Inclusion of impacts on military installation resilience in the National Defense Strategy and associated documents.*
- Sec. 312. Energy efficiency targets for Department of Defense data centers.*
- Sec. 313. Grants for maintaining or improving military installation resilience.*
- Sec. 314. Maintenance of current analytical tools in evaluating energy resilience measures.*
- Sec. 315. Authority to transfer amounts derived from energy cost savings.*
- Sec. 316. Exemption from prohibition on use of open-air burn pits in contingency operations outside the United States.*
- Sec. 317. Expansion of purposes of Sentinel Landscapes Partnership program to include resilience.*
- Sec. 318. Inspection of piping and support infrastructure at Red Hill Bulk Fuel Storage Facility, Hawai‘i.*
- Sec. 319. Energy, water, and waste net-zero requirement for major military installations.*
- Sec. 320. Demonstration program on domestic production of rare earth elements from coal byproducts.*
- Sec. 321. Long-duration demonstration initiative and joint program.*
- Sec. 322. Pilot program to test new software to track emissions at certain military installations.*
- Sec. 323. Department of Defense plan to reduce greenhouse gas emissions.*

Subtitle C—National Security Climate Resilience

- Sec. 331. Definitions.*
- Sec. 332. Climate Resilience Infrastructure Initiative of the Department of Defense.*
- Sec. 333. Inclusion of information regarding extreme weather and cyber attacks or disruptions in reports on national technology and industrial base.*
- Sec. 334. Climate resilience in planning, engagement strategies, infrastructure, and force development of Department of Defense.*
- Sec. 335. Assessment of climate risks to infrastructure of Department of Defense.*

Subtitle D—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

- Sec. 341. Treatment by Department of Defense of perfluoroalkyl substances and polyfluoroalkyl substances.*
- Sec. 342. Extension of transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.*
- Sec. 343. Temporary moratorium on incineration by Department of Defense of perfluoroalkyl substances, polyfluoroalkyl substances, and aqueous film forming foam.*
- Sec. 344. Review and guidance relating to prevention and mitigation of spills of aqueous film-forming foam.*
- Sec. 345. Public disclosure of results of Department of Defense testing of water for perfluoroalkyl or polyfluoroalkyl substances.*
- Sec. 346. Review of agreements with non-Department entities with respect to prevention and mitigation of spills of aqueous film-forming foam.*
- Sec. 347. Comptroller General study on Department of Defense procurement of certain items containing certain PFAS substances.*

- Sec. 348. Report on schedule for completion of remediation of perfluoroalkyl substances and polyfluoroalkyl substances.*
- Sec. 349. Report on remediation of perfluoroalkyl substances and polyfluoroalkyl substances at certain military installations.*

Subtitle E—Logistics and Sustainment

- Sec. 351. Mitigation of contested logistics challenges of the Department of Defense through reduction of operational energy demand.*
- Sec. 352. Global bulk fuel management and delivery.*
- Sec. 353. Test and evaluation of potential biobased solution for corrosion control and mitigation.*
- Sec. 354. Pilot program on digital optimization of organic industrial base maintenance and repair operations.*
- Sec. 355. Improved oversight for implementation of Shipyard Infrastructure Optimization Program of the Navy.*
- Sec. 356. Report and certification requirements regarding sustainment costs for fighter aircraft programs.*
- Sec. 357. Comptroller General annual reviews of F-35 sustainment efforts.*

Subtitle F—Reports

- Sec. 361. Inclusion of information regarding borrowed military manpower in readiness reports.*
- Sec. 362. Annual report on material readiness of Navy ships.*
- Sec. 363. Incident reporting requirements for Department of Defense regarding lost or stolen weapons.*
- Sec. 364. Strategy and annual report on critical language proficiency of special operations forces.*

Subtitle G—Other Matters

- Sec. 371. Military Aviation and Installation Assurance Clearinghouse matters.*
- Sec. 372. Establishment of Joint Safety Council.*
- Sec. 373. Improvements and clarifications related to military working dogs.*
- Sec. 374. Extension of temporary authority to extend contracts and leases under the ARMS Initiative.*
- Sec. 375. Authority to maintain access to category 3 subterranean training facility.*
- Sec. 376. Accident Investigation Review Board.*
- Sec. 377. Implementation of Comptroller General recommendations on preventing tactical vehicle training accidents.*
- Sec. 378. Requirements relating to emissions control tactics, techniques, and procedures.*
- Sec. 379. Management of fatigue among crew of naval surface ships and related improvements.*
- Sec. 380. Authority for activities to improve next generation radar systems capabilities.*
- Sec. 381. Pilot program on military working dog and explosives detection canine health and excellence.*
- Sec. 382. Department of Defense response to military lazing incidents.*

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.*

- Sec. 402. Revisions in permanent active duty end strength minimum levels.*
Sec. 403. Additional authority to vary Space Force end strength.

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. Accounting of reserve component members performing active duty or full-time National Guard duty towards authorized end strengths.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.*

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A— Officer Personnel Policy

- Sec. 501. Authority with respect to authorized strengths for general and flag officers within the Armed Forces for emerging requirements.*
Sec. 502. Time in grade requirements.
Sec. 503. Authority to vary number of Space Force officers considered for promotion to major general.
Sec. 504. Seaman to Admiral-21 program: credit towards retirement.
Sec. 505. Independent assessment of retention of female surface warfare officers.
Sec. 506. Reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).

Subtitle B—Reserve Component Management

- Sec. 511. Modification of grant program supporting science, technology, engineering, and math education in the Junior Reserve Officers' Training Corps to include quantum information sciences.*
Sec. 512. Prohibition on private funding for interstate deployment of National Guard.
Sec. 513. Access to Tour of Duty system.
Sec. 514. Implementation of certain recommendations regarding use of unmanned aircraft systems by the National Guard.
Sec. 515. Continued National Guard support for FireGuard program.
Sec. 516. Enhancement of National Guard Youth Challenge Program.
Sec. 517. Report on methods to enhance support from the reserve components in response to catastrophic incidents.
Sec. 518. Study on reapportionment of National Guard force structure based on domestic responses.
Sec. 519. Briefing on Junior Reserve Officers' Training Corps program.

Subtitle C—General Service Authorities and Military Records

- Sec. 521. Reduction in service commitment required for participation in career intermission program of a military department.*
Sec. 522. Improvements to military accessions in Armed Forces under the jurisdiction of the Secretaries of the military departments.
Sec. 523. Notice program relating to options for naturalization.
Sec. 524. Appeals to Physical Evaluation Board determinations of fitness for duty.

- Sec. 525. Command oversight of military privatized housing as element of performance evaluations.*
- Sec. 526. Feasibility study on establishment of housing history for members of the Armed Forces who reside in housing provided by the United States.*
- Sec. 527. Enhancements to national mobilization exercises.*
- Sec. 528. Temporary exemption from end strength grade restrictions for the Space Force.*
- Sec. 529. Report on exemptions and deferments for a possible military draft.*
- Sec. 529A. Report on processes and procedures for appeal of denial of status or benefits for failure to register for Selective Service.*
- Sec. 529B. Study and report on administrative separation boards.*

Subtitle D—Military Justice Reform

PART 1—SPECIAL TRIAL COUNSEL

- Sec. 531. Special trial counsel.*
- Sec. 532. Policies with respect to special trial counsel.*
- Sec. 533. Definition of military magistrate, covered offense, and special trial counsel.*
- Sec. 534. Clarification relating to who may convene courts-martial.*
- Sec. 535. Detail of trial counsel.*
- Sec. 536. Preliminary hearing.*
- Sec. 537. Advice to convening authority before referral for trial.*
- Sec. 538. Former jeopardy.*
- Sec. 539. Plea agreements.*
- Sec. 539A. Determinations of impracticability of rehearing.*
- Sec. 539B. Applicability to the United States Coast Guard.*
- Sec. 539C. Effective date.*

PART 2—SEXUAL HARASSMENT; SENTENCING REFORM

- Sec. 539D. Inclusion of sexual harassment as general punitive article.*
- Sec. 539E. Sentencing reform.*

PART 3—REPORTS AND OTHER MATTERS

- Sec. 539F. Briefing and report on resourcing required for implementation.*
- Sec. 539G. Briefing on implementation of certain recommendations of the Independent Review Commission on Sexual Assault in the Military.*

Subtitle E—Other Military Justice and Legal Matters

- Sec. 541. Rights of the victim of an offense under the Uniform Code of Military Justice.*
- Sec. 542. Conduct unbecoming an officer.*
- Sec. 543. Independent investigation of complaints of sexual harassment.*
- Sec. 544. Department of Defense tracking of allegations of retaliation by victims of sexual assault or sexual harassment and related persons.*
- Sec. 545. Modification of notice to victims of pendency of further administrative action following a determination not to refer to trial by court-martial.*
- Sec. 546. Civilian positions to support Special Victims' Counsel.*
- Sec. 547. Plans for uniform document management system, tracking pretrial information, and assessing changes in law.*

- Sec. 548. Determination and reporting of members missing, absent unknown, absent without leave, and duty status-whereabouts unknown.*
- Sec. 549. Activities to improve family violence prevention and response.*
- Sec. 549A. Annual primary prevention research agenda.*
- Sec. 549B. Primary prevention workforce.*
- Sec. 549C. Reform and improvement of military criminal investigative organizations.*
- Sec. 549D. Military defense counsel.*
- Sec. 549E. Full functionality of Military Justice Review Panel.*
- Sec. 549F. Military service independent racial disparity review.*
- Sec. 549G. Inclusion of race and ethnicity in annual reports on sexual assaults; reporting on racial and ethnic demographics in the military justice system.*
- Sec. 549H. DoD Safe Helpline authorization to perform intake of official restricted and unrestricted reports for eligible adult sexual assault victims.*
- Sec. 549I. Extension of annual report regarding sexual assaults involving members of the Armed Forces.*
- Sec. 549J. Study and report on Sexual Assault Response Coordinator military occupational specialty.*
- Sec. 549K. Amendments to additional Deputy Inspector General of the Department of Defense.*
- Sec. 549L. Improved Department of Defense prevention of, and response to, bullying in the Armed Forces.*
- Sec. 549M. Recommendations on separate punitive article in the Uniform Code of Military Justice on violent extremism.*
- Sec. 549N. Combating foreign malign influence.*

Subtitle F—Member Education, Training, and Transition

- Sec. 551. Troops-to-Teachers Program.*
- Sec. 552. Codification of human relations training for certain members of the Armed Forces.*
- Sec. 553. Allocation of authority for nominations to the military service academies in the event of the death, resignation, or expulsion from office of a Member of Congress.*
- Sec. 554. Authority of President to appoint successors to members of Board of Visitors of military academies whose terms have expired.*
- Sec. 555. Meetings of the Board of Visitors of a military service academy: votes required to call; held in person or remotely.*
- Sec. 556. Defense Language Institute Foreign Language Center.*
- Sec. 557. United States Naval Community College.*
- Sec. 558. Codification of establishment of United States Air Force Institute of Technology.*
- Sec. 559. Concurrent use of Department of Defense Tuition Assistance and Montgomery GI Bill-Selected Reserve benefits.*
- Sec. 559A. Regulations on certain parental guardianship rights of cadets and midshipmen.*
- Sec. 559B. Defense language continuing education program.*
- Sec. 559C. Prohibition on implementation by United States Air Force Academy of civilian faculty tenure system.*
- Sec. 559D. Professional military education: report; definition.*
- Sec. 559E. Report on training and education of members of the Armed Forces regarding social reform and unhealthy behaviors.*

Sec. 559F. Report on status of Army Tuition Assistance Program Army IgnitED program.

Sec. 559G. Briefing on cadets and midshipmen with speech disorders.

Subtitle G—Military Family Readiness and Dependents' Education

Sec. 561. Expansion of support programs for special operations forces personnel and immediate family members.

Sec. 562. Improvements to the Exceptional Family Member Program.

Sec. 563. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.

Sec. 564. Pilot program to establish employment fellowship opportunities for military spouses.

Sec. 565. Policy regarding remote military installations.

Sec. 566. Implementation of GAO recommendation on improved communication of best practices to engage military spouses with career assistance resources.

Sec. 567. Study on employment of military spouses.

Sec. 568. Briefing on efforts of commanders of military installations to connect military families with local entities that provide services to military families.

Sec. 569. Briefing on process to certify reporting of eligible federally connected children for purposes of Federal impact aid programs.

Sec. 569A. Briefing on legal services for families enrolled in the Exceptional Family Member Program.

Sec. 569B. GAO review of Preservation of the Force and Family Program of United States Special Operations Command: briefing; report.

Subtitle H—Diversity and Inclusion

Sec. 571. Reduction of gender-related inequities in costs of uniforms to members of the Armed Forces.

Sec. 572. Study on number of members of the Armed Forces who identify as Hispanic or Latino.

Sec. 573. Inclusion of military service academies, Officer Candidate and Training Schools, and the Senior Reserve Officers' Training Corps data in diversity and inclusion reporting.

Sec. 574. Extension of deadline for GAO report on equal opportunity at the military service academies.

Subtitle I—Decorations and Awards, Miscellaneous Reports, and Other Matters

Sec. 581. Modified deadline for establishment of special purpose adjunct to Armed Services Vocational Aptitude Battery test.

Sec. 582. Authorizations for certain awards.

Sec. 583. Establishment of the Atomic Veterans Commemorative Service Medal.

Sec. 584. Updates and preservation of memorials to chaplains at Arlington National Cemetery.

Sec. 585. Reports on security force personnel performing protection level one duties.

Sec. 586. GAO study on tattoo policies of the Armed Forces.

Sec. 587. Briefing regarding best practices for community engagement in Hawaii.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. *Basic needs allowance for members on active service in the Armed Forces.*
- Sec. 602. *Equal incentive pay for members of the reserve components of the Armed Forces.*
- Sec. 603. *Expansions of certain travel and transportation authorities.*
- Sec. 604. *Repeal of expiring travel and transportation authorities.*
- Sec. 605. *Requirements in connection with suspension of retired pay and retirement annuities.*
- Sec. 606. *Report on relationship between basic allowance for housing and sizes of military families.*
- Sec. 607. *Report on certain moving expenses for members of the Armed Forces.*
- Sec. 608. *Report on temporary lodging expenses in competitive housing markets.*
- Sec. 609. *Report on rental partnership programs.*

Subtitle B—Bonus and Incentive Pays

- Sec. 611. *One-year extension of certain expiring bonus and special pay authorities.*

Subtitle C—Family and Survivor Benefits

- Sec. 621. *Extension of paid parental leave.*
- Sec. 622. *Bereavement leave for members of the Armed Forces.*
- Sec. 623. *Travel and transportation allowances for family members to attend the funeral and memorial services of members.*
- Sec. 624. *Expansion of pilot program to provide financial assistance to members of the Armed Forces for in-home child care.*
- Sec. 625. *Pilot program on direct hire authority for spouses of members of the uniformed services at locations outside the United States.*
- Sec. 626. *Casualty assistance program: reform; establishment of working group.*

Subtitle D—Defense Resale Matters

- Sec. 631. *Additional sources of funds available for construction, repair, improvement, and maintenance of commissary stores.*

Subtitle E—Miscellaneous Rights and Benefits

- Sec. 641. *Alexander Lofgren Veterans in Parks program.*

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

- Sec. 701. *Eating disorders treatment for certain members of the Armed Forces and dependents.*
- Sec. 702. *Addition of preconception and prenatal carrier screening coverage as benefits under TRICARE program.*
- Sec. 703. *Revisions to TRICARE provider networks.*
- Sec. 704. *Self-initiated referral process for mental health evaluations of members of the Armed Forces.*
- Sec. 705. *Modifications to pilot program on health care assistance system.*

- Sec. 706. Modification of pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.*
- Sec. 707. Improvement of postpartum care for members of the Armed Forces and dependents.*

Subtitle B—Health Care Administration

- Sec. 711. Modification of certain Defense Health Agency organization requirements.*
- Sec. 712. Requirement for consultations relating to military medical research and Defense Health Agency Research and Development.*
- Sec. 713. Authorization of program to prevent fraud and abuse in the military health system.*
- Sec. 714. Authority of Secretary of Defense and Secretary of Veterans Affairs to enter into agreements for planning, design, and construction of facilities to be operated as shared medical facilities.*
- Sec. 715. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.*
- Sec. 716. Establishment of Department of Defense system to track and record information on vaccine administration.*
- Sec. 717. Exemption from required physical examination and mental health assessment for certain members of the reserve components.*
- Sec. 718. Authorization of provision of instruction at Uniformed Services University of the Health Sciences to certain Federal employees.*
- Sec. 719. Removal of requirement for one year of participation in certain medical and lifestyle incentive programs of the Department of Defense to receive benefits under such programs.*
- Sec. 720. Department of Defense standards for exemptions from mandatory COVID-19 vaccines.*
- Sec. 721. Establishment of centers of excellence for enhanced treatment of ocular injuries.*
- Sec. 722. Implementation of integrated product for management of population health across military health system.*
- Sec. 723. Digital health strategy of Department of Defense.*
- Sec. 724. Development and update of certain policies relating to military health system and integrated medical operations.*
- Sec. 725. Mandatory training on health effects of burn pits.*
- Sec. 726. Standardization of definitions used by the Department of Defense for terms related to suicide.*

Subtitle C—Reports and Other Matters

- Sec. 731. Modifications and reports related to military medical manning and medical billets.*
- Sec. 732. Access by United States Government employees and their family members to certain facilities of Department of Defense for assessment and treatment of anomalous health conditions.*
- Sec. 733. Pilot program on cardiac screening at certain military service academies.*
- Sec. 734. Pilot program on assistance for mental health appointment scheduling at military medical treatment facilities.*
- Sec. 735. Prohibition on availability of funds for certain research connected to China.*
- Sec. 736. Limitation on certain discharges solely on the basis of failure to obey lawful order to receive COVID-19 vaccine.*

- Sec. 737. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.*
- Sec. 738. Independent review of suicide prevention and response at military installations.*
- Sec. 739. Feasibility and advisability study on establishment of aeromedical squadron at Joint Base Pearl Harbor-Hickam.*
- Sec. 740. Study on incidence of breast cancer among members of the Armed Forces serving on active duty.*
- Sec. 741. GAO biennial study on Individual Longitudinal Exposure Record program.*
- Sec. 742. Comptroller General study on implementation by Department of Defense of recent statutory requirements to reform the military health system.*
- Sec. 743. Study to determine need for a joint fund for Federal Electronic Health Record Modernization Office.*
- Sec. 744. Briefing on domestic production of critical active pharmaceutical ingredients for national security purposes.*
- Sec. 745. Briefing on substance abuse in the Armed Forces.*

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

Subtitle A—Acquisition Policy and Management

- Sec. 801. Acquisition workforce educational partnerships.*
- Sec. 802. Prohibition on acquisition of personal protective equipment from non-allied foreign nations.*
- Sec. 803. Authority to acquire innovative commercial products and commercial services using general solicitation competitive procedures.*
- Sec. 804. Modifications to contracts subject to cost or pricing data certification.*
- Sec. 805. Two-year extension of Selected Acquisition Report requirement.*
- Sec. 806. Annual report on highest and lowest performing acquisition programs of the Department of Defense.*
- Sec. 807. Assessment of impediments and incentives to improving the acquisition of commercial products and commercial services.*
- Sec. 808. Briefing on transparency for certain domestic procurement waivers.*
- Sec. 809. Report on violations of certain domestic preference laws.*

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

- Sec. 811. Certain multiyear contracts for acquisition of property: budget justification materials.*
- Sec. 812. Extension of demonstration project relating to certain acquisition personnel management policies and procedures.*
- Sec. 813. Office of Corrosion Policy and Oversight employee training requirements.*
- Sec. 814. Modified condition for prompt contract payment eligibility.*
- Sec. 815. Modification to procurement of services: data analysis and requirements validation.*
- Sec. 816. Limitation on procurement of welded shipboard anchor and mooring chain for naval vessels.*
- Sec. 817. Repeal of preference for fixed-price contracts.*

Subtitle C—Provisions Relating to Other Transaction Authority

- Sec. 821. Modification of other transaction authority for research projects.*

- Sec. 822. Modification of prize authority for advanced technology achievements.*
Sec. 823. Pilot program on systems engineering determinations.
Sec. 824. Recommendations on the use of other transaction authority.
Sec. 825. Reporting requirement for certain defense acquisition activities.

Subtitle D—Provisions Relating to Software and Technology

- Sec. 831. Technology protection features activities.*
Sec. 832. Modification of enhanced transfer of technology developed at Department of Defense laboratories.
Sec. 833. Pilot program on acquisition practices for emerging technologies.
Sec. 834. Pilot program to accelerate the procurement and fielding of innovative technologies.
Sec. 835. Independent study on technical debt in software-intensive systems.
Sec. 836. Cadre of software development and acquisition experts.

Subtitle E—Provisions Relating to Supply Chain Security

- Sec. 841. Modernization of acquisition processes to ensure integrity of industrial base.*
Sec. 842. Modification to analyses of certain activities for action to address sourcing and industrial capacity.
Sec. 843. Assuring integrity of overseas fuel supplies.
Sec. 844. Assessment of requirements for certain items to address supply chain vulnerabilities.
Sec. 845. Department of Defense research and development priorities.
Sec. 846. Report on the Manufacturing Engineering Education Program.
Sec. 847. Plan and report on reduction of reliance on services, supplies, or materials from covered countries.
Sec. 848. Prohibition on certain procurements from the Xinjiang Uyghur Autonomous Region.

Subtitle F—Industrial Base Matters

- Sec. 851. Modifications to printed circuit board acquisition restrictions.*
Sec. 852. Modification of pilot program for development of technology-enhanced capabilities with partnership intermediaries.
Sec. 853. Additional testing of commercial e-commerce portal models.
Sec. 854. Requirement for industry days and requests for information to be open to allied defense contractors.
Sec. 855. Employment transparency regarding individuals who perform work in the People's Republic of China.
Sec. 856. Briefing on compliance with contractor lobbying restrictions.
Sec. 857. Congressional oversight of personnel and contracts of private security contractors.

Subtitle G—Small Business Matters

- Sec. 861. Exemption of certain contracts from the periodic inflation adjustments to the acquisition-related dollar threshold.*
Sec. 862. Modification to the pilot program for streamlining awards for innovative technology projects.
Sec. 863. Protests and appeals relating to eligibility of business concerns.
Sec. 864. Authority for the Office of Hearings and Appeals to decide appeals relating to qualified HUBZone small business concerns.
Sec. 865. Report on unfunded priorities of the Small Business Innovation Research and Small Business Technology Transfer program.

- Sec. 866. Report on Cybersecurity Maturity Model Certification effects on small business.*
- Sec. 867. Data on Phase III Small Business Innovation Research and Small Business Technology Transfer program awards.*

Subtitle H—Other Matters

- Sec. 871. Mission management pilot program.*
- Sec. 872. Establishment of mission-oriented pilot programs to close significant capabilities gaps.*
- Sec. 873. Independent study on acquisition practices and policies.*
- Sec. 874. Pilot program to incentivize contracting with employee-owned businesses.*
- Sec. 875. Guidance, training, and report on place of performance contract requirements.*
- Sec. 876. Notification of certain intergovernmental support agreements.*
- Sec. 877. Report on requests for equitable adjustment in Department of the Navy.*
- Sec. 878. Military standards for armor materials in vehicle specifications.*

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND
MANAGEMENT**

- Sec. 901. Change in eligibility requirements for appointment to certain Department of Defense leadership positions.*
- Sec. 902. Clarification of treatment of Office of Local Defense Community Cooperation as a Department of Defense Field Activity.*
- Sec. 903. Enhanced role of the Under Secretary of Defense for Research and Engineering on the Joint Requirements Oversight Council.*
- Sec. 904. Implementation of repeal of Chief Management Officer of the Department of Defense.*
- Sec. 905. Space Force organizational matters and modification of certain space-related acquisition authorities.*
- Sec. 906. Assignments for participants in the John S. McCain Strategic Defense Fellows Program.*
- Sec. 907. Designation of senior official for implementation of Electromagnetic Spectrum Superiority Strategy.*
- Sec. 908. Management innovation activities.*
- Sec. 909. Digital talent recruiting officer.*
- Sec. 910. Cross-functional team for emerging threat relating to anomalous health incidents.*
- Sec. 911. Alignment of Close Combat Lethality Task Force.*
- Sec. 912. Independent review of and report on the Unified Command Plan.*
- Sec. 913. Study and report on the role and organization of space assets in the reserve components.*

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.*
- Sec. 1002. Revision of limitation on funding for combatant commands through Combatant Commander Initiative Fund.*
- Sec. 1003. Plan for consolidation of information technology systems used in Department of Defense planning, programming, budgeting, and execution process.*
- Sec. 1004. Commission on Planning, Programming, Budgeting, and Execution Reform.*

Subtitle B—Counterdrug Activities

- Sec. 1007. Extension of authority to support a unified counterdrug and counter-terrorism campaign in Colombia.*
- Sec. 1008. Authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.*

Subtitle C—Naval Vessels and Shipyards

- Sec. 1011. Modification to annual naval vessel construction plan.*
- Sec. 1012. Improving oversight of Navy contracts for shipbuilding, conversion, and repair.*
- Sec. 1013. Codification of requirement for assessments prior to start of construction on first ship of a shipbuilding program.*
- Sec. 1014. Limitation on decommissioning or inactivating a battle force ship before the end of expected service life.*
- Sec. 1015. Biennial report on shipbuilder training and the defense industrial base.*
- Sec. 1016. Annual report on ship maintenance.*
- Sec. 1017. Navy battle force ship assessment and requirement reporting.*
- Sec. 1018. Prohibition on use of funds for retirement of Mark VI patrol boats.*
- Sec. 1019. Availability of funds for retirement or inactivation of guided missile cruisers.*
- Sec. 1020. Review of sustainment key performance parameters for shipbuilding programs.*
- Sec. 1021. Assessment of security of global maritime chokepoints.*
- Sec. 1022. Report on acquisition, delivery, and use of mobility assets that enable implementation of expeditionary advanced base operations.*

Subtitle D—Counterterrorism

- Sec. 1031. Inclusion in counterterrorism briefings of information on use of military force in collective self-defense.*
- Sec. 1032. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.*
- Sec. 1033. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.*
- Sec. 1034. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1035. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1036. Report on medical care provided to detainees at United States Naval Station, Guantanamo Bay, Cuba.*

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. Congressional oversight of alternative compensatory control measures.*
- Sec. 1042. Modification of notification requirements for sensitive military operations.*
- Sec. 1043. Authority to provide space and services to military welfare societies.*
- Sec. 1044. Congressional notification of significant Army force structure changes.*
- Sec. 1045. Prohibition on use of Navy, Marine Corps, and Space Force as posse comitatus.*
- Sec. 1046. Comparative testing reports for certain aircraft.*

- Sec. 1047. Special operations forces joint operating concept for competition and conflict.*
- Sec. 1048. Limitation on availability of certain funding for operation and maintenance.*
- Sec. 1049. Limitation on use of certain funds pending submission of report, strategy, and posture review relating to information environment.*
- Sec. 1050. Briefing by Comptroller General and limitation on use of funds pending compliance with requirement for independent studies regarding potential cost savings.*
- Sec. 1051. Survey on relations between members of the Armed Forces and military communities.*
- Sec. 1052. Limitation on use of funds pending compliance with certain statutory reporting requirements.*
- Sec. 1053. Navy coordination with Coast Guard and Space Force on aircraft, weapons, tactics, technique, organization, and equipment of joint concern.*

Subtitle F—Studies and Reports

- Sec. 1061. Inclusion of support services for Gold Star families in quadrennial quality of life review.*
- Sec. 1062. Public availability of semi-annual summaries of reports.*
- Sec. 1063. Extension of reporting requirement regarding enhancement of information sharing and coordination of military training between Department Of Homeland Security and Department Of Defense.*
- Sec. 1064. Continuation of certain Department of Defense reporting requirements.*
- Sec. 1065. Updated review and enhancement of existing authorities for using Air Force and Air National Guard modular airborne fire-fighting systems and other Department of Defense assets to fight wildfires.*
- Sec. 1066. Geographic combatant command risk assessment of Air Force airborne intelligence, surveillance, and reconnaissance modernization plan.*
- Sec. 1067. Biennial assessments of Air Force Test Center.*
- Sec. 1068. Report on 2019 World Military Games.*
- Sec. 1069. Reports on oversight of Afghanistan.*
- Sec. 1070. Study and report on Department of Defense excess personal property program.*
- Sec. 1071. Optimization of Irregular Warfare Technical Support Directorate.*
- Sec. 1072. Assessment of requirements for and management of Army three-dimensional geospatial data.*
- Sec. 1073. Required review of Department of Defense unmanned aircraft systems categorization.*
- Sec. 1074. Annual report and briefing on Global Force Management Allocation Plan.*
- Sec. 1075. Report on World War I and Korean War era Superfund facilities.*
- Sec. 1076. Report on implementation of irregular warfare strategy.*
- Sec. 1077. Study on providing end-to-end electronic voting services for absent uniformed services voters in locations with limited or immature postal service.*
- Sec. 1078. Report on Air Force strategy for acquisition of combat rescue aircraft and equipment.*

Subtitle G—Other Matters

- Sec. 1081. Technical, conforming, and clerical amendments.*

- Sec. 1082. Modification to Regional Centers for Security Studies.*
- Sec. 1083. Improvement of transparency and congressional oversight of civil reserve air fleet.*
- Sec. 1084. Observance of National Atomic Veterans Day.*
- Sec. 1085. Update of Joint Publication 3-68: Noncombatant Evacuation Operations.*
- Sec. 1086. National Museum of the Surface Navy.*
- Sec. 1087. Authorization for memorial for members of the Armed Forces killed in attack on Hamid Karzai International Airport.*
- Sec. 1088. Treatment of operational data from Afghanistan.*
- Sec. 1089. Responsibilities for national mobilization; personnel requirements.*
- Sec. 1090. Independent assessment with respect to Arctic region.*
- Sec. 1091. National Security Commission on Emerging Biotechnology.*
- Sec. 1092. Quarterly security briefings on Afghanistan.*
- Sec. 1093. Transition of funding for non-conventional assisted recovery capabilities.*
- Sec. 1094. Afghanistan War Commission Act of 2021.*
- Sec. 1095. Commission on the National Defense Strategy.*

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. Amendment to diversity and inclusion reporting.*
- Sec. 1102. Civilian personnel management.*
- Sec. 1103. Modification of temporary authority to appoint retired members of the armed forces to positions in the Department of Defense.*
- Sec. 1104. Authority to employ civilian faculty members at the Defense Institute of International Legal Studies.*
- Sec. 1105. Consideration of employee performance in reductions in force for civilian positions in the Department of Defense.*
- Sec. 1106. Repeal of 2-year probationary period.*
- Sec. 1107. Modification of DARPA personnel management authority to attract science and engineering experts.*
- Sec. 1108. Expansion of rate of overtime pay authority for Department of the Navy employees performing work overseas on naval vessels.*
- Sec. 1109. Repeal of crediting amounts received against pay of Federal employee or DC employee serving as a member of the National Guard of the District of Columbia.*
- Sec. 1110. Treatment of hours worked under a qualified trade-of-time arrangement.*
- Sec. 1111. Parental bereavement leave.*
- Sec. 1112. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.*
- Sec. 1113. Extension of authority for temporary personnel flexibilities for Domestic Defense Industrial Base Facilities and Major Range and Test Facilities Base civilian personnel.*
- Sec. 1114. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.*
- Sec. 1115. Assessment of Accelerated Promotion Program suspension.*
- Sec. 1116. Increase in allowance based on duty at remote worksites.*
- Sec. 1117. Enhancement of recusal for conflicts of personal interest requirements for Department of Defense officers and employees.*
- Sec. 1118. Occupational series for digital career fields.*

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

- Sec. 1201. Administrative support and payment of certain expenses for covered foreign defense personnel.*
- Sec. 1202. Authority for certain reimbursable interchange of supplies and services.*
- Sec. 1203. Extension of support of special operations for irregular warfare.*
- Sec. 1204. Modification and extension of biennial Comptroller General of the United States audits of programs to build the capacity of foreign security forces.*
- Sec. 1205. Temporary authority to pay for travel and subsistence expenses of foreign national security forces participating in the training program of the United States-Colombia Action Plan for Regional Security.*
- Sec. 1206. Security cooperation strategy for certain combatant commands.*
- Sec. 1207. Report on security cooperation programs.*

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Sense of Congress on the service of United States Armed Forces servicemembers in Afghanistan.*
- Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
- Sec. 1213. Prohibition on transfer of Department of Defense funds or resources to the Taliban.*
- Sec. 1214. Prohibition on transporting currency to the Taliban or the Islamic Emirate of Afghanistan.*
- Sec. 1215. Prohibition on removal of publicly available accountings of military assistance provided to the Afghan security forces.*
- Sec. 1216. Joint report on using the synchronized predeployment and operational tracker (spot) database to verify Afghan SIV applicant information.*
- Sec. 1217. Report and briefing on United States equipment, property, and classified material that was destroyed or abandoned in the withdrawal from Afghanistan.*

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

- Sec. 1221. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.*
- Sec. 1222. Defense and diplomatic strategy for Syria.*
- Sec. 1223. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.*
- Sec. 1224. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.*
- Sec. 1225. Prohibition on transfers to Badr Organization.*
- Sec. 1226. Prohibition on transfers to Iran.*
- Sec. 1227. Report on the military capabilities of Iran and related activities.*
- Sec. 1228. Sense of Congress on enrichment of uranium by Iran.*

Subtitle D—Matters Relating to Russia

- Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.*

- Sec. 1232. Extension of Ukraine Security Assistance Initiative.*
- Sec. 1233. Extension of authority for training for Eastern European national security forces in the course of multilateral exercises.*
- Sec. 1234. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.*
- Sec. 1235. Report on Russian influence operations and campaigns targeting military alliances and partnerships of which the United States is a member.*

Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 1241. Extension and modification of Indo-Pacific Maritime Security Initiative.*
- Sec. 1242. Extension and modification of Pacific Deterrence Initiative.*
- Sec. 1243. Modification of annual report on military and security developments involving the People's Republic of China.*
- Sec. 1244. Extension of authority to transfer funds for Bien Hoa dioxin cleanup.*
- Sec. 1245. Cooperative program with Vietnam to account for Vietnamese personnel missing in action.*
- Sec. 1246. Sense of Congress on Taiwan defense relations.*
- Sec. 1247. Statement of policy on Taiwan.*
- Sec. 1248. Annual report on Taiwan asymmetric capabilities and intelligence support.*
- Sec. 1249. Feasibility briefing on cooperation between the National Guard and Taiwan.*
- Sec. 1250. Feasibility report on establishing military-to-military crisis communications capabilities.*
- Sec. 1251. Comparative analyses and reports on efforts by the United States and the People's Republic of China to advance critical modernization technology with respect to military applications.*
- Sec. 1252. Sense of congress on defense alliances and partnerships in the Indo-Pacific region.*

TITLE XIII—OTHER MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Matters Relating to Europe and NATO

- Sec. 1301. Sense of Congress on North Atlantic Treaty Organization allies and partners.*
- Sec. 1302. Report on Armenia-Azerbaijan conflict.*
- Sec. 1303. Report on the state of United States military investment in Europe, including the European Deterrence Initiative.*

Subtitle B—United States-Greece Defense and Interparliamentary Partnership Act of 2021

- Sec. 1311. Sense of Congress.*
- Sec. 1312. Funding for the European Recapitalization Incentive Program.*
- Sec. 1313. Sense of Congress on loan program.*
- Sec. 1314. Sense of Congress on transfer of F-35 Joint Strike Fighter aircraft to Greece.*
- Sec. 1315. IMET cooperation with Greece.*
- Sec. 1316. Cyprus, Greece, Israel, and the United States 3+1 Interparliamentary Group.*
- Sec. 1317. Appropriate congressional committees.*

Subtitle C—Security Cooperation and Assistance

- Sec. 1321. Clarification of requirements for contributions by participants in the American, British, Canadian, and Australian Armies' Program.*
- Sec. 1322. Foreign Area Officer assessment and review.*
- Sec. 1323. Study on certain security cooperation programs.*
- Sec. 1324. Notification relating to overseas humanitarian, disaster, and civic aid funds obligated in support of operation allies welcome.*

Subtitle D—Other Matters

- Sec. 1331. Extension and modification of authority for certain payments to redress injury and loss.*
- Sec. 1332. Secretary of Defense Strategic Competition Initiative.*
- Sec. 1333. Extension and modification of Department of Defense support for stabilization activities in national security interest of the United States.*
- Sec. 1334. Pilot program to support the implementation of the Women, Peace, and Security act of 2017.*
- Sec. 1335. Annual report on Comprehensive Nuclear-Test-Ban Treaty sensors.*
- Sec. 1336. Security assistance in Northern Triangle countries.*
- Sec. 1337. Report on human rights in Colombia.*
- Sec. 1338. Report on efforts by the People's Republic of China to expand its presence and influence in Latin America and the Caribbean.*
- Sec. 1339. Extension of prohibition on in-flight refueling to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen.*
- Sec. 1340. Statement of policy and report on Yemen.*
- Sec. 1341. Limitation on support to military forces of the Kingdom of Morocco for multilateral exercises.*

*TITLE XIV—OTHER AUTHORIZATIONS**Subtitle A—Military Programs*

- Sec. 1401. Working capital funds.*
- Sec. 1402. Chemical Agents and Munitions Destruction, Defense.*
- Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-Wide.*
- Sec. 1404. Defense Inspector General.*
- Sec. 1405. Defense Health Program.*

Subtitle B—Other Matters

- Sec. 1411. Acquisition of strategic and critical materials from the national technology and industrial base.*
- Sec. 1412. Authorization to loan materials in National Defense Stockpile.*
- Sec. 1413. 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. 1414. Authorization of appropriations for Armed Forces Retirement Home.*

*TITLE XV—CYBERSPACE-RELATED MATTERS**Subtitle A—Matters Related to Cyber Operations and Cyber Forces*

- Sec. 1501. Development of taxonomy of cyber capabilities.*
- Sec. 1502. Extension of sunset for pilot program on regional cybersecurity training center for the Army National Guard.*

- Sec. 1503. Modification of the Principal Cyber Advisor.*
- Sec. 1504. Evaluation of Department of Defense cyber governance.*
- Sec. 1505. Operational technology and mission-relevant terrain in cyberspace.*
- Sec. 1506. Matters concerning cyber personnel requirements.*
- Sec. 1507. Assignment of certain budget control responsibilities to commander of United States Cyber Command.*
- Sec. 1508. Coordination between United States Cyber Command and private sector.*
- Sec. 1509. Assessment of cyber posture and operational assumptions and development of targeting strategies and supporting capabilities.*
- Sec. 1510. Assessing capabilities to counter adversary use of ransomware, capabilities, and infrastructure.*
- Sec. 1511. Comparative analysis of cybersecurity capabilities.*
- Sec. 1512. Eligibility of owners and operators of critical infrastructure to receive certain Department of Defense support and services.*
- Sec. 1513. Report on potential Department of Defense support and assistance for increasing the awareness of the Cybersecurity and Infrastructure Security Agency of cyber threats and vulnerabilities affecting critical infrastructure.*

Subtitle B—Matters Related to Department of Defense Cybersecurity and Information Technology

- Sec. 1521. Enterprise-wide procurement of cyber data products and services.*
- Sec. 1522. Legacy information technologies and systems accountability.*
- Sec. 1523. Update relating to responsibilities of Chief Information Officer.*
- Sec. 1524. Protective Domain Name System within the Department of Defense.*
- Sec. 1525. Cybersecurity of weapon systems.*
- Sec. 1526. Assessment of controlled unclassified information program.*
- Sec. 1527. Cyber data management.*
- Sec. 1528. Zero trust strategy, principles, model architecture, and implementation plans.*
- Sec. 1529. Demonstration program for automated security validation tools.*
- Sec. 1530. Improvements to consortium of universities to advise Secretary of Defense on cybersecurity matters.*
- Sec. 1531. Digital development infrastructure plan and working group.*
- Sec. 1532. Study regarding establishment within the Department of Defense of a designated central program office to oversee academic engagement programs relating to establishing cyber talent across the Department.*
- Sec. 1533. Report on the Cybersecurity Maturity Model Certification program.*
- Sec. 1534. Deadline for reports on assessment of cyber resiliency of nuclear command and control system.*

Subtitle C—Matters Related to Federal Cybersecurity

- Sec. 1541. Capabilities of the Cybersecurity and Infrastructure Security Agency to identify threats to industrial control systems.*
- Sec. 1542. Cybersecurity vulnerabilities.*
- Sec. 1543. Report on cybersecurity vulnerabilities.*
- Sec. 1544. Competition relating to cybersecurity vulnerabilities.*
- Sec. 1545. Strategy.*
- Sec. 1546. Cyber incident response plan.*
- Sec. 1547. National cyber exercise program.*
- Sec. 1548. CyberSentry program of the Cybersecurity and Infrastructure Security Agency.*

- Sec. 1549. Strategic assessment relating to innovation of information systems and cybersecurity threats.*
- Sec. 1550. Pilot program on public-private partnerships with internet ecosystem companies to detect and disrupt adversary cyber operations.*
- Sec. 1551. United States-Israel cybersecurity cooperation.*
- Sec. 1552. Authority for National Cyber Director to accept details on nonreimbursable basis.*

TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

- Sec. 1601. National security space launch program.*
- Sec. 1602. Redesignation of Space Force Acquisition Council; modifications relating to Assistant Secretary of the Air Force for Space Acquisition and Integration.*
- Sec. 1603. Delegation of Authorities to Space Development Agency.*
- Sec. 1604. Extension and modification of Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.*
- Sec. 1605. Improvements to tactically responsive space launch program.*
- Sec. 1606. Clarification of domestic services and capabilities in leveraging commercial satellite remote sensing.*
- Sec. 1607. Programs of record of Space Force and commercial capabilities.*
- Sec. 1608. Extension and modification of certifications regarding integrated tactical warning and attack assessment mission of the Air Force.*
- Sec. 1609. Classification review of programs of the Space Force.*
- Sec. 1610. Report on Range of the Future initiative of the Space Force.*
- Sec. 1611. Space policy review.*
- Sec. 1612. Annual briefing on threats to space operations.*
- Sec. 1613. National Security Council briefing on potential harmful interference to Global Positioning System.*
- Sec. 1614. Non-geostationary orbit satellite constellations.*
- Sec. 1615. Briefing on prototype program for multiglobal navigation satellite system receiver development.*

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1621. Notification of certain threats to United States Armed Forces by foreign governments.*
- Sec. 1622. Strategy and plan to implement certain defense intelligence reforms.*
- Sec. 1623. Annual briefing by Director of the Defense Intelligence Agency on electronic warfare threat to operations of the Department of Defense.*
- Sec. 1624. Report on explosive ordnance intelligence matters.*

Subtitle C—Nuclear Forces

- Sec. 1631. Participation in United States Strategic Command strategic deterrence exercises.*
- Sec. 1632. Modification to requirements relating to nuclear force reductions.*
- Sec. 1633. Modifications to requirements relating to unilateral changes in nuclear weapons stockpile of the United States.*
- Sec. 1634. Deadline for reports on modification of force structure for strategic nuclear weapons delivery systems.*
- Sec. 1635. Modification of deadline for notifications relating to reduction, consolidation, or withdrawal of nuclear forces based in Europe.*

- Sec. 1636. Procurement authority for certain parts of the ground-based strategic deterrent cryptographic device.*
- Sec. 1637. Capability of B-21 bomber aircraft with long-range standoff weapon.*
- Sec. 1638. Mission-design series popular name for ground-based strategic deterrent.*
- Sec. 1639. Prohibition on reduction of the intercontinental ballistic missiles of the United States.*
- Sec. 1640. Limitation on availability of certain funds until submission of information relating to proposed budget for nuclear-armed sea-launched cruise missile.*
- Sec. 1641. Limitation on availability of certain funds until submission of information relating to nuclear-armed sea-launched cruise missile.*
- Sec. 1642. Annual certification on readiness of Minuteman III intercontinental ballistic missiles.*
- Sec. 1643. Revised nuclear posture review.*
- Sec. 1644. Review of safety, security, and reliability of nuclear weapons and related systems.*
- Sec. 1645. Long-range standoff weapon.*
- Sec. 1646. Ground-based strategic deterrent development program accountability matrices.*
- Sec. 1647. Information regarding review of Minuteman III service life extension program or options for the future of the intercontinental ballistic missile force.*
- Sec. 1648. Notification regarding intercontinental ballistic missiles of China.*
- Sec. 1649. Independent review of nuclear command, control, and communications system.*
- Sec. 1650. Review of engineering and manufacturing development contract for ground-based strategic deterrent program.*
- Sec. 1651. Report on re-alerting long-range bombers.*
- Sec. 1652. Comptroller General study and updated report on nuclear weapons capabilities and force structure requirements.*
- Sec. 1653. Briefing on consultations with United States allies regarding Nuclear Posture Review.*

Subtitle D—Missile Defense Programs

- Sec. 1661. Notification of changes to non-standard acquisition and requirements processes and responsibilities of Missile Defense Agency.*
- Sec. 1662. Limitation on Missile Defense Agency production of satellites and ground systems associated with operation of such satellites.*
- Sec. 1663. Extension of period for transition of ballistic missile defense programs to military departments.*
- Sec. 1664. Directed energy programs for ballistic and hypersonic missile defense.*
- Sec. 1665. Guam integrated air and missile defense system.*
- Sec. 1666. Missile defense radar in Hawaii.*
- Sec. 1667. Certification required for Russia and China to tour certain missile defense sites.*
- Sec. 1668. Next generation interceptors for missile defense of the United States homeland.*
- Sec. 1669. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.*
- Sec. 1670. Update of study on discrimination capabilities of the ballistic missile defense system.*
- Sec. 1671. Semiannual updates on meetings held by the Missile Defense Executive Board.*

- Sec. 1672. Matters regarding Integrated Deterrence Review.*
Sec. 1673. Semiannual notifications regarding missile defense tests and costs.
Sec. 1674. Report on senior leadership of Missile Defense Agency.
Sec. 1675. Independent study of roles and responsibilities of Department of Defense components relating to missile defense.

Subtitle E—Other Matters

- Sec. 1681. Cooperative threat reduction funds.*
Sec. 1682. Modification to estimate of damages from Federal Communications Commission Order 20–48.
Sec. 1683. Establishment of office, organizational structure, and authorities to address unidentified aerial phenomena.
Sec. 1684. Determination on certain activities with unusually hazardous risks.
Sec. 1685. Study by Public Interest Declassification Board relating to certain tests in the Marshall Islands.
Sec. 1686. Protection of Major Range and Test Facility Base.
Sec. 1687. Congressional Commission on the Strategic Posture of the United States.

TITLE XVII—TECHNICAL AMENDMENTS RELATED TO THE TRANSFER AND REORGANIZATION OF DEFENSE ACQUISITION STATUTES

- Sec. 1701. Technical, conforming, and clerical amendments related to title XVIII of the Fiscal Year 2021 NDAA.*
Sec. 1702. Conforming cross reference technical amendments related to the transfer and reorganization of defense acquisition statutes.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.*
Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
Sec. 2003. Effective date and automatic execution of conforming changes to tables of sections, tables of contents, and similar tabular entries.

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.*
Sec. 2102. Family housing.
Sec. 2103. Authorization of appropriations, Army.
Sec. 2104. Extension of authority to carry out certain fiscal year 2017 project.
Sec. 2105. Additional authority to carry out fiscal year 2018 project at Fort Bliss, Texas.
Sec. 2106. Modification of authority to carry out certain fiscal year 2021 project.
Sec. 2107. Additional authorized funding source for certain fiscal year 2022 project.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.*
Sec. 2202. Family housing.
Sec. 2203. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.*

- Sec. 2302. Family housing.*
Sec. 2303. Authorization of appropriations, Air Force.
Sec. 2304. Extension of authority to carry out certain fiscal year 2017 projects.
Sec. 2305. Modification of authority to carry out military construction projects at Tyndall Air Force Base, Florida.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.*
Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Extension and modification of authority to carry out certain fiscal years 2017 and 2019 projects.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

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

Subtitle B—Host Country In-Kind Contributions

- Sec. 2511. Republic of Korea funded construction projects.*
Sec. 2512. Republic of Poland funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.*
Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.
Sec. 2703. Conditions on closure of certain portion of Pueblo Chemical Depot and Chemical Agent-Destruction Pilot Plant, Colorado.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

- Sec. 2801. Public availability of information on Facilities Sustainment, Restoration, and Modernization projects.*
Sec. 2802. Limitations on authorized cost and scope of work variations.

- Sec. 2803. Department of Defense stormwater management projects for military installations and defense access roads.*
- Sec. 2804. Use of amounts available for operation and maintenance in carrying out military construction projects for energy resilience, energy security, or energy conservation.*
- Sec. 2805. Flood risk management for military construction.*
- Sec. 2806. Modification and extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.*

Subtitle B—Continuation of Military Housing Reforms

- Sec. 2811. Modification of calculation of military housing contractor pay for privatized military housing.*
- Sec. 2812. Applicability of window fall prevention requirements to all military family housing whether privatized or Government-owned and Government-controlled.*
- Sec. 2813. Applicability of disability laws to privatized military housing units and clarification of prohibition against collection from tenants of amounts in addition to rent.*
- Sec. 2814. Required investments in improving military unaccompanied housing.*
- Sec. 2815. Improvement of security of lodging and living spaces on military installations.*
- Sec. 2816. Improvement of Department of Defense child development centers and increased availability of child care for children of military personnel.*

Subtitle C—Real Property and Facilities Administration

- Sec. 2821. Secretary of the Navy authority to support development and operation of National Museum of the United States Navy.*
- Sec. 2822. Expansion of Secretary of the Navy authority to lease and license United States Navy museum facilities to generate revenue to support museum administration and operations.*

Subtitle D—Military Facilities Master Plan Requirements

- Sec. 2831. Cooperation with State and local governments in development of master plans for major military installations.*
- Sec. 2832. Additional changes to requirements regarding master plans for major military installations.*
- Sec. 2833. Prompt completion of military installation resilience component of master plans for at-risk major military installations.*
- Sec. 2834. Master plans and investment strategies for Army ammunition plants guiding future infrastructure, facility, and production equipment improvements.*

Subtitle E—Matters Related to Unified Facilities Criteria and Military Construction Planning and Design

- Sec. 2841. Amendment of Unified Facilities Criteria to require inclusion of private nursing and lactation space in certain military construction projects.*
- Sec. 2842. Revisions to Unified Facilities Criteria regarding use of variable refrigerant flow systems.*
- Sec. 2843. Amendment of Unified Facilities Criteria to promote energy efficient military installations.*

Sec. 2844. Additional Department of Defense activities to improve energy resiliency of military installations.

Subtitle F—Land Conveyances

Sec. 2851. Modification of restrictions on use of former Navy property conveyed to University of California, San Diego, California.

Sec. 2852. Land conveyance, Joint Base Cape Cod, Bourne, Massachusetts.

Sec. 2853. Land conveyance, Saint Joseph, Missouri.

Sec. 2854. Land conveyance, Department of Defense excess property, St. Louis, Missouri.

Sec. 2855. Land conveyance, Marine Corps Air Station, Cherry Point, North Carolina.

Sec. 2856. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to City of Virginia Beach, Virginia.

Sec. 2857. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to School Board of City of Virginia Beach, Virginia.

Subtitle G—Authorized Pilot Programs

Sec. 2861. Pilot program on increased use of sustainable building materials in military construction.

Sec. 2862. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.

Subtitle H—Asia-Pacific and Indo-Pacific Issues

Sec. 2871. Improved oversight of certain infrastructure services provided by Naval Facilities Engineering Systems Command Pacific.

Sec. 2872. Annual congressional briefing on renewal of Department of Defense easements and leases of land in Hawai'i.

Sec. 2873. Hawai'i Military Land Use Master Plan.

Subtitle I—One-Time Reports and Other Matters

Sec. 2881. Clarification of installation and maintenance requirements regarding fire extinguishers in Department of Defense facilities.

Sec. 2882. GAO review and report of military construction contracting at military installations inside the United States.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY
AUTHORIZATIONS AND OTHER AUTHORIZATIONS**

**TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS**

Subtitle A—National Security Programs and Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Plutonium pit production capacity.

Sec. 3112. Improvements to cost estimates informing analyses of alternatives.

- Sec. 3113. University-based defense nuclear policy collaboration program.*
Sec. 3114. Defense environmental cleanup programs.
Sec. 3115. Modification of requirements for certain construction projects.
Sec. 3116. Updates to infrastructure modernization initiative.
Sec. 3117. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
Sec. 3118. Extension of authority for acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
Sec. 3119. Extension of enhanced procurement authority to manage supply chain risk.
Sec. 3120. Prohibition on availability of funds to reconvert or retire W76–2 warheads.
Sec. 3121. Portfolio management framework for National Nuclear Security Administration.

Subtitle C—Reports and Other Matters

- Sec. 3131. Modifications to certain reporting requirements.*
Sec. 3132. Modification to terminology for reports on financial balances for atomic energy defense activities.
Sec. 3133. Improvements to annual reports on condition of the United States nuclear weapons stockpile.
Sec. 3134. Report on plant-directed research and development.
Sec. 3135. Reports on risks to and gaps in industrial base for nuclear weapons components, subsystems, and materials.
Sec. 3136. Transfer of building located at 4170 Allium Court, Springfield, Ohio.
Sec. 3137. Comprehensive strategy for treating, storing, and disposing of defense nuclear waste resulting from stockpile maintenance and modernization activities.
Sec. 3138. Acquisition of high-performance computing capabilities by National Nuclear Security Administration.
Sec. 3139. Study on the W80–4 nuclear warhead life extension program.
Sec. 3140. Study on Runit Dome and related hazards.
Sec. 3141. Sense of Congress regarding compensation of individuals relating to uranium mining and nuclear testing.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.*
Sec. 3202. References to Chairperson and Vice Chairperson of Defense Nuclear Facilities Safety Board.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations.*

TITLE XXXV—MARITIME SECURITY

Subtitle A—Maritime Administration

- Sec. 3501. Authorization of the Maritime Administration.*

Subtitle B—Other Matters

- Sec. 3511. Effective period for issuance of documentation for recreational vessels.*
Sec. 3512. Committees on maritime matters.
Sec. 3513. Port Infrastructure Development Program.

- Sec. 3514. Uses of emerging marine technologies and practices.*
Sec. 3515. Prohibition on participation of long term charters in Tanker Security Fleet.
Sec. 3516. Coastwise endorsement.
Sec. 3517. Report on efforts of combatant commands to combat threats posed by illegal, unreported, and unregulated fishing.
Sec. 3518. Authorization to purchase duplicate medals.

DIVISION D—FUNDING TABLES

- Sec. 4001. Authorization of amounts in funding tables.*

TITLE XLI—PROCUREMENT

- Sec. 4101. Procurement.*

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

- Sec. 4201. Research, development, test, and evaluation.*

TITLE XLIII—OPERATION AND MAINTENANCE

- Sec. 4301. Operation and maintenance.*

TITLE XLIV—MILITARY PERSONNEL

- Sec. 4401. Military personnel.*

TITLE XLV—OTHER AUTHORIZATIONS

- Sec. 4501. Other authorizations.*

TITLE XLVI—MILITARY CONSTRUCTION

- Sec. 4601. Military construction.*

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

- Sec. 4701. Department of Energy national security programs.*

DIVISION E—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2021

- Sec. 5001. Short title.*
Sec. 5002. Definitions.

TITLE LI—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

- Sec. 5101. Sense of Congress on importance of Department of State's work.*
Sec. 5102. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
Sec. 5103. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.
Sec. 5104. Office of International Disability Rights.
Sec. 5105. Special appointment authority.
Sec. 5106. Repeal of authority for Special Representative and Policy Coordinator for Burma.
Sec. 5107. Anti-piracy information sharing.
Sec. 5108. Importance of foreign affairs training to national security.

- Sec. 5109. Classification and assignment of Foreign Service officers.*
Sec. 5110. Reporting on implementation of GAO recommendations.
Sec. 5111. Extension of period for reimbursement of fishermen for costs incurred from the illegal seizure and detention of U.S.-flag fishing vessels by foreign governments.
Sec. 5112. Art in embassies.
Sec. 5113. International fairs and expositions.
Sec. 5114. Amendment or repeal of reporting requirements.

TITLE LII—EMBASSY CONSTRUCTION

- Sec. 5201. Embassy security, construction, and maintenance.*
Sec. 5202. Standard design in capital construction.
Sec. 5203. Capital construction transparency.
Sec. 5204. Contractor performance information.
Sec. 5205. Growth projections for new embassies and consulates.
Sec. 5206. Long-range planning process.
Sec. 5207. Value engineering and risk assessment.
Sec. 5208. Business volume.
Sec. 5209. Embassy security requests and deficiencies.
Sec. 5210. Overseas security briefings.
Sec. 5211. Contracting methods in capital construction.
Sec. 5212. Competition in embassy construction.
Sec. 5213. Statement of policy.
Sec. 5214. Definitions.

TITLE LIII—PERSONNEL ISSUES

- Sec. 5301. Defense Base Act insurance waivers.*
Sec. 5302. Study on Foreign Service allowances.
Sec. 5303. Science and technology fellowships.
Sec. 5304. Travel for separated families.
Sec. 5305. Home leave travel for separated families.
Sec. 5306. Sense of Congress regarding certain fellowship programs.
Sec. 5307. Technical correction.
Sec. 5308. Foreign Service awards.
Sec. 5309. Workforce actions.
Sec. 5310. Sense of Congress regarding veterans employment at the Department of State.
Sec. 5311. Employee assignment restrictions and preclusions.
Sec. 5312. Recall and reemployment of career members.
Sec. 5313. Strategic staffing plan for the Department of State.
Sec. 5314. Consulting services.
Sec. 5315. Incentives for critical posts.
Sec. 5316. Extension of authority for certain accountability review boards.
Sec. 5317. Foreign Service suspension without pay.
Sec. 5318. Foreign Affairs Manual and Foreign Affairs Handbook changes.
Sec. 5319. Waiver authority for individual occupational requirements of certain positions.
Sec. 5320. Appointment of employees to the Global Engagement Center.
Sec. 5321. Competitive status for certain employees hired by Inspectors General to support the lead IG mission.
Sec. 5322. Report relating to Foreign Service Officer training and development.
Sec. 5323. Cooperation with Office of the Inspector General.

Sec. 5324. Information on educational opportunities for children with special education needs consistent with the Individuals with Disabilities Education Act.

Sec. 5325. Implementation of gap memorandum in selection board process.

*TITLE LIV—A DIVERSE WORKFORCE: RECRUITMENT, RETENTION,
AND PROMOTION*

Sec. 5401. Definitions.

Sec. 5402. Exit interviews for workforce.

Sec. 5403. Recruitment and retention.

Sec. 5404. Leadership engagement and accountability.

Sec. 5405. Professional development opportunities and tools.

Sec. 5406. Examination and oral assessment for the Foreign Service.

Sec. 5407. Payne fellowship authorization.

Sec. 5408. Voluntary participation.

TITLE LV—INFORMATION SECURITY

Sec. 5501. Definitions.

Sec. 5502. List of certain telecommunications providers.

Sec. 5503. Preserving records of electronic communications.

Sec. 5504. Foreign Relations of the United States (FRUS) series and declassification.

TITLE LVI—PUBLIC DIPLOMACY

Sec. 5601. Short title.

Sec. 5602. Avoiding duplication of programs and efforts.

Sec. 5603. Improving research and evaluation of public diplomacy.

Sec. 5604. Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.

Sec. 5605. Streamlining of support functions.

Sec. 5606. Guidance for closure of public diplomacy facilities.

Sec. 5607. Definitions.

TITLE LVII—OTHER MATTERS

Sec. 5701. Limitation on assistance to countries in default.

Sec. 5702. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.

Sec. 5703. Chief of mission concurrence.

Sec. 5704. Report on efforts of the Coronavirus Repatriation Task Force.

DIVISION F—OTHER NON-DEPARTMENT OF DEFENSE MATTERS

TITLE LXI—FINANCIAL SERVICES MATTERS

Sec. 6101. FinCEN Exchange.

Sec. 6102. Adverse information in cases of trafficking.

Sec. 6103. Support to enhance the capacity of International Monetary Fund members to evaluate the legal and financial terms of sovereign debt contracts.

Sec. 6104. United States policy on Burma at the International Monetary Fund, the World Bank Group, and the Asian Development Bank.

Sec. 6105. United States policy regarding international financial institution assistance with respect to advanced wireless technologies.

Sec. 6106. Illicit finance improvements.

Sec. 6107. Briefing on delegation of examination authority under the Bank Secrecy Act.

TITLE LXII—FOREIGN SERVICE FAMILIES ACT OF 2021

- Sec. 6201. Short title.*
Sec. 6202. Telecommuting opportunities.
Sec. 6203. Employment and education programs for eligible family members of members of the Foreign Service.
Sec. 6204. Briefing on Foreign Service family reserve corps.
Sec. 6205. Treatment of family members seeking positions customarily filled by Foreign Service officers or foreign national employees.
Sec. 6206. In-State tuition rates for members of qualifying Federal service.
Sec. 6207. Termination of residential or motor vehicle leases and telephone service contracts for certain members of the Foreign Service.

TITLE LXIII—BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION MODERNIZATION ACT

- Sec. 6301. Short title.*
Sec. 6302. Clarifying amendments to definitions.
Sec. 6303. Barry Goldwater Scholarship and Excellence in Education Awards.
Sec. 6304. Stipends.
Sec. 6305. Scholarship and research internship conditions.
Sec. 6306. Sustainable investments of funds.
Sec. 6307. Administrative provisions.

TITLE LXIV—DEPARTMENT OF HOMELAND SECURITY MEASURES

Subtitle A—DHS Headquarters, Research and Development, and Related Matters

- Sec. 6401. Employee engagement steering committee and action plan.*
Sec. 6402. Annual employee award program.
Sec. 6403. Chief Human Capital Officer responsibilities.
Sec. 6404. Independent investigation and implementation plan.
Sec. 6405. Authorization of the acquisition professional career program.
Sec. 6406. National urban security technology laboratory.
Sec. 6407. Department of Homeland Security Blue Campaign enhancement.
Sec. 6408. Medical countermeasures program.
Sec. 6409. Critical domain research and development.
Sec. 6410. CBP Donations Acceptance Program Reauthorization.

Subtitle B—Transportation Security

- Sec. 6411. Survey of the Transportation Security Administration workforce regarding COVID–19 response.*
Sec. 6412. Transportation Security Preparedness Plan.
Sec. 6413. Authorization of Transportation Security Administration personnel details.
Sec. 6414. Transportation Security Administration preparedness.
Sec. 6415. Plan to reduce the spread of coronavirus at passenger screening checkpoints.
Sec. 6416. Comptroller General review of Department of Homeland Security trusted traveler programs.
Sec. 6417. Enrollment redress with respect to Department of Homeland Security trusted traveler programs.

- Sec. 6418. Threat information sharing.*
Sec. 6419. Local law enforcement security training.
Sec. 6420. Allowable uses of funds for public transportation security assistance grants.
Sec. 6421. Periods of performance for public transportation security assistance grants.
Sec. 6422. GAO review of public transportation security assistance grant program.
Sec. 6423. Sensitive security information; aviation security.

TITLE LXV—OTHER MATTERS RELATING TO FOREIGN AFFAIRS

- Sec. 6501. Authorization for United States Participation in the Coalition for Epidemic Preparedness Innovations.*
Sec. 6502. Required notification and reports related to Peacekeeping Operations account.
Sec. 6503. Transnational Repression Accountability and Prevention.
Sec. 6504. Human rights awareness for American athletic delegations.
Sec. 6505. Cooperation between the United States and Ukraine regarding the titanium industry.
Sec. 6506. Updates to the National Strategy for Combating Terrorist and Other Illicit Financing.
Sec. 6507. Report on net worth of Syrian President Bashar al-Assad.
Sec. 6508. Annual report on United States policy toward South Sudan.
Sec. 6509. Strategy for engagement with Southeast Asia and ASEAN.
Sec. 6510. Supporting democracy in Burma.
Sec. 6511. United States Grand Strategy with respect to China.

TITLE LXVI—OTHER MATTERS

- Sec. 6601. Eligibility of certain individuals who served with special guerrilla units or irregular forces in Laos for interment in national cemeteries.*
Sec. 6602. Expansion of scope of Department of Veterans Affairs open burn pit registry to include open burn pits in Egypt and Syria.
Sec. 6603. Anomalous health incidents interagency coordinator.
Sec. 6604. Chief Human Capital Officers Council annual report.
Sec. 6605. National Global War on Terrorism Memorial.
Sec. 6606. Establishment of Subcommittee on the Economic and Security Implications of Quantum Information Science.
Sec. 6607. Study and report on the redistribution of COVID–19 vaccine doses that would otherwise expire to foreign countries and economies.
Sec. 6608. Catawba Indian Nation lands.
Sec. 6609. Property disposition for affordable housing.
Sec. 6610. Blocking deadly fentanyl imports.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

- 2** *In this Act, the term “congressional defense commit-*
3 *tees” has the meaning given that term in section 101(a)(16)*
4 *of title 10, United States Code.*

1 **SEC. 4. BUDGETARY EFFECTS OF THIS ACT.**

2 *The budgetary effects of this Act, for the purpose of*
 3 *complying with the Statutory Pay-As-You-Go Act of 2010,*
 4 *shall be determined by reference to the latest statement titled*
 5 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 6 *jointly submitted for printing in the Congressional Record*
 7 *by the Chairmen of the House and Senate Budget Commit-*
 8 *tees, provided that such statement has been submitted prior*
 9 *to the vote on passage in the House acting first on the con-*
 10 *ference report or amendment between the Houses.*

11 **SEC. 5. EXPLANATORY STATEMENT.**

12 *The explanatory statement regarding this Act, printed*
 13 *in the House section of the Congressional Record on or*
 14 *about December 8, 2021, by the Chairman of the Committee*
 15 *on Armed Services of the House of Representatives and the*
 16 *Chairman of the Committee on Armed Services of the Sen-*
 17 *ate, shall have the same effect with respect to the implemen-*
 18 *tation of this Act as if it were a joint explanatory statement*
 19 *of a committee of conference.*

20 **DIVISION A—DEPARTMENT OF**
 21 **DEFENSE AUTHORIZATIONS**
 22 **TITLE I—PROCUREMENT**

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Modification of deployment by the Army of interim cruise missile de-
fense capability.

- Sec. 112. Multiyear procurement authority for AH-64E Apache helicopters.*
- Sec. 113. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.*
- Sec. 114. Continuation of Soldier Enhancement Program.*
- Sec. 115. Limitation on availability of funds pending report on the Integrated Visual Augmentation System.*
- Sec. 116. Strategy and authority for the procurement of components for the next generation squad weapon.*

Subtitle C—Navy Programs

- Sec. 121. Extension of procurement authority for certain amphibious ship-building programs.*
- Sec. 122. Extension of prohibition on availability of funds for Navy port waterborne security barriers.*
- Sec. 123. Extension of report on Littoral Combat Ship mission packages.*
- Sec. 124. Incorporation of advanced degaussing systems into Arleigh Burke class destroyers.*
- Sec. 125. Report on the potential benefits of a multiyear contract for the procurement of Flight III Arleigh Burke class destroyers.*
- Sec. 126. Acquisition, modernization, and sustainment plan for carrier air wings.*
- Sec. 127. Report on material readiness of Virginia class submarines of the Navy.*

Subtitle D—Air Force Programs

- Sec. 131. Extension of inventory requirement for Air Force fighter aircraft.*
- Sec. 132. Contract for logistics support for VC-25B aircraft.*
- Sec. 133. Prohibition on certain reductions to B-1 bomber aircraft squadrons.*
- Sec. 134. Prohibition on use of funds for retirement of A-10 aircraft.*
- Sec. 135. Limitation on availability of funds for the B-52 Commercial Engine Replacement Program.*
- Sec. 136. Limitation on availability of funds pending information on bridge tanker aircraft.*
- Sec. 137. Inventory requirements and limitations relating to certain air refueling tanker aircraft.*
- Sec. 138. Minimum inventory of tactical airlift aircraft.*
- Sec. 139. Report relating to reduction of total number of tactical airlift aircraft.*

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

- Sec. 141. Implementation of affordability, operational, and sustainment cost constraints for the F-35 aircraft program.*
- Sec. 142. Transfer of F-35 program responsibilities from the F-35 Joint Program Office to the Department of the Air Force and the Department of the Navy.*
- Sec. 143. Limitation on availability of funds for air-based and space-based ground moving target indicator capabilities.*
- Sec. 144. Limitation on availability of funds for procurement of aircraft systems for the armed overwatch program.*
- Sec. 145. Analysis of certain radar investment options.*
- Sec. 146. Review and briefing on fielded major weapon systems.*
- Sec. 147. Reports on exercise of waiver authority with respect to certain aircraft ejection seats.*

1 **Subtitle A—Authorization of**
 2 **Appropriations**

3 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

4 *Funds are hereby authorized to be appropriated for fis-*
 5 *cal year 2022 for procurement for the Army, the Navy and*
 6 *the Marine Corps, the Air Force and the Space Force, and*
 7 *Defense-wide activities, as specified in the funding table in*
 8 *section 4101.*

9 **Subtitle B—Army Programs**

10 **SEC. 111. MODIFICATION OF DEPLOYMENT BY THE ARMY OF**
 11 **INTERIM CRUISE MISSILE DEFENSE CAPA-**
 12 **BILITY.**

13 *Section 112(b) of the John S. McCain National De-*
 14 *fense Authorization Act for Fiscal Year 2019 (Public Law*
 15 *115–232; 132 Stat. 1660), as amended by section 111(b)*
 16 *of the William M. (Mac) Thornberry National Defense Au-*
 17 *thorization Act for Fiscal Year 2021 (Public Law 116–283),*
 18 *is further amended—*

19 (1) *in paragraph (1), by striking “shall deploy*
 20 *the capability as follows:” and all that follows*
 21 *through the period at the end and inserting “shall de-*
 22 *ploy two batteries of the capability by not later than*
 23 *September 30, 2020.”;*

24 (2) *in paragraph (2)—*

1 (A) in the paragraph heading, by striking
2 “DEADLINES” and inserting “DEADLINE”;

3 (B) in the matter preceding subparagraph
4 (A), by striking “deadlines” and inserting
5 “deadline”;

6 (C) in subparagraph (F), by adding “and”
7 at the end;

8 (D) by striking subparagraph (G); and

9 (E) by redesignating subparagraph (H) as
10 subparagraph (G); and

11 (3) in paragraph (4), by striking “deadlines
12 specified in paragraph (1):” and all that follows
13 through the period at the end and inserting “deadline
14 specified in paragraph (1) if the Secretary determines
15 that sufficient funds have not been appropriated to
16 enable the Secretary to meet such deadline.”.

17 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR AH-**
18 **64E APACHE HELICOPTERS.**

19 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.*—
20 Subject to section 2306b of title 10, United States Code, the
21 Secretary of the Army may enter into one or more
22 multiyear contracts, beginning with the fiscal year 2022
23 program year, for the procurement of AH-64E Apache heli-
24 copters.

1 (b) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
 2 *MENTS.—A contract entered into under subsection (a) shall*
 3 *provide that any obligation of the United States to make*
 4 *a payment under the contract for a fiscal year after fiscal*
 5 *year 2022 is subject to the availability of appropriations*
 6 *for that purpose for such later fiscal year.*

7 **SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR UH-**
 8 **60M AND HH-60M BLACK HAWK HELICOPTERS.**

9 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
 10 *Subject to section 2306b of title 10, United States Code, the*
 11 *Secretary of the Army may enter into one or more*
 12 *multiyear contracts, beginning with the fiscal year 2022*
 13 *program year, for the procurement of UH-60M and HH-*
 14 *60M Black Hawk helicopters.*

15 (b) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
 16 *MENTS.—A contract entered into under subsection (a) shall*
 17 *provide that any obligation of the United States to make*
 18 *a payment under the contract for a fiscal year after fiscal*
 19 *year 2022 is subject to the availability of appropriations*
 20 *for that purpose for such later fiscal year.*

21 **SEC. 114. CONTINUATION OF SOLDIER ENHANCEMENT PRO-**
 22 **GRAM.**

23 (a) *REQUIREMENT TO CONTINUE PROGRAM.—The Sec-*
 24 *retary of the Army, acting through the Assistant Secretary*
 25 *of the Army for Acquisition, Logistics, and Technology in*

1 *accordance with subsection (b), shall continue to carry out*
2 *the Soldier Enhancement Program established pursuant to*
3 *section 203 of the National Defense Authorization Act for*
4 *Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat.*
5 *1394).*

6 **(b) RESPONSIBLE OFFICIAL.**—*The Secretary of the*
7 *Army shall designate the Assistant Secretary of the Army*
8 *for Acquisition, Logistics, and Technology as the official in*
9 *the Department of the Army with principal responsibility*
10 *for the management of the Soldier Enhancement Program*
11 *under subsection (a).*

12 **(c) DUTIES.**—*The duties of the Soldier Enhancement*
13 *Program shall include the identification, research, develop-*
14 *ment, test, and evaluation of commercially available off-the-*
15 *shelf items (as defined in section 104 of title 41, United*
16 *States Code) and software applications to accelerate the ef-*
17 *forts of the Army to integrate, modernize, and enhance*
18 *weapons and equipment for use by Army soldiers, includ-*
19 *ing—*

20 **(1)** *lighter, more lethal weapons; and*

21 **(2)** *support equipment, including lighter, more*
22 *comfortable load-bearing equipment, field gear, com-*
23 *bat clothing, survivability items, communications*
24 *equipment, navigational aids, night vision devices,*
25 *tactical power, sensors, and lasers.*

1 **SEC. 115. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
2 **ING REPORT ON THE INTEGRATED VISUAL**
3 **AUGMENTATION SYSTEM.**

4 (a) *LIMITATION.*—Of the funds authorized to be appro-
5 priated by this Act or otherwise made available for fiscal
6 year 2022 for the Army for procurement for the Integrated
7 Visual Augmentation System, not more than 75 percent
8 may be obligated or expended until the date on which the
9 Secretary of the Army submits to the congressional defense
10 committees the report required under subsection (b).

11 (b) *REPORT REQUIRED.*—

12 (1) *IN GENERAL.*—Not later than the date speci-
13 fied in paragraph (3), the Secretary of the Army shall
14 submit to the congressional defense committees a re-
15 port on the Integrated Visual Augmentation System
16 of the Army.

17 (2) *ELEMENTS.*—The report required by para-
18 graph (1) shall include the following:

19 (A) A certification from the Secretary of the
20 Army that the Integrated Visual Augmentation
21 System is sufficiently reliable to meet oper-
22 ational needs for mean time between failure to
23 support planned operational mission profiles.

24 (B) A certification from the Secretary of the
25 Army that the tactical network is sufficiently
26 suitable and reliable to support the operational

1 *employment of the System, including the Sys-*
2 *tem's ability to integrate into command net-*
3 *works.*

4 *(C)(i) A certification from the Secretary of*
5 *the Army that the duration of the System's bat-*
6 *tery power is suitable and reliable enough to*
7 *meet planned operational mission requirements.*

8 *(ii) A plan to ensure the battery manage-*
9 *ment of the System meets such requirements.*

10 *(D) A plan to enable the System to display*
11 *position location and identification information*
12 *for adjacent units, non-System-equipped plat-*
13 *forms, and soldiers.*

14 *(E) A plan, including critical milestones, to*
15 *achieve certified three-dimensional geospatial*
16 *data within the System for dynamic and preci-*
17 *sion targeting.*

18 *(F) A basis-of-issue plan based on lessons*
19 *from the developmental and operational testing*
20 *of the System.*

21 *(G) A plan for iterative improvements to*
22 *sensors, software, and form factor throughout*
23 *production and procurement of the System.*

1 *proving the performance of such weapon, with an emphasis*
2 *on the procurement of—*

3 (1) *commercially available off-the-shelf items;*

4 (2) *nondevelopmental items; and*

5 (3) *components and accessories previously devel-*
6 *oped by the Army that may be used for such weapon.*

7 (b) *MARKET SURVEY.—Upon receipt of the initial*
8 *operational test and evaluation report for the next genera-*
9 *tion squad weapon, the Secretary of the Army shall initiate*
10 *a market survey to identify components and accessories for*
11 *the weapon that meet the criteria described in subsection*
12 *(a).*

13 (c) *AUTHORIZATION.—After completing the market*
14 *survey under subsection (b), the Secretary of the Army may*
15 *enter into one or more contracts for the procurement of com-*
16 *ponents and accessories for the next generation squad weap-*
17 *on that meet the criteria described in subsection (a).*

18 (d) *INFORMATION TO CONGRESS.—Not later than one*
19 *year after receiving the initial operational test and evalua-*
20 *tion report for the next generation squad weapon, the Sec-*
21 *retary of the Army shall submit to the congressional defense*
22 *committees a report that includes—*

23 (1) *the competitive acquisition strategy developed*
24 *under subsection (a), including timelines for the field-*

1 *ing of components and accessories for such weapon*
2 *that—*

3 *(A) are commercially available off-the-shelf*
4 *items or nondevelopmental items; and*

5 *(B) are capable of improving the perform-*
6 *ance of such weapon;*

7 *(2) an assessment of the mean rounds between*
8 *stoppage and mean rounds between failure of the next*
9 *generation squad weapon, including a comparison*
10 *of—*

11 *(A) the mean rounds between stoppage and*
12 *mean rounds between failure of such weapon;*
13 *and*

14 *(B) the mean rounds between stoppage and*
15 *mean rounds between failure of currently fielded*
16 *weapons;*

17 *(3) an explanation of whether any items identi-*
18 *fied in the market survey conducted under subsection*
19 *(b) demonstrate the ability to increase the mean*
20 *rounds between stoppage or the mean rounds between*
21 *failure of the next generation squad weapon; and*

22 *(4) a plan to increase the mean rounds between*
23 *stoppage and mean rounds between failure of the next*
24 *generation squad weapon.*

25 *(e) DEFINITIONS.—In this section:*

1 (1) *The term “commercially available off-the-*
2 *shelf items” has the meaning given that term in sec-*
3 *tion 104 of title 41, United States Code.*

4 (2) *The term “nondevelopmental items” has the*
5 *meaning given that term in section 110 of title 41,*
6 *United States Code.*

7 ***Subtitle C—Navy Programs***

8 ***SEC. 121. EXTENSION OF PROCUREMENT AUTHORITY FOR*** 9 ***CERTAIN AMPHIBIOUS SHIPBUILDING PRO-*** 10 ***GRAMS.***

11 *Section 124(a)(1) of the William M. (Mac) Thornberry*
12 *National Defense Authorization Act for Fiscal Year 2021*
13 *(Public Law 116–283) is amended by striking “fiscal year*
14 *2021” and inserting “fiscal years 2021 and 2022”.*

15 ***SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY*** 16 ***OF FUNDS FOR NAVY PORT WATERBORNE SE-*** 17 ***CURITY BARRIERS.***

18 *Section 130(a) of the John S. McCain National De-*
19 *fense Authorization Act for Fiscal Year 2019 (Public Law*
20 *115–232; 132 Stat. 1665), as most recently amended by sec-*
21 *tion 127 of the William M. (Mac) Thornberry National De-*
22 *fense Authorization Act for Fiscal Year 2021 (Public Law*
23 *116–283), is further amended by striking “for fiscal years*
24 *2019, 2020, or 2021” and inserting “for fiscal years 2019,*
25 *2020, 2021, or 2022”.*

1 **SEC. 123. EXTENSION OF REPORT ON LITTORAL COMBAT**
2 **SHIP MISSION PACKAGES.**

3 *Section 123(a)(1) of the National Defense Authoriza-*
4 *tion Act for Fiscal Year 2017 (Public Law 114–328; 130*
5 *Stat. 2030) is amended by striking “fiscal year 2022” and*
6 *inserting “fiscal year 2027”.*

7 **SEC. 124. INCORPORATION OF ADVANCED DEGAUSSING**
8 **SYSTEMS INTO ARLEIGH BURKE CLASS DE-**
9 **STROYERS.**

10 *(a) IN GENERAL.—The Secretary of the Navy shall en-*
11 *sure that an advanced degaussing system is incorporated*
12 *into any Arleigh Burke class destroyer procured in fiscal*
13 *year 2025 or any subsequent fiscal year pursuant to a cov-*
14 *ered contract.*

15 *(b) COVERED CONTRACT DEFINED.—In this section,*
16 *the term “covered contract” means an annual or multiyear*
17 *contract for the procurement of an Arleigh Burke class de-*
18 *stroyer that is entered into by the Secretary of the Navy*
19 *on or after the date of the enactment of this Act.*

20 **SEC. 125. REPORT ON THE POTENTIAL BENEFITS OF A**
21 **MULTIYEAR CONTRACT FOR THE PROCURE-**
22 **MENT OF FLIGHT III ARLEIGH BURKE CLASS**
23 **DESTROYERS.**

24 *(a) IN GENERAL.—Not later than March 1, 2022, the*
25 *Secretary of the Navy shall submit to the congressional de-*
26 *fense committees a report on the potential benefits of a*

1 *multiyear contract for the period of fiscal years 2023*
2 *through 2027 for the procurement of Flight III Arleigh*
3 *Burke class destroyers in the quantities specified in sub-*
4 *section (c).*

5 (b) *ELEMENTS.—The report required by subsection (a)*
6 *shall include preliminary findings, and the basis for such*
7 *findings, of the Secretary with respect to whether—*

8 (1) *the use of a contract described in such sub-*
9 *section could result in significant savings compared*
10 *to the total anticipated costs of carrying out the pro-*
11 *gram through annual contracts;*

12 (2) *the minimum need for the destroyers de-*
13 *scribed in such subsection to be purchased is expected*
14 *to remain substantially unchanged during the con-*
15 *templated contract period in terms of production rate,*
16 *procurement rate, and total quantities;*

17 (3) *there is a reasonable expectation that*
18 *throughout the contemplated contract period the Sec-*
19 *retary of Defense will request funding for the contract*
20 *at the level required to avoid contract cancellation;*

21 (4) *there is a stable design for the destroyers to*
22 *be acquired and that the technical risks associated*
23 *with such property are not excessive;*

1 (5) *the estimates of both the cost of the contract*
2 *and the anticipated cost avoidance through the use of*
3 *a multiyear contract are realistic;*

4 (6) *the use of such a contract will promote the*
5 *national security of the United States; and*

6 (7) *a decision not to use such a contract will af-*
7 *fect the industrial base and, if so, the nature of such*
8 *effects.*

9 (c) *EVALUATION BY QUANTITY.—The report required*
10 *by subsection (a) shall evaluate the potential of procuring*
11 *each of the following quantities of Flight III Arleigh Burke-*
12 *class destroyers over the period described in such subsection:*

13 (1) *10.*

14 (2) *12.*

15 (3) *15.*

16 (4) *Any other quantities the Secretary of the*
17 *Navy considers appropriate.*

18 **SEC. 126. ACQUISITION, MODERNIZATION, AND**
19 **SUSTAINMENT PLAN FOR CARRIER AIR**
20 **WINGS.**

21 (a) *PLAN REQUIRED.—Not later than April 1, 2022,*
22 *the Secretary of the Navy shall submit to the congressional*
23 *defense committees a 15-year acquisition, modernization,*
24 *and sustainment plan for the carrier air wings of the Navy.*

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

3 (1)(A) *An assessment of whether and to what ex-*
4 *tent the capabilities, capacity, and composition of the*
5 *carrier air wings in existence as of the date of plan*
6 *meet the requirements of the National Defense Strat-*
7 *egy; and*

8 (B) *a plan to address any known shortfalls of*
9 *such carrier wings, including shortfalls with respect*
10 *to aerial refueling aircraft capacity and strike-fighter*
11 *combat radius.*

12 (2) *An operational risk assessment and risk*
13 *mitigation plan regarding the nine carrier air wings*
14 *that, as of the date of the plan, support combatant*
15 *commander steady-state peacetime and potential*
16 *major contingency requirements.*

17 (3) *An explanation of when the Secretary of the*
18 *Navy will field a minimum of 10 carrier air wings*
19 *in accordance with section 8062(e) of title 10, United*
20 *States Code.*

21 (4) *An identification and explanation of the role*
22 *of autonomous and remotely-piloted aircraft, includ-*
23 *ing the MQ-25 aircraft, and other potential capabili-*
24 *ties and platforms planned to be fielded in future car-*
25 *rier air wings.*

1 (5) *A detailed deck and hangar space plan that*
2 *supports realistic peacetime steady-state or contin-*
3 *gency surge level fixed-wing aircraft and rotorcraft*
4 *preparation activities, flight operations, and onboard*
5 *unit-level maintenance, repair, and sustainment ac-*
6 *tivities for future carrier air wings.*

7 (6) *An appropriate modernization plan to maxi-*
8 *mize operational use of platforms in existence as of*
9 *the date of the plan, particularly the EA-18G air-*
10 *craft and the E-2D aircraft, by leveraging available*
11 *technologies such as Next Generation Jammer.*

12 (7) *An identification of the logistics supply*
13 *chain support and modernization plan required dur-*
14 *ing peacetime steady-state and contingency operations*
15 *for future carrier air wings, particularly as it relates*
16 *to implementing the organic C-130 and C-40 logis-*
17 *tics tethering strategy.*

18 (8) *A detailed explanation for the Secretary of*
19 *the Navy's decision to modify carrier air wing com-*
20 *position to one squadron of 14 F-35C aircraft instead*
21 *of the originally planned two squadrons of 10 F-35C*
22 *aircraft.*

1 **SEC. 127. REPORT ON MATERIAL READINESS OF VIRGINIA**
2 **CLASS SUBMARINES OF THE NAVY.**

3 (a) *IN GENERAL.*—Not later than 120 days after the
4 date of the enactment of this Act, the Secretary of the Navy
5 shall submit to the congressional defense committees a re-
6 port on the material readiness of the Virginia class sub-
7 marines.

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

10 (1) *An assessment of the number of components*
11 *and parts that have required replacement prior to the*
12 *end of their estimated useful life or scheduled replace-*
13 *ment timeline, including efforts to increase the reli-*
14 *ability of “life of ship” components.*

15 (2) *An assessment of the extent to which part*
16 *and material shortages have impacted deployment*
17 *and maintenance availability schedules, including an*
18 *estimate of the number of active part cannibalizations*
19 *or other actions taken to mitigate those impacts.*

20 (3) *An identification of the planned lead time to*
21 *obtain key material for Virginia class submarines*
22 *from shipbuilders and vendors.*

23 (4) *An identification of the actual lead time to*
24 *obtain such material from shipbuilders and vendors.*

25 (5) *An identification of the cost increases of key*
26 *components and parts for new construction and*

1 *maintenance availabilities above planned material*
 2 *costs.*

3 (6) *An assessment of potential courses of action*
 4 *to improve the material readiness of the Virginia*
 5 *class submarines, including efforts to align new con-*
 6 *struction shipyards with maintenance shipyards and*
 7 *Naval Sea Systems Command to increase predict-*
 8 *ability of materials and purchasing power.*

9 (7) *Such recommendations as the Secretary may*
 10 *have for legislative changes, authorities, realignments,*
 11 *and administrative actions, including reforms of the*
 12 *Federal Acquisition Regulation, to improve the mate-*
 13 *rial readiness of the Virginia class submarines.*

14 (8) *Such other elements as the Secretary con-*
 15 *siders appropriate.*

16 ***Subtitle D—Air Force Programs***

17 ***SEC. 131. EXTENSION OF INVENTORY REQUIREMENT FOR*** 18 ***AIR FORCE FIGHTER AIRCRAFT.***

19 (a) *EXTENSION OF INVENTORY REQUIREMENT.—Sec-*
 20 *tion 9062(i)(1) of title 10, United States Code, is amended*
 21 *by striking “October 1, 2022” and inserting “October 1,*
 22 *2026”.*

23 (b) *REPORTS ON RETIREMENT OF AIR FORCE FIGHT-*
 24 *ER AIRCRAFT.—Section 131 of the National Defense Au-*

1 *thorization Act for Fiscal Year 2018 (Public Law 115–91;*
2 *131 Stat. 1314; 10 U.S.C. 9062 note) is amended—*

3 *(1) by amending subsection (b) to read as fol-*
4 *lows:*

5 *“(b) REPORT ON RETIREMENT OF AIRCRAFT.—*

6 *“(1) IN GENERAL.—Beginning with fiscal year*
7 *2023, for any fiscal year in which the Secretary of the*
8 *Air Force expects the total aircraft inventory of fight-*
9 *er aircraft of the Air Force or the total primary mis-*
10 *sion aircraft inventory of fighter aircraft of the Air*
11 *Force to decrease below the levels specified in section*
12 *9062(i)(1) of title 10, United States Code, the Sec-*
13 *retary of the Air Force shall submit to the congres-*
14 *sional defense committees a report setting forth the*
15 *following:*

16 *“(A) A detailed rationale for the retirement*
17 *of existing fighter aircraft and a detailed oper-*
18 *ational analysis of the portfolio of capabilities of*
19 *the Air Force that demonstrates performance of*
20 *the designated mission at an equal or greater*
21 *level of effectiveness as the retiring aircraft.*

22 *“(B) An assessment of the implications for*
23 *the Air Force, the Air National Guard, and the*
24 *Air Force Reserve of the force mix ratio of fight-*
25 *er aircraft and how existing aircraft inventory*

1 *levels and unit personnel levels for the active and*
2 *reserve components are proposed to change dur-*
3 *ing the fiscal year in which fighter aircraft will*
4 *be retired.*

5 “(C) *A detailed assessment of the current*
6 *operational risk and the operational risk that*
7 *will be incurred for meeting—*

8 “(i) *the requirements of the National*
9 *Defense Strategy and combatant com-*
10 *manders; and*

11 “(ii) *operational plans for major con-*
12 *tingency operations and steady-state or ro-*
13 *tational operations.*

14 “(D) *Such other matters relating to the re-*
15 *tirement of fighter aircraft as the Secretary con-*
16 *siders appropriate.*

17 “(2) *TIMING OF REPORT.—Each report required*
18 *under paragraph (1) shall be included in the mate-*
19 *rials submitted in support of the budget of the Presi-*
20 *dent (as submitted to Congress under section 1105(a)*
21 *of title 31, United States Code) for the fiscal year in*
22 *which applicable decrease in fighter aircraft inven-*
23 *tory levels is expected to occur.”;*

24 (2) *by striking subsection (c); and*

1 (3) by redesignating subsection (d) as subsection
2 (c).

3 **SEC. 132. CONTRACT FOR LOGISTICS SUPPORT FOR VC-25B**
4 **AIRCRAFT.**

5 Section 143 of the John S. McCain National Defense
6 Authorization Act for Fiscal Year 2019 (Public Law 115–
7 232; 132 Stat. 1668) is amended—

8 (1) in paragraph (1), by striking “, unless other-
9 wise approved in accordance with established proce-
10 dures”; and

11 (2) in paragraph (2), by inserting “such” before
12 “logistics support contract”.

13 **SEC. 133. PROHIBITION ON CERTAIN REDUCTIONS TO B-1**
14 **BOMBER AIRCRAFT SQUADRONS.**

15 (a) *PROHIBITION.*—During the covered period, the
16 Secretary of the Air Force may not—

17 (1) modify the designed operational capability
18 statement for any B-1 bomber aircraft squadron, as
19 in effect on the date of the enactment of this Act, in
20 a manner that would reduce the capabilities of such
21 a squadron below the levels specified in such state-
22 ment as in effect on such date; or

23 (2) reduce, below the levels in effect on such date
24 of enactment, the number of personnel assigned to
25 units responsible for the operation and maintenance

1 (1) *IN GENERAL.*—*The limitation under sub-*
2 *section (a) shall not apply to an individual A–10 air-*
3 *craft that the Secretary of the Air Force determines,*
4 *on a case-by-case basis, to be no longer mission capa-*
5 *ble because of a Class A mishap.*

6 (2) *CERTIFICATION REQUIRED.*—*If the Secretary*
7 *determines under paragraph (1) that an aircraft is*
8 *no longer mission capable, the Secretary shall submit*
9 *to the congressional defense committees a certification*
10 *that the status of such aircraft is due to a Class A*
11 *mishap and not due to lack of maintenance or repairs*
12 *or other reasons.*

13 (3) *CERTIFICATION ADDITIONAL.*—*Any certifi-*
14 *cation submitted under paragraph (2) shall be in ad-*
15 *dition to the notification and certification required by*
16 *section 135(b) of the National Defense Authorization*
17 *Act for Fiscal Year 2017 (Public Law 114–328; 130*
18 *Stat. 2039).*

19 **SEC. 135. LIMITATION ON AVAILABILITY OF FUNDS FOR**
20 **THE B–52 COMMERCIAL ENGINE REPLACE-**
21 **MENT PROGRAM.**

22 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
23 *priated by this Act or otherwise made available for fiscal*
24 *year 2022 for the research and development, design, pro-*
25 *curement, or advanced procurement of materials for the B–*

1 52 *Commercial Engine Replacement Program, not more*
2 *than 75 percent may be obligated or expended until the date*
3 *on which the Secretary of Defense submits to the congress-*
4 *sional defense committees the report described in section*
5 *2432 of title 10, United States Code, for the most recently*
6 *concluded fiscal quarter for the B-52 Commercial Engine*
7 *Replacement Program in accordance with subsection (b)(1).*

8 (b) *ADDITIONAL REQUIREMENTS.—*

9 (1) *TREATMENT OF BASELINE ESTIMATE.—The*
10 *Secretary of Defense shall deem the Baseline Estimate*
11 *for the B-52 Commercial Engine Replacement Pro-*
12 *gram for fiscal year 2020 as the original Baseline Es-*
13 *timate for the Program.*

14 (2) *UNIT COST REPORTS AND CRITICAL COST*
15 *GROWTH.—*

16 (A) *Subject to subparagraph (B), the Sec-*
17 *retary shall carry out sections 2433 and 2433a*
18 *of title 10, United States Code, with respect to*
19 *the B-52 Commercial Engine Replacement Pro-*
20 *gram, as if the Department had submitted a Se-*
21 *lected Acquisition Report for the Program that*
22 *included the Baseline Estimate for the Program*
23 *for fiscal year 2020 as the original Baseline Es-*
24 *timate, except that the Secretary shall not carry*
25 *out subparagraph (B) or subparagraph (C) of*

1 *section 2433a(c)(1) of such title with respect to*
2 *the Program.*

3 *(B) In carrying out the review required by*
4 *section 2433a of such title, the Secretary shall*
5 *not enter into a transaction under section 2371*
6 *or 2371b of such title, exercise an option under*
7 *such a transaction, or otherwise extend such a*
8 *transaction with respect to the B-52 Commercial*
9 *Engine Replacement Program except to the ex-*
10 *tent determined necessary by the milestone deci-*
11 *sion authority, on a non-delegable basis, to en-*
12 *sure that the program can be restructured as in-*
13 *tended by the Secretary without unnecessarily*
14 *wasting resources.*

15 *(c) DEFINITIONS.—In this section:*

16 *(1) The term “Baseline Estimate” has the mean-*
17 *ing given the term in section 2433(a)(2) of title 10,*
18 *United States Code.*

19 *(2) The term “milestone decision authority” has*
20 *the meaning given the term in section 2366b(g)(3) of*
21 *title 10, United States Code.*

22 *(3) The term “original Baseline Estimate” has*
23 *the meaning given the term in section 2435(d)(1) of*
24 *title 10, United States Code.*

1 (4) *The term “Selected Acquisition Report”*
2 *means a Selected Acquisition Report submitted to*
3 *Congress under section 2432 of title 10, United States*
4 *Code.*

5 **SEC. 136. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
6 **ING INFORMATION ON BRIDGE TANKER AIR-**
7 **CRAFT.**

8 (a) *LIMITATION.—Of the funds authorized to be appro-*
9 *priated by this Act or otherwise made available for fiscal*
10 *year 2022 for the Office of the Secretary of the Air Force*
11 *for travel expenses, not more than thirty-five percent may*
12 *be obligated or expended until—*

13 (1) *the Vice Chairman of the Joint Chiefs of*
14 *Staff submits to the congressional defense committees*
15 *a report outlining the requirements for the bridge*
16 *tanker aircraft; and*

17 (2) *the Secretary of the Air Force submits to the*
18 *congressional defense committees—*

19 (A) *a report detailing the acquisition strat-*
20 *egy for the bridge tanker aircraft;*

21 (B) *a certification identifying the amount*
22 *of funds required for the acquisition of the bridge*
23 *tanker aircraft; and*

1 (C) a plan for the development of the ad-
2 vanced aerial refueling tanker aircraft (com-
3 monly referred to as the “KC-Z”).

4 (b) *BRIDGE TANKER AIRCRAFT DEFINED.*—In this
5 section, the term “bridge tanker aircraft” means the follow-
6 on tanker aircraft (commonly referred to as the “KC-Y”).

7 **SEC. 137. INVENTORY REQUIREMENTS AND LIMITATIONS**
8 **RELATING TO CERTAIN AIR REFUELING**
9 **TANKER AIRCRAFT.**

10 (a) *REPEAL OF MINIMUM INVENTORY REQUIREMENTS*
11 *FOR KC-10A AIRCRAFT.*—Section 135 of the William M.
12 (Mac) Thornberry National Defense Authorization Act for
13 Fiscal Year 2021 (Public Law 116–283) is amended—

14 (1) by striking subsection (b);

15 (2) by redesignating subsections (c) through (f)
16 as subsections (b) through (e), respectively;

17 (3) in subsection (b), as so redesignated, by strik-
18 ing “subsection (e)” and inserting “subsection (d)”;
19 and

20 (4) by amending subsection (d), as so redesign-
21 ated, to read as follows:

22 “(d) *EXCEPTIONS.*—The requirement in subsection (b)
23 shall not apply to an aircraft otherwise required to be
24 maintained by that subsection if the Secretary of the Air
25 Force—

1 “(1) at any time during the period beginning on
2 the date of the enactment of this Act and ending on
3 October 1, 2023, determines, on a case-by-case basis,
4 that such aircraft is no longer mission capable due to
5 mishap or other damage, or being uneconomical to re-
6 pair; or

7 “(2) during fiscal year 2023, certifies in writing
8 to the congressional defense committees, not later than
9 30 days before the date of divestment of such aircraft,
10 that the Air Force can meet combatant command
11 tanker aircraft requirements by leveraging Air Na-
12 tional Guard and Air Force Reserve capacity with
13 increased Military Personnel Appropriation (MPA)
14 Man-day Tours to the reserve force.”.

15 (b) *LIMITATION ON RETIREMENT OF KC-135 AIR-*
16 *CRAFT.*—

17 (1) *LIMITATION.*—Notwithstanding section 135
18 of the William M. (Mac) Thornberry National Defense
19 Authorization Act for Fiscal Year 2021 (Public Law
20 116–283) and except as provided in paragraph (2),
21 the Secretary of the Air Force may not retire more
22 than 18 KC-135 aircraft during the period beginning
23 on the date of the enactment of this Act and ending
24 on October 1, 2023.

1 *Force below the minimum number specified in subsection*
2 *(a) if the Secretary determines, on a case-by-case basis, that*
3 *an aircraft is no longer mission capable because of a mis-*
4 *hap or other damage.*

5 *(c) COVERED PERIOD DEFINED.—In this section, the*
6 *term “covered period” means the period—*

7 *(1) beginning on October 1, 2021; and*

8 *(2) ending on the later of—*

9 *(A) October 1, 2022; or*

10 *(B) the date of the enactment of the next*
11 *National Defense Authorization Act enacted after*
12 *the date of the enactment of this Act.*

13 **SEC. 139. REPORT RELATING TO REDUCTION OF TOTAL**
14 **NUMBER OF TACTICAL AIRLIFT AIRCRAFT.**

15 *(a) REPORT REQUIRED.—Not later than 180 days*
16 *after the date of the enactment of this Act, the Secretary*
17 *of the Air Force shall submit to the congressional defense*
18 *committees a report on any plans of the Air Force to reduce*
19 *the total number of tactical airlift aircraft in the inventory*
20 *of the Air Force.*

21 *(b) ELEMENTS.—The report required under subsection*
22 *(a) shall include, with respect to any plan of the Air Force*
23 *to reduce the total number of tactical airlift aircraft—*

24 *(1) the justification for such reduction;*

1 (2) *an explanation of whether and to what extent*
2 *domestic operations was considered as part of such*
3 *justification;*

4 (3) *analysis of the role of domestic operations*
5 *during concurrent contingency operations;*

6 (4) *analysis of the C-130 aircraft force struc-*
7 *tures recommended to support wartime mobility re-*
8 *quirements as set forth in—*

9 (A) *the mobility capability and require-*
10 *ments study conducted under section 144(b) of*
11 *the National Defense Authorization Act for Fis-*
12 *cal Year 2018 (Public Law 115-91; 131 Stat.*
13 *1321); and*

14 (B) *the mobility capability requirements*
15 *study conducted under section 1712 of the Na-*
16 *tional Defense Authorization Act for Fiscal Year*
17 *2020 (Public Law 116-92; 133 Stat. 1803);*

18 (5) *the Secretary's justification for any increased*
19 *risk that may result from accepting a C-130 aircraft*
20 *force structure smaller than the force structure rec-*
21 *ommended by such studies; and*

22 (6) *an explanation of whether and to what extent*
23 *Governors of States that may be affected by the*
24 *planned reduction were consulted as part of the deci-*
25 *sion making process.*

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

4 ***Subtitle E—Defense-wide, Joint,***
 5 ***and Multiservice Matters***

6 ***SEC. 141. IMPLEMENTATION OF AFFORDABILITY, OPER-***
 7 ***ATIONAL, AND SUSTAINMENT COST CON-***
 8 ***STRAINTS FOR THE F-35 AIRCRAFT PROGRAM.***

9 (a) *F-35A QUANTITY LIMIT FOR THE AIR FORCE.*—

10 (1) *LIMITATION.*—Beginning on October 1, 2028,
 11 the total number of F-35A aircraft that the Secretary
 12 of the Air Force may maintain in the aircraft inven-
 13 tory of the Air Force may not exceed the lesser of—

14 (A) 1,763; or

15 (B) the number obtained by—

16 (i) multiplying 1,763 by the cost-per-
 17 tail factor determined under paragraph (2);

18 and

19 (ii) rounding the product of the cal-
 20 culation under clause (i) to the nearest
 21 whole number.

22 (2) *COST-PER-TAIL FACTOR.*—For purposes of
 23 paragraph (1)(B), the cost-per-tail factor is equal
 24 to—

1 (A) the affordability cost target for F-35A
 2 aircraft of the Air Force (as determined by the
 3 Secretary of the Air Force in accordance with
 4 subsection (e)), divided by

5 (B) a number equal to the average cost-per-
 6 tail-per-year of the F-35A aircraft of the Air
 7 Force during fiscal year 2027 (as determined by
 8 the Secretary of the Air Force in accordance
 9 with subsection (f)).

10 (b) F-35B QUANTITY LIMIT FOR THE MARINE
 11 CORPS.—

12 (1) LIMITATION.—Beginning on October 1, 2028,
 13 the total number of F-35B aircraft that the Secretary
 14 of the Navy may maintain in the aircraft inventory
 15 of the Marine Corps may not exceed the lesser of—

16 (A) 353; or

17 (B) the number obtained by—

18 (i) multiplying 353 by the cost-per-tail
 19 factor determined under paragraph (2); and

20 (ii) rounding the product of the cal-
 21 culation under clause (i) to the nearest
 22 whole number.

23 (2) COST-PER-TAIL FACTOR.—For purposes of
 24 paragraph (1)(B), the cost-per-tail factor is equal
 25 to—

1 (A) the affordability cost target for F-35B
2 aircraft of the Marine Corps (as determined by
3 the Secretary of the Navy in accordance with
4 subsection (e)), divided by

5 (B) a number equal to the average cost-per-
6 tail-per-year of the F-35B aircraft of the Marine
7 Corps during fiscal year 2027 (as determined by
8 the Secretary of the Navy in accordance with
9 subsection (f)).

10 (c) F-35C QUANTITY LIMIT FOR THE NAVY.—

11 (1) LIMITATION.—Beginning on October 1, 2028,
12 the total number of F-35C aircraft that the Secretary
13 of the Navy may maintain in the aircraft inventory
14 of the Navy may not exceed the lesser of—

15 (A) 273; or

16 (B) the number obtained by—

17 (i) multiplying 273 by the cost-per-tail
18 factor determined under paragraph (2); and

19 (ii) rounding the product of the cal-
20 culation under clause (i) to the nearest
21 whole number.

22 (2) COST-PER-TAIL FACTOR.—For purposes of
23 paragraph (1)(B), the cost-per-tail factor is equal
24 to—

1 (A) the affordability cost target for F-35C
2 aircraft of the Navy (as determined by the Sec-
3 retary of the Navy in accordance with subsection
4 (e)), divided by

5 (B) a number equal to the average cost-per-
6 tail-per-year of the F-35C aircraft of the Navy
7 during fiscal year 2027 (as determined by the
8 Secretary of the Navy in accordance with sub-
9 section (f)).

10 (d) F-35C QUANTITY LIMIT FOR THE MARINE
11 CORPS.—

12 (1) LIMITATION.—Beginning on October 1, 2028,
13 the total number of F-35C aircraft that the Secretary
14 of the Navy may maintain in the aircraft inventory
15 of the Marine Corps may not exceed the lesser of—

16 (A) 67; or

17 (B) the number obtained by—

18 (i) multiplying 67 by the cost-per-tail
19 factor determined under paragraph (2); and

20 (ii) rounding the product of the cal-
21 culation under clause (i) to the nearest
22 whole number.

23 (2) COST-PER-TAIL FACTOR.—For purposes of
24 paragraph (1)(B), the cost-per-tail factor is equal
25 to—

1 (A) the affordability cost target for F-35C
2 aircraft of the Marine Corps (as determined by
3 the Secretary of the Navy in accordance with
4 subsection (e)), divided by

5 (B) a number equal to the average cost-per-
6 tail-per-year of the F-35C aircraft of the Marine
7 Corps during fiscal year 2027 (as determined by
8 the Secretary of the Navy in accordance with
9 subsection (f)).

10 (e) *DETERMINATION OF REQUIRED AFFORDABILITY*
11 *COST TARGETS.*—

12 (1) *AIR FORCE.*—Not later than October 1, 2025,
13 the Secretary of the Air Force shall—

14 (A) determine an affordability cost target to
15 be used for purposes of subsection (a)(2)(A),
16 which shall be the dollar amount the Secretary
17 determines to represent the required cost-per-tail-
18 per-year for an F-35A aircraft of the Air force
19 for fiscal year 2027; and

20 (B) submit to the congressional defense com-
21 mittees a certification identifying the afford-
22 ability cost target determined under subpara-
23 graph (A).

24 (2) *NAVY AND MARINE CORPS.*—Not later than
25 October 1, 2025, the Secretary of the Navy shall—

1 (A) determine an affordability cost target to
2 be used for purposes of subsection (b)(2)(A),
3 which shall be the dollar amount the Secretary
4 determines to represent the required cost-per-tail-
5 per-year for an F-35B aircraft of the Marine
6 Corps for fiscal year 2027;

7 (B) determine an affordability cost target to
8 be used for purposes of subsection (c)(2)(A),
9 which shall be the dollar amount the Secretary
10 determines to represent the required cost-per-tail-
11 per-year for an F-35C aircraft of the Navy for
12 fiscal year 2027;

13 (C) determine an affordability cost target to
14 be used for purposes of subsection (d)(2)(A),
15 which shall be the dollar amount the Secretary
16 determines to represent the required cost-per-tail-
17 per-year for an F-35C aircraft of the Marine
18 Corps for fiscal year 2027; and

19 (D) submit to the congressional defense com-
20 mittees a certification identifying each afford-
21 ability cost target determined under subpara-
22 graphs (A) through (C).

23 (f) DETERMINATION OF ACTUAL COST-PER-TAIL-PER-
24 YEAR FOR FISCAL YEAR 2027.—

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the end of fiscal year 2027—

3 (A) the Secretary of the Air Force shall de-
4 termine the average cost-per-tail of the F-35A
5 aircraft of the Air Force during fiscal year 2027;
6 and

7 (B) the Secretary of the Navy shall deter-
8 mine the average cost-per-tail of—

9 (i) the F-35B aircraft of the Marine
10 Corps during fiscal year 2027;

11 (ii) the F-35C aircraft of the Navy
12 during fiscal year 2027; and

13 (iii) the F-35C aircraft of the Marine
14 Corps during fiscal year 2027.

15 (2) *CALCULATION.*—For purposes of paragraph
16 (1), the average cost-per-tail of a variant of an F-35
17 aircraft of an Armed Force shall be determined by—

18 (A) adding the total amount expended for
19 fiscal year 2027 (in base year fiscal 2012 dol-
20 lars) for all such aircraft in the inventory of the
21 Armed Force for—

22 (i) unit level manpower;

23 (ii) unit operations;

24 (iii) maintenance;

25 (iv) sustaining support;

1 (v) continuing system support; and

2 (vi) modifications; and

3 (B) dividing the sum obtained under sub-
4 paragraph (A) by the average number of such
5 aircraft in the inventory of the Armed Force
6 during such fiscal year.

7 (g) *WAIVER AUTHORITY.*—The Secretary of Defense
8 may waive the quantity limits under any of subsections (a)
9 through (d) if, prior to issuing such a waiver, the Secretary
10 certifies to the congressional defense committees that pro-
11 curing additional quantities of a variant of an F-35 air-
12 craft above the applicable quantity limit are required to
13 meet the national military strategy requirements of the
14 combatant commanders. The authority of the Secretary
15 under this subsection may not be delegated.

16 (h) *AIRCRAFT DEFINED.*—In this section, the term
17 “aircraft” means aircraft owned and operated by an Armed
18 Force of the United States and does not include aircraft
19 owned or operated by an armed force of a foreign country.

20 **SEC. 142. TRANSFER OF F-35 PROGRAM RESPONSIBILITIES**
21 **FROM THE F-35 JOINT PROGRAM OFFICE TO**
22 **THE DEPARTMENT OF THE AIR FORCE AND**
23 **THE DEPARTMENT OF THE NAVY.**

24 (a) *TRANSFER OF FUNCTIONS.*—

1 (1) *SUSTAINMENT FUNCTIONS*.—Not later than
2 October 1, 2027, the Secretary of Defense shall trans-
3 fer all functions relating to the management, plan-
4 ning, and execution of sustainment activities for the
5 F-35 aircraft program from the F-35 Joint Program
6 Office to the Secretary of the Air Force and the Sec-
7 retary of the Navy as follows:

8 (A) All functions of the F-35 Joint Pro-
9 gram Office relating to the management, plan-
10 ning, and execution of sustainment activities for
11 F-35B and F-35C aircraft shall be transferred
12 to the Department of the Navy, and the Sec-
13 retary of the Navy shall be the official in the De-
14 partment of Defense with principal responsi-
15 bility for carrying out such functions.

16 (B) All functions of the F-35 Joint Pro-
17 gram Office relating to the management, plan-
18 ning, and execution of sustainment activities for
19 F-35A aircraft shall be transferred to the De-
20 partment of the Air Force, and the Secretary of
21 the Air Force shall be the official in the Depart-
22 ment of Defense with principal responsibility for
23 carrying out such functions.

24 (2) *ACQUISITION FUNCTIONS*.—Not later than
25 October 1, 2029, the Secretary of Defense shall trans-

1 *fer all acquisition functions for the F-35 aircraft pro-*
2 *gram from the F-35 Joint Program Office to the Sec-*
3 *retary of the Air Force and the Secretary of the Navy*
4 *as follows:*

5 *(A) All functions of the F-35 Joint Pro-*
6 *gram Office relating to the acquisition of F-35B*
7 *and F-35C aircraft shall be transferred to the*
8 *Department of the Navy, and the Secretary of*
9 *the Navy shall be the official in the Department*
10 *of Defense with principal responsibility for car-*
11 *rying out such functions.*

12 *(B) All functions of the F-35 Joint Pro-*
13 *gram Office relating to the acquisition of F-35A*
14 *aircraft shall be transferred to the Department of*
15 *the Air Force, and the Secretary of the Air Force*
16 *shall be the official in the Department of Defense*
17 *with principal responsibility for carrying out*
18 *such functions.*

19 *(b) TRANSITION PLAN.—Not later than October 1,*
20 *2022, the Under Secretary of Defense for Acquisition and*
21 *Sustainment, in coordination with the Secretary of the Air*
22 *Force and the Secretary of the Navy, shall submit to the*
23 *congressional defense committees a plan for carrying out*
24 *the transfers required under subsection (a).*

1 **SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **AIR-BASED AND SPACE-BASED GROUND MOV-**
3 **ING TARGET INDICATOR CAPABILITIES.**

4 (a) *REVIEW OF REDUNDANCIES.*—The Secretary of
5 Defense shall conduct a review of all established and
6 planned efforts to provide air-based and space-based ground
7 moving target indicator capability to identify, eliminate,
8 and prevent redundancies of such efforts across the Depart-
9 ment of Defense.

10 (b) *LIMITATION.*—Of the funds authorized to be appro-
11 priated by this Act or otherwise made available for fiscal
12 year 2022 for the capability described in subsection (a), not
13 more than 75 percent may be obligated or expended for pro-
14 curement or research and development for such capability
15 until the date on which the Vice Chairman of the Joint
16 Chiefs of Staff submits to the congressional defense commit-
17 tees the information required under subsection (c).

18 (c) *INFORMATION REQUIRED.*—The Vice Chairman of
19 the Joint Chiefs of Staff, in consultation with the Secre-
20 taries of the military departments and the heads of such
21 other agencies as the Secretary of Defense considers relevant
22 to the ground moving target indicator capability described
23 in subsection (a), shall submit to the congressional defense
24 committees the following:

1 (1) *A list of all procurement and research and*
2 *development efforts relating to the capability that are*
3 *funded by—*

4 (A) *the Department of Defense; or*

5 (B) *any other department or agency of the*
6 *Federal Government.*

7 (2) *A description of how the efforts described in*
8 *paragraph (1) will—*

9 (A) *provide real-time information to rel-*
10 *evant military end users through the use of air*
11 *battle managers; and*

12 (B) *meet the needs of combatant com-*
13 *manders with respect to priority target tasking.*

14 (3) *Analysis of whether, and to what extent, the*
15 *efforts described in paragraph (1) comply with—*

16 (A) *the joint all domain command and con-*
17 *trol requirements and standards of the Depart-*
18 *ment; and*

19 (B) *the validated requirements of the Joint*
20 *Requirements Oversight Council with respect to*
21 *ground moving target indicator capabilities.*

22 (4) *Identification of any potential areas of over-*
23 *lap among the efforts described in paragraph (1).*

1 **SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **PROCUREMENT OF AIRCRAFT SYSTEMS FOR**
3 **THE ARMED OVERWATCH PROGRAM.**

4 *None of the funds authorized to be appropriated by this*
5 *Act or otherwise made available for fiscal year 2022 for the*
6 *Department of Defense for the procurement of aircraft sys-*
7 *tems for the armed overwatch program of the United States*
8 *Special Operations Command may be obligated or expended*
9 *until a period of 15 days has elapsed following the date*
10 *on which the acquisition roadmap required by section*
11 *165(a) of the William M. (Mac) Thornberry National De-*
12 *fense Authorization Act for Fiscal Year 2021 (Public Law*
13 *116–283) is submitted to the congressional defense commit-*
14 *tees.*

15 **SEC. 145. ANALYSIS OF CERTAIN RADAR INVESTMENT OP-**
16 **TIONS.**

17 *(a) ANALYSIS REQUIRED.—*

18 *(1) IN GENERAL.—The Director of Cost Assess-*
19 *ment and Program Evaluation shall conduct an anal-*
20 *ysis of covered radar systems operating in the Navy*
21 *and the Missile Defense Agency over the period cov-*
22 *ered by the most recent future-years defense program*
23 *submitted to Congress under section 221 of title 10,*
24 *United States Code.*

25 *(2) ELEMENTS.—The analysis conducted under*
26 *paragraph (1) shall include the following:*

1 (A) *An independent cost estimate of each*
2 *covered radar system described in paragraph (1)*
3 *and each variant thereof.*

4 (B) *An assessment of the capability pro-*
5 *vided by each such system and variant to ad-*
6 *dress current and future air and missile defense*
7 *threats.*

8 (C) *In the case of covered radar systems op-*
9 *erating in the Navy, an assessment of the capa-*
10 *bility and technical suitability of each planned*
11 *configuration for such systems to support current*
12 *and future distributed maritime operations in*
13 *contested environments.*

14 (b) *REPORT.—Not later than May 1, 2022, the Direc-*
15 *tor of Cost Assessment and Program Evaluation shall sub-*
16 *mit to the congressional defense committees a report that*
17 *includes the following:*

18 (1) *The results of the analysis conducted under*
19 *subsection (a)(1).*

20 (2) *Such recommendations as the Director may*
21 *have to achieve greater capability, affordability, and*
22 *sustainability across covered radar systems described*
23 *in subsection (a)(1), including variants thereof, dur-*
24 *ing fiscal years 2022 through 2027, including wheth-*
25 *er—*

1 (A) to continue to develop and maintain
2 each covered radar system separately; or

3 (B) to pursue fewer configurations of such
4 systems.

5 (c) *COVERED RADAR SYSTEMS DEFINED.*—In this sec-
6 tion, the term “covered radar systems” means radar systems
7 with the following designations an any variants thereof:

8 (1) AN/SPY-1.

9 (2) AN/SPY-3.

10 (3) AN/SPY-6.

11 (4) AN/SPY-7.

12 **SEC. 146. REVIEW AND BRIEFING ON FIELDED MAJOR**
13 **WEAPON SYSTEMS.**

14 (a) *REVIEW AND BRIEFING REQUIRED.*—Not later
15 than March 1, 2023, the Secretary of Defense shall conduct
16 a review, and provide a briefing to the congressional defense
17 committees, on the processes of the Department of Defense
18 for the management of strategic risk with respect to capa-
19 bilities of fielded major weapon systems funded in the most
20 recent future-years defense program submitted to Congress
21 under section 221 of title 10, United States Code, including
22 a description of the analytical and implementation meth-
23 odologies used—

24 (1) to ensure that fielded major weapon systems
25 meet current and emerging military threats;

1 (2) *to upgrade or replace any fielded major*
2 *weapon systems that is not capable of effectively meet-*
3 *ing operational requirements or current, evolving, or*
4 *emerging threats; and*

5 (3) *to develop and implement plans for the re-*
6 *placement and divestment of fielded major weapon*
7 *systems that address lower-priority military threats,*
8 *as determined by intelligence assessments and oper-*
9 *ational requirements.*

10 (b) *MAJOR WEAPON SYSTEM DEFINED.—In this sec-*
11 *tion, the term “major weapon system” has the meaning*
12 *given such term under section 2379(f) of title 10, United*
13 *States Code.*

14 **SEC. 147. REPORTS ON EXERCISE OF WAIVER AUTHORITY**
15 **WITH RESPECT TO CERTAIN AIRCRAFT EJEC-**
16 **TION SEATS.**

17 *Not later than February 1, 2022, and on a semiannual*
18 *basis thereafter through February 1, 2024, the Secretary of*
19 *the Air Force and the Secretary of the Navy shall each sub-*
20 *mit to the congressional defense committees a report that*
21 *includes, with respect to each location at which active flying*
22 *operations are conducted or planned as of the date report—*

23 (1) *the number of aircrew ejection seats installed*
24 *in the aircraft used, or expected to be used, at such*
25 *location;*

1 (2) of the ejection seats identified under para-
 2 graph (1), the number that have been, or are expected
 3 to be, placed in service subject to a waiver due to—

4 (A) deferred maintenance; or

5 (B) the inability to obtain parts to make re-
 6 pairs or to fulfill time-compliance technical or-
 7 ders; and

8 (3) for each ejection seat subject to a waiver as
 9 described in paragraph (2)—

10 (A) the date on which the waiver was
 11 issued; and

12 (B) the name and title of the official who
 13 authorized the waiver.

14 **TITLE II—RESEARCH, DEVELOP-**
 15 **MENT, TEST, AND EVALUA-**
 16 **TION**

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Codification of National Defense Science and Technology Strategy.

*Sec. 212. Codification of direct hire authority at personnel demonstration labora-
 tories for advanced degree holders.*

Sec. 213. Duties and regional activities of the Defense Innovation Unit.

*Sec. 214. Codification of requirement for Defense Established Program to Stimu-
 late Competitive Research.*

*Sec. 215. Codification of authorities relating to Department of Defense science
 and technology reinvention laboratories.*

*Sec. 216. Improvements relating to steering committee on emerging technology
 and national security threats.*

*Sec. 217. Improvements relating to national network for microelectronics research
 and development.*

*Sec. 218. Modification of mechanisms for expedited access to technical talent and
 expertise at academic institutions to support Department of De-
 fense missions.*

- Sec. 219. Technical correction to pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.*
- Sec. 220. Defense research and engineering activities at minority institutions.*
- Sec. 221. Test program for engineering plant of DDG(X) destroyer vessels.*
- Sec. 222. Consortium to study irregular warfare.*
- Sec. 223. Development and implementation of digital technologies for survivability and lethality testing.*
- Sec. 224. Assessment and correction of deficiencies in the pilot breathing systems of tactical fighter aircraft.*
- Sec. 225. Identification of the hypersonics facilities and capabilities of the Major Range and Test Facility Base.*
- Sec. 226. Review of artificial intelligence applications and establishment of performance metrics.*
- Sec. 227. Modification of the joint common foundation program.*
- Sec. 228. Executive education on emerging technologies for senior civilian and military leaders.*
- Sec. 229. Activities to accelerate development and deployment of dual-use quantum technologies.*
- Sec. 230. National Guard participation in microreactor testing and evaluation.*
- Sec. 231. Pilot program on the use of private sector partnerships to promote technology transition.*
- Sec. 232. Pilot program on data repositories to facilitate the development of artificial intelligence capabilities for the Department of Defense.*
- Sec. 233. Pilot programs for deployment of telecommunications infrastructure to facilitate 5G deployment on military installations.*
- Sec. 234. Limitation on development of prototypes for the Optionally Manned Fighting Vehicle pending requirements analysis.*
- Sec. 235. Limitation on transfer of certain operational flight test events and reductions in operational flight test capacity.*
- Sec. 236. Limitation on availability of funds for certain C-130 aircraft.*
- Sec. 237. Limitation on availability of funds for VC-25B aircraft program pending submission of documentation.*
- Sec. 238. Limitation on availability of funds for the High Accuracy Detection and Exploitation System.*

Subtitle C—Plans, Reports, and Other Matters

- Sec. 241. Modification to annual report of the Director of Operational Test and Evaluation.*
- Sec. 242. Adaptive engine transition program acquisition strategy for the F-35A aircraft.*
- Sec. 243. Acquisition strategy for an advanced propulsion system for F-35B and F-35C aircraft.*
- Sec. 244. Assessment of the development and test enterprise of the Air Force Research Laboratory.*
- Sec. 245. Study on efficient use of Department of Defense test and evaluation organizations, facilities, and laboratories.*
- Sec. 246. Report on autonomy integration in major weapon systems.*
- Sec. 247. Reports and briefings on recommendations of the National Security Commission on Artificial Intelligence regarding the Department of Defense.*

1 **Subtitle A—Authorization of**
2 **Appropriations**

3 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

4 *Funds are hereby authorized to be appropriated for fis-*
5 *cal year 2022 for the use of the Department of Defense for*
6 *research, development, test, and evaluation, as specified in*
7 *the funding table in section 4201.*

8 **Subtitle B—Program Requirements,**
9 **Restrictions, and Limitations**

10 **SEC. 211. CODIFICATION OF NATIONAL DEFENSE SCIENCE**
11 **AND TECHNOLOGY STRATEGY.**

12 *(a) IN GENERAL.—Chapter 2 of title 10, United States*
13 *Code, as amended by section 1081 of this Act, is further*
14 *amended by inserting before section 119, the following new*
15 *section:*

16 **“§ 118c. National Defense Science and Technology**
17 **Strategy**

18 *“(a) IN GENERAL.—The Secretary of Defense shall de-*
19 *velop a strategy—*

20 *“(1) to articulate the science and technology pri-*
21 *orities, goals, and investments of the Department of*
22 *Defense;*

23 *“(2) to make recommendations on the future of*
24 *the defense research and engineering enterprise and*

1 *its continued success in an era of strategic competi-*
2 *tion; and*

3 *“(3) to establish an integrated approach to the*
4 *identification, prioritization, development, and field-*
5 *ing of emerging capabilities and technologies.*

6 *“(b) ELEMENTS.—The strategy required under sub-*
7 *section (a) shall—*

8 *“(1) inform the development of each National*
9 *Defense Strategy under section 113(g) of this title and*
10 *be aligned with Government-wide strategic science*
11 *and technology priorities, including the defense budget*
12 *priorities of the Office of Science and Technology Pol-*
13 *icy of the President;*

14 *“(2) link the priorities, goals, and investments in*
15 *subsection (a)(1) with needed critical enablers to spe-*
16 *cific programs, or broader portfolios, including—*

17 *“(A) personnel and workforce capabilities;*

18 *“(B) facilities for research and test infra-*
19 *structure;*

20 *“(C) relationships with academia, the ac-*
21 *quisition community, the operational commu-*
22 *nity, the defense industry, and the commercial*
23 *sector; and*

24 *“(D) funding, investments, personnel, facili-*
25 *ties, and relationships with other departments*

1 *and agencies of the Federal Government outside*
2 *the Department of Defense without which defense*
3 *capabilities would be severely degraded;*

4 “(3) *support the coordination of acquisition pri-*
5 *orities, programs, and timelines of the Department*
6 *with the activities of the defense research and engi-*
7 *neering enterprise;*

8 “(4) *include recommendations for changes in au-*
9 *thorities, regulations, policies, or any other relevant*
10 *areas, that would support the achievement of the goals*
11 *set forth in the strategy;*

12 “(5) *identify mechanisms that may be used to*
13 *identify critical capabilities and technological appli-*
14 *cations required to address operational challenges out-*
15 *lined in the National Defense Strategy under section*
16 *113(g) of this title;*

17 “(6) *identify processes to inform senior leaders*
18 *and policy makers on the potential impacts of emerg-*
19 *ing technologies for the purpose of shaping the devel-*
20 *opment of policies and regulations;*

21 “(7) *support the efficient integration of capabili-*
22 *ties and technologies to close near-term, mid-term,*
23 *and long-term capability gaps;*

24 “(8) *support the development of appropriate in-*
25 *vestments in research and technology development*

1 *within the Department, and appropriate partnerships*
2 *with the defense industry and commercial industry;*
3 *and*

4 “(9) *identify mechanisms to provide information*
5 *on defense technology priorities to industry to enable*
6 *industry to invest deliberately in emerging tech-*
7 *nologies to build and broaden the capabilities of the*
8 *industrial base.*

9 “(c) *COORDINATION.—The Secretary of Defense shall*
10 *develop the strategy under subsection (a) in coordination*
11 *with relevant entities within the Office of the Secretary of*
12 *Defense, the military departments, the research organiza-*
13 *tions of Defense Agencies and Department of Defense Field*
14 *Activities, the intelligence community, defense and tech-*
15 *nology industry partners, research and development part-*
16 *ners, other Federal research agencies, allies and partners*
17 *of the United States, and other appropriate organizations.*

18 “(d) *CONSIDERATIONS.—In developing the strategy*
19 *under subsection (a), the Secretary of Defense shall con-*
20 *sider—*

21 “(1) *the operational challenges identified in the*
22 *National Defense Strategy and the technological*
23 *threats and opportunities identified through the global*
24 *technology review and assessment activities of the De-*

1 *partment of Defense, the intelligence community, and*
2 *other technology partners;*

3 *“(2) current military requirements and emerging*
4 *technologies in the defense and commercial sectors;*

5 *“(3) the capabilities of foreign near-peer and*
6 *peer nations;*

7 *“(4) the need to support the development of a ro-*
8 *bust trusted and assured industrial base to manufac-*
9 *ture and sustain the technologies and capabilities to*
10 *meet defense requirements; and*

11 *“(5) near-term, mid-term, and long-term tech-*
12 *nology and capability development goals.*

13 *“(e) REPORTS.—*

14 *“(1) SUBSEQUENT REPORTS AND UPDATES.—Not*
15 *later than February 1 of the year following each fiscal*
16 *year in which the National Defense Strategy is sub-*
17 *mitted under section 113(g) of this title, the Secretary*
18 *of Defense shall submit to the congressional defense*
19 *committees a report that includes an updated version*
20 *of the strategy under subsection (a). Each update to*
21 *such strategy shall be prepared for purposes of such*
22 *report based on emerging requirements, technological*
23 *developments in the United States, and technical in-*
24 *telligence derived from global technology reviews con-*
25 *ducted by the Secretary of Defense.*

1 “(2) *FORM OF REPORTS.*—*The reports submitted*
2 *under paragraph (1) may be submitted in a form de-*
3 *termined appropriate by the Secretary of Defense,*
4 *which may include classified, unclassified, and pub-*
5 *licly releasable formats, as appropriate.*

6 “(f) *BRIEFING.*—*Not later than 90 days after the date*
7 *on which the strategy under subsection (a) is completed, the*
8 *Secretary of Defense shall provide to the Committees on*
9 *Armed Services of the Senate and the House of Representa-*
10 *tives a briefing on the implementation plan for the strategy.*

11 “(g) *DESIGNATION.*—*The strategy developed under*
12 *subsection (a) shall be known as the ‘National Defense*
13 *Science and Technology Strategy’.*”.

14 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
15 *the beginning of such chapter is amended by inserting before*
16 *the item relating to section 119 the following new item:*

 “118c. *National Defense Science and Technology Strategy.*”.

17 “(c) *CONFORMING REPEAL.*—*Section 218 of the John*
18 *S. McCain National Defense Authorization Act for Fiscal*
19 *Year 2019 (Public Law 115–232; 132 Stat. 1679) is re-*
20 *pealed.*

21 “(d) *CONFORMING AMENDMENT.*—*Section*
22 *2358b(c)(2)(B)(ii) of title 10, United States Code, is amend-*
23 *ed by striking “section 218 of the John S. McCain National*
24 *Defense Authorization Act for Fiscal Year 2019 (Public*

1 *Law 115–232; 132 Stat. 1679)*” and inserting “section 118c
2 *of this title*”.

3 **SEC. 212. CODIFICATION OF DIRECT HIRE AUTHORITY AT**
4 **PERSONNEL DEMONSTRATION LABORA-**
5 **TORIES FOR ADVANCED DEGREE HOLDERS.**

6 (a) *IN GENERAL.*—Section 2358a of title 10, United
7 States Code, is amended—

8 (1) *by redesignating subsection (f) as subsection*
9 *(g); and*

10 (2) *by inserting after subsection (e) the following*
11 *new subsection (f):*

12 “(f) *DIRECT HIRE AUTHORITY AT PERSONNEL DEM-*
13 *ONSTRATION LABORATORIES FOR ADVANCED DEGREE*
14 *HOLDERS.*—

15 “(1) *AUTHORITY.*—*The Secretary of Defense may*
16 *appoint qualified candidates possessing an advanced*
17 *degree to positions described in paragraph (2) with-*
18 *out regard to the provisions of subchapter I of chapter*
19 *33 of title 5, other than sections 3303 and 3328 of*
20 *such title.*

21 “(2) *APPLICABILITY.*—*This subsection applies*
22 *with respect to candidates for scientific and engineer-*
23 *ing positions within any laboratory designated by*
24 *section 4121(b) of this title as a Department of De-*
25 *fense science and technology reinvention laboratory.*

1 “(3) *LIMITATION.*—(A) *Authority under this sub-*
2 *section may not, in any calendar year and with re-*
3 *spect to any laboratory, be exercised with respect to*
4 *a number of candidates greater than the number*
5 *equal to 5 percent of the total number of scientific*
6 *and engineering positions within such laboratory that*
7 *are filled as of the close of the fiscal year last ending*
8 *before the start of such calendar year.*

9 “(B) *For purposes of this paragraph, positions*
10 *and candidates shall be counted on a full-time equiva-*
11 *lent basis.”.*

12 (b) *REPEAL.*—*Section 1108 of the Duncan Hunter Na-*
13 *tional Defense Authorization Act for Fiscal Year 2009 (Pub-*
14 *lic Law 110–417; 122 Stat. 4618) is hereby repealed.*

15 (c) *CONFORMING AMENDMENTS.*—

16 (1) *Section 255(b)(5)(B) of the National Defense*
17 *Authorization Act for Fiscal Year 2020 (Public Law*
18 *116–92; 10 U.S.C. 2223a note) is amended by strik-*
19 *ing “in section 2358a(f)(3) of” and inserting “in sec-*
20 *tion 2358a(g) of”.*

21 (2) *Section 223(d)(3)(C) of the National Defense*
22 *Authorization Act for Fiscal Year 2020 (Public Law*
23 *116–92; 10 U.S.C. 2358 note) is amended by striking*
24 *“in section 2358a(f) of” and inserting “in section*
25 *2358a(g) of”.*

1 *may expand the efforts of the Defense Innovation Unit to*
2 *engage and collaborate with private-sector industry and*
3 *communities in various regions of the United States—*

4 *(1) to accelerate the adoption of commercially*
5 *developed advanced technology in modernization pri-*
6 *ority areas and such other key technology areas as*
7 *may be identified by the Secretary; and*

8 *(2) to expand outreach to communities that do*
9 *not otherwise have a Defense Innovation Unit pres-*
10 *ence, including economically disadvantaged commu-*
11 *nities.*

12 **SEC. 214. CODIFICATION OF REQUIREMENT FOR DEFENSE**
13 **ESTABLISHED PROGRAM TO STIMULATE COM-**
14 **PETITIVE RESEARCH.**

15 *(a) IN GENERAL.—Chapter 301 of title 10, United*
16 *States Code, as added by section 1841 of the William M.*
17 *(Mac) Thornberry National Defense Authorization Act for*
18 *Fiscal Year 2021 (Public Law 116–283) and amended by*
19 *this Act, is further amended by inserting after section 4007*
20 *the following new section:*

21 **“§4010. Defense Established Program to Stimulate**
22 **Competitive Research**

23 *“(a) PROGRAM REQUIRED.—The Secretary of Defense,*
24 *acting through the Under Secretary of Defense for Research*
25 *and Engineering, shall carry out a Defense Established*

1 *Program to Stimulate Competitive Research (DEPSCoR)*
2 *as part of the university research programs of the Depart-*
3 *ment of Defense.*

4 “(b) *PROGRAM OBJECTIVES.*—*The objectives of the*
5 *program are as follows:*

6 “(1) *To increase the number of university re-*
7 *searchers in eligible States capable of performing*
8 *science and engineering research responsive to the*
9 *needs of the Department of Defense.*

10 “(2) *To enhance the capabilities of institutions*
11 *of higher education in eligible States to develop, plan,*
12 *and execute science and engineering research that is*
13 *relevant to the mission of the Department of Defense*
14 *and competitive under the peer-review systems used*
15 *for awarding Federal research assistance.*

16 “(3) *To increase the probability of long-term*
17 *growth in the competitively awarded financial assist-*
18 *ance that institutions of higher education in eligible*
19 *States receive from the Federal Government for*
20 *science and engineering research.*

21 “(c) *PROGRAM ACTIVITIES.*—*In order to achieve the*
22 *program objectives, the following activities are authorized*
23 *under the program:*

24 “(1) *Competitive award of grants for research*
25 *and instrumentation to support such research.*

1 “(2) *Competitive award of financial assistance*
2 *for graduate students.*

3 “(3) *To provide assistance to science and engi-*
4 *neering researchers at institutions of higher education*
5 *in eligible States through collaboration between De-*
6 *partment of Defense laboratories and such researchers.*

7 “(4) *Any other activities that are determined*
8 *necessary to further the achievement of the objectives*
9 *of the program.*

10 “(d) *ELIGIBLE STATES.—(1) The Under Secretary of*
11 *Defense for Research and Engineering shall designate which*
12 *States are eligible States for the purposes of this section.*

13 “(2) *The Under Secretary shall designate a State as*
14 *an eligible State if, as determined by the Under Secretary—*

15 “(A) *the average annual amount of all Depart-*
16 *ment of Defense obligations for science and engineer-*
17 *ing research and development that were in effect with*
18 *institutions of higher education in the State for the*
19 *three fiscal years preceding the fiscal year for which*
20 *the designation is effective or for the last three fiscal*
21 *years for which statistics are available is less than the*
22 *amount determined by multiplying 60 percent times*
23 *the amount equal to 1/50 of the total average annual*
24 *amount of all Department of Defense obligations for*
25 *science and engineering research and development*

1 *that were in effect with institutions of higher edu-*
2 *cation in the United States for such three preceding*
3 *or last fiscal years, as the case may be; and*

4 “(B) *the State has demonstrated a commitment*
5 *to developing research bases in the State and to im-*
6 *proving science and engineering research and edu-*
7 *cation programs in areas relevant to the mission of*
8 *the Department of Defense at institutions of higher*
9 *education in the State.*

10 “(3) *The Under Secretary shall not remove a designa-*
11 *tion of a State under paragraph (2) because the State ex-*
12 *ceeds the funding levels specified under subparagraph (A)*
13 *of such paragraph unless the State has exceeded such fund-*
14 *ing levels for at least two consecutive years.*

15 “(e) *COORDINATION WITH SIMILAR FEDERAL PRO-*
16 *GRAMS.—(1) The Secretary may consult with the Director*
17 *of the National Science Foundation and the Director of the*
18 *Office of Science and Technology Policy in the planning,*
19 *development, and execution of the program and may coordi-*
20 *nate the program with the Established Program to Stimu-*
21 *late Competitive Research conducted by the National*
22 *Science Foundation and with similar programs sponsored*
23 *by other departments and agencies of the Federal Govern-*
24 *ment.*

1 “(2) *All solicitations under the Defense Established*
2 *Program to Stimulate Competitive Research may be made*
3 *to, and all awards may be made through, the State commit-*
4 *tees established for purposes of the Established Program to*
5 *Stimulate Competitive Research conducted by the National*
6 *Science Foundation.*

7 “(3) *A State committee referred to in paragraph (2)*
8 *shall ensure that activities carried out in the State of that*
9 *committee under the Defense Established Program to Stim-*
10 *ulate Competitive Research are relevant to the mission of*
11 *the Department of Defense and coordinated with the activi-*
12 *ties carried out in the State under other similar initiatives*
13 *of the Federal Government to stimulate competitive re-*
14 *search.*

15 “(f) *STATE DEFINED.—In this section, the term ‘State’*
16 *means a State of the United States, the District of Colum-*
17 *bia, the Commonwealth of Puerto Rico, Guam, the Virgin*
18 *Islands, American Samoa, and the Commonwealth of the*
19 *Northern Mariana Islands.’.*

20 “(b) *CLERICAL AMENDMENT.—The table of sections at*
21 *the beginning of chapter 301 of such title, as added by sec-*
22 *tion 1841 of the William M. (Mac) Thornberry National*
23 *Defense Authorization Act for Fiscal Year 2021 (Public*
24 *Law 116–283) and amended by this Act, is further amended*

1 *by striking the item relating to section 4010 and inserting*
 2 *the following new item:*

“4010. Defense Established Program to Stimulate Competitive Research.”.

3 (c) *CONFORMING REPEALS.—(1) Section 307 of title*
 4 *I of the 1997 Emergency Supplemental Appropriations Act*
 5 *for Recovery from Natural Disasters, and for Overseas*
 6 *Peacekeeping Efforts, Including Those in Bosnia (Public*
 7 *Law 105–18; 10 U.S.C. 2358 note) is repealed.*

8 (2) *Section 257 of title II of division A of the National*
 9 *Defense Authorization Act for Fiscal Year 1995 (Public*
 10 *Law 103–337; 10 U.S.C. 2358 note) is repealed.*

11 (d) *EFFECTIVE DATE.—This section and the amend-*
 12 *ments and repeals made by this section shall take effect im-*
 13 *mediately after the effective date of the amendments made*
 14 *by title XVIII of the William M. (Mac) Thornberry Na-*
 15 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
 16 *lic Law 116–283).*

17 **SEC. 215. CODIFICATION OF AUTHORITIES RELATING TO**
 18 **DEPARTMENT OF DEFENSE SCIENCE AND**
 19 **TECHNOLOGY REINVENTION LABORATORIES.**

20 (a) *IN GENERAL.—Subchapter III of chapter 303 of*
 21 *title 10, United States Code, as added by section 1842 of*
 22 *the William M. (Mac) Thornberry National Defense Author-*
 23 *ization Act for Fiscal Year 2021 (Public Law 116–283),*
 24 *is amended by inserting after the heading for subchapter*
 25 *III the following new section:*

1 *paragraph (1) rather than the authority which is pro-*
2 *vided in such section 4703; and*

3 *“(C) the Secretary shall exercise the authorities*
4 *granted to the Office of Personnel Management under*
5 *such section 4703 through the Under Secretary of De-*
6 *fense for Research and Engineering (who shall place*
7 *an emphasis in the exercise of such authorities on en-*
8 *hancing efficient operations of the laboratory and who*
9 *may, in exercising such authorities, request adminis-*
10 *trative support from science and technology reinven-*
11 *tion laboratories to review, research, and adjudicate*
12 *personnel demonstration project proposals).*

13 *“(4) The employees of a laboratory covered by a per-*
14 *sonnel demonstration project carried out under this section*
15 *shall be exempt from, and may not be counted for the pur-*
16 *poses of, any constraint or limitation in a statute or regula-*
17 *tion in terms of supervisory ratios or maximum number*
18 *of employees in any specific category or categories of em-*
19 *ployment that may otherwise be applicable to the employees.*
20 *The employees shall be managed by the director of the lab-*
21 *oratory subject to the supervision of the Under Secretary*
22 *of Defense for Research and Engineering.*

23 *“(5) The limitations in section 5373 of title 5 do not*
24 *apply to the authority of the Secretary under this subsection*
25 *to prescribe salary schedules and other related benefits.*

1 “(b) *DESIGNATION OF LABORATORIES.*—*Each of the*
2 *following is hereby designated as a Department of Defense*
3 *science and technology reinvention laboratory as described*
4 *in subsection (a):*

5 “(1) *The Air Force Research Laboratory.*

6 “(2) *The Joint Warfare Analysis Center.*

7 “(3) *The Army Research Institute for the Behav-*
8 *ioral and Social Sciences.*

9 “(4) *The Combat Capabilities Development Com-*
10 *mand Armaments Center.*

11 “(5) *The Combat Capabilities Development Com-*
12 *mand Army Research Laboratory.*

13 “(6) *The Combat Capabilities Development Com-*
14 *mand Aviation and Missile Center.*

15 “(7) *The Combat Capabilities Development Com-*
16 *mand Chemical Biological Center.*

17 “(8) *The Combat Capabilities Development Com-*
18 *mand Command, Control, Communications, Com-*
19 *puters, Cyber, Intelligence, Surveillance, and Recon-*
20 *naissance Center.*

21 “(9) *The Combat Capabilities Development Com-*
22 *mand Ground Vehicle Systems Center.*

23 “(10) *The Combat Capabilities Development*
24 *Command Soldier Center.*

1 “(11) *The Engineer Research and Development*
2 *Center.*

3 “(12) *The Medical Research and Development*
4 *Command.*

5 “(13) *The Technical Center, US Army Space*
6 *and Missile Defense Command.*

7 “(14) *The Naval Air Systems Command Warfare*
8 *Centers.*

9 “(15) *The Naval Facilities Engineering Com-*
10 *mand Engineering and Expeditionary Warfare Cen-*
11 *ter.*

12 “(16) *The Naval Information Warfare Centers,*
13 *Atlantic and Pacific.*

14 “(17) *The Naval Medical Research Center.*

15 “(18) *The Naval Research Laboratory.*

16 “(19) *The Naval Sea Systems Command War-*
17 *fare Centers.*

18 “(20) *The Office of Naval Research.*

19 “(c) *CONVERSION PROCEDURES.—The Secretary of*
20 *Defense shall implement procedures to convert the civilian*
21 *personnel of each Department of Defense science and tech-*
22 *nology reinvention laboratory, as so designated by sub-*
23 *section (b), to the personnel system under an appropriate*
24 *demonstration project (as referred to in subsection (a)). Any*
25 *conversion under this subsection—*

1 “(1) shall not adversely affect any employee with
2 respect to pay or any other term or condition of em-
3 ployment;

4 “(2) shall be consistent with section 4703(f) of
5 title 5;

6 “(3) shall be completed within 18 months after
7 designation; and

8 “(4) shall not apply to prevailing rate employees
9 (as defined by section 5342(a)(2) of title 5) or senior
10 executives (as defined by section 3132(a)(3) of such
11 title).

12 “(d) *LIMITATION.*—*The science and technology re-*
13 *invention laboratories, as so designated by subsection (a),*
14 *may not implement any personnel system, other than a per-*
15 *sonnel system under an appropriate demonstration project*
16 *(as referred to subsection (a)), without prior congressional*
17 *authorization.”.*

18 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
19 *the beginning of chapter 303 of such title, as added by sec-*
20 *tion 1842 of the William M. (Mac) Thornberry National*
21 *Defense Authorization Act for Fiscal Year 2021 (Public*
22 *Law 116–283), is amended by striking the item relating*
23 *to section 4121 and inserting the following:*

 “4121. *Science and technology reinvention laboratories: authority and designa-*
 tion.”.

1 (c) *CONFORMING REPEALS.*—(1) *Section 1105 of the*
2 *National Defense Authorization Act For Fiscal Year 2010*
3 *(Public Law 111–84; 10 U.S.C. 2358 note) is hereby re-*
4 *pealed.*

5 (2) *Subsection (b) of section 342 of the National De-*
6 *fense Authorization Act for Fiscal Year 1995 (Public Law*
7 *103–337; 10 U.S.C. 2358 note) is hereby repealed.*

8 (d) *CONFORMING AMENDMENTS.*—(1) *Section 1601(f)*
9 *of the National Defense Authorization Act for Fiscal Year*
10 *2004 (Public Law 108–136; 10 U.S.C. 2358 note) is amend-*
11 *ed by striking “section 342 of the National Defense Author-*
12 *ization Act for Fiscal Year 1995 (Public Law 103–337; 108*
13 *Stat. 2721)” and inserting “section 4121(a) of title 10,*
14 *United States Code”.*

15 (2) *Section 1107 of the National Defense Authorization*
16 *Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C.*
17 *2358 note) is amended—*

18 (A) *by amending subsection (a) to read as fol-*
19 *lows:*

20 “(e) *REQUIREMENT.*—*The Secretary of Defense shall*
21 *take all necessary actions to fully implement and use the*
22 *authorities provided to the Secretary under subsection (a)*
23 *of section 4121 of title 10, United States Code, to carry*
24 *out personnel management demonstration projects at De-*
25 *partment of Defense laboratories designated by subsection*

1 *(b) of such section as Department of Defense science and*
2 *technology reinvention laboratories.”;*

3 *(B) in subsection (c), by striking “designated by*
4 *section 1105(a) of the National Defense Authorization*
5 *Act for Fiscal Year 2010 (Public Law 111–84; 123*
6 *Stat. 2486)” and inserting “designated by section*
7 *4121(b) of title 10, United States Code”; and*

8 *(C) in subsection (e)(3), by striking “section*
9 *342(b) of the National Defense Authorization Act for*
10 *Fiscal Year 1995 (as cited in subsection (a))” and in-*
11 *serting “section 4121(a) of title 10, United States*
12 *Code”.*

13 *(3) Section 1109(c) of the National Defense Authoriza-*
14 *tion Act for Fiscal Year 2016 (Public Law 114–92; 10*
15 *U.S.C. 2358 note) is amended by striking “specified in sec-*
16 *tion 1105(a) of the National Defense Authorization Act for*
17 *Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10*
18 *U.S.C. 2358 note)” and inserting “designated under section*
19 *4121(b) of title 10, United States Code”.*

20 *(4) Section 2803(a)(1) of the National Defense Author-*
21 *ization Act for Fiscal Year 2016 (Public Law 114–92; 10*
22 *U.S.C. 2358 note) is amended by striking “(as designated*
23 *by section 1105(a) of the National Defense Authorization*
24 *Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.*

1 2358 note)” and inserting “(as designated under section
2 4121(b) of title 10, United States Code)”.

3 (5) Section 1108(b) of the Duncan Hunter National
4 Defense Authorization Act for Fiscal Year 2009 (Public
5 Law 110–417; 10 U.S.C. 1580 note prec.) is amended by
6 striking “section 1105(a) of the National Defense Author-
7 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
8 Stat. 2486; 10 U.S.C. 2358 note)” and inserting “section
9 4121(b) of title 10, United States Code”.

10 (6) Section 211(g) of the National Defense Authoriza-
11 tion Act for Fiscal Year 2017 (Public Law 114–328; 10
12 U.S.C. 2358 note) is amended by striking “under section
13 1105 of the National Defense Authorization Act for Fiscal
14 Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note), as
15 amended” and inserting “under section 4121(b) of title 10,
16 United States Code”.

17 (7) Section 233(a)(2)(A) of the National Defense Au-
18 thorization Act for Fiscal Year 2017 (Public Law 114–328;
19 10 U.S.C. 2358 note) is amended by striking “as specified
20 in section 1105(a) of the National Defense Authorization
21 Act for Fiscal Year 2010 (10 U.S.C. 2358 note)” and insert-
22 ing “as designated under section 4121(b) of title 10, United
23 States Code”.

24 (8) Section 223(d)(3)(B) of the National Defense Au-
25 thorization Act for Fiscal Year 2020 (Public Law 116–92;

1 *10 U.S.C. 2358 note) is amended by striking “under section*
2 *1105 of the National Defense Authorization Act for Fiscal*
3 *Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)” and*
4 *inserting “under section 4121(b) of title 10, United States*
5 *Code”.*

6 (9) *Section 252(e)(1) of the National Defense Author-*
7 *ization Act for Fiscal Year 2020 (Public Law 116–92; 10*
8 *U.S.C. 2358 note) is amended by striking “under section*
9 *1105 of the National Defense Authorization Act for Fiscal*
10 *Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)” and*
11 *inserting “under section 4121(b) of title 10, United States*
12 *Code”.*

13 (10) *Section 255(b)(5)(A) of the National Defense Au-*
14 *thorization Act for Fiscal Year 2020 (Public Law 116–92;*
15 *10 U.S.C. 223a note) is amended by striking “(as des-*
16 *ignated under section 1105 of the National Defense Author-*
17 *ization Act for Fiscal Year 2010 (Public Law 111–84; 10*
18 *U.S.C. 2358 note))” and inserting “(as designated under*
19 *section 4121(b) of title 10, United States Code)”.*

20 (11) *Section 249 of the William M. (Mac) Thornberry*
21 *National Defense Authorization Act for Fiscal Year 2021*
22 *(Public Law 116–283) is amended—*

23 (A) *in subsection (e)(1)(A), by striking “under*
24 *section 2358a of title 10, United States Code” and in-*

1 serting “under section 4121(b) of title 10, United
2 States Code”; and

3 (B) in subsection (g)(1)(B) by striking “under
4 section 1105 of the National Defense Authorization
5 Act for Fiscal Year 2010 (Public Law 111–84; 10
6 U.S.C. 2358 note)” and inserting “under section
7 4121(b) of title 10, United States Code”.

8 (12) Section 2124(h)(3) of title 10, United States Code,
9 as redesignated by section 1843(b)(1) of the William M.
10 (Mac) Thornberry National Defense Authorization Act for
11 Fiscal Year 2021 (Public Law 116–283), is amended by
12 striking “designated under section 1105 of the National De-
13 fense Authorization Act for Fiscal Year 2010 (Public Law
14 111–84; 10 U.S.C. 2358 note)” and inserting “designated
15 under section 4121(b) of this title”.

16 (13) Section 4091 of title 10, United States Code, as
17 redesignated by section 1843(b)(1) of the William M. (Mac)
18 Thornberry National Defense Authorization Act for Fiscal
19 Year 2021 (Public Law 116–283), is amended—

20 (A) in subsection (b), by striking “designated by
21 section 1105(a) of the National Defense Authorization
22 Act for Fiscal Year 2010 (Public Law 111–84; 10
23 U.S.C. 2358 note)” both places it appears and insert-
24 ing “designated by section 4121(b) of this title”; and

1 (B) *in subsection (d)(2), by striking “pursuant*
 2 *to section 342(b) of the National Defense Authoriza-*
 3 *tion Act for Fiscal Year 1995 (Public Law 103–337;*
 4 *10 U.S.C. 2358 note)” both places it appears and in-*
 5 *serting “pursuant to section 4121(a) of this title”.*

6 (14) *Section 4094(f) of title 10, United States Code,*
 7 *as transferred and redesignated by this Act, is amended by*
 8 *striking “by section 1105(a) of the National Defense Au-*
 9 *thorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note)”*
 10 *and inserting “by section 4121(b) of this title”.*

11 (e) *EFFECTIVE DATE.—This section and the amend-*
 12 *ments and repeals made by this section shall take effect im-*
 13 *mediately after the effective date of the amendments made*
 14 *by title XVIII of the William M. (Mac) Thornberry Na-*
 15 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
 16 *lic Law 116–283).*

17 **SEC. 216. IMPROVEMENTS RELATING TO STEERING COM-**
 18 **MITTEE ON EMERGING TECHNOLOGY AND NA-**
 19 **TIONAL SECURITY THREATS.**

20 *Section 236 of the William M. (Mac) Thornberry Na-*
 21 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
 22 *lic Law 116–283), is amended—*

23 (1) *in subsection (a), by striking “may” and in-*
 24 *serting “and the Director of National Intelligence*
 25 *may jointly”;*

1 (2) *in subsection (b), by—*

2 (A) *by striking paragraphs (3) through (8);*

3 *and*

4 (B) *by inserting after paragraph (2) the fol-*
5 *lowing:*

6 “*(3) The Principal Deputy Director of National*
7 *Intelligence.*”

8 “*(4) Such other officials of the Department of*
9 *Defense and intelligence community as the Secretary*
10 *of Defense and the Director of National Intelligence*
11 *jointly determine appropriate.*”;

12 (3) *by redesignating subsections (c) through (e)*
13 *as subsections (d) through (f), respectively;*

14 (4) *by inserting after subsection (b) the fol-*
15 *lowing:*

16 “*(c) LEADERSHIP.—The Steering Committee shall be*
17 *chaired by the Deputy Secretary of Defense, the Vice Chair-*
18 *man of the Joint Chiefs of Staff, and the Principal Deputy*
19 *Director of National Intelligence jointly.*”;

20 (5) *in subsection (d), as redesignated by para-*
21 *graph (3)—*

22 (A) *in paragraph (1)—*

23 (i) *by striking “a strategy” and insert-*
24 *ing “strategies”;*

1 (ii) by inserting “and intelligence com-
2 munity” after “United States military”;
3 and

4 (iii) by inserting “and National Intel-
5 ligence Strategy, and consistent with the
6 National Security Strategy” after “Na-
7 tional Defense Strategy”;

8 (B) in paragraph (3)—

9 (i) in the matter before subparagraph
10 (A), by inserting “and the Director of Na-
11 tional Intelligence” after “the Secretary of
12 Defense”;

13 (ii) in subparagraph (A), by striking
14 “strategy” and inserting “strategies”;

15 (iii) in subparagraph (D), by striking
16 “; and” and inserting a semicolon;

17 (iv) by redesignating subparagraph
18 (E) as subparagraph (F); and

19 (v) by inserting after subparagraph
20 (D) the following:

21 “(E) any changes to the guidance for devel-
22 oping the National Intelligence Program budget
23 required by section 102A(c)(1)(A) of the National
24 Security Act of 1947 (50 U.S.C. 3024(c)(1)(A)),

1 that may be required to implement the strategies
2 under paragraph (1); and”;

3 (vi) in subparagraph (F), as redesign-
4 nated by clause (iv), by inserting “and the
5 intelligence community” after “Department
6 of Defense”; and

7 (C) in paragraph (4), by inserting “and
8 Director of National Intelligence, jointly” after
9 “Secretary of Defense”;

10 (6) by amending subsection (e), as redesignated
11 by paragraph (3), to read as follows:

12 “(e) *DEFINITIONS.—In this section:*

13 “(1) The term ‘emerging technology’ means tech-
14 nology jointly determined to be in an emerging phase
15 of development by the Secretary of Defense and the
16 Director of National Intelligence, including quantum
17 information science and technology, data analytics,
18 artificial intelligence, autonomous technology, ad-
19 vanced materials, software, high performance com-
20 puting, robotics, directed energy, hypersonics, bio-
21 technology, medical technologies, and such other tech-
22 nology as may be jointly identified by the Secretary
23 and the Director.

1 “(2) *The term ‘intelligence community’ has the*
2 *meaning given such term in section 3 of the National*
3 *Security Act of 1947 (50 U.S.C. 3003).’; and*

4 *(7) in subsection (f), as redesignated by para-*
5 *graph (3), by striking “October 1, 2024” and insert-*
6 *ing “October 1, 2025”.*

7 **SEC. 217. IMPROVEMENTS RELATING TO NATIONAL NET-**
8 **WORK FOR MICROELECTRONICS RESEARCH**
9 **AND DEVELOPMENT.**

10 *Section 9903(b) of the William M. (Mac) Thornberry*
11 *National Defense Authorization Act for Fiscal Year 2021*
12 *(Public Law 116–283) is amended—*

13 *(1) in paragraph (1), in the matter preceding*
14 *subparagraph (A), by striking “may” and inserting*
15 *“shall”; and*

16 *(2) by adding at the end the following new para-*
17 *graph:*

18 “(3) *SELECTION OF ENTITIES.—*

19 “(A) *IN GENERAL.—In carrying out para-*
20 *graph (1), the Secretary shall, through a com-*
21 *petitive process, select two or more entities to*
22 *carry out the activities described in paragraph*
23 *(2) as part of the network established under*
24 *paragraph (1).*

1 “(B) *GEOGRAPHIC DIVERSITY.*—*The Sec-*
2 *retary shall, to the extent practicable, ensure that*
3 *the entities selected under subparagraph (A) col-*
4 *lectively represent the geographic diversity of the*
5 *United States.*”.

6 **SEC. 218. MODIFICATION OF MECHANISMS FOR EXPEDITED**
7 ***ACCESS TO TECHNICAL TALENT AND EXPER-***
8 ***TISE AT ACADEMIC INSTITUTIONS TO SUP-***
9 ***PORT DEPARTMENT OF DEFENSE MISSIONS.***

10 *Section 217 of the National Defense Authorization Act*
11 *for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2358*
12 *note) is amended—*

13 (1) *by amending subsection (c) to read as fol-*
14 *lows:*

15 “(c) *CONSULTATION WITH OTHER ORGANIZATIONS.*—
16 *For the purposes of providing technical expertise and reduc-*
17 *ing costs and duplicative efforts, the Secretary of Defense*
18 *and the Secretaries of the military departments shall work*
19 *to ensure and support the sharing of information on the*
20 *research and consulting that is being carried out across the*
21 *Federal Government in Department-wide shared informa-*
22 *tion systems including the Defense Technical Information*
23 *Center.*”;

24 (2) *in subsection (e)—*

1 (A) by redesignating paragraph (31) as
2 paragraph (36); and

3 (B) by inserting after paragraph (30) the
4 following new paragraphs:

5 “(31) Nuclear science, security, and non-
6 proliferation.

7 “(32) Chemical, biological, radiological, and nu-
8 clear defense.

9 “(33) Spectrum activities.

10 “(34) Research security and integrity.

11 “(35) Printed circuit boards.”; and

12 (3) in subsection (g), by striking “2026” and in-
13 serting “2028”.

14 **SEC. 219. TECHNICAL CORRECTION TO PILOT PROGRAM**
15 **FOR THE ENHANCEMENT OF THE RESEARCH,**
16 **DEVELOPMENT, TEST, AND EVALUATION CEN-**
17 **TERS OF THE DEPARTMENT OF DEFENSE.**

18 Section 233(c)(2)(B) of the National Defense Author-
19 ization Act for Fiscal Year 2017 (Public Law 114–328; 10
20 U.S.C. 2358 note) is amended by striking “Chief Manage-
21 ment Officer” and inserting “Deputy Secretary of Defense
22 or a designee of the Deputy Secretary”.

1 **SEC. 220. DEFENSE RESEARCH AND ENGINEERING ACTIVI-**
2 **TIES AT MINORITY INSTITUTIONS.**

3 (a) *PLAN TO PROMOTE DEFENSE RESEARCH AT MI-*
4 *NORITY INSTITUTES.—*

5 (1) *IN GENERAL.—The Secretary of Defense shall*
6 *develop a plan to promote defense-related engineering,*
7 *research, and development activities at minority in-*
8 *stitutions for the purpose of elevating the capacity of*
9 *such institutions in those areas.*

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

12 (A) *An assessment of the engineering, re-*
13 *search, and development capabilities of minority*
14 *institutions, including an assessment of the*
15 *workforce and physical research infrastructure of*
16 *such institutions.*

17 (B) *An assessment of the ability of minority*
18 *institutions—*

19 (i) *to participate in defense-related en-*
20 *gineering, research, and development activi-*
21 *ties; and*

22 (ii) *to effectively compete for defense-*
23 *related engineering, research, and develop-*
24 *ment contracts.*

25 (C) *An assessment of the activities and in-*
26 *vestments necessary—*

1 (i) to elevate minority institutions or a
2 consortium of minority institutions (includ-
3 ing historically black colleges and univer-
4 sities) to R1 status on the Carnegie Classi-
5 fication of Institutions of Higher Edu-
6 cation;

7 (ii) to increase the participation of mi-
8 nority institutions in defense-related engi-
9 neering, research, and development activi-
10 ties; and

11 (iii) to increase the ability of such in-
12 stitutions ability to effectively compete for
13 defense-related engineering, research, and
14 development contracts.

15 (D) Recommendations identifying actions
16 that may be taken by the Secretary, Congress,
17 minority institutions, and other organizations to
18 increase the participation of minority institu-
19 tions in defense-related engineering, research,
20 and development activities and contracts.

21 (E) The specific goals, incentives, and
22 metrics developed by the Secretary under sub-
23 paragraph (D) to increase and measure the ca-
24 pacity of minority institutions to address the en-

1 *gineering, research, and development needs of the*
2 *Department.*

3 (3) *CONSULTATION.*—*In developing the plan*
4 *under paragraph (1), the Secretary of Defense shall*
5 *consult with such other public and private sector or-*
6 *ganizations as the Secretary determines appropriate.*

7 (4) *REPORT.*—*Not later than one year after the*
8 *date of the enactment of this Act, the Secretary of De-*
9 *fense shall—*

10 (A) *submit to the congressional defense com-*
11 *mittees a report that includes the plan developed*
12 *under paragraph (1); and*

13 (B) *make the plan available on a publicly*
14 *accessible website of the Department of Defense.*

15 (b) *ACTIVITIES TO SUPPORT THE RESEARCH AND EN-*
16 *GINEERING CAPACITY OF HISTORICALLY BLACK COLLEGES*
17 *AND UNIVERSITIES AND MINORITY INSTITUTIONS.*—

18 (1) *IN GENERAL.*—*Subject to the availability of*
19 *appropriations, the Secretary may establish a pro-*
20 *gram to award contracts, grants, or other agreements*
21 *on a competitive basis, and to perform other appro-*
22 *priate activities for the purposes described in para-*
23 *graph (2).*

24 (2) *PURPOSES.*—*The purposes described in this*
25 *paragraph are the following:*

1 (A) *Developing the capability, including*
 2 *workforce and research infrastructure, for minor-*
 3 *ity institutions to more effectively compete for*
 4 *Federal engineering, research, and development*
 5 *funding opportunities.*

6 (B) *Improving the capability of such insti-*
 7 *tutions to recruit and retain research faculty,*
 8 *and to participate in appropriate personnel ex-*
 9 *change programs and educational and career de-*
 10 *velopment activities.*

11 (C) *Any other purposes the Secretary deter-*
 12 *mines appropriate for enhancing the defense-re-*
 13 *lated engineering, research, and development ca-*
 14 *pabilities of minority institutions.*

15 (c) *INCREASING PARTNERSHIPS FOR MINORITY INSTI-*
 16 *TUTIONS WITH NATIONAL SECURITY RESEARCH AND ENGI-*
 17 *NEERING ORGANIZATIONS.*—*Section 2362 of title 10,*
 18 *United States Code, is amended—*

19 (1) *in subsection (a), by striking “Assistant Sec-*
 20 *retary” each place it appears and inserting “Under*
 21 *Secretary”; and*

22 (2) *in subsection (d)—*

23 (A) *by striking “The Secretary of Defense*
 24 *may” and inserting the following:*

25 “(1) *The Secretary of Defense may”; and*

1 (b) *ADMINISTRATION.*—*The test program required by*
2 *subsection (a) shall be administered by the Senior Technical*
3 *Authority for the DDG(X) destroyer class of vessels.*

4 (c) *ELEMENTS.*—*The test program required by sub-*
5 *section (a) shall include, at a minimum, testing of the fol-*
6 *lowing equipment in vessel-representative form:*

7 (1) *Electrical propulsion motor.*

8 (2) *Other propulsion drive train components.*

9 (3) *Main propulsion system.*

10 (4) *Electrical generation and distribution sys-*
11 *tems.*

12 (5) *Machinery control systems.*

13 (6) *Power control modules.*

14 (d) *TEST OBJECTIVES.*—*The test program required by*
15 *subsection (a) shall include, at a minimum, the following*
16 *test objectives demonstrated across the full range of engi-*
17 *neering plant operations for the DDG(X) destroyer class of*
18 *vessels:*

19 (1) *Test of a single shipboard representative pro-*
20 *pulsion drive train.*

21 (2) *Test and facilitation of machinery control*
22 *systems integration.*

23 (3) *Simulation of the full range of electrical de-*
24 *mands to enable the investigation of load dynamics*

1 *between the hull, mechanical and electrical equip-*
2 *ment, the combat system, and auxiliary equipment.*

3 (e) *COMPLETION DATE.*—*The Secretary of the Navy*
4 *shall complete the test program required by subsection (a)*
5 *by not later than the delivery date of the lead ship in the*
6 *DDG(X) destroyer class of vessels.*

7 (f) *DEFINITIONS.*—*In this section:*

8 (1) *DELIVERY DATE.*—*The term “delivery date”*
9 *has the meaning given that term in section 8671 of*
10 *title 10, United States Code.*

11 (2) *SENIOR TECHNICAL AUTHORITY.*—*The term*
12 *“Senior Technical Authority” means the official des-*
13 *ignated as the Senior Technical Authority for the*
14 *DDG(X) destroyer class of vessels pursuant to section*
15 *8669b of title 10, United States Code.*

16 **SEC. 222. CONSORTIUM TO STUDY IRREGULAR WARFARE.**

17 (a) *ESTABLISHMENT.*—*The Secretary of Defense may*
18 *establish a research consortium of institutions of higher*
19 *education to study irregular warfare and the responses to*
20 *irregular threats.*

21 (b) *PURPOSES.*—*The purposes of the consortium under*
22 *subsection (a) are as follows:*

23 (1) *To shape the formulation and application of*
24 *policy through the conduct of research and analysis*
25 *regarding irregular warfare.*

1 (2) *To maintain open-source databases on issues*
2 *relevant to understanding terrorism, irregular threats,*
3 *and social and environmental change.*

4 (3) *To serve as a repository for datasets regard-*
5 *ing research on security, social change, and irregular*
6 *threats developed by institutions of higher education*
7 *that receive Federal funding.*

8 (4) *To support basic research in social science on*
9 *emerging threats and stability dynamics relevant to*
10 *irregular threat problem sets.*

11 (5) *To transition promising basic research—*

12 (A) *to higher stages of research and develop-*
13 *ment; and*

14 (B) *into operational capabilities, as appro-*
15 *priate, by supporting applied research and devel-*
16 *oping tools to counter irregular threats.*

17 (6) *To facilitate the collaboration of research cen-*
18 *ters of excellence relating to irregular threats to better*
19 *distribute expertise to specific issues and scenarios re-*
20 *garding such threats.*

21 (7) *To enhance educational outreach and teach-*
22 *ing at professional military education schools to im-*
23 *prove—*

24 (A) *the understanding of irregular threats;*
25 *and*

1 (B) the integration of data-based responses
2 to such threats.

3 (8) To support classified research when necessary
4 in appropriately controlled physical spaces.

5 (9) To support the work of a Department of De-
6 fense Functional Center for Security Studies in Irreg-
7 ular Warfare if such Center is established pursuant to
8 section 1299L of the William M. (Mac) Thornberry
9 National Defense Authorization Act for Fiscal Year
10 2021 (Public Law 116–283).

11 (10) To carry out such other research initiatives
12 relating to irregular warfare and irregular threats as
13 the Secretary of Defense determines appropriate.

14 (c) PARTNERSHIPS.—If the Secretary of Defense estab-
15 lishes a research consortium under subsection (a), the Sec-
16 retary shall encourage partnerships between the consortium
17 and university-affiliated research centers and other research
18 institutions, as appropriate.

19 (d) INSTITUTION OF HIGHER EDUCATION DEFINED.—
20 In this section, the term “institution of higher education”
21 has the meaning given that term in section 101 of the High-
22 er Education Act of 1965 (20 U.S.C. 1001).

1 **SEC. 223. DEVELOPMENT AND IMPLEMENTATION OF DIG-**
2 **ITAL TECHNOLOGIES FOR SURVIVABILITY**
3 **AND LETHALITY TESTING.**

4 (a) *EXPANSION OF SURVIVABILITY AND LETHALITY*
5 *TESTING.—*

6 (1) *IN GENERAL.—The Secretary, in coordina-*
7 *tion with covered officials, shall—*

8 (A) *expand the survivability and lethality*
9 *testing of covered systems to include testing*
10 *against non-kinetic threats; and*

11 (B) *develop digital technologies to test such*
12 *systems against such threats throughout the life*
13 *cycle of each such system.*

14 (2) *DEVELOPMENT OF DIGITAL TECHNOLOGIES*
15 *FOR LIVE FIRE TESTING.—*

16 (A) *IN GENERAL.—The Secretary, in coordi-*
17 *nation with covered officials, shall develop—*

18 (i) *digital technologies to enable the*
19 *modeling and simulation of the live fire*
20 *testing required under section 2366 of title*
21 *10, United States Code; and*

22 (ii) *a process to use data from physical*
23 *live fire testing to inform and refine the*
24 *digital technologies described in clause (i).*

1 (B) *OBJECTIVES.*—*In carrying out sub-*
2 *paragraph (A), the Secretary shall seek to*
3 *achieve the following objectives:*

4 (i) *Enable assessments of full spectrum*
5 *survivability and lethality of each covered*
6 *system with respect to kinetic and non-ki-*
7 *netic threats.*

8 (ii) *Inform the development and refine-*
9 *ment of digital technology to test and im-*
10 *prove covered systems.*

11 (iii) *Enable survivability and lethality*
12 *assessments of the warfighting capabilities*
13 *of a covered system with respect to—*

14 (I) *communications;*

15 (II) *firepower;*

16 (III) *mobility;*

17 (IV) *catastrophic survivability;*

18 *and*

19 (V) *lethality.*

20 (C) *DEMONSTRATION ACTIVITIES.*—

21 (i) *IN GENERAL.*—*The Secretary, act-*
22 *ing through the Director, shall carry out ac-*
23 *tivities to demonstrate the digital tech-*
24 *nologies for full spectrum survivability test-*
25 *ing developed under subparagraph (A).*

1 (ii) *PROGRAM SELECTION.*—*The Sec-*
2 *retary shall assess and select not fewer than*
3 *three and not more than ten programs of*
4 *the Department to participate in the dem-*
5 *onstration activities required under clause*
6 *(i).*

7 (iii) *ARMED FORCES PROGRAMS.*—*Of*
8 *the programs selected pursuant to clause*
9 *(ii), the Director shall select—*

10 (I) *at least one such program*
11 *from the Army;*

12 (II) *at least one such program*
13 *from the Navy or the Marine Corps;*
14 *and*

15 (III) *at least one such program*
16 *from the Air Force or the Space Force.*

17 (3) *REGULAR SURVIVABILITY AND LETHALITY*
18 *TESTING THROUGHOUT LIFE CYCLE.*—

19 (A) *IN GENERAL.*—*The Secretary, in coordi-*
20 *nation with covered officials, shall—*

21 (i) *develop a process to regularly test*
22 *through the use of digital technologies the*
23 *survivability and lethality of each covered*
24 *system against kinetic and non-kinetic*

1 *threats throughout the life cycle of such sys-*
2 *tem as threats evolve; and*

3 *(ii) establish guidance for such testing.*

4 *(B) ELEMENTS.—In carrying out subpara-*
5 *graph (A), the Secretary shall determine the fol-*
6 *lowing:*

7 *(i) When to deploy digital technologies*
8 *to provide timely and up-to-date insights*
9 *with respect to covered systems without un-*
10 *duly delaying fielding of capabilities.*

11 *(ii) The situations in which it may be*
12 *necessary to develop and use digital tech-*
13 *nologies to assess legacy fleet vulnerabilities.*

14 *(b) REPORTS AND BRIEFING.—*

15 *(1) ASSESSMENT AND SELECTION OF PRO-*
16 *GRAMS.—Not later than 180 days after the date of the*
17 *enactment of this Act, the Secretary shall submit to*
18 *the congressional defense committees a report that*
19 *identifies the programs selected to participate in the*
20 *demonstration activities under subsection (a)(2)(C).*

21 *(2) MODERNIZATION AND DIGITIZATION RE-*
22 *PORT.—*

23 *(A) IN GENERAL.—Not later than March*
24 *15, 2023, the Director shall submit to the con-*

1 *gressional defense committees a report that in-*
2 *cludes—*

3 *(i) an assessment of the progress of the*
4 *Secretary in carrying out subsection (a);*

5 *(ii) an assessment of each of the dem-*
6 *onstration activities carried out under sub-*
7 *section (a)(2)(C), including a comparison*
8 *of—*

9 *(I) the risks, benefits, and costs of*
10 *using digital technologies for live fire*
11 *testing and evaluation; and*

12 *(II) the risks, benefits, and costs*
13 *of traditional physical live fire testing*
14 *approaches that—*

15 *(aa) are not supported by*
16 *digital technologies;*

17 *(bb) do not include testing*
18 *against non-kinetic threats; and*

19 *(cc) do not include full spec-*
20 *trum survivability;*

21 *(iii) an explanation of—*

22 *(I) how real-world operational*
23 *and digital survivability and lethality*
24 *testing data will be used to inform and*
25 *enhance digital technology;*

- 1 (II) the contribution of such data
2 to the digital modernization efforts re-
3 quired under section 836 of the Wil-
4 liam M. (Mac) Thornberry National
5 Defense Authorization Act for Fiscal
6 Year 2021 (Public Law 116–283); and
- 7 (III) the contribution of such data
8 to the decision-support processes for
9 managing and overseeing acquisition
10 programs of the Department;
- 11 (iv) an assessment of the ability of the
12 Department to perform full spectrum sur-
13 vivability and lethality testing of each cov-
14 ered system with respect to kinetic and non-
15 kinetic threats;
- 16 (v) an assessment of the processes im-
17 plemented by the Department to manage
18 digital technologies developed pursuant to
19 subsection (a); and
- 20 (vi) an assessment of the processes im-
21 plemented by the Department to develop
22 digital technology that can perform full
23 spectrum survivability and lethality testing
24 with respect to kinetic and non-kinetic
25 threats.

1 (B) *BRIEFING*.—Not later than April 14,
2 2023, the Director shall provide to the congres-
3 sional defense committees a briefing that identi-
4 fies any changes to existing law that may be nec-
5 essary to implement subsection (a).

6 (c) *DEFINITIONS*.—In this section:

7 (1) The term “covered officials” means—

8 (A) the Under Secretary of Defense for Re-
9 search and Engineering;

10 (B) the Under Secretary of Defense for Ac-
11 quisition and Sustainment;

12 (C) the Chief Information Officer;

13 (D) the Director;

14 (E) the Director of Cost Assessment and
15 Program Evaluation;

16 (F) the Service Acquisition Executives;

17 (G) the Service testing commands;

18 (H) the Director of the Defense Digital
19 Service; and

20 (I) representatives from—

21 (i) the Department of Defense Test Re-
22 source Management Center;

23 (ii) the High Performance Computing
24 Modernization Program Office; and

1 (iii) *the Joint Technical Coordination*
2 *Group for Munitions Effectiveness.*

3 (2) *The term “covered system” means any*
4 *warfighting capability that can degrade, disable, de-*
5 *ceive, or destroy forces or missions.*

6 (3) *The term “Department” means the Depart-*
7 *ment of Defense.*

8 (4) *The term “digital technologies” includes dig-*
9 *ital models, digital simulations, and digital twin ca-*
10 *pabilities that may be used to test the survivability*
11 *and lethality of a covered system.*

12 (5) *The term “Director” means the Director of*
13 *Operational Test and Evaluation.*

14 (6) *The term “full spectrum survivability and*
15 *lethality testing” means a series of assessments of the*
16 *effects of kinetic and non-kinetic threats on the com-*
17 *munications, firepower, mobility, catastrophic surviv-*
18 *ability, and lethality of a covered system.*

19 (7) *The term “non-kinetic threats” means uncon-*
20 *ventional threats, including—*

21 (A) *cyber attacks;*

22 (B) *electromagnetic spectrum operations;*

23 (C) *chemical, biological, radiological, nu-*
24 *clear effects and high yield explosives; and*

25 (D) *directed energy weapons.*

1 (8) *The term “Secretary” means the Secretary of*
2 *Defense.*

3 **SEC. 224. ASSESSMENT AND CORRECTION OF DEFICIENCIES**
4 **IN THE PILOT BREATHING SYSTEMS OF TAC-**
5 **TICAL FIGHTER AIRCRAFT.**

6 (a) *TESTING AND EVALUATION REQUIRED.—Begin-*
7 *ning not later than 120 days after the date of the enactment*
8 *of this Act, the Secretary of Defense, in consultation with*
9 *the Administrator of the National Aeronautics and Space*
10 *Administration, shall commence operational testing and*
11 *evaluation of each fleet of tactical fighter aircraft (including*
12 *each type and model variant of aircraft within the fleet)*
13 *that uses the Onboard Oxygen Generating System for the*
14 *pilot breathing system (in this section referred to as the*
15 *“breathing system”) to—*

16 (1) *determine whether the breathing system com-*
17 *plies with Military Standard 3050 (MIL-STD-*
18 *3050), titled “Aircraft Crew Breathing Systems Using*
19 *On-Board Oxygen Generating System (OBOGS)”;*
20 *and*

21 (2) *assess the safety and effectiveness of the*
22 *breathing system for all pilots of the aircraft fleet test-*
23 *ed.*

1 (b) *REQUIREMENTS.*—*The following shall apply to the*
2 *testing and evaluation conducted for an aircraft fleet under*
3 *subsection (a):*

4 (1) *The F-35 aircraft fleet shall be the first air-*
5 *craft fleet tested and evaluated, and such testing and*
6 *evaluation shall include F-35A, F-35B, and F-35C*
7 *aircraft.*

8 (2) *The pilot, aircraft systems, and operational*
9 *flight environment of the aircraft shall not be assessed*
10 *in isolation but shall be tested and evaluated as inte-*
11 *grated parts of the breathing system.*

12 (3) *The testing and evaluation shall be conducted*
13 *under a broad range of operating conditions, includ-*
14 *ing variable weather conditions, low-altitude flight,*
15 *high-altitude flight, during weapons employment, at*
16 *critical phases of flight such as take-off and landing,*
17 *and in other challenging environments and operating*
18 *flight conditions.*

19 (4) *The testing and evaluation shall assess oper-*
20 *ational flight environments for the pilot that replicate*
21 *expected conditions and durations for high gravita-*
22 *tional force loading, rapid changes in altitude, rapid*
23 *changes in airspeed, and varying degrees of moderate*
24 *gravitational force loading.*

1 (5) *A diverse group of pilots shall participate in*
2 *the testing and evaluation, including—*

3 (A) *pilots who are test-qualified and pilots*
4 *who are not test-qualified; and*

5 (B) *pilots who vary in gender, physical con-*
6 *ditioning, height, weight, and age, and any other*
7 *attributes that the Secretary determines to be ap-*
8 *propriate.*

9 (6) *Aircraft involved in the testing and evalua-*
10 *tion shall perform operations with operationally rep-*
11 *resentative and realistic aircraft configurations.*

12 (7) *The testing and evaluation shall include as-*
13 *sessments of pilot life support gear and relevant*
14 *equipment, including the pilot breathing mask appa-*
15 *ratus.*

16 (8) *The testing and evaluation shall include test-*
17 *ing data from pilot reports, measurements of breath-*
18 *ing pressures and air delivery response timing and*
19 *flow, cabin pressure, air-speed, acceleration, measure-*
20 *ments of hysteresis during all phases of flight, meas-*
21 *urements of differential pressure between mask and*
22 *cabin altitude, and measurements of spirometry and*
23 *specific oxygen saturation levels of the pilot imme-*
24 *diately before and immediately after each flight.*

1 (9) *The analysis of the safety and effectiveness of*
2 *the breathing system shall thoroughly assess any*
3 *physiological effects reported by pilots, including ef-*
4 *fects on health, fatigue, cognition, and perception of*
5 *any breathing difficulty.*

6 (10) *The testing and evaluation shall include the*
7 *participation of subject matter experts who have fa-*
8 *miliarity and technical expertise regarding design*
9 *and functions of the aircraft, its propulsion system,*
10 *pilot breathing system, life support equipment,*
11 *human factors, and any other systems or subject mat-*
12 *ter the Secretary determines necessary to conduct ef-*
13 *fective testing and evaluation. At a minimum, such*
14 *subject matter experts shall include aerospace physi-*
15 *ologists, engineers, flight surgeons, and scientists.*

16 (11) *In carrying out the testing and evaluation,*
17 *the Secretary of Defense may seek technical support*
18 *and subject matter expertise from the Naval Air Sys-*
19 *tems Command, the Air Force Research Laboratory,*
20 *the Office of Naval Research, the National Aero-*
21 *navitics and Space Administration, and any other or-*
22 *ganization or element of the Department of Defense or*
23 *the National Aeronautics and Space Administration*
24 *that the Secretary, in consultation with the Adminis-*
25 *trator of the National Aeronautics and Space Admin-*

1 *istration, determines appropriate to support the test-*
2 *ing and evaluation.*

3 *(c) CORRECTIVE ACTIONS.—Not later than 90 days*
4 *after the submittal of a final report under subsection (e)*
5 *for an aircraft fleet, the Secretary of Defense shall take such*
6 *actions as are necessary to correct all deficiencies, shortfalls,*
7 *and gaps in the breathing system that were discovered or*
8 *reported as a result of the testing and evaluation of such*
9 *aircraft fleet under subsection (a).*

10 *(d) PRELIMINARY REPORTS.—*

11 *(1) IN GENERAL.—Not later than the date speci-*
12 *fied in paragraph (2), for each aircraft fleet tested*
13 *and evaluated under subsection (a), the Secretary of*
14 *Defense shall submit to the congressional defense com-*
15 *mittees a separate preliminary report, based on the*
16 *initial results of such testing and evaluation, that in-*
17 *cludes—*

18 *(A) the initial findings and recommenda-*
19 *tions of the Secretary;*

20 *(B) potential corrective actions that the Sec-*
21 *retary of Defense may carry out to address defi-*
22 *ciencies in the breathing system of the aircraft*
23 *tested; and*

24 *(C) the results of initial review and assess-*
25 *ment, conducted by the Administrator of the Na-*

1 *tional Aeronautics and Space Administration for*
2 *purposes of the report, of—*

3 *(i) the testing and evaluation plans,*
4 *execution, processes, data, and technical re-*
5 *sults of the testing and evaluation activities*
6 *under subsection (a); and*

7 *(ii) the initial findings, recommenda-*
8 *tions, and potential corrective actions deter-*
9 *mined by the Secretary of Defense under*
10 *subparagraphs (A) and (B).*

11 *(2) DATE SPECIFIED.—The date specified in this*
12 *paragraph is the earlier of—*

13 *(A) a date selected by the Secretary of the*
14 *Air Force that is not later than 180 days after*
15 *the testing and evaluation of the aircraft fleet*
16 *under subsection (a) has been completed; or*

17 *(B) one year after the commencement of the*
18 *testing and evaluation of the aircraft fleet under*
19 *subsection (a).*

20 *(e) FINAL REPORTS.—Not later than two years after*
21 *the commencement of the testing and evaluation under sub-*
22 *section (a) for an aircraft fleet, the Secretary of Defense*
23 *shall submit to the congressional defense committees a final*
24 *report on the results of such testing with respect to such*

1 *aircraft fleet that includes, based on the final results of such*
2 *testing and evaluation—*

3 (1) *findings and recommendations with respect*
4 *to the breathing system; and*

5 (2) *a description of the specific actions the Sec-*
6 *retary will carry out to correct deficiencies in the*
7 *breathing system, as required under subsection (c).*

8 *(f) INDEPENDENT REVIEW OF FINAL REPORT.—*

9 (1) *IN GENERAL.—The Secretary of Defense, in*
10 *consultation with the Administrator of the National*
11 *Aeronautics and Space Administration, shall seek to*
12 *enter into an agreement with a federally funded re-*
13 *search and development center with relevant expertise*
14 *to conduct an independent sufficiency review of the*
15 *final reports submitted under subsection (e).*

16 (2) *REPORT TO SECRETARY.—Not later than*
17 *seven months after the date on which the Secretary of*
18 *Defense enters into an agreement with a federally*
19 *funded research and development center under para-*
20 *graph (1), the center shall submit to the Secretary a*
21 *report on the results of the review conducted under*
22 *such paragraph.*

23 (3) *REPORT TO CONGRESS.—Not later than 30*
24 *days after the date on which the Secretary of Defense*
25 *receives the report under paragraph (2), the Secretary*

1 *has the meaning given that term in section 196(i) of title*
2 *10, United States Code.*

3 **SEC. 226. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICA-**
4 **TIONS AND ESTABLISHMENT OF PERFORM-**
5 **ANCE METRICS.**

6 *(a) IN GENERAL.—Not later than 180 days after the*
7 *date of the enactment of this Act, the Secretary of Defense*
8 *shall—*

9 *(1) review the potential applications of artificial*
10 *intelligence and digital technology to the platforms,*
11 *processes, and operations of the Department of De-*
12 *fense; and*

13 *(2) establish performance objectives and accom-*
14 *panying metrics for the incorporation of artificial in-*
15 *telligence and digital readiness into such platforms,*
16 *processes, and operations.*

17 *(b) PERFORMANCE OBJECTIVES AND ACCOMPANYING*
18 *METRICS.—*

19 *(1) SKILL GAPS.—In carrying out subsection (a),*
20 *the Secretary of Defense shall require each Secretary*
21 *of a military department and the heads of such other*
22 *organizations and elements of the Department of De-*
23 *fense as the Secretary of Defense determines appro-*
24 *priate to—*

1 (A) *conduct a comprehensive review and as-*
2 *essment of—*

3 (i) *skill gaps in the fields of software*
4 *development, software engineering, data*
5 *science, and artificial intelligence;*

6 (ii) *the qualifications of civilian per-*
7 *sonnel needed for both management and*
8 *specialist tracks in such fields; and*

9 (iii) *the qualifications of military per-*
10 *sonnel (officer and enlisted) needed for both*
11 *management and specialist tracks in such*
12 *fields; and*

13 (B) *establish recruiting, training, and tal-*
14 *ent management performance objectives and ac-*
15 *companying metrics for achieving and main-*
16 *taining staffing levels needed to fill identified*
17 *gaps and meet the needs of the Department for*
18 *skilled personnel.*

19 (2) *AI MODERNIZATION ACTIVITIES.—In car-*
20 *rying out subsection (a), the Secretary of Defense*
21 *shall—*

22 (A) *assess investment by the Department of*
23 *Defense in artificial intelligence innovation,*
24 *science and technology, and research and devel-*
25 *opment;*

1 (B) assess investment by the Department in
2 test and evaluation of artificial intelligence ca-
3 pabilities; and

4 (C) establish performance objectives and ac-
5 companying metrics for artificial intelligence
6 modernization activities of the Department.

7 (3) *EXERCISES, WARGAMES, AND EXPERIMEN-*
8 *TATION.*—In conjunction with the activities of the
9 Secretary of Defense under subsection (a), the Chair-
10 man of the Joint Chiefs of Staff, in coordination with
11 the Director of the Joint Artificial Intelligence Center,
12 shall—

13 (A) assess the integration of artificial intel-
14 ligence into war-games, exercises, and experi-
15 mentation; and

16 (B) develop performance objectives and ac-
17 companying metrics for such integration.

18 (4) *LOGISTICS AND SUSTAINMENT.*—In carrying
19 out subsection (a), the Secretary of Defense shall re-
20 quire the Under Secretary of Defense for Acquisition
21 and Sustainment, with support from the Director of
22 the Joint Artificial Intelligence Center, to—

23 (A) assess the application of artificial intel-
24 ligence in logistics and sustainment systems; and

1 (B) establish performance objectives and ac-
2 companying metrics for integration of artificial
3 intelligence in the Department of Defense logis-
4 tics and sustainment enterprise.

5 (5) *BUSINESS APPLICATIONS.*—*In carrying out*
6 *subsection (a), the Secretary of Defense shall require*
7 *the Under Secretary of Defense (Comptroller), in co-*
8 *ordination with the Director of the Joint Artificial*
9 *Intelligence Center, to—*

10 (A) assess the integration of artificial intel-
11 ligence for administrative functions that can be
12 performed with robotic process automation and
13 artificial intelligence-enabled analysis; and

14 (B) establish performance objectives and ac-
15 companying metrics for the integration of artifi-
16 cial intelligence in priority business process
17 areas of the Department of Defense, including
18 the following:

19 (i) Human resources.

20 (ii) Budget and finance, including
21 audit.

22 (iii) Retail.

23 (iv) Real estate.

24 (v) Health care.

25 (vi) Logistics.

1 (vii) *Such other business processes as*
2 *the Secretary considers appropriate.*

3 (c) *REPORT TO CONGRESS.*—*Not later than 120 days*
4 *after the completion of the review required by subsection*
5 *(a)(1), the Secretary of Defense shall submit to the congres-*
6 *sional defense committees a report on—*

7 (1) *the findings of the Secretary with respect to*
8 *the review and any action taken or proposed to be*
9 *taken by the Secretary to address such findings; and*

10 (2) *the performance objectives and accompanying*
11 *metrics established under subsections (a)(2) and (b).*

12 **SEC. 227. MODIFICATION OF THE JOINT COMMON FOUNDA-**
13 **TION PROGRAM.**

14 (a) *MODIFICATION OF JOINT COMMON FOUNDATION.*—
15 *The Secretary of Defense shall modify the Joint Common*
16 *Foundation program conducted by the Joint Artificial In-*
17 *telligence Center to ensure that Department of Defense com-*
18 *ponents can more easily contract with leading commercial*
19 *artificial intelligence companies to support the rapid and*
20 *efficient development and deployment of applications and*
21 *capabilities.*

22 (b) *QUALIFYING COMMERCIAL COMPANIES.*—*The Sec-*
23 *retary of Defense shall take such actions as may be nec-*
24 *essary to increase the number of commercial artificial intel-*
25 *ligence companies eligible to provide support to Department*

1 *of Defense components, including with respect to require-*
2 *ments for cybersecurity protections and processes, to achieve*
3 *automatic authority to operate and provide continuous de-*
4 *livery, security clearances, data portability, and interoper-*
5 *ability.*

6 (c) *USE OF FAR PART 12.—The Secretary of Defense*
7 *shall ensure that, to the maximum extent practicable, com-*
8 *mercial artificial intelligence companies are able to offer*
9 *platforms, services, applications, and tools to Department*
10 *of Defense components through processes and procedures*
11 *under part 12 of the Federal Acquisition Regulation.*

12 (d) *OBJECTIVES OF THE JOINT COMMON FOUNDATION*
13 *PROGRAM.—The objectives of the Joint Common Founda-*
14 *tion program shall include the following:*

15 (1) *Relieving Department of Defense components*
16 *of the need to design or develop or independently con-*
17 *tract for the computing and data hosting platforms*
18 *and associated services on and through which the*
19 *component at issue would apply its domain expertise*
20 *to develop specific artificial intelligence applications.*

21 (2) *Providing expert guidance to components in*
22 *selecting commercial platforms, tools, and services to*
23 *support the development of component artificial intel-*
24 *ligence applications.*

1 (3) *Ensuring that leading commercial artificial*
2 *intelligence technologies and capabilities are easily*
3 *and rapidly accessible to components through stream-*
4 *lined contracting processes.*

5 (4) *Assisting components in designing, devel-*
6 *oping, accessing, or acquiring commercial or non-*
7 *commercial capabilities that may be needed to sup-*
8 *port the operational use of artificial intelligence ap-*
9 *plications.*

10 (5) *Enabling companies to develop software for*
11 *artificial intelligence applications within secure soft-*
12 *ware development environments that are controlled,*
13 *sponsored, required, or specified by the Department of*
14 *Defense, including PlatformOne of the Department of*
15 *the Air Force*

16 (e) *BRIEFING.*—*Not later than 120 days after the date*
17 *of the enactment of this Act, the Secretary of Defense shall*
18 *provide to the congressional defense committees a briefing*
19 *on actions taken to carry out this section.*

20 **SEC. 228. EXECUTIVE EDUCATION ON EMERGING TECH-**
21 **NOLOGIES FOR SENIOR CIVILIAN AND MILI-**
22 **TARY LEADERS.**

23 (a) *ESTABLISHMENT OF COURSE.*—*Not later than two*
24 *years after the date of the enactment of this Act, the Sec-*
25 *retary of Defense shall establish executive education activi-*

1 *ties on emerging technologies for appropriate general and*
2 *flag officers and senior executive-level civilian leaders that*
3 *are designed specifically to prepare new general and flag*
4 *officers and senior executive-level civilian leaders on rel-*
5 *evant technologies and how these technologies may be ap-*
6 *plied to military and business activities in the Department*
7 *of Defense.*

8 (b) *PLAN FOR PARTICIPATION.*—

9 (1) *IN GENERAL.*—*The Secretary of Defense shall*
10 *develop a plan for participation in executive edu-*
11 *cation activities established under subsection (a).*

12 (2) *REQUIREMENTS.*—*As part of such plan, the*
13 *Secretary shall ensure that, not later than five years*
14 *after the date of the establishment of the activities*
15 *under subsection (a), all appropriate general flag offi-*
16 *cers and senior executive-level civilian leaders are—*

17 (A) *required to complete the executive edu-*
18 *cation activities under such subsection; and*

19 (B) *certified as having successfully com-*
20 *pleted the executive education activities.*

21 (c) *REPORT.*—

22 (1) *IN GENERAL.*—*Not later than the date that*
23 *is three years after the date of the enactment of this*
24 *Act, the Secretary of Defense shall submit to the Com-*
25 *mittee on Armed Services of the Senate and the Com-*

1 *mittee on Armed Services of the House of Representa-*
2 *tives a report on the status of the implementation of*
3 *the activities required by subsection (a).*

4 (2) *CONTENTS.—The report submitted under*
5 *paragraph (1) shall include the following:*

6 (A) *A description of the new general and*
7 *flag officers and senior executive-level civilian*
8 *leaders for whom the education activities have*
9 *been designated.*

10 (B) *A recommendation with respect to con-*
11 *tinuing or expanding the activities required*
12 *under subsection (a).*

13 **SEC. 229. ACTIVITIES TO ACCELERATE DEVELOPMENT AND**
14 **DEPLOYMENT OF DUAL-USE QUANTUM TECH-**
15 **NOLOGIES.**

16 (a) *ACTIVITIES REQUIRED.—The Secretary of Defense*
17 *shall establish a set of activities—*

18 (1) *to accelerate the development and deployment*
19 *of dual-use quantum capabilities;*

20 (2) *to ensure the approach of the United States*
21 *to investments of the Department of Defense in quan-*
22 *tum information science research and development re-*
23 *fects an appropriate balance between scientific*
24 *progress and the potential economic and security im-*
25 *plications of such progress;*

1 (3) to ensure that the Department of Defense is
2 fully aware and has a technical understanding of the
3 maturity and operational utility of new and emerg-
4 ing quantum technologies; and

5 (4) to ensure the Department of Defense consist-
6 ently has access to the most advanced quantum capa-
7 bilities available in the commercial sector to support
8 research and modernization activities.

9 (b) ASSISTANCE PROGRAM.—

10 (1) PROGRAM REQUIRED.—In carrying out sub-
11 section (a) and subject to the availability of appro-
12 priations for such purpose, the Secretary of Defense
13 shall, acting through the Director of the Defense Ad-
14 vanced Research Projects Agency and in consultation
15 with appropriate public and private sector organiza-
16 tions, establish a program under which the Secretary
17 may award assistance to one or more organizations—

18 (A) to identify defense applications for
19 which dual-use quantum technologies provide a
20 clear advantage over competing technologies;

21 (B) to accelerate development of such quan-
22 tum technologies; and

23 (C) to accelerate the deployment of dual-use
24 quantum capabilities.

1 (2) *FORM OF ASSISTANCE.*—*Assistance awarded*
2 *under the program required by paragraph (1) may*
3 *consist of a grant, a contract, a cooperative agree-*
4 *ment, other transaction, or such other form of assist-*
5 *ance as the Secretary of Defense considers appro-*
6 *priate.*

7 (3) *AUTHORITIES AND ACQUISITION AP-*
8 *PROACHES.*—*The Secretary of Defense may use the*
9 *following authorities and approaches for the program*
10 *required by paragraph (1):*

11 (A) *Section 2374a of title 10, United States*
12 *Code, relating to prizes for advanced technology*
13 *achievements.*

14 (B) *Section 2373 of such title, relating to*
15 *procurement for experimental purposes.*

16 (C) *Sections 2371 and 2371b of such title,*
17 *relating to transactions other than contracts and*
18 *grants and authority of the Department of De-*
19 *fense to carry out certain prototype projects, re-*
20 *spectively.*

21 (D) *Section 2358 of such title, relating to*
22 *research and development projects.*

23 (E) *Section 879 of the National Defense Au-*
24 *thorization Act for Fiscal Year 2017 (Public*
25 *Law 114–328; 10 U.S.C. 2302 note), relating to*

1 *defense pilot program for authority to acquire*
2 *innovative commercial products, technologies,*
3 *and services using general solicitation competi-*
4 *tive procedures.*

5 *(F) Requirement for milestone payments*
6 *based on technical achievements.*

7 *(G) Requirement for cost share from private*
8 *sector participants in the program.*

9 *(H) Commercial procurement authority*
10 *under part 12 of the Federal Acquisition Regula-*
11 *tion.*

12 *(I) Such other authorities or approaches as*
13 *the Secretary considers appropriate.*

14 *(4) POLICIES AND PROCEDURES.—The Secretary*
15 *of Defense shall, in consultation with such experts*
16 *from government and industry as the Secretary con-*
17 *siders appropriate, establish policies and procedures*
18 *to carry out the program required by paragraph (1).*

19 *(c) BRIEFING AND REPORT.—*

20 *(1) BRIEFING.—Not later than March 1, 2022,*
21 *the Secretary of Defense shall provide to the congres-*
22 *sional defense committees a briefing on the plan to*
23 *carry out the activities required by subsection (a) and*
24 *the program required by subsection (b).*

1 (2) *REPORT.*—Not later than December 31, 2022,
2 and not less frequently than once each year thereafter
3 until December 31, 2026, the Secretary of Defense
4 shall submit to the congressional defense committees a
5 report on the activities carried out under subsection
6 (a) and the program carried out under subsection (b).

7 **SEC. 230. NATIONAL GUARD PARTICIPATION IN MICRO-**
8 **REACTOR TESTING AND EVALUATION.**

9 *The Secretary of Defense may, in coordination with*
10 *the Director of the Strategic Capabilities Office and the*
11 *Chief of the National Guard Bureau, assemble a collection*
12 *of four National Guard units to participate in the testing*
13 *and evaluation of a micro nuclear reactor program.*

14 **SEC. 231. PILOT PROGRAM ON THE USE OF PRIVATE SEC-**
15 **TOR PARTNERSHIPS TO PROMOTE TECH-**
16 **NOLOGY TRANSITION.**

17 (a) *IN GENERAL.*—Consistent with section 2359 of title
18 10, United States Code, the Secretary of Defense shall carry
19 out a pilot program to foster the transition of the science
20 and technology programs, projects, and activities of the De-
21 partment of Defense from the research, development, pilot,
22 and prototyping phases into acquisition activities and
23 operational use. Under the pilot program, the Secretary
24 shall seek to enter into agreements with qualified private
25 sector organizations to support—

1 (1) *matching technology developers with pro-*
2 *grams, projects, and activities of the Department that*
3 *may have a use for the technology developed by such*
4 *developers;*

5 (2) *providing technical assistance to appropriate*
6 *parties on participating in the procurement programs*
7 *and acquisition processes of the Department, includ-*
8 *ing training and consulting on programming, budg-*
9 *eting, contracting, requirements, and other relevant*
10 *processes and activities; and*

11 (3) *overcoming barriers and challenges facing*
12 *technology developers, including challenges posed by*
13 *restrictions on accessing secure facilities, networks,*
14 *and information.*

15 (b) *PRIORITY.*—*In carrying out the activities described*
16 *in paragraphs (1) through (3) of subsection (a), a qualified*
17 *private sector organization shall give priority to technology*
18 *producers that are small business concerns (as defined*
19 *under section 3 of the Small Business Act (15 U.S.C. 632)),*
20 *research institutions (as defined in section 9(e) of such Act),*
21 *or institutions of higher education (as defined in section*
22 *101 of the Higher Education Act of 1965 (20 U.S.C 1001)).*

23 (c) *TERMS OF AGREEMENTS.*—*The terms of an agree-*
24 *ment under subsection (a) shall be determined by the Sec-*
25 *retary of Defense.*

1 (d) *DATA COLLECTION.*—

2 (1) *PLAN REQUIRED BEFORE IMPLEMENTA-*
3 *TION.*—*The Secretary of Defense may not enter into*
4 *an agreement under subsection (a) until the date on*
5 *which the Secretary—*

6 (A) *completes a plan to for carrying out the*
7 *data collection required under paragraph (2);*
8 *and*

9 (B) *submits the plan to the congressional*
10 *defense committees.*

11 (2) *DATA COLLECTION REQUIRED.*—*The Sec-*
12 *retary of Defense shall collect and analyze data on the*
13 *pilot program under this section for the purposes of—*

14 (A) *developing and sharing best practices*
15 *for facilitating the transition of science and tech-*
16 *nology from the research, development, pilot, and*
17 *prototyping phases into acquisition activities*
18 *and operational use within the Department of*
19 *Defense;*

20 (B) *providing information to the leadership*
21 *of the Department on the implementation of the*
22 *pilot program and related policy issues; and*

23 (C) *providing information to the congres-*
24 *sional defense committees as required under sub-*
25 *section (e).*

1 (e) *BRIEFING.*—Not later than December 31, 2022, the
2 Secretary of Defense shall provide to the congressional de-
3 fense committees a briefing on the progress of the Secretary
4 in implementing the pilot program under this section and
5 any related policy issues.

6 (f) *CONSULTATION.*—In carrying out the pilot pro-
7 gram under this section, the Secretary of Defense shall con-
8 sult with—

9 (1) service acquisition executives (as defined in
10 section 101 of title 10, United States Code);

11 (2) the heads of appropriate Defense Agencies
12 and Department of Defense Field Activities;

13 (3) procurement technical assistance centers (as
14 described in chapter 142 of title 10, United States
15 Code); and

16 (4) such other individuals and organizations as
17 the Secretary determines appropriate.

18 (g) *TERMINATION.*—The pilot program under this sec-
19 tion shall terminate on the date that is five years after the
20 date on which Secretary of Defense enters into the first
21 agreement with a qualified private sector organization
22 under subsection (a).

23 (h) *COMPTROLLER GENERAL ASSESSMENT AND RE-*
24 *PORT.*—

1 (1) *ASSESSMENT.*—*The Comptroller General of*
2 *the United States shall conduct an assessment of the*
3 *pilot program under this section. The assessment shall*
4 *include an evaluation of the effectiveness of the pilot*
5 *program with respect to—*

6 (A) *facilitating the transition of science and*
7 *technology from the research, development, pilot,*
8 *and prototyping phases into acquisition activi-*
9 *ties and operational use within the Department*
10 *of Defense; and*

11 (B) *protecting sensitive information in the*
12 *course of the pilot program.*

13 (2) *REPORT.*—*Not later than the date specified*
14 *in paragraph (3), the Comptroller General shall sub-*
15 *mit to the congressional defense committees a report*
16 *on the results of the assessment conducted under para-*
17 *graph (1).*

18 (3) *DATE SPECIFIED.*—*The date specified in this*
19 *paragraph is the earlier of—*

20 (A) *four years after the date on which the*
21 *Secretary of Defense enters into the first agree-*
22 *ment with a qualified private sector organization*
23 *under subsection (a); or*

24 (B) *five years after the date of the enact-*
25 *ment of this Act.*

1 **SEC. 232. PILOT PROGRAM ON DATA REPOSITORIES TO FA-**
2 **CILITATE THE DEVELOPMENT OF ARTIFICIAL**
3 **INTELLIGENCE CAPABILITIES FOR THE DE-**
4 **PARTMENT OF DEFENSE.**

5 (a) *ESTABLISHMENT OF DATA REPOSITORIES.*—The
6 Secretary of Defense, acting through the Chief Data Officer
7 of the Department of Defense and the Director of the Joint
8 Artificial Intelligence Center (and such other officials as the
9 Secretary determines appropriate), may carry out a pilot
10 program under which the Secretary—

11 (1) *establishes data repositories containing De-*
12 *partment of Defense data sets relevant to the develop-*
13 *ment of artificial intelligence software and technology;*
14 *and*

15 (2) *allows appropriate public and private sector*
16 *organizations to access such data repositories for the*
17 *purpose of developing improved artificial intelligence*
18 *and machine learning software capabilities that may,*
19 *as determined appropriate by the Secretary, be pro-*
20 *cured by the Department to satisfy Department re-*
21 *quirements and technology development goals.*

22 (b) *ELEMENTS.*—If the Secretary of Defense carries out
23 the pilot program under subsection (a), the data repositories
24 established under the program—

25 (1) *may include unclassified training quality*
26 *data sets and associated labels representative of di-*

1 *verse types of information, representing Department*
2 *of Defense missions, business processes, and activities;*
3 *and*

4 *(2) shall—*

5 *(A) be categorized and annotated to support*
6 *development of a common evaluation framework*
7 *for artificial intelligence models and other tech-*
8 *anical software solutions;*

9 *(B) be made available to appropriate public*
10 *and private sector organizations to support*
11 *rapid development of software and artificial in-*
12 *telligence capabilities;*

13 *(C) include capabilities and tool sets to de-*
14 *tect, evaluate, and correct errors in data annota-*
15 *tion, identify gaps in training data used in*
16 *model development that would require additional*
17 *data labeling, and evaluate model performance*
18 *across the life cycle of the data repositories; and*

19 *(D) be developed to support other missions*
20 *and activities as determined by the Secretary.*

21 *(c) BRIEFING.—Not later than 270 days after the date*
22 *of the enactment of this Act, the Secretary of Defense shall*
23 *provide to the congressional defense committees a briefing*
24 *on—*

1 (1) *whether the Secretary intends to carry out*
2 *the pilot program under this section;*

3 (2) *if the Secretary does not intend to carry out*
4 *the pilot program, an explanation of the reasons for*
5 *such decision;*

6 (3) *if the Secretary does intend to carry out the*
7 *pilot program, or if the Secretary has already initi-*
8 *ated the pilot program as of the date of the briefing—*

9 (A) *the types of information the Secretary*
10 *determines are feasible and advisable to include*
11 *in the data repositories described in subsection*
12 *(a); and*

13 (B) *the progress of the Secretary in car-*
14 *rying out the program.*

15 **SEC. 233. PILOT PROGRAMS FOR DEPLOYMENT OF TELE-**
16 **COMMUNICATIONS INFRASTRUCTURE TO FA-**
17 **CILITATE 5G DEPLOYMENT ON MILITARY IN-**
18 **STALLATIONS.**

19 (a) *PLANS.—*

20 (1) *IN GENERAL.—Not later than 180 days after*
21 *enactment of this Act, each Secretary of a military*
22 *department shall submit to the congressional defense*
23 *committees a plan for a pilot program for the deploy-*
24 *ment of telecommunications infrastructure to facili-*
25 *tate the availability of fifth-generation wireless tele-*

1 *communications services on military installations*
2 *under the jurisdiction of the Secretary.*

3 (2) *PLAN ELEMENTS.—Each plan submitted*
4 *under paragraph (1) by a Secretary of a military de-*
5 *partment shall include, with respect to such military*
6 *department, the following:*

7 (A) *A list of military installations at which*
8 *the pilot program will be carried out, including*
9 *at least one military installation of the depart-*
10 *ment.*

11 (B) *A description of authorities that will be*
12 *used to execute the pilot program.*

13 (C) *A timeline for the implementation and*
14 *duration of the pilot program.*

15 (D) *The identity of each telecommunication*
16 *carrier that intends to use the telecommuni-*
17 *cations infrastructure deployed pursuant to the*
18 *pilot to provide fifth-generation wireless tele-*
19 *communication services at each of the military*
20 *installations listed under subparagraph (A).*

21 (E) *An assessment of need for centralized*
22 *processes and points of contacts to facilitate de-*
23 *ployment of the telecommunications infrastruc-*
24 *ture.*

1 **(b) PILOT PROGRAMS REQUIRED.**—Not later than one
2 year after the date of the enactment of this Act, each Sec-
3 retary of a military department shall establish a pilot pro-
4 gram in accordance with the plan submitted by the Sec-
5 retary under subsection (a)(1).

6 **(c) REPORTS.**—

7 **(1) IN GENERAL.**—Not later than 180 days after
8 the date on which a Secretary of a military depart-
9 ment commences a pilot program under subsection
10 (b), and not less frequently than once every 180 days
11 thereafter until the completion of the pilot program,
12 the Secretary shall submit to the congressional defense
13 committees a report on the pilot program.

14 **(2) CONTENTS.**—Each report submitted under
15 paragraph (1) for a pilot program shall include the
16 following:

17 **(A)** A description of the status of the pilot
18 program at each military installation at which
19 the pilot program is carried out.

20 **(B)** A description of the use of, and services
21 provided by, telecommunications carriers of the
22 telecommunications infrastructure at each mili-
23 tary installation under the pilot program.

1 (C) *Such additional information as the Sec-*
2 *retary of the military department considers ap-*
3 *propriate.*

4 (d) *TELECOMMUNICATIONS INFRASTRUCTURE DE-*
5 *FINED.—In this section, the term “telecommunications in-*
6 *frastructure” includes, at a minimum, the following:*

7 (1) *Macro towers.*

8 (2) *Small cell poles.*

9 (3) *Distributed antenna systems.*

10 (4) *Dark fiber.*

11 (5) *Power solutions.*

12 **SEC. 234. LIMITATION ON DEVELOPMENT OF PROTOTYPES**
13 **FOR THE OPTIONALLY MANNED FIGHTING**
14 **VEHICLE PENDING REQUIREMENTS ANAL-**
15 **YSIS.**

16 (a) *LIMITATION.—The Secretary of the Army may not*
17 *enter into a contract for the development of a physical pro-*
18 *totype for the Optionally Manned Fighting Vehicle or any*
19 *other next-generation infantry fighting vehicle of the Army*
20 *until a period of 30 days has elapsed following the date*
21 *on which the Secretary submits to the congressional defense*
22 *committees the report required under subsection (b).*

23 (b) *REPORT REQUIRED.—*

24 (1) *IN GENERAL.—The Secretary of the Army*
25 *shall submit to the congressional defense committees a*

1 *report on the analysis supporting the determination*
2 *of formal requirements or desired characteristics for*
3 *the Optionally Manned Fighting Vehicle refined*
4 *through the concept and detailed design phases of the*
5 *acquisition strategy.*

6 (2) *ELEMENTS.—The report required by para-*
7 *graph (1) shall include the following:*

8 (A) *A detailed description of the formal re-*
9 *quirements applicable to the Optionally Manned*
10 *Fighting Vehicle or desired characteristics guid-*
11 *ing the physical prototyping phase of the pro-*
12 *gram.*

13 (B) *A description of the analysis conducted*
14 *to finalize such requirements and characteristics.*

15 (C) *A description of Optionally Manned*
16 *Fighting Vehicle-equipped force structure designs*
17 *and the operational concepts analyzed during the*
18 *vehicle concept design and detailed design*
19 *phases.*

20 (D) *A detailed description of the analysis*
21 *conducted, trade-offs considered, and conclusions*
22 *drawn with respect to the force structure designs*
23 *and operational concepts, survivability, mobility,*
24 *lethality, payload, and combat effectiveness in*

1 *execution of the critical operational tasks re-*
2 *quired of fighting-vehicle-equipped infantry.*

3 *(E) An assessment and comparison of the*
4 *combat effectiveness (including survivability, mo-*
5 *bility, and lethality) of combined arms company*
6 *teams equipped with Optionally Manned Fight-*
7 *ing Vehicles compared to those equipped with*
8 *fully modernized Bradley Fighting Vehicles.*

9 *(c) BRIEFING REQUIRED.—At least 30 days prior to*
10 *the submission of the report under subsection (b), the Sec-*
11 *retary of the Army shall provide to the congressional defense*
12 *committees a briefing on the preliminary findings of the*
13 *Secretary with respect to each element specified in sub-*
14 *section (b)(2).*

15 *(d) COMPTROLLER GENERAL ASSESSMENT.—Not later*
16 *than 60 days after the date on which the report under sub-*
17 *section (b) is submitted, the Comptroller General of the*
18 *United States shall submit to the congressional defense com-*
19 *mittees a written assessment of the report, including—*

20 *(1) an assessment of the objectivity, validity, and*
21 *reliability of the Army's analysis with respect to each*
22 *element specified in subsection (b)(2); and*

23 *(2) any other matters the Comptroller General*
24 *determines appropriate.*

1 **SEC. 235. LIMITATION ON TRANSFER OF CERTAIN OPER-**
2 **ATIONAL FLIGHT TEST EVENTS AND REDUC-**
3 **TIONS IN OPERATIONAL FLIGHT TEST CAPAC-**
4 **ITY.**

5 (a) *LIMITATION.*—

6 (1) *IN GENERAL.*—*The Secretary of the Navy*
7 *may not take any action described in paragraph (2)*
8 *until the date on which the Director of Operational*
9 *Test and Evaluation, in consultation with the Sec-*
10 *retary of the Navy, certifies to the congressional de-*
11 *fense committees that the use of non-test designated*
12 *units to conduct flight testing will not have any ap-*
13 *preciable effect on—*

14 (A) *the cost or schedule of any naval avia-*
15 *tion or naval aviation-related program; or*

16 (B) *the efficacy of test execution, analysis,*
17 *and evaluation for any such program.*

18 (2) *ACTIONS DESCRIBED.*—*The actions described*
19 *in this paragraph are the following:*

20 (A) *The delegation of any operational flight*
21 *test event to be conducted by a non-test des-*
22 *ignated unit.*

23 (B) *Any action that would reduce, below the*
24 *levels authorized and in effect on October 1,*
25 *2020, any of the following:*

1 (i) *The aviation or aviation-related*
2 *operational testing and evaluation capacity*
3 *of the Department of the Navy.*

4 (ii) *The personnel billets assigned to*
5 *support such capacity.*

6 (iii) *The aviation force structure, avia-*
7 *tion inventory, or quantity of aircraft as-*
8 *signed to support such capacity, including*
9 *rotorcraft and fixed-wing aircraft.*

10 (b) *REPORT REQUIRED.—Not later than September 1,*
11 *2022, the Director of Operational Test and Evaluation shall*
12 *submit to the congressional defense committees a report that*
13 *assesses each of the following as of the date of the report:*

14 (1) *The design and effectiveness of the testing*
15 *and evaluation infrastructure and capacity of the De-*
16 *partment of the Navy, including an assessment of*
17 *whether such infrastructure and capacity is sufficient*
18 *to carry out the acquisition and sustainment testing*
19 *required for the aviation-related programs of the De-*
20 *partment of Defense and the naval aviation-related*
21 *programs of the Department of the Navy.*

22 (2) *The plans of the Secretary of the Navy to re-*
23 *duce the testing and evaluation capacity and infra-*
24 *structure of the Navy with respect to naval aviation*
25 *in fiscal year 2022 and subsequent fiscal years, as*

1 *specified in the budget of the President submitted to*
2 *Congress on May 28, 2021.*

3 (3) *The technical, fiscal, and programmatic*
4 *issues and risks associated with the plans of the Sec-*
5 *retary of the Navy to delegate and task non-test des-*
6 *ignated operational naval aviation units and organi-*
7 *zations to efficiently and effectively execute, analyze,*
8 *and evaluate testing and evaluation master plans for*
9 *all aviation-related programs and projects of the De-*
10 *partment of the Navy.*

11 (c) *NON-TEST DESIGNATED UNIT DEFINED.—In this*
12 *section, the term “non-test designated unit” means a naval*
13 *aviation unit that does not have designated as its primary*
14 *mission operational testing and evaluation in support of*
15 *naval aviation or naval aviation-related projects and pro-*
16 *grams.*

17 **SEC. 236. LIMITATION ON AVAILABILITY OF FUNDS FOR**
18 **CERTAIN C-130 AIRCRAFT.**

19 *None of the funds authorized to be appropriated by this*
20 *Act or otherwise made available for fiscal year 2022 for the*
21 *Navy may be obligated or expended to procure a C-130 air-*
22 *craft for testing and evaluation as a potential replacement*
23 *for the E-6B aircraft until the date on which all of the*
24 *following conditions are met:*

1 (1) *The Secretary of the Navy has submitted to*
2 *the congressional defense committees a report that in-*
3 *cludes—*

4 (A) *the unit cost of each such C-130 test*
5 *aircraft;*

6 (B) *the life cycle sustainment plan for such*
7 *C-130 aircraft;*

8 (C) *a statement indicating whether such C-*
9 *130 aircraft will be procured using multiyear*
10 *contracting authority under section 2306b of*
11 *title 10, United States Code; and*

12 (D) *the total amount of funds needed to*
13 *complete the procurement of such C-130 aircraft.*

14 (2) *The Secretary of the Navy has certified to the*
15 *congressional defense committees that C-130 aircraft*
16 *in the inventory of the Air Force as of the date of the*
17 *enactment of this Act would not be capable of ful-*
18 *filling all requirements under the E-6B aircraft pro-*
19 *gram of record.*

20 (3) *The Commander of the United States Stra-*
21 *tegic Command has submitted to the congressional de-*
22 *fense committees a report identifying the plan for*
23 *hardware that will replace the E-6B aircraft while*
24 *fulfilling all requirements under the E-6B program of*
25 *record.*

1 **SEC. 237. LIMITATION ON AVAILABILITY OF FUNDS FOR VC-**
2 **25B AIRCRAFT PROGRAM PENDING SUBMIS-**
3 **SION OF DOCUMENTATION.**

4 (a) *DOCUMENTATION REQUIRED.*—Not later than 30
5 days after the date of the enactment of this Act, the Sec-
6 retary of the Air Force shall submit to the congressional
7 defense committees an integrated master schedule that has
8 been approved by the Secretary for the VC–25B presidential
9 aircraft recapitalization program of the Air Force.

10 (b) *LIMITATION.*—Of the funds authorized to be appro-
11 priated by this Act or otherwise made available for fiscal
12 year 2022 for the Air Force for the VC–25B aircraft, not
13 more than 50 percent may be obligated or expended until
14 the date on which the Secretary of the Air Force submits
15 to the congressional defense committees the documentation
16 required under subsection (a).

17 **SEC. 238. LIMITATION ON AVAILABILITY OF FUNDS FOR**
18 **THE HIGH ACCURACY DETECTION AND EX-**
19 **PLOITATION SYSTEM.**

20 *Of the funds authorized to be appropriated by this Act*
21 *or otherwise made available for fiscal year 2022 for re-*
22 *search, development, test, and evaluation for the Army for*
23 *the High Accuracy Detection and Exploitation System, not*
24 *more than 75 percent may be obligated or expended until*
25 *the Vice Chairman of the Joint Chiefs of Staff certifies to*
26 *the congressional defense committees that—*

1 (1) *the High Accuracy Detection and Exploitation System enables multi-domain operations for the Army and is consistent with the Joint All Domain Command and Control strategy of the Department of Defense; and*

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6 (2) *in a conflict, the System will be able to operate at standoff distances for survivability against enemy air defenses, while providing signals intelligence, electronic intelligence, communications intelligence, or synthetic aperture radar or moving target indicator information to the ground component commander, consistent with planned operational concepts.*

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13 ***Subtitle C—Plans, Reports, and***
14 ***Other Matters***

15 ***SEC. 241. MODIFICATION TO ANNUAL REPORT OF THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.***

16
17
18 *Section 139(h)(2) of title 10, United States Code, is*
19 *amended by striking “, through January 31, 2026”.*

20 ***SEC. 242. ADAPTIVE ENGINE TRANSITION PROGRAM ACQUISITION STRATEGY FOR THE F-35A AIRCRAFT.***

21
22 (a) *IN GENERAL.—Not later than 14 days after the*
23 *date on which the budget of the President for fiscal year*
24 *2023 is submitted to Congress pursuant to section 1105 of*
25 *title 31, United States Code, the Secretary of the Air Force,*

1 *in consultation with the Under Secretary of Defense for Ac-*
2 *quisition and Sustainment, shall submit to the congres-*
3 *sional defense committees a report on the integration of the*
4 *Adaptive Engine Transition Program propulsion system*
5 *into the F-35A aircraft.*

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

8 (1) *A competitive acquisition strategy, informed*
9 *by fiscal considerations, to—*

10 (A) *integrate the Adaptive Engine Transi-*
11 *tion Program propulsion system into the F-35A*
12 *aircraft; and*

13 (B) *begin, not later than fiscal year 2027,*
14 *activities to retrofit all F-35A aircraft with such*
15 *propulsion system.*

16 (2) *An implementation plan to implement such*
17 *strategy.*

18 (3) *A schedule annotating pertinent milestones*
19 *and yearly fiscal resource requirements for the imple-*
20 *mentation of such strategy.*

21 **SEC. 243. ACQUISITION STRATEGY FOR AN ADVANCED PRO-**
22 **PULSION SYSTEM FOR F-35B AND F-35C AIR-**
23 **CRAFT.**

24 (a) *IN GENERAL.*—*Not later than 14 days after the*
25 *date on which the budget of the President for fiscal year*

1 *2023 is submitted to Congress pursuant to section 1105 of*
2 *title 31, United States Code, the Secretary of the Navy, in*
3 *consultation with the Under Secretary of Defense for Acqui-*
4 *sition and Sustainment, shall submit to the congressional*
5 *defense committees a report on the integration of an ad-*
6 *vanced propulsion system into F-35B and F-35C aircraft.*

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

9 *(1) An analysis the effects of an advanced pro-*
10 *pulsion system on the combat effectiveness and*
11 *sustainment costs of F-35B and F-35C aircraft, in-*
12 *cluding any effects resulting from—*

13 *(A) increased thrust, fuel efficiency, thermal*
14 *capacity, and electrical generation; and*

15 *(B) improvements in acceleration, speed,*
16 *range, and overall mission effectiveness.*

17 *(2) An assessment of how the integration of an*
18 *advanced propulsion system may result in—*

19 *(A) a reduction in dependency on support*
20 *assets, including air refueling and replenishment*
21 *tankers; and*

22 *(B) an overall cost benefit to the Depart-*
23 *ment from reduced acquisition and sustainment*
24 *for such support assets.*

1 (3) *A competitive acquisition strategy (informed*
2 *by fiscal considerations, the assessment of combat ef-*
3 *fectiveness under paragraph (1), and consideration of*
4 *technical limitations)—*

5 (A) *to integrate an advanced propulsion*
6 *system into F-35B aircraft and F-35C aircraft;*

7 (B) *to begin, not later than fiscal year*
8 *2027, activities to produce all F-35B aircraft*
9 *and all F-35C aircraft with such propulsion sys-*
10 *tems; and*

11 (C) *to begin, not later than fiscal year*
12 *2027, activities to retrofit all F-35B aircraft*
13 *and all F-35C aircraft with such propulsion sys-*
14 *tems.*

15 (c) *ADVANCED PROPULSION SYSTEM DEFINED.—In*
16 *this section, term “advanced propulsion system” means—*

17 (1) *a derivative of the propulsion system devel-*
18 *oped for the F-35 aircraft under the Adaptive Engine*
19 *Transition Program of the Air Force; or*

20 (2) *a derivative of a propulsion system pre-*
21 *viously developed for the F-35 aircraft.*

1 **SEC. 244. ASSESSMENT OF THE DEVELOPMENT AND TEST**
2 **ENTERPRISE OF THE AIR FORCE RESEARCH**
3 **LABORATORY.**

4 (a) *ASSESSMENT REQUIRED.*—*The Secretary of the*
5 *Air Force shall conduct an assessment of the ability of the*
6 *Air Force Research Laboratory to effectively carry out de-*
7 *velopment and testing activities with respect to the capa-*
8 *bilities of the Space Force specific to space access and space*
9 *operations.*

10 (b) *REPORT.*—*Not later than 90 days after the date*
11 *of the enactment of this Act, the Secretary of the Air Force*
12 *shall submit to the congressional defense committees a re-*
13 *port on the results of the assessment conducted under sub-*
14 *section (a). The report shall include an explanation of—*

15 (1) *any challenges to the development and testing*
16 *capabilities of the Air Force Research Laboratory as*
17 *described subsection (a), including any challenges re-*
18 *lating to test activities and infrastructure;*

19 (2) *any changes to the organizational structure*
20 *of the Laboratory that may be needed to enable the*
21 *laboratory to adequately address the missions of both*
22 *the Space Force and the Air Force generally, and the*
23 *amount of funding, if any, required to implement*
24 *such changes;*

25 (3) *any barriers to the recapitalization of the*
26 *testing infrastructure of the Laboratory; and*

1 (4) *the plans of the Secretary to address the*
2 *issues identified under paragraphs (1) through (3).*

3 **SEC. 245. STUDY ON EFFICIENT USE OF DEPARTMENT OF**
4 **DEFENSE TEST AND EVALUATION ORGANIZA-**
5 **TIONS, FACILITIES, AND LABORATORIES.**

6 (a) *STUDY REQUIRED.*—

7 (1) *IN GENERAL.*—*Not later than 90 days after*
8 *the date of the enactment of this Act, the Secretary of*
9 *Defense shall direct the Defense Science Board to*
10 *carry out a study on the resources and capabilities of*
11 *the test and evaluation organizations, facilities, and*
12 *laboratories of the Department of Defense.*

13 (2) *PARTICIPATION.*—*Participants in the study*
14 *conducted under paragraph (1) shall include the fol-*
15 *lowing:*

16 (A) *Such members of the Defense Science*
17 *Board as the Chairman of the Board considers*
18 *appropriate for the study.*

19 (B) *Such additional temporary members or*
20 *contracted support as the Secretary—*

21 (i) *selects from those recommended by*
22 *the Chairman for purposes of the study; and*

23 (ii) *considers to have significant tech-*
24 *anical, policy, or military expertise relevant*
25 *to defense test and evaluation missions.*

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

3 (A) *Assessment of the effectiveness of current*
4 *developmental testing, operational testing, and*
5 *integrated testing within the Department of De-*
6 *fense in meeting statutory objectives and the test*
7 *and evaluation requirements of the Adaptive Ac-*
8 *quisition Framework.*

9 (B) *Identification of industry and govern-*
10 *ment best practices for conducting developmental*
11 *testing, operational testing, and integrated test-*
12 *ing.*

13 (C) *Potential applicability of industry and*
14 *government best practices for conducting develop-*
15 *mental testing, operational testing, and inte-*
16 *grated testing within the Department to improve*
17 *test and evaluation outcomes.*

18 (D) *Identification of duplication of efforts*
19 *and other non- or low-value added activities that*
20 *reduce speed and effectiveness of test and evalua-*
21 *tion activities.*

22 (E) *Assessment of test and evaluation over-*
23 *sight organizations within the Office of the Sec-*
24 *retary of Defense, including their authorities, re-*
25 *sponsibilities, activities, resources, and effective-*

1 *ness, including with respect to acquisition pro-*
2 *grams of the military departments and Defense*
3 *Agencies.*

4 *(F) Assessment of the research, development,*
5 *test, and evaluation infrastructure master plan*
6 *required under section 252 of the National De-*
7 *fense Authorization Act for Fiscal Year 2020*
8 *(Public Law 116–92; 10 U.S.C. 2358 note).*

9 *(F) Development and assessment of poten-*
10 *tial courses of action to improve the effectiveness*
11 *of oversight of developmental testing, operational*
12 *testing, and integrated testing activities, and test*
13 *and evaluation resources within the Office of the*
14 *Secretary of Defense, including as one such*
15 *course of action establishing a single integrated*
16 *office with such responsibilities.*

17 *(G) Development of such recommendations*
18 *as the Defense Science Board may have for legis-*
19 *lative changes, authorities, organizational re-*
20 *alignments, and administrative actions to im-*
21 *prove test and evaluation oversight and capabili-*
22 *ties, and facilitate better test and evaluation out-*
23 *comes.*

24 *(H) Such other matters as the Secretary*
25 *considers appropriate.*

1 (4) *ACCESS TO INFORMATION.*—*The Secretary of*
2 *Defense shall provide the Defense Science Board with*
3 *timely access to appropriate information, data, re-*
4 *sources, and analysis so that the Board may conduct*
5 *a thorough and independent analysis as required*
6 *under this subsection.*

7 (5) *REPORT.*—

8 (A) *REPORT OF BOARD.*—*Not later than one*
9 *year after the date on which the Secretary of De-*
10 *fense directs the Defense Science Board to con-*
11 *duct the study under paragraph (1), or December*
12 *1, 2022, whichever occurs earlier, the Board shall*
13 *transmit to the Secretary a final report on the*
14 *study.*

15 (B) *SUBMITTAL TO CONGRESS.*—*Not later*
16 *than 30 days after the date on which the Sec-*
17 *retary of Defense receives the final report under*
18 *subparagraph (A), the Secretary shall submit to*
19 *the congressional defense committees such report*
20 *and such comments as the Secretary considers*
21 *appropriate.*

22 (b) *BRIEFING REQUIRED.*—*Not later than 90 days*
23 *after the date of the enactment of this Act, the Secretary*
24 *of Defense shall provide the congressional defense commit-*

1 *tees a briefing on the schedule and plan to execute activities*
2 *under this section.*

3 **SEC. 246. REPORT ON AUTONOMY INTEGRATION IN MAJOR**
4 **WEAPON SYSTEMS.**

5 *(a) REPORT REQUIRED.—Not later than one year*
6 *after the date of the enactment of this Act, the Secretary*
7 *of Defense shall submit to the congressional defense commit-*
8 *tees a report on activities to resource and integrate auton-*
9 *omy software into appropriate systems to enable the contin-*
10 *ued operational capability of such systems in GPS-denied*
11 *environments by fiscal year 2025.*

12 *(b) ELEMENTS.—The report required under subsection*
13 *(a) shall include—*

14 *(1) a list of systems, to be selected by the Sec-*
15 *retary of Defense, which can be integrated with au-*
16 *tonomy software as described in subsection (a) by fis-*
17 *cal year 2025;*

18 *(2) timelines for integrating autonomy software*
19 *into the systems as identified under paragraph (1);*

20 *(3) funding requirements related to the develop-*
21 *ment, acquisition, and testing of autonomy software*
22 *for such systems;*

23 *(4) plans to leverage advanced artificial intel-*
24 *ligence technologies, as appropriate, for such systems;*

1 (2) *in the case of a recommendation the Sec-*
2 *retary intends to implement, the intended timeline for*
3 *implementation, a description of any additional re-*
4 *sources or authorities required for such implementa-*
5 *tion, and the plan for such implementation;*

6 (3) *in the case of a recommendation the Sec-*
7 *retary determines is not advisable or feasible, the*
8 *analysis and justification of the Secretary in making*
9 *that determination; and*

10 (4) *in the case of a recommendation the Sec-*
11 *retary determines the Department is already imple-*
12 *menting through a separate line of effort, the analysis*
13 *and justification of the Secretary in making that de-*
14 *termination.*

15 (b) *BRIEFINGS REQUIRED.*—*Not less frequently than*
16 *once each year during the two-year period beginning on the*
17 *date of the enactment of this Act, the Secretary of Defense*
18 *shall provide to the congressional defense committees a*
19 *briefing on—*

20 (1) *the progress of the Secretary in analyzing*
21 *and implementing the recommendations made by the*
22 *National Security Commission on Artificial Intel-*
23 *ligence with respect to the Department of Defense;*

1 (2) any programs, projects, or other activities of
 2 the Department that are being carried out to advance
 3 the recommendations of the Commission; and

4 (3) the amount of funding provided for such pro-
 5 grams, projects, and activities.

6 **TITLE III—OPERATION AND**
 7 **MAINTENANCE**

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Inclusion of impacts on military installation resilience in the National Defense Strategy and associated documents.

Sec. 312. Energy efficiency targets for Department of Defense data centers.

Sec. 313. Grants for maintaining or improving military installation resilience.

Sec. 314. Maintenance of current analytical tools in evaluating energy resilience measures.

Sec. 315. Authority to transfer amounts derived from energy cost savings.

Sec. 316. Exemption from prohibition on use of open-air burn pits in contingency operations outside the United States.

Sec. 317. Expansion of purposes of Sentinel Landscapes Partnership program to include resilience.

Sec. 318. Inspection of piping and support infrastructure at Red Hill Bulk Fuel Storage Facility, Hawai'i.

Sec. 319. Energy, water, and waste net-zero requirement for major military installations.

Sec. 320. Demonstration program on domestic production of rare earth elements from coal byproducts.

Sec. 321. Long-duration demonstration initiative and joint program.

Sec. 322. Pilot program to test new software to track emissions at certain military installations.

Sec. 323. Department of Defense plan to reduce greenhouse gas emissions.

Subtitle C—National Security Climate Resilience

Sec. 331. Definitions.

Sec. 332. Climate Resilience Infrastructure Initiative of the Department of Defense.

Sec. 333. Inclusion of information regarding extreme weather and cyber attacks or disruptions in reports on national technology and industrial base.

Sec. 334. Climate resilience in planning, engagement strategies, infrastructure, and force development of Department of Defense.

Sec. 335. Assessment of climate risks to infrastructure of Department of Defense.

Subtitle D—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

- Sec. 341. Treatment by Department of Defense of perfluoroalkyl substances and polyfluoroalkyl substances.*
- Sec. 342. Extension of transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.*
- Sec. 343. Temporary moratorium on incineration by Department of Defense of perfluoroalkyl substances, polyfluoroalkyl substances, and aqueous film forming foam.*
- Sec. 344. Review and guidance relating to prevention and mitigation of spills of aqueous film-forming foam.*
- Sec. 345. Public disclosure of results of Department of Defense testing of water for perfluoroalkyl or polyfluoroalkyl substances.*
- Sec. 346. Review of agreements with non-Department entities with respect to prevention and mitigation of spills of aqueous film-forming foam.*
- Sec. 347. Comptroller General study on Department of Defense procurement of certain items containing certain PFAS substances.*
- Sec. 348. Report on schedule for completion of remediation of perfluoroalkyl substances and polyfluoroalkyl substances.*
- Sec. 349. Report on remediation of perfluoroalkyl substances and polyfluoroalkyl substances at certain military installations.*

Subtitle E—Logistics and Sustainment

- Sec. 351. Mitigation of contested logistics challenges of the Department of Defense through reduction of operational energy demand.*
- Sec. 352. Global bulk fuel management and delivery.*
- Sec. 353. Test and evaluation of potential biobased solution for corrosion control and mitigation.*
- Sec. 354. Pilot program on digital optimization of organic industrial base maintenance and repair operations.*
- Sec. 355. Improved oversight for implementation of Shipyard Infrastructure Optimization Program of the Navy.*
- Sec. 356. Report and certification requirements regarding sustainment costs for fighter aircraft programs.*
- Sec. 357. Comptroller General annual reviews of F-35 sustainment efforts.*

Subtitle F—Reports

- Sec. 361. Inclusion of information regarding borrowed military manpower in readiness reports.*
- Sec. 362. Annual report on material readiness of Navy ships.*
- Sec. 363. Incident reporting requirements for Department of Defense regarding lost or stolen weapons.*
- Sec. 364. Strategy and annual report on critical language proficiency of special operations forces.*

Subtitle G—Other Matters

- Sec. 371. Military Aviation and Installation Assurance Clearinghouse matters.*
- Sec. 372. Establishment of Joint Safety Council.*
- Sec. 373. Improvements and clarifications related to military working dogs.*
- Sec. 374. Extension of temporary authority to extend contracts and leases under the ARMS Initiative.*

Sec. 375. Authority to maintain access to category 3 subterranean training facility.

Sec. 376. Accident Investigation Review Board.

Sec. 377. Implementation of Comptroller General recommendations on preventing tactical vehicle training accidents.

Sec. 378. Requirements relating to emissions control tactics, techniques, and procedures.

Sec. 379. Management of fatigue among crew of naval surface ships and related improvements.

Sec. 380. Authority for activities to improve next generation radar systems capabilities.

Sec. 381. Pilot program on military working dog and explosives detection canine health and excellence.

Sec. 382. Department of Defense response to military lazing incidents.

1 **Subtitle A—Authorization of**
 2 **Appropriations**

3 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

4 *Funds are hereby authorized to be appropriated for fis-*
 5 *cal year 2022 for the use of the Armed Forces and other*
 6 *activities and agencies of the Department of Defense for ex-*
 7 *penses, not otherwise provided for, for operation and main-*
 8 *tenance, as specified in the funding table in section 4301.*

9 **Subtitle B—Energy and**
 10 **Environment**

11 **SEC. 311. INCLUSION OF IMPACTS ON MILITARY INSTALLA-**
 12 **TION RESILIENCE IN THE NATIONAL DE-**
 13 **FENSE STRATEGY AND ASSOCIATED DOCU-**
 14 **MENTS.**

15 *(a) NATIONAL DEFENSE STRATEGY AND DEFENSE*
 16 *PLANNING GUIDANCE.—Section 113(g) of title 10, United*
 17 *States Code, is amended—*

18 *(1) in paragraph (1)(B)—*

1 (A) in clause (ii), by striking “actors,” and
2 inserting “actors, and the current or projected
3 threats to military installation resilience,”; and

4 (B) by inserting after clause (ix), the fol-
5 lowing new clause:

6 “(x) Strategic goals to address or mitigate
7 the current and projected risks to military in-
8 stallation resilience.”; and

9 (2) in paragraph (2)(A), in the matter preceding
10 clause (i), by striking “priorities,” and inserting
11 “priorities, including priorities relating to the cur-
12 rent or projected risks to military installation resil-
13 ience,”.

14 (b) NATIONAL DEFENSE SUSTAINMENT AND LOGISTICS
15 REVIEW.—

16 (1) IN GENERAL.—The first section 118a of such
17 title is amended—

18 (A) in subsection (a), by striking “capabili-
19 ties,” and inserting “capabilities, response to
20 risks to military installation resilience,”;

21 (B) by redesignating such section, as
22 amended by subparagraph (A), as section 118b;
23 and

24 (C) by moving such section so as to appear
25 after section 118a.

1 (2) *CLERICAL AND CONFORMING AMENDMENTS.*—

2 (A) *CLERICAL AMENDMENTS.*—*The table of*
3 *sections for chapter 2 of such title is amended—*

4 (i) *by striking the first item relating to*
5 *section 118a; and*

6 (ii) *by inserting after the item relating*
7 *to section 118a the following new item:*

“118b. National Defense Sustainment and Logistics Review.”.

8 (B) *CONFORMING AMENDMENT.*—*Section*
9 *314(c) of the William M. (Mac) Thornberry Na-*
10 *tional Defense Authorization Act for Fiscal Year*
11 *2021 (Public Law 116–283) is amended by strik-*
12 *ing “section 118a” and inserting “section 118b”.*

13 (c) *CHAIRMAN’S RISK ASSESSMENT.*—*Section*
14 *153(b)(2)(B) of title 10, United States Code, is amended*
15 *by inserting after clause (vi) the following new clause:*

16 “*(vi) Identify and assess risk resulting*
17 *from, or likely to result from, current or pro-*
18 *jected effects on military installation resilience.”.*

19 (d) *STRATEGIC DECISIONS RELATING TO MILITARY*
20 *INSTALLATIONS.*—*The Secretary of each military depart-*
21 *ment, with respect to any installation under the jurisdic-*
22 *tion of that Secretary, and the Secretary of Defense, with*
23 *respect to any installation of the Department of Defense*
24 *that is not under the jurisdiction of the Secretary of a mili-*

1 tary department, shall consider the strategic risks associ-
2 ated with military installation resilience.

3 (e) *NATIONAL DEFENSE STRATEGY AND NATIONAL*
4 *MILITARY STRATEGY.*—*The Secretary of Defense, in coordi-*
5 *nation with the heads of such other Federal agencies as the*
6 *Secretary determines appropriate, shall incorporate the se-*
7 *curity implications of military installation resilience into*
8 *the National Defense Strategy and the National Military*
9 *Strategy.*

10 (f) *NATIONAL SECURITY PLANNING DOCUMENTS.*—*The*
11 *Secretary of Defense and the Chairman of the Joint Chiefs*
12 *of Staff shall consider the security implications associated*
13 *with military installation resilience in developing the De-*
14 *fense Planning Guidance under section 113(g)(2) of title 10,*
15 *United States Code, the Risk Assessment of the Chairman*
16 *of the Joint Chiefs of Staff under section 153(b)(2) of such*
17 *title, and other relevant strategy, planning, and program-*
18 *ming documents and processes.*

19 (g) *CAMPAIGN PLANS OF COMBATANT COMMANDS.*—
20 *The Secretary of Defense shall ensure that the national secu-*
21 *rity implications associated with military installation re-*
22 *silience are integrated into the campaign plans of the com-*
23 *batant commands.*

24 (h) *REPORT ON SECURITY IMPLICATIONS ASSOCIATED*
25 *WITH MILITARY INSTALLATION RESILIENCE.*—

1 (1) *REPORT.*—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary of De-
3 fense shall submit to the Committees on Armed Serv-
4 ices of the Senate and the House of Representatives a
5 report describing how the aspects of military installa-
6 tion resilience have been incorporated into modeling,
7 simulation, war-gaming, and other analyses by the
8 Department of Defense.

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

12 (i) *MODIFICATION TO ANNUAL REPORT RELATED TO*
13 *INSTALLATIONS ENERGY MANAGEMENT, ENERGY RESIL-*
14 *IENCE, AND MISSION ASSURANCE AND READINESS.*—

15 (1) *MODIFICATION.*—Section 2925(a) of title 10,
16 United States Code, is amended—

17 (A) by redesignating paragraph (8) as
18 paragraph (10); and

19 (B) by inserting after paragraph (7) the fol-
20 lowing new paragraphs:

21 “(8) A description of the effects on military read-
22 iness, and an estimate of the financial costs to the De-
23 partment of Defense, reasonably attributed to adverse
24 impacts to military installation resilience during the
25 year preceding the submission of the report, including

1 *loss of or damage to military networks, systems, in-*
2 *stallations, facilities, and other assets and capabilities*
3 *of the Department.*

4 *“(9) An assessment of vulnerabilities to military*
5 *installation resilience.”.*

6 (2) *USE OF ASSESSMENT TOOL.—The Secretary*
7 *shall use the Climate Vulnerability and Risk Assess-*
8 *ment Tool of the Department (or such successor tool)*
9 *in preparing each report under section 2925(a) of*
10 *title 10, United States Code (as amended by para-*
11 *graph (1)).*

12 (j) *DEFINITIONS.—In this section:*

13 (1) *The term “military installation resilience”*
14 *has the meaning given that term in section 101(e) of*
15 *title 10, United States Code.*

16 (2) *The term “National Defense Strategy” means*
17 *the national defense strategy under section 113(g)(1)*
18 *of such title.*

19 (3) *The term “National Military Strategy”*
20 *means the national military strategy under section*
21 *153(b) of such title.*

22 **SEC. 312. ENERGY EFFICIENCY TARGETS FOR DEPARTMENT**
23 **OF DEFENSE DATA CENTERS.**

24 (a) *ENERGY EFFICIENCY TARGETS FOR DATA CEN-*
25 *TERS.—*

1 (1) *IN GENERAL.*—Subchapter I of chapter 173
2 of title 10, United States Code, is amended by adding
3 at the end the following new section:

4 **“§ 2921. Energy efficiency targets for data centers**

5 “(a) *COVERED DATA CENTERS.*—(1) For each covered
6 data center, the Secretary of Defense shall—

7 “(A) develop a power usage effectiveness target
8 for the data center, based on location, resiliency, in-
9 dustry standards, and best practices;

10 “(B) develop a water usage effectiveness target
11 for the data center, based on location, resiliency, in-
12 dustry standards, and best practices;

13 “(C) develop other energy efficiency or water
14 usage targets for the data center based on industry
15 standards and best practices, as applicable to meet
16 energy efficiency and resiliency goals;

17 “(D) identify potential renewable or clean energy
18 resources, or related technologies such as advanced
19 battery storage capacity, to enhance resiliency at the
20 data center, including potential renewable or clean
21 energy purchase targets based on the location of the
22 data center; and

23 “(E) identify any statutory, regulatory, or pol-
24 icy barriers to meeting any target under any of sub-
25 paragraphs (A) through (C).

1 “(2) *The Secretary of Defense shall ensure that targets*
2 *developed under paragraph (1) are consistent with guidance*
3 *issued by the Secretary of Energy.*

4 “(3) *In this subsection, the term ‘covered data center’*
5 *means a data center of the Department of Defense that—*

6 “(A) *is one of the 50 data centers of the Depart-*
7 *ment with the highest annual power usage rates; and*

8 “(B) *has been established before the date of the*
9 *enactment of this section.*

10 “(b) *NEW DATA CENTERS.—(1) Except as provided in*
11 *paragraph (2), in the case of any Department of Defense*
12 *data center established on or after the date of the enactment*
13 *of this section, the Secretary of Defense shall establish en-*
14 *ergy, water usage, and resiliency-related standards that the*
15 *data center shall be required to meet based on location, re-*
16 *siliency, industry and Federal standards, and best prac-*
17 *tices. Such standards shall include—*

18 “(A) *power usage effectiveness standards;*

19 “(B) *water usage effectiveness standards; and*

20 “(C) *any other energy or resiliency standards the*
21 *Secretary determines are appropriate.*

22 “(2) *The Secretary may waive the requirement for a*
23 *Department data center established on or after the date of*
24 *the enactment of this section to meet the standards estab-*
25 *lished under paragraph (1) if the Secretary—*

1 “(A) determines that such waiver is in the na-
2 tional security interest of the United States; and

3 “(B) submits to the Committee on Armed Serv-
4 ices of the House of Representatives notice of such
5 waiver and the reasons for such waiver.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of such subchapter is amended
8 by inserting after the item relating to section 2920 the
9 following new item:

“2921. Energy efficiency targets for data centers.”.

10 (b) INVENTORY OF DATA FACILITIES.—

11 (1) INVENTORY REQUIRED.—By not later than
12 180 days after the date of the enactment of this Act,
13 the Secretary of Defense shall conduct an inventory of
14 all data centers owned or operated by the Department
15 of Defense. Such survey shall include the following:

16 (A) A list of data centers owned or operated
17 by the Department of Defense.

18 (B) For each such data center, the earlier of
19 the following dates:

20 (i) The date on which the data center
21 was established.

22 (ii) The date of the most recent capital
23 investment in new power, cooling, or com-
24 pute infrastructure at the data center.

1 (C) *The total average annual power use, in*
2 *kilowatts, for each such data center.*

3 (D) *The number of data centers that meas-*
4 *ure power usage effectiveness and, for each such*
5 *data center, the power usage effectiveness for the*
6 *center.*

7 (E) *The number of data centers that meas-*
8 *ure water usage effectiveness and, for each such*
9 *data center, the water usage effectiveness for the*
10 *center.*

11 (F) *A description of any other existing en-*
12 *ergy efficiency or efficient water usage metrics*
13 *used by any data center and the applicable*
14 *measurements for any such center.*

15 (G) *An assessment of the facility resiliency*
16 *of each data center, including redundant power*
17 *and cooling facility infrastructure.*

18 (H) *Any other matters determined relevant*
19 *by the Secretary.*

20 (c) *REPORT.—Not later than 180 days after the com-*
21 *pletion of the inventory required under subsection (b), the*
22 *Secretary of Defense shall submit to the Committee on*
23 *Armed Services of the House of Representatives a report on*
24 *the inventory and the energy assessment targets under sec-*

1 *tion 2921(a) of title 10, United States Code, as added by*
2 *subsection (a). Such report shall include the following:*

3 (1) *A timeline of necessary actions required to*
4 *meet the energy assessment targets for covered data*
5 *centers.*

6 (2) *The estimated costs associated with meeting*
7 *such targets.*

8 (3) *An assessment of the business case for meet-*
9 *ing such targets, including any estimated savings in*
10 *operational energy and water costs and estimated re-*
11 *duction in energy and water usage if the targets are*
12 *met.*

13 (4) *An analysis of any statutory, regulatory, or*
14 *policy barriers to meeting such targets identified pur-*
15 *suant to section 2921(a)(E) of title 10, United States*
16 *Code, as added by subsection (a).*

17 (d) *DATA CENTER DEFINED.*—*In this section, the term*
18 *“data center” has the meaning given such term in the most*
19 *recent Integrated Data Collection guidance of the Office of*
20 *Management and Budget.*

21 **SEC. 313. GRANTS FOR MAINTAINING OR IMPROVING MILI-**
22 **TARY INSTALLATION RESILIENCE.**

23 *Section 2391 of title 10, United States Code, is amend-*
24 *ed—*

1 (1) *in subsection (b)(5), by adding at the end the*
 2 *following new subparagraph:*

3 “(D) *The Secretary of Defense may also make grants,*
 4 *conclude cooperative agreements, and supplement other*
 5 *Federal funds, in order to assist a State or local government*
 6 *in planning, enhancing infrastructure, and implementing*
 7 *measures and projects (to include resilience measures and*
 8 *projects involving the protection, restoration, and mainte-*
 9 *nance of natural features) that, as determined by the Sec-*
 10 *retary of Defense, will contribute to maintaining or im-*
 11 *proving military installation resilience or will prevent or*
 12 *mitigate encroachment that could affect operations of the*
 13 *Department of Defense.”; and*

14 (2) *in subsection (e)(1), by striking “subsection*
 15 *(b)(1)(D)” and inserting “paragraphs (1)(D) and (E)*
 16 *and (5)(D) of subsection (b) and subsection (d)”.*

17 **SEC. 314. MAINTENANCE OF CURRENT ANALYTICAL TOOLS**

18 **IN EVALUATING ENERGY RESILIENCE MEAS-**

19 **URES.**

20 (a) *IN GENERAL.*—*Section 2911 of title 10, United*
 21 *States Code, is amended by adding at the end the following*
 22 *new subsection:*

23 “(i) *ASSESSMENT OF LIFE-CYCLE COSTS AND PER-*
 24 *FORMANCE OF POTENTIAL ENERGY RESILIENCE*
 25 *PROJECTS.*—(1) *Subject to the availability of appropria-*

1 *tions, the Secretary of Defense shall develop and institute*
2 *a process to ensure that the Department of Defense, when*
3 *evaluating energy resilience measures, uses analytical tools*
4 *that are accurate and effective in projecting the costs and*
5 *performance of such measures.*

6 “(2) *Analytical tools used under paragraph (1) shall*
7 *be—*

8 “(A) *designed to—*

9 “(i) *provide an accurate projection of the*
10 *costs and performance of the energy resilience*
11 *measure being analyzed;*

12 “(ii) *be used without specialized training;*
13 *and*

14 “(iii) *produce resulting data that is under-*
15 *standable and usable by the typical source selec-*
16 *tion official;*

17 “(B) *consistent with standards and analytical*
18 *tools commonly applied by the Department of Energy*
19 *and by commercial industry;*

20 “(C) *adaptable to accommodate a rapidly chang-*
21 *ing technological environment;*

22 “(D) *peer reviewed for quality and precision and*
23 *measured against the highest level of development for*
24 *such tools; and*

1 “(E) periodically reviewed and updated, but not
2 less frequently than once every three years.”.

3 (b) *REPORTING REQUIREMENT.*—If amounts are ap-
4 propriated to carry out the requirements under subsection
5 (i) of section 2911 of title 10, United States Code, as added
6 by subsection (a), not later than September 30, 2022, the
7 Secretary of Defense shall submit to the Committees on
8 Armed Services of the Senate and the House of Representa-
9 tives a report on the execution by the Secretary of such re-
10 quirements.

11 **SEC. 315. AUTHORITY TO TRANSFER AMOUNTS DERIVED**
12 **FROM ENERGY COST SAVINGS.**

13 Section 2912 of title 10, United States Code, is amend-
14 ed—

15 (1) in subsection (a), by striking “until ex-
16 pended” and inserting “for that fiscal year and the
17 succeeding fiscal year”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(e) *TRANSFER OF AMOUNTS.*—(1) The Secretary of
21 Defense may transfer amounts described in subsection (a)
22 that remain available for obligation to other funding ac-
23 counts of the Department of Defense if the purpose for which
24 such amounts will be used is a purpose specified in sub-
25 section (b) or (c).

1 “(2) Amounts transferred to a funding account of the
2 Department under paragraph (1) shall be available for obli-
3 gation for the same period as amounts in that account.

4 “(3) At the end of each fiscal year, the Secretary of
5 Defense shall submit to Congress a report detailing any
6 funds transferred pursuant to paragraph (1) during that
7 fiscal year, including a detailed description of the purpose
8 for which such amounts have been used.”.

9 **SEC. 316. EXEMPTION FROM PROHIBITION ON USE OF**
10 **OPEN-AIR BURN PITS IN CONTINGENCY OP-**
11 **ERATIONS OUTSIDE THE UNITED STATES.**

12 Section 317(a) of the National Defense Authorization
13 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.
14 2701 note) is amended by adding at the end the following
15 new paragraphs:

16 “(3) EXEMPTION AUTHORITY FOR CERTAIN LOCA-
17 TIONS.—

18 “(A) IN GENERAL.—The Secretary may ex-
19 empt a location from the prohibition under
20 paragraph (1) if the Secretary determines it is
21 in the paramount interest of the United States
22 to do so.

23 “(B) NONDELEGATION.—The Secretary may
24 not delegate the authority under subparagraph
25 (A).

1 “(4) *REPORTING REQUIREMENT FOR LOCATION*
2 *EXEMPTIONS.—*

3 “(A) *IN GENERAL.—Not later than 30 days*
4 *after granting an exemption pursuant to para-*
5 *graph (3)(A) with respect to the use of an open-*
6 *air burn pit at a location, the Secretary shall*
7 *submit to the Committees on Armed Services of*
8 *the Senate and the House of Representatives a*
9 *written report that identifies—*

10 “(i) *the location of the open-air burn*
11 *pit;*

12 “(ii) *the number of personnel of the*
13 *United States assigned to the location where*
14 *the open-air burn pit is being used;*

15 “(iii) *the size and expected duration of*
16 *use of the open-air burn pit;*

17 “(iv) *the personal protective equipment*
18 *or other health risk mitigation efforts that*
19 *will be used by members of the armed forces*
20 *when airborne hazards are present, includ-*
21 *ing how such equipment will be provided*
22 *when required; and*

23 “(v) *the need for the open-air burn pit*
24 *and rationale for granting the exemption.*

1 “(B) *FORM.*—A report submitted under sub-
2 paragraph (A) shall be submitted in unclassified
3 form, but may include a classified annex.”.

4 **SEC. 317. EXPANSION OF PURPOSES OF SENTINEL LAND-**
5 **SCAPES PARTNERSHIP PROGRAM TO IN-**
6 **CLUDE RESILIENCE.**

7 (a) *IN GENERAL.*—Section 317 of the National Defense
8 Authorization Act for Fiscal Year 2018 (Public Law 115–
9 91; 10 U.S.C. 2684a note) is amended—

10 (1) in subsection (a), in the first sentence, by in-
11 serting “and restore” after “to preserve”;

12 (2) in subsection (c)—

13 (A) by inserting “resilience,” after “benefit
14 of conservation,”; and

15 (B) by inserting “, resilience,” after “land
16 management”;

17 (3) in subsection (d), in the second sentence, by
18 inserting “by an eligible landowner or agricultural
19 producer” after “Participation”;

20 (4) by redesignating subsection (e) as subsection
21 (f);

22 (5) by inserting after subsection (d) the following
23 new subsection (e):

1 “(e) *PARTICIPATION BY OTHER AGENCIES.*—Other
2 *Federal agencies with programs addressing conservation or*
3 *resilience may, and are encouraged to—*

4 “(1) *participate in the activities of the Sentinel*
5 *Landscapes Partnership; and*

6 “(2) *become full partners in the Sentinel Land-*
7 *scapes Partnership.*”; and

8 “(6) *in subsection (f), as redesignated by para-*
9 *graph (4), by adding at the end the following new*
10 *paragraph:*

11 “(4) *RESILIENCE.*—*The term ‘resilience’ means*
12 *the capability to avoid, prepare for, minimize the ef-*
13 *fect of, adapt to, and recover from extreme weather*
14 *events, flooding, wildfire, or other anticipated or un-*
15 *anticipated changes in environmental conditions.”.*

16 “(b) *INCLUSION OF PROGRAM INFORMATION IN CER-*
17 *TAIN ANNUAL REPORTS.*—*Section 2684a(g)(2) of title 10,*
18 *United States Code, is amended—*

19 “(1) *by redesignating subparagraph (E) as sub-*
20 *paragraph (F); and*

21 “(2) *by inserting after subparagraph (D) the fol-*
22 *lowing new subparagraph:*

23 “(E) *Information concerning the activities un-*
24 *dertaken pursuant to the Sentinel Landscapes Part-*
25 *nership established under section 317 of the National*

1 *Defense Authorization Act for Fiscal Year 2018 (Pub-*
2 *lic Law 115–91; 10 U.S.C. 2684a note).”.*

3 (c) *CONSERVATION AND CULTURAL ACTIVITIES.*—*Sec-*
4 *tion 2694 of title 10, United States Code, is amended—*

5 (1) *in subsection (b)—*

6 (A) *in paragraph (1)—*

7 (i) *in subparagraph (A), by inserting*
8 *“or involves a sentinel landscape” before the*
9 *semicolon; and*

10 (ii) *in subparagraph (B), by inserting*
11 *“or that would contribute to maintaining or*
12 *improving military installation resilience”*
13 *before the semicolon; and*

14 (B) *in paragraph (2)—*

15 (i) *in subparagraph (A), by inserting*
16 *“or nature-based climate resilience plans”*
17 *before the period; and*

18 (ii) *in subparagraph (F)—*

19 (I) *in clause (i)—*

20 (aa) *by striking “single eco-*
21 *system that encompasses” and in-*
22 *serting “single ecosystem—*
23 *“(I) that encompasses”;*

24 (bb) *by redesignating clause*

25 (ii) *as subclause (II) and moving*

1 *such subclause, as so redesignated,*
 2 *two ems to the right; and*

3 *(cc) in subclause (II), as re-*
 4 *designated by item (bb), by strik-*
 5 *ing the period at the end and in-*
 6 *serting “; or”; and*

7 *(II) by adding at the end the fol-*
 8 *lowing new clause (ii):*

9 *“(i) for one or more ecosystems within a*
 10 *sentinel landscape.”; and*

11 *(2) by adding at the end the following new sub-*
 12 *section:*

13 *“(e) SENTINEL LANDSCAPE DEFINED.—In this section,*
 14 *the term ‘sentinel landscape’ has the meaning given that*
 15 *term in section 317(f) of the National Defense Authorization*
 16 *Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.*
 17 *2684a note).”.*

18 **SEC. 318. INSPECTION OF PIPING AND SUPPORT INFRA-**
 19 **STRUCTURE AT RED HILL BULK FUEL STOR-**
 20 **AGE FACILITY, HAWAII.**

21 *(a) SENSE OF CONGRESS.—In order to fully effectuate*
 22 *national security, assure the maximum safe utilization of*
 23 *the Red Hill Bulk Fuel Storage Facility in Honolulu,*
 24 *Hawai‘i, and fully address concerns as to potential impacts*
 25 *of the facility on public health, it is the sense of Congress*

1 *that the Secretary of the Navy and the Defense Logistics*
2 *Agency should—*

3 (1) *operate and maintain the Red Hill Bulk*
4 *Fuel Storage Facility to the highest standard possible;*
5 *and*

6 (2) *require safety inspections to be conducted*
7 *more frequently based on the corrosion rate of the pip-*
8 *ing and overall condition of the pipeline system and*
9 *support equipment at the facility.*

10 *(b) INSPECTION REQUIREMENT.—*

11 (1) *INSPECTION REQUIRED.—The Secretary of*
12 *the Navy shall direct the Naval Facilities Engineer-*
13 *ing Command to conduct an inspection of the pipe-*
14 *line system, supporting infrastructure, and appur-*
15 *tenances, including valves and any other corrosion*
16 *prone equipment, at the Red Hill Bulk Fuel Storage*
17 *Facility.*

18 (2) *INSPECTION AGENT; STANDARDS.—The in-*
19 *spection required by this subsection shall be per-*
20 *formed—*

21 (A) *by an independent American Petroleum*
22 *Institute certified inspector who will present*
23 *findings of the inspection and options to the Sec-*
24 *retary of the Navy for improving the integrity of*

1 *the Red Hill Bulk Fuel Storage Facility and its*
2 *appurtenances; and*

3 *(B) in accordance with the Unified Facili-*
4 *ties Criteria (UFC-3-460-03) and American Pe-*
5 *troleum Institute 570 inspection standards.*

6 (3) *EXCEPTION.—The inspection required by this*
7 *subsection excludes the fuel tanks at the Red Hill*
8 *Bulk Fuel Storage Facility.*

9 (c) *LIFE-CYCLE SUSTAINMENT PLAN.—In conjunction*
10 *with the inspection required by subsection (b), the Naval*
11 *Facilities Engineering Command shall prepare a life-cycle*
12 *sustainment plan for the Red Hill Bulk Fuel Storage Facil-*
13 *ity, which shall consider the current condition and service*
14 *life of the tanks, pipeline system, and support equipment.*

15 (d) *CONSIDERATION OF ALTERNATIVES TO RED HILL*
16 *BULK FUEL STORAGE FACILITY.—The Secretary of Defense*
17 *shall conduct an assessment of possible alternatives to the*
18 *Red Hill Bulk Fuel Storage Facility for bulk fuel storage,*
19 *including consideration of at least three locations outside*
20 *of the State of Hawai‘i. The assessment shall be based on*
21 *the overall requirement to support the fuel requirements of*
22 *the Pacific Fleet, the costs and timeline for recapitalization*
23 *of the Red Hill Bulk Fuel Storage Facility to the standards*
24 *delineated in subsection (b)(2)(B), and the costs and*

1 *timeline to establish an alternative location for secure bulk*
2 *fuel storage.*

3 (e) *REPORTING REQUIREMENT.*—*Not later than one*
4 *year after the date of the enactment of this Act, the Sec-*
5 *retary of Defense shall submit to the congressional defense*
6 *committees a report containing—*

7 (1) *the results of the independent inspection of*
8 *the Red Hill Bulk Fuel Storage Facility conducted*
9 *under subsection (b);*

10 (2) *the life-cycle sustainment plan prepared by*
11 *the Naval Facilities Engineering Command under*
12 *subsection (c);*

13 (3) *the results of the assessment conducted by the*
14 *Secretary under subsection (d) of possible alternatives*
15 *to the Red Hill Bulk Fuel Storage Facility; and*

16 (4) *options on improving the security and main-*
17 *tenance of the Red Hill Bulk Fuel Storage Facility.*

18 **SEC. 319. ENERGY, WATER, AND WASTE NET-ZERO REQUIRE-**

19 **MENT FOR MAJOR MILITARY INSTALLATIONS.**

20 (a) *REQUIREMENT.*—*The Secretary of Defense shall*
21 *improve military installation efficiency, performance, and*
22 *management by ensuring that at least 10 percent of major*
23 *military installations achieve energy net-zero and water or*
24 *waste net-zero by fiscal year 2035.*

25 (b) *STUDY ON REQUIREMENT.*—

1 (1) *STUDY.*—Not later than 60 days after the
2 date of the enactment of this Act, the Secretary shall
3 seek to enter into a contract with a federally funded
4 research and development center to carry out a study
5 on the net-zero requirement specified in subsection (a)
6 that assesses, at a minimum, the following:

7 (A) *Potential methods or strategies to*
8 *achieve such requirement by the fiscal year 2035*
9 *deadline.*

10 (B) *The resiliency of major military instal-*
11 *lations subject to such requirement with respect*
12 *to grid or other utility disruptions.*

13 (C) *The life-cycle costs related to such re-*
14 *quirement.*

15 (D) *Computation methods for determining*
16 *such life-cycle costs.*

17 (E) *Such other matters as the federally*
18 *funded research and development center carrying*
19 *out the study determines appropriate.*

20 (2) *DEADLINE.*—The study under paragraph (1)
21 shall be completed by not later than February 1,
22 2023.

23 (3) *BRIEFING.*—Upon completion of the study
24 under paragraph (1), the Secretary shall provide to
25 the Committees on Armed Services of the House of

1 *Representatives and Senate a briefing on the findings*
2 *of the study.*

3 *(c) STATUS REPORT AND BRIEFINGS ON PROGRESS*
4 *TOWARD MEETING CURRENT GOAL REGARDING USE OF*
5 *RENEWABLE ENERGY TO MEET FACILITY ENERGY*
6 *NEEDS.—*

7 *(1) REPORT.—Not later than 180 days after the*
8 *date of the enactment of this Act, the Secretary shall*
9 *submit to the Committees on Armed Services of the*
10 *House of Representatives and Senate a report on the*
11 *progress the Secretary has made toward meeting the*
12 *goal described in section 2911(g)(1)(A) of title 10,*
13 *United States Code, with respect to fiscal year 2025.*

14 *(2) BRIEFINGS.—During fiscal year 2022 and*
15 *each succeeding fiscal year through fiscal year 2025,*
16 *the Secretary shall provide to the Committees on*
17 *Armed Services of the House of Representatives and*
18 *Senate a briefing on the progress the Secretary has*
19 *made toward meeting the goal described in section*
20 *2911(g)(1)(A) of title 10, United States Code, with re-*
21 *spect to fiscal year 2025.*

22 *(d) MAJOR MILITARY INSTALLATION DEFINED.—In*
23 *this section, the term “major military installation” has the*
24 *meaning given to the term “large site” in the most recent*

1 *version of the Department of Defense Base Structure Report*
2 *issued before the date of the enactment of this Act.*

3 **SEC. 320. DEMONSTRATION PROGRAM ON DOMESTIC PRO-**
4 **DUCTION OF RARE EARTH ELEMENTS FROM**
5 **COAL BYPRODUCTS.**

6 (a) *DEMONSTRATION PROGRAM REQUIRED.*—*Not later*
7 *than 120 days after the date of the enactment of this Act,*
8 *the Secretary of Defense shall commence carrying out a*
9 *demonstration program on recovering rare earth elements*
10 *and critical minerals from acid mine drainage and other*
11 *coal byproducts.*

12 (b) *PARTNERSHIP.*—*In carrying out the demonstra-*
13 *tion program required by subsection (a), the Secretary shall*
14 *seek to enter into a partnership with one or more institu-*
15 *tions of higher education that can demonstrate techniques*
16 *for recovering rare earth elements and critical minerals*
17 *from acid mine drainage and other coal byproducts, as the*
18 *Secretary considers applicable.*

19 (c) *ELEMENTS.*—*The demonstration program required*
20 *by subsection (a) shall address the following:*

21 (1) *The efficacy of separating rare earth elements*
22 *and critical minerals from acid mine drainage.*

23 (2) *The feasibility of bringing such technology to*
24 *commercialized scale.*

1 (3) *Domestic locations that are appropriate for*
2 *the deployment of such technology.*

3 (4) *The ability of such technology to meet the re-*
4 *quirements of the defense industrial base to supple-*
5 *ment the rare earth element and critical mineral*
6 *needs of the Department of Defense.*

7 (d) *DURATION.*—*The demonstration program required*
8 *by subsection (a) shall be carried out during the one-year*
9 *period beginning on the date of the commencement of the*
10 *demonstration program.*

11 (e) *BRIEFING.*—*Not later than 120 days after the date*
12 *of the completion of the demonstration program required*
13 *by subsection (a), the Secretary and the program manager*
14 *of the institute of higher education with whom the Secretary*
15 *partners pursuant to subsection (b) shall provide to the*
16 *Committees on Armed Services of the Senate and the House*
17 *of Representatives a briefing on the elements of the dem-*
18 *onstration program set forth under subsection (c).*

19 **SEC. 321. LONG-DURATION DEMONSTRATION INITIATIVE**
20 **AND JOINT PROGRAM.**

21 (a) *ESTABLISHMENT OF INITIATIVE.*—*Not later than*
22 *March 1, 2022, the Secretary of Defense shall establish a*
23 *demonstration initiative composed of demonstration*
24 *projects focused on the development of long-duration energy*
25 *storage technologies.*

1 (b) *SELECTION OF PROJECTS.*—*To the maximum ex-*
2 *tent practicable, in selecting demonstration projects to par-*
3 *ticipate in the demonstration initiative under subsection*
4 *(a), the Secretary of Defense shall—*

5 (1) *ensure a range of technology types;*

6 (2) *ensure regional diversity among projects; and*

7 (3) *consider bulk power level, distribution power*
8 *level, behind-the-meter, microgrid (grid-connected or*
9 *islanded mode), and off-grid applications.*

10 (c) *JOINT PROGRAM.*—

11 (1) *ESTABLISHMENT.*—*As part of the demonstra-*
12 *tion initiative under subsection (a), the Secretary of*
13 *Defense, in consultation with the Secretary of Energy,*
14 *shall establish within the Department of Defense a*
15 *joint program to carry out projects—*

16 (A) *to demonstrate promising long-duration*
17 *energy storage technologies at different scales to*
18 *promote energy resiliency; and*

19 (B) *to help new, innovative long-duration*
20 *energy storage technologies become commercially*
21 *viable.*

22 (2) *MEMORANDUM OF UNDERSTANDING.*—*Not*
23 *later than 180 days after the date of the enactment*
24 *of this Act, the Secretary of Defense shall enter into*

1 *a memorandum of understanding with the Secretary*
2 *of Energy to administer the joint program.*

3 (3) *INFRASTRUCTURE.—In carrying out the joint*
4 *program, the Secretary of Defense and the Secretary*
5 *of Energy shall—*

6 (A) *use existing test-bed infrastructure at—*

7 (i) *installations of the Department of*
8 *Defense; and*

9 (ii) *facilities of the Department of En-*
10 *ergy; and*

11 (B) *develop new infrastructure for identi-*
12 *fied projects, if appropriate.*

13 (4) *GOALS AND METRICS.—The Secretary of De-*
14 *fense and the Secretary of Energy shall develop goals*
15 *and metrics for technological progress under the joint*
16 *program consistent with energy resilience and energy*
17 *security policies.*

18 (5) *SELECTION OF PROJECTS.—*

19 (A) *IN GENERAL.—To the maximum extent*
20 *practicable, in selecting projects to participate in*
21 *the joint program, the Secretary of Defense and*
22 *the Secretary of Energy may—*

23 (i) *ensure that projects are carried out*
24 *under conditions that represent a variety of*

1 *environments with different physical condi-*
2 *tions and market constraints; and*

3 *(ii) ensure an appropriate balance*
4 *of—*

5 *(I) larger, operationally-scaled*
6 *projects, adapting commercially-proven*
7 *technology that meets military service*
8 *defined requirements; and*

9 *(II) smaller, lower-cost projects.*

10 *(B) PRIORITY.—In carrying out the joint*
11 *program, the Secretary of Defense and the Sec-*
12 *retary of Energy shall give priority to dem-*
13 *onstration projects that—*

14 *(i) make available to the public project*
15 *information that will accelerate deployment*
16 *of long-duration energy storage technologies*
17 *that promote energy resiliency; and*

18 *(ii) will be carried out as field dem-*
19 *onstrations fully integrated into the instal-*
20 *lation grid at an operational scale.*

21 **SEC. 322. PILOT PROGRAM TO TEST NEW SOFTWARE TO**
22 **TRACK EMISSIONS AT CERTAIN MILITARY IN-**
23 **STALLATIONS.**

24 *(a) IN GENERAL.—The Secretary of Defense may con-*
25 *duct a pilot program (to be known as the “Installations*

1 *Emissions Tracking Program*”) to evaluate the feasibility
2 and effectiveness of software and emerging technologies and
3 methodologies to track real-time emissions from military
4 installations and installation assets.

5 (b) *GOALS*.—The goals of the *Installations Emissions*
6 *Tracking Program* shall be—

7 (1) to evaluate the capabilities of software and
8 emerging technologies and methodologies to effectively
9 track emissions in real time; and

10 (2) to reduce energy costs and increase effi-
11 ciencies.

12 (c) *LOCATIONS*.—If the Secretary conducts the *Instal-*
13 *lations Emissions Tracking Program*, the Secretary shall
14 select, for purposes of the Program, four major military in-
15 stallations located in different geographical regions of the
16 United States.

17 **SEC. 323. DEPARTMENT OF DEFENSE PLAN TO REDUCE**
18 **GREENHOUSE GAS EMISSIONS.**

19 (a) *PLAN REQUIRED*.—Not later than September 30,
20 2022, the Secretary of Defense shall submit to Congress a
21 plan to reduce the greenhouse gas emissions of the Depart-
22 ment of Defense.

23 (b) *BRIEFINGS*.—The Secretary shall provide to the
24 Committees on Armed Services of the House of Representa-
25 tives and the Senate annual briefings on the progress of

1 *the Department of Defense toward meeting science-based*
 2 *emissions targets in the plan required by subsection (a).*

3 ***Subtitle C—National Security***
 4 ***Climate Resilience***

5 ***SEC. 331. DEFINITIONS.***

6 *In this subtitle:*

7 (1) *The terms “climate resilience” and “extreme*
 8 *weather” have the meanings given such terms in sec-*
 9 *tion 101(a) of title 10, United States Code, as amend-*
 10 *ed by section 332.*

11 (2) *The term “climate security” has the meaning*
 12 *given such term in the second subsection (e) of section*
 13 *120 of the National Security Act of 1947 (50 U.S.C.*
 14 *3060(e)).*

15 (3) *The term “military installation resilience”*
 16 *has the meaning given such term in section 101(e) of*
 17 *title 10, United States Code.*

18 ***SEC. 332. CLIMATE RESILIENCE INFRASTRUCTURE INITIA-***

19 ***TIVE OF THE DEPARTMENT OF DEFENSE.***

20 (a) *CLIMATE RESILIENCE INFRASTRUCTURE INITIA-*
 21 *TIVE.—Chapter 136 of title 10, United States Code, is*
 22 *amended by adding at the end the following new section:*

1 **“§2285. Department of Defense Climate Resilience In-**
2 **frastructure Initiative**

3 “(a) *DESIGNATION.*—*The programs, practices, and ac-*
4 *tivities carried out pursuant to this section shall be known*
5 *collectively as the ‘Climate Resilience Infrastructure Initia-*
6 *tive of the Department of Defense’.*

7 “(b) *HARDENING AND QUICK RECOVERY.*—*In car-*
8 *rying out military installation resilience plans pursuant*
9 *to section 2864 of this title, the Secretary of Defense shall*
10 *ensure that the development by the Department of Defense*
11 *of requirements for backup utilities, communications, and*
12 *transportation to ensure that the critical infrastructure of*
13 *Department facilities is hardened, developed, and con-*
14 *structed for quick recovery from natural disasters and the*
15 *impacts of extreme weather.*

16 “(d) *SUSTAINMENT AND MODERNIZATION.*—*The Sec-*
17 *retary shall develop sustainment and modernization re-*
18 *quirements for facilities of the Department in connection*
19 *with climate resilience.*

20 “(e) *COLLABORATION IN PLANNING WITH LOCAL COM-*
21 *MUNITIES.*—*The Secretary shall develop, within existing*
22 *frameworks for collaborative activities between military in-*
23 *stallations and State and local communities, and in addi-*
24 *tion to the requirements of section 2864(c) of this title, a*
25 *framework that authorizes and directs installation com-*
26 *manders to engage with State, regional, and local agencies,*

1 *and with local communities, on planning for climate resil-*
2 *ience, to enhance efficient response to impacts of extreme*
3 *weather and secure collaborative investment in infrastruc-*
4 *ture that is resilient to the current and projected impacts*
5 *of extreme weather.*

6 “(f) *TESTING AND TRAINING RANGE LANDS.*—

7 “(1) *PRACTICES FOR SUSTAINMENT OF LANDS.*—

8 *The Secretary shall develop and implement practices*
9 *to sustain the lands of the military testing and train-*
10 *ing ranges of the Department, and the lands of testing*
11 *and training ranges on State-owned National Guard*
12 *installations, through the adaptation and resilience of*
13 *such lands to the current and projected impacts of ex-*
14 *treme weather to ensure the ongoing availability of*
15 *such lands to military personnel, weapon systems,*
16 *and equipment for testing and training purposes.*

17 “(2) *TRAINING AND EDUCATION ON*
18 *SUSTAINMENT OF LANDS.*—*The Secretary shall de-*
19 *velop a program of training and education for mem-*
20 *bers of the Armed Forces (including the reserve com-*
21 *ponents) on the importance of the sustainment of the*
22 *lands of the military testing and training ranges as*
23 *described in paragraph (1).*

24 “(3) *INVESTMENT IN RESILIENCE OF LANDS.*—

25 *The Secretary shall use existing programs of the De-*

1 *partment, including the Readiness and Environ-*
2 *mental Protection Integration Program of the Depart-*
3 *ment (or such successor program), to provide for in-*
4 *vestments determined appropriate by the Secretary in*
5 *the lands of the military testing and training ranges,*
6 *to increase the resilience and adaptation of such lands*
7 *to the current and projected impacts of extreme*
8 *weather for testing and training purposes in connec-*
9 *tion with current and projected testing and training*
10 *requirements in the short- and long-term.*

11 *“(b) USE OF CERTAIN TECHNOLOGIES.—The Sec-*
12 *retary shall take appropriate actions to increase the use of*
13 *low emission, emission-free, and net-zero-emission energy*
14 *technologies in the operations, programs, projects, and ac-*
15 *tivities of the Department, provided the use is cost effective*
16 *over the life-cycle of the investment.”.*

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

“2285. Department of Defense Climate Resilience Infrastructure Initiative.”.

20 *(c) DEFINITIONS.—Section 101(a) of title 10, United*
21 *States Code, is amended by adding at the end the following*
22 *new paragraphs:*

23 *“(19) The term ‘climate resilience’ means the ca-*
24 *pability to avoid, prepare for, minimize the effect of,*
25 *adapt to, and recover from, extreme weather, or from*

1 *anticipated or unanticipated changes in environ-*
2 *mental conditions, that do (or have the potential to)*
3 *adversely affect the national security of the United*
4 *States or of allies and partners of the United States.*

5 *“(20) The term ‘extreme weather’ means recur-*
6 *rent flooding, drought, desertification, wildfires, thaw-*
7 *ing permafrost, sea level fluctuation, changes in mean*
8 *high tides, or any other weather-related event, or an-*
9 *anticipated change in environmental conditions, that*
10 *present (or are projected to present) a recurring an-*
11 *nuual threat to the climate security of the United*
12 *States or of allies and partners of the United States.”.*

13 **SEC. 333. INCLUSION OF INFORMATION REGARDING EX-**
14 **TREME WEATHER AND CYBER ATTACKS OR**
15 **DISRUPTIONS IN REPORTS ON NATIONAL**
16 **TECHNOLOGY AND INDUSTRIAL BASE.**

17 *Section 2504(3)(B) of title 10, United States Code, is*
18 *amended by inserting “(including vulnerabilities related to*
19 *the current and projected impacts of extreme weather and*
20 *to cyber attacks or disruptions)” after “industrial base”.*

1 **SEC. 334. CLIMATE RESILIENCE IN PLANNING, ENGAGE-**
2 **MENT STRATEGIES, INFRASTRUCTURE, AND**
3 **FORCE DEVELOPMENT OF DEPARTMENT OF**
4 **DEFENSE.**

5 (a) *CLIMATE CHALLENGES AND CLIMATE RESILIENCE*
6 *IN KEY PROCESSES OF DEPARTMENT OF DEFENSE.*—*The*
7 *Secretary of Defense shall direct that the acquisition, budget*
8 *planning and execution, infrastructure planning and*
9 *sustainment, force development, engagement strategy devel-*
10 *opment, security assistance, and other core processes of the*
11 *Department of Defense fully consider and make needed ad-*
12 *justments to account for current and emerging climate and*
13 *environmental challenges and to ensure the climate resil-*
14 *ience of assets and capabilities of the Department, to in-*
15 *clude cost effectiveness over the life cycle of the investment*
16 *weighed against threat reduction.*

17 (b) *CLIMATE RESILIENCE MISSION IMPACT ASSESS-*
18 *MENT.*—

19 (1) *IN GENERAL.*—*The Secretary shall conduct a*
20 *mission impact assessment on climate resilience for*
21 *the Department.*

22 (2) *ELEMENTS.*—*The assessment conducted*
23 *under paragraph (1) shall include the following:*

24 (A) *An assessment of the direct impacts of*
25 *extreme weather on the deployment and oper-*
26 *ations of the Armed Forces, and the manner in*

1 *which extreme weather may impact the require-*
2 *ments of the commanders of the combatant com-*
3 *mands in the respective areas of responsibility of*
4 *such commanders, including—*

5 *(i) an assessment of the evolving pos-*
6 *ture of peer competitors and impacts to de-*
7 *ployment and operations of peer competi-*
8 *tors due to extreme weather;*

9 *(ii) an assessment of the impacts of ex-*
10 *anding requirements for Department hu-*
11 *manitarian assistance and disaster response*
12 *due to extreme weather;*

13 *(iii) a threat assessment of the impacts*
14 *of extreme weather, drought, and*
15 *desertification on regional stability;*

16 *(iv) an assessment of risks to home sta-*
17 *tion strategic and operational support area*
18 *readiness, including the strategic highway*
19 *network, the strategic rail network, and*
20 *strategic air and sea ports; and*

21 *(v) the development of standards for*
22 *data collection to assist decision-making*
23 *processes for research, development, and ac-*
24 *quisition priorities for installation and in-*
25 *frastructure resilience to extreme weather.*

1 (B) *A long-term strategic plan, including*
2 *war games and exercises, centered on climate-*
3 *driven crises, and a long-term assessment of cli-*
4 *mate security by the Office of Net Assessment of*
5 *the Department.*

6 (C) *A review outlining near-term and long-*
7 *term needs for research, development, and de-*
8 *ployment for equipment and other measures re-*
9 *quired to assure the resilience of the assets and*
10 *capabilities of the Department and each compo-*
11 *nent thereof, and of key elements of the defense*
12 *industrial base and supporting transportation*
13 *networks, to the impacts of extreme weather.*

14 (c) *REPORTS.—*

15 (1) *IN GENERAL.—Not later than one year after*
16 *the date of the enactment of this Act, and every five*
17 *years thereafter, the Chairman of the Joint Chiefs of*
18 *Staff shall submit to the Committees on Armed Serv-*
19 *ices of the Senate and the House of Representatives a*
20 *report on the broader strategic and operational im-*
21 *pacts of extreme weather on the Department, meas-*
22 *ures to address such impacts, and progress in imple-*
23 *menting new technologies and platforms, training*
24 *and education methods, and data collection and dis-*

1 *semination for each military department to meet the*
2 *respective mission requirements of the department.*

3 (2) *RESEARCH, DEVELOPMENT, AND DEPLOY-*
4 *MENT NEEDS.—Each report required by paragraph*
5 *(1) shall identify research, development, and deploy-*
6 *ment needs for each combatant command and func-*
7 *tional command.*

8 **SEC. 335. ASSESSMENT OF CLIMATE RISKS TO INFRASTRUC-**
9 **TURE OF DEPARTMENT OF DEFENSE.**

10 (a) *IN GENERAL.—The Secretary of Defense shall di-*
11 *rect the Secretary of each military department to—*

12 (1) *assess the vulnerability of installations and*
13 *other facilities under the jurisdiction of such Sec-*
14 *retary, and of State-owned National Guard installa-*
15 *tions, to the current and projected impacts of extreme*
16 *weather, using vulnerability and risk assessment tools*
17 *chosen or developed pursuant to section 326 of the Na-*
18 *tional Defense Authorization Act for Fiscal Year 2020*
19 *(Public Law 116–92; 133 Stat. 1310);*

20 (2) *assess the infrastructure required for success-*
21 *ful operation of such installations and facilities in re-*
22 *sponse to any such vulnerabilities and ensure the*
23 *military installation resilience of such installations*
24 *and facilities; and*

1 (3) *develop installation-specific plans pursuant*
2 *to section 2864(c) of title 10, United States Code, and*
3 *similar plans for State-owned National Guard instal-*
4 *lations, to address such vulnerabilities.*

5 (b) *FACILITY ASSESSMENT.*—*In carrying out sub-*
6 *section (a), the Secretary of each military department shall*
7 *determine the needs of the military installations and other*
8 *facilities under the jurisdiction of such Secretary, and of*
9 *State-owned National Guard installations, based on the*
10 *level of risks posed by the current and projected impacts*
11 *of extreme weather, the likelihood of such risks, and the role*
12 *of such installations and facilities in maintaining overall*
13 *readiness and operational capability.*

14 (c) *CONSIDERATIONS.*—*In carrying out the assess-*
15 *ments and developing the plans required under this section,*
16 *the Secretary of Defense shall ensure that the cost effective-*
17 *ness over the life-cycle of the investment, and the feasibility*
18 *of solutions and technologies, are considered.*

1 **Subtitle D—Treatment of**
2 **Perfluoroalkyl Substances and**
3 **Polyfluoroalkyl Substances**

4 **SEC. 341. TREATMENT BY DEPARTMENT OF DEFENSE OF**
5 **PERFLUOROALKYL SUBSTANCES AND**
6 **POLYFLUOROALKYL SUBSTANCES.**

7 (a) *IN GENERAL.*—Chapter 160 of title 10, United
8 States Code, is amended by adding at the end the following
9 new sections:

10 **“§ 2714. Perfluoroalkyl substances and**
11 **polyfluoroalkyl substances task force**

12 “(a) *IN GENERAL.*—The Secretary of Defense shall es-
13 tablish a task force to address the effects of the release of
14 perfluoroalkyl substances and polyfluoroalkyl substances
15 from activities of the Department of Defense (in this section
16 referred to as the ‘PFAS Task Force’).

17 “(b) *MEMBERSHIP.*—The members of the PFAS Task
18 Force are the following:

19 “(1) *The Assistant Secretary of Defense for En-*
20 *ergy, Installations, and Environment.*

21 “(2) *The Assistant Secretary of the Army for In-*
22 *stallations, Energy, and Environment.*

23 “(3) *The Assistant Secretary of the Navy for En-*
24 *ergy, Installations, and Environment.*

1 “(4) *The Assistant Secretary of the Air Force for*
2 *Installations, Environment, and Energy.*

3 “(5) *The Assistant Secretary of Defense for*
4 *Health Affairs.*

5 “(c) *CHAIRMAN.—The Assistant Secretary of Defense*
6 *for Energy, Installations, and Environment shall be the*
7 *chairman of the PFAS Task Force.*

8 “(d) *SUPPORT.—The Under Secretary of Defense for*
9 *Personnel and Readiness and such other individuals as the*
10 *Secretary of Defense considers appropriate shall support the*
11 *activities of the PFAS Task Force.*

12 “(e) *DUTIES.—The duties of the PFAS Task Force are*
13 *the following:*

14 “(1) *Monitoring the health aspects of exposure to*
15 *perfluoroalkyl substances and polyfluoroalkyl sub-*
16 *stances, as found by the Secretary of Health and*
17 *Human Services.*

18 “(2) *Identifying, and funding the procurement*
19 *of, an effective alternative to firefighting foam con-*
20 *taining perfluoroalkyl substances or polyfluoroalkyl*
21 *substances.*

22 “(3) *Coordinating within the Department of De-*
23 *fense with respect to mitigating the effects of the re-*
24 *lease of perfluoroalkyl substances and polyfluoroalkyl*
25 *substances.*

1 “(4) *Assessing the perceptions of Congress and*
2 *the public of the efforts of the Department of Defense*
3 *with respect to mitigating the effects of the release of*
4 *perfluoroalkyl substances and polyfluoroalkyl sub-*
5 *stances from activities of the Department.*

6 “(f) *REPORT.—Not later than 90 days after the date*
7 *of the enactment of the National Defense Authorization Act*
8 *for Fiscal Year 2022, and quarterly thereafter, the Chair-*
9 *man of the PFAS Task Force shall submit to Congress a*
10 *report on the activities of the task force.*

11 “(g) *DEFINITIONS.—In this section:*

12 “(1) *The term ‘perfluoroalkyl substance’ means a*
13 *man-made chemical of which all of the carbon atoms*
14 *are fully fluorinated carbon atoms.*

15 “(2) *The term ‘polyfluoroalkyl substance’ means*
16 *a man-made chemical containing a mix of fully*
17 *fluorinated carbon atoms, partially fluorinated car-*
18 *bon atoms, and nonfluorinated carbon atoms.*

19 “**§2715. Testing for perfluoroalkyl substances and**
20 **polyfluoroalkyl substances at military in-**
21 **stallations and facilities of the National**
22 **Guard**

23 “(a) *IN GENERAL.—Not later than two years after the*
24 *date of the enactment of the National Defense Authorization*
25 *Act for Fiscal Year 2022, the Secretary of Defense shall*

1 *complete preliminary assessment and site inspection testing*
2 *for perfluoroalkyl substances and polyfluoroalkyl substances*
3 *at all military installations and facilities of the National*
4 *Guard located in the United States that are identified as*
5 *of March 31, 2021, as having a release of perfluoroalkyl*
6 *substances or polyfluoroalkyl substances.*

7 “(b) *DETERMINATION OF CONTAMINATION.—Testing*
8 *conducted under subsection (a) at a military installation*
9 *or facility of the National Guard shall determine—*

10 “(1) *whether the installation or facility has con-*
11 *tamination from a perfluoroalkyl substance or*
12 *polyfluoroalkyl substance; and*

13 “(2) *whether activities in connection with such*
14 *installation or facility have caused contamination*
15 *from a perfluoroalkyl substance or polyfluoroalkyl*
16 *substance outside of such installation or facility.*

17 “(c) *ADDITIONAL RESPONSE ACTIONS.—Testing con-*
18 *ducted under subsection (a) shall provide at least a prelimi-*
19 *nary basis for determining whether additional environ-*
20 *mental response actions are necessary to address contami-*
21 *nation from a perfluoroalkyl substance or polyfluoroalkyl*
22 *substance.*

23 “(d) *TYPE OF TESTING.—When testing for*
24 *perfluoroalkyl substances or polyfluoroalkyl substances*
25 *under subsection (a) or any other provision of law, the Sec-*

1 *retary shall use a method to measure for all perfluoroalkyl*
 2 *substances or polyfluoroalkyl substances in drinking water*
 3 *that has been validated by the Administrator of the Envi-*
 4 *ronmental Protection Agency.*

5 *“(e) DEFINITIONS.—In this section:*

6 *“(1) The term ‘military installation’ has the*
 7 *meaning given such term in section 2801(c)(4) of this*
 8 *title.*

9 *“(2) The terms ‘perfluoroalkyl substance’ and*
 10 *‘polyfluoroalkyl substance’ have the meanings given*
 11 *such terms in section 2714 of this title.”.*

12 *(b) CLERICAL AMENDMENT.—The table of sections for*
 13 *such chapter is amended by adding at the end the following*
 14 *new items:*

“2714. Perfluoroalkyl substances and polyfluoroalkyl substances task force.

*“2715. Testing for perfluoroalkyl substances and polyfluoroalkyl substances at
 military installations and facilities of the National Guard.”.*

15 *(c) REPORTS ON STATUS OF TESTING.—*

16 *(1) SUBMISSION.—For each of fiscal years 2022*
 17 *through 2024, the Secretary shall submit to the Com-*
 18 *mittees on Armed Services of the House of Represent-*
 19 *atives and the Senate a report on the status of the*
 20 *testing conducted under section 2715(a) of title 10,*
 21 *United States Code (as added by subsection (a)), dur-*
 22 *ing such year.*

1 (2) *MATTERS.*—Each report submitted under
2 paragraph (1) shall identify, with respect to testing
3 conducted under such section 2715(a)—

4 (A) each military installation or facility
5 where testing has been completed;

6 (B) each military installation or facility
7 where testing has not yet been completed;

8 (C) the projected completion date for testing
9 at military installations or facilities where test-
10 ing has not yet been completed;

11 (D) the results of testing at military instal-
12 lations or facilities where testing has been com-
13 pleted; and

14 (E) the actions planned, and the projected
15 timelines for such actions, for each military in-
16 stallation or facility to address contamination
17 by a perfluoroalkyl substance or polyfluoroalkyl
18 substance.

19 (3) *TIMING.*—Each report under paragraph (1)
20 shall be submitted not later than January 1 of the fis-
21 cal year immediately following the fiscal year covered
22 by the report.

23 (4) *LIMITATION ON DELEGATION.*—The Secretary
24 may delegate the responsibility for preparing the re-

1 ports required by paragraph (1) only to the Deputy
2 Secretary of Defense.

3 (5) *DEFINITIONS.*—*In this subsection, the terms*
4 *“military installation”, “perfluoroalkyl substance”,*
5 *and “polyfluoroalkyl substance” have the meanings*
6 *given such terms in section 2715 of title 10, United*
7 *States Code (as added by subsection (a)).*

8 **SEC. 342. EXTENSION OF TRANSFER AUTHORITY FOR FUND-**
9 **ING OF STUDY AND ASSESSMENT ON HEALTH**
10 **IMPLICATIONS OF PER- AND**
11 **POLYFLUOROALKYL SUBSTANCES CONTAMI-**
12 **NATION IN DRINKING WATER BY AGENCY FOR**
13 **TOXIC SUBSTANCES AND DISEASE REGISTRY.**

14 Section 316(a)(2)(B)(ii) of the *National Defense Au-*
15 *thorization Act for Fiscal Year 2018 (Public Law 115–91;*
16 *131 Stat. 1350), as amended by section 315(a) of the John*
17 *S. McCain National Defense Authorization Act for Fiscal*
18 *Year 2019 (Public Law 115–232; 132 Stat. 1713), section*
19 *321 of the National Defense Authorization Act for Fiscal*
20 *Year 2020 (Public Law 116–92; 133 Stat. 1307), and sec-*
21 *tion 337 of the William M. (Mac) Thornberry National De-*
22 *fense Authorization Act for Fiscal Year 2021 (Public Law*
23 *116–283), is further amended by striking “fiscal years*
24 *2019, 2020, and 2021” and inserting “fiscal years 2019*
25 *through 2023”.*

1 **SEC. 343. TEMPORARY MORATORIUM ON INCINERATION BY**
2 **DEPARTMENT OF DEFENSE OF**
3 **PERFLUOROALKYL SUBSTANCES,**
4 **POLYFLUOROALKYL SUBSTANCES, AND AQUE-**
5 **OUS FILM FORMING FOAM.**

6 (a) *TEMPORARY MORATORIUM.*—Beginning not later
7 than 120 days after the date of the enactment of this Act,
8 the Secretary of Defense shall prohibit the incineration of
9 covered materials until the earlier of the following:

10 (1) *The date on which the Secretary issues guid-*
11 *ance implementing—*

12 (A) *the interim guidance on the destruction*
13 *and disposal of PFAS and materials containing*
14 *PFAS published by the Administrator of the En-*
15 *vironmental Protection Agency under section*
16 *7361 of the National Defense Authorization Act*
17 *for Fiscal Year 2020 (15 U.S.C. 8961); and*

18 (B) *section 330 of the National Defense Au-*
19 *thorization Act for Fiscal Year 2020 (Public*
20 *Law 116–92; 10 U.S.C. 2701 note).*

21 (2) *The date on which the Administrator of the*
22 *Environmental Protection Agency publishes in the*
23 *Federal Register a final rule regarding the destruc-*
24 *tion and disposal of such materials pursuant to such*
25 *section.*

1 **(b) REQUIRED ADOPTION OF FINAL RULE.**—Upon
2 *publication of the final rule specified in subsection (a)(2),*
3 *the Secretary shall adopt such final rule, regardless of*
4 *whether the Secretary previously implemented the interim*
5 *guidance specified in subsection (a)(1)(A).*

6 **(c) REPORT.**—Not later than one year after the enact-
7 *ment of this Act, and annually thereafter for three years,*
8 *the Secretary shall submit to the Administrator and the*
9 *Committees on Armed Services of the Senate and the House*
10 *of Representatives a report on all incineration by the De-*
11 *partment of Defense of covered materials during the year*
12 *covered by the report, including—*

13 **(1)** *the total amount of covered materials incin-*
14 *erated;*

15 **(2)** *the temperature range specified in the permit*
16 *where the covered materials were incinerated;*

17 **(3)** *the locations and facilities where the covered*
18 *materials were incinerated;*

19 **(4)** *details on actions taken by the Department*
20 *of Defense to implement section 330 of the National*
21 *Defense Authorization Act for Fiscal Year 2020; and*

22 **(5)** *recommendations for the safe storage of*
23 *PFAS and PFAS-containing materials prior to de-*
24 *struction and disposal.*

1 (d) *SCOPE.*—*The prohibition in subsection (a) and re-*
2 *porting requirements in subsection (c) shall apply not only*
3 *to materials sent directly by the Department of Defense to*
4 *an incinerator, but also to materials sent to another entity*
5 *or entities, including any waste processing facility, subcon-*
6 *tractor, or fuel blending facility, prior to incineration.*

7 (e) *DEFINITIONS.*—*In this section:*

8 (1) *The term “AFFF” means aqueous film form-*
9 *ing foam.*

10 (2) *The term “covered material” means any*
11 *AFFF formulation containing PFAS, material con-*
12 *taminated by AFFF release, or spent filter or other*
13 *PFAS-contaminated material resulting from site re-*
14 *mediation or water filtration that—*

15 (A) *has been used by the Department of De-*
16 *fense or a military department;*

17 (B) *is being discarded for disposal by the*
18 *Department of Defense or a military depart-*
19 *ment; or*

20 (C) *is being removed from sites or facilities*
21 *owned or operated by the Department of Defense.*

22 (3) *The term “PFAS” means per- or*
23 *polyfluoroalkyl substances.*

1 **SEC. 344. REVIEW AND GUIDANCE RELATING TO PREVEN-**
2 **TION AND MITIGATION OF SPILLS OF AQUE-**
3 **OUS FILM-FORMING FOAM.**

4 (a) *REVIEW REQUIRED.*—Not later than 180 days of
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall complete a review of the efforts of the De-
7 partment of Defense to prevent or mitigate spills of aqueous
8 film-forming foam (in this section referred to as “AFFF”).
9 Such review shall assess the following:

10 (1) *The preventative maintenance guidelines for*
11 *fire trucks of the Department and fire suppression*
12 *systems in buildings of the Department, to mitigate*
13 *the risk of equipment failure that may result in a*
14 *spill of AFFF.*

15 (2) *Any requirements for the use of personal pro-*
16 *TECTIVE equipment by personnel when conducting a*
17 *material transfer or maintenance activity of the De-*
18 *partment that may result in a spill of AFFF, or*
19 *when conducting remediation activities for such a*
20 *spill, including requirements for side-shield safety*
21 *glasses, latex gloves, and respiratory protection equip-*
22 *ment.*

23 (3) *The methods by which the Secretary ensures*
24 *compliance with guidance specified in material safety*
25 *data sheets with respect to the use of such personal*
26 *protective equipment.*

1 (b) *GUIDANCE.*—Not later than 90 days after the date
2 on which the Secretary completes the review under sub-
3 section (a), the Secretary shall issue guidance on the pre-
4 vention and mitigation of spills of AFFF based on the re-
5 sults of such review that includes, at a minimum, best prac-
6 tices and recommended requirements to ensure the fol-
7 lowing:

8 (1) *The supervision by personnel trained in re-*
9 *sponding to spills of AFFF of each material transfer*
10 *or maintenance activity of the Department of Defense*
11 *that may result in such a spill.*

12 (2) *The use of containment berms and the cov-*
13 *ering of storm drains and catch basins by personnel*
14 *performing maintenance activities for the Department*
15 *in the vicinity of such drains or basins.*

16 (3) *The storage of materials for the cleanup and*
17 *containment of AFFF in close proximity to fire sup-*
18 *pression systems in buildings of the Department and*
19 *the presence of such materials during any transfer or*
20 *activity specified in paragraph (1).*

21 (c) *BRIEFING.*—Not later than 30 days after the date
22 on which the Secretary issues the guidance under subsection
23 (b), the Secretary shall provide to the congressional defense
24 committees a briefing that summarizes the results of the re-

1 *view conducted under subsection (a) and the guidance*
2 *issued under subsection (b).*

3 **SEC. 345. PUBLIC DISCLOSURE OF RESULTS OF DEPART-**
4 **MENT OF DEFENSE TESTING OF WATER FOR**
5 **PERFLUOROALKYL OR POLYFLUOROALKYL**
6 **SUBSTANCES.**

7 *(a) PUBLIC DISCLOSURE OF RESULTS.—*

8 *(1) IN GENERAL.—Except as provided in para-*
9 *graph (2), not later than 20 days after the receipt of*
10 *a final result of testing water for perfluoroalkyl or*
11 *polyfluoroalkyl substances (commonly referred to as*
12 *“PFAS”) in a covered area, the Secretary of Defense*
13 *shall publicly disclose such final result, including—*

14 *(A) the results of all such testing conducted*
15 *in the covered area by the Department of De-*
16 *fense; and*

17 *(B) the results of all such testing conducted*
18 *in the covered area by a non-Department entity*
19 *(including any Federal agency and any public*
20 *or private entity) under a contract, or pursuant*
21 *to an agreement, with the Department of De-*
22 *fense.*

23 *(2) CONSENT BY PRIVATE PROPERTY OWNERS.—*

24 *The Secretary of Defense may not publicly disclose*
25 *the results of testing for perfluoroalkyl or*

1 *polyfluoroalkyl substances conducted on private prop-*
2 *erty without the consent of the property owner.*

3 *(b) PUBLIC DISCLOSURE OF PLANNED TESTING OF*
4 *WATER.—Not later than 180 days after the date of the en-*
5 *actment of the Act, and every 90 days thereafter, the Sec-*
6 *retary of Defense shall publicly disclose the anticipated*
7 *timeline for, and general location of, any planned testing*
8 *for perfluoroalkyl or polyfluoroalkyl substances proposed to*
9 *be conducted in a covered area, including—*

10 *(1) all such testing to be conducted by the De-*
11 *partment of Defense; and*

12 *(2) all such testing to be conducted by a non-De-*
13 *partment entity (including any Federal agency and*
14 *any public or private entity) under a contract, or*
15 *pursuant to an agreement, with the Department.*

16 *(c) NATURE OF DISCLOSURE.—The Secretary of De-*
17 *fense may satisfy the disclosure requirements under sub-*
18 *sections (a) and (b) by publishing the results and informa-*
19 *tion referred to in such subsections—*

20 *(1) on the publicly available website established*
21 *under section 331(b) of the National Defense Author-*
22 *ization Act for Fiscal Year 2020 (Public Law 116-*
23 *92; 10 U.S.C 2701 note);*

24 *(2) on another publicly available website of the*
25 *Department of Defense; or*

1 (3) *in the Federal Register.*

2 (d) *LOCAL NOTIFICATION.*—*Prior to conducting any*
3 *testing of water for perfluoroalkyl or polyfluoroalkyl sub-*
4 *stances, including any testing which has not been planned*
5 *or publicly disclosed pursuant to subsection (b), the Sec-*
6 *retary of Defense shall provide notice of the testing to—*

7 (1) *the managers of the public water system serv-*
8 *ing the covered area where such testing is to occur;*

9 (2) *the heads of the municipal government serv-*
10 *ing the covered area where such testing is to occur;*
11 *and*

12 (3) *as applicable, the members of the restoration*
13 *advisory board for the military installation where*
14 *such testing is to occur.*

15 (e) *METHODS FOR TESTING.*—*In testing water for*
16 *perfluoroalkyl or polyfluoroalkyl substances, the Secretary*
17 *of Defense shall adhere to methods for measuring the*
18 *amount of such substances in drinking water that have been*
19 *validated by the Administrator of the Environmental Pro-*
20 *tection Agency.*

21 (f) *DEFINITIONS.*—*In this section:*

22 (1) *The term “covered area” means an area in*
23 *the United States that is located immediately adja-*
24 *cent to and down gradient from a military installa-*
25 *tion, a formerly used defense site, or a facility where*

1 *military activities are conducted by the National*
2 *Guard of a State pursuant to section 2707(e) of title*
3 *10, United States Code.*

4 (2) *The term “formerly used defense site” means*
5 *any site formerly used by the Department of Defense*
6 *or National Guard eligible for environmental restora-*
7 *tion by the Secretary of Defense funded under the*
8 *“Environmental Restoration Account, Formerly Used*
9 *Defense Sites” account established under section*
10 *2703(a)(5) of title 10, United States Code.*

11 (3) *The term “military installation” has the*
12 *meaning given such term in section 2801(c)(4) of title*
13 *10, United States Code.*

14 (4) *The term “perfluoroalkyl or polyfluoroalkyl*
15 *substance” means any man-made chemical with at*
16 *least one fully fluorinated carbon atom.*

17 (5) *The term “public water system” has the*
18 *meaning given such term under section 1401(4) of the*
19 *Safe Drinking Water Act (42 U.S.C. 300f(4)).*

20 (6) *The term “restoration advisory board” means*
21 *a restoration advisory board established pursuant to*
22 *section 2705(d) of title 10, United States Code.*

1 **SEC. 346. REVIEW OF AGREEMENTS WITH NON-DEPART-**
2 **MENT ENTITIES WITH RESPECT TO PREVEN-**
3 **TION AND MITIGATION OF SPILLS OF AQUE-**
4 **OUS FILM-FORMING FOAM.**

5 (a) *REVIEW REQUIRED.*—Not later than 180 days of
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall complete a review of mutual support agree-
8 ments entered into with non-Department of Defense entities
9 (including State and local entities) that involve fire sup-
10 pression activities in support of missions of the Depart-
11 ment.

12 (b) *MATTERS.*—The review under subsection (a) shall
13 assess, with respect to the agreements specified in such sub-
14 section, the following:

15 (1) *The preventative maintenance guidelines*
16 *specified in such agreements for fire trucks and fire*
17 *suppression systems, to mitigate the risk of equipment*
18 *failure that may result in a spill of aqueous film-*
19 *forming foam (in this section referred to as “AFFF”).*

20 (2) *Any requirements specified in such agree-*
21 *ments for the use of personal protective equipment by*
22 *personnel when conducting a material transfer or*
23 *maintenance activity pursuant to the agreement that*
24 *may result in a spill of AFFF, or when conducting*
25 *remediation activities for such a spill, including re-*

1 *quirements for side-shield safety glasses, latex gloves,*
2 *and respiratory protection equipment.*

3 (3) *The methods by which the Secretary, or the*
4 *non-Department entity with which the Secretary has*
5 *entered into the agreement, ensures compliance with*
6 *guidance specified in the agreement with respect to*
7 *the use of such personal protective equipment.*

8 (c) *GUIDANCE.*—*Not later than 90 days after the date*
9 *on which the Secretary completes the review under sub-*
10 *section (a), the Secretary shall issue guidance (based on the*
11 *results of such review) on requirements to include under the*
12 *agreements specified in such subsection, to ensure the pre-*
13 *vention and mitigation of spills of AFFF. Such guidance*
14 *shall include, at a minimum, best practices and rec-*
15 *ommended requirements to ensure the following:*

16 (1) *The supervision by personnel trained in re-*
17 *sponding to spills of AFFF of each material transfer*
18 *or maintenance activity carried out pursuant to such*
19 *an agreement that may result in such a spill.*

20 (2) *The use of containment berms and the cov-*
21 *ering of storm drains and catch basins by personnel*
22 *performing maintenance activities pursuant to such*
23 *an agreement in the vicinity of such drains or basins.*

24 (3) *The storage of materials for the cleanup and*
25 *containment of AFFF in close proximity to fire sup-*

1 *pression systems in buildings of the Department and*
2 *the presence of such materials during any transfer or*
3 *activity specified in paragraph (1).*

4 *(d) BRIEFING.—Not later than 30 days after the date*
5 *on which the Secretary issues the guidance under subsection*
6 *(c), the Secretary shall provide to the congressional defense*
7 *committees a briefing that summarizes the results of the re-*
8 *view conducted under subsection (a) and the guidance*
9 *issued under subsection (c).*

10 **SEC. 347. COMPTROLLER GENERAL STUDY ON DEPART-**
11 **MENT OF DEFENSE PROCUREMENT OF CER-**
12 **TAIN ITEMS CONTAINING CERTAIN PFAS SUB-**
13 **STANCES.**

14 *(a) STUDY.—The Comptroller General of the United*
15 *States shall conduct a study on the procurement by the De-*
16 *partment of Defense of certain items that contain covered*
17 *PFAS substances.*

18 *(b) ELEMENTS.—In conducting the study under sub-*
19 *section (a), the Comptroller General shall assess the fol-*
20 *lowing:*

21 *(1) The extent to which information is available*
22 *to the Department of Defense regarding the presence*
23 *of covered PFAS substances in the items procured by*
24 *the Department.*

1 (2) *The challenges, if any, that exist in identi-*
2 *fying the presence of covered PFAS substances in the*
3 *items the Department procures, including whether*
4 *there are certain categories of items that are more*
5 *readily identified than others as containing such sub-*
6 *stances.*

7 (3) *The extent to which the Department has ex-*
8 *amined the feasibility of prohibiting the procurement*
9 *of items containing covered PFAS substances.*

10 (4) *Such other topics as may be determined nec-*
11 *essary by the Comptroller General.*

12 (c) *ITEMS.—In conducting the study under subsection*
13 *(a), the Comptroller General shall, to the extent practicable,*
14 *examine information relating to the consideration by the*
15 *Department of Defense of such substances in the following*
16 *items:*

17 (1) *Furniture or floor waxes.*

18 (2) *Car wax and car window treatments.*

19 (3) *Cleaning products.*

20 (4) *Shoes and clothing for which treatment with*
21 *a covered PFAS substance is not necessary for an es-*
22 *sential function.*

23 (d) *BRIEFING AND REPORT.—Not later than 180 days*
24 *after the date of enactment of this Act, the Comptroller Gen-*
25 *eral shall provide to the Committees on Armed Services of*

1 *the House of Representatives and the Senate an interim*
 2 *briefing on the study conducted under subsection (a), in-*
 3 *cluding any preliminary observations. After such interim*
 4 *briefing, the Comptroller General shall submit to the com-*
 5 *mittees a report on the study at a date mutually agreed*
 6 *upon by the Comptroller General and the committees.*

7 *(e) COVERED PFAS SUBSTANCE DEFINED.—In this*
 8 *section, the term “covered PFAS substance” means any of*
 9 *the following:*

- 10 *(1) Perfluorononanoic acid (PFNA).*
- 11 *(2) Perfluorooctanoic acid (PFOA).*
- 12 *(3) Perfluorohexanoic acid (PFHxA).*
- 13 *(4) Perfluorooctane sulfonic acid (PFOS).*
- 14 *(5) Perfluorohexane sulfonate (PFHxS).*
- 15 *(6) Perfluorobutane sulfonic acid (PFBS).*
- 16 *(7) GenX.*

17 **SEC. 348. REPORT ON SCHEDULE FOR COMPLETION OF RE-**
 18 **MEDIATION OF PERFLUOROALKYL SUB-**
 19 **STANCES AND POLYFLUOROALKYL SUB-**
 20 **STANCES.**

21 *(a) IN GENERAL.—Not later than 270 days after the*
 22 *date of the enactment of this Act, the Secretary of Defense*
 23 *shall submit to the Committees on Armed Services of the*
 24 *Senate and the House of Representatives a report detailing*
 25 *a proposed schedule for the completion of remediation of*

1 *perfluoroalkyl substances and polyfluoroalkyl substances,*
2 *and the associated cost estimates to perform such remedi-*
3 *ation, at military installations, facilities of the National*
4 *Guard, and formerly used defense sites in the United States*
5 *that are identified as of March 31, 2021, as having a release*
6 *of perfluoroalkyl substances or polyfluoroalkyl substances.*

7 (b) *DEFINITIONS.—In this section:*

8 (1) *The term “military installation” has the*
9 *meaning given such term in section 2801(c)(4) of title*
10 *10, United States Code.*

11 (2) *The term “perfluoroalkyl substance” means a*
12 *man-made chemical of which all of the carbon atoms*
13 *are fully fluorinated carbon atoms.*

14 (3) *The term “polyfluoroalkyl substance” means*
15 *a man-made chemical containing a mix of fully*
16 *fluorinated carbon atoms, partially fluorinated car-*
17 *bon atoms, and nonfluorinated carbon atoms.*

18 **SEC. 349. REPORT ON REMEDIATION OF PERFLUOROALKYL**
19 **SUBSTANCES AND POLYFLUOROALKYL SUB-**
20 **STANCES AT CERTAIN MILITARY INSTALLA-**
21 **TIONS.**

22 (a) *IN GENERAL.—Not later than 60 days after the*
23 *date of the enactment of this Act, the Secretary of Defense*
24 *shall submit to Congress a report identifying the status of*

1 *efforts to remediate perfluoroalkyl substances and*
2 *polyfluoroalkyl substances at the following locations:*

3 (1) *England Air Force Base, Louisiana.*

4 (2) *Naval Air Weapons Station China Lake,*
5 *California.*

6 (3) *Patrick Air Force Base, Florida.*

7 (4) *Myrtle Beach Air Force Base, South Caro-*
8 *lina.*

9 (5) *Langley Air Force Base, Virginia.*

10 (6) *Naval Air Station Jacksonville, Florida.*

11 (7) *Niagara Falls Air Reserve Station, New*
12 *York.*

13 (8) *Grand Prairie Armed Forces Reserve Com-*
14 *plex, Texas.*

15 (9) *Altus Air Force Base, Oklahoma.*

16 (10) *Charleston Air Force Base, South Carolina.*

17 (11) *Barksdale Air Force Base, Louisiana.*

18 (12) *Plattsburgh Air Force Base, New York.*

19 (13) *Tyndall Air Force Base, Florida.*

20 (14) *Sheppard Air Force Base, Texas.*

21 (15) *Columbus Air Force Base, Mississippi.*

22 (16) *Chanute Air Force Base, Illinois.*

23 (17) *Marine Corps Air Station Tustin, Cali-*
24 *fornia.*

25 (18) *Travis Air Force Base, California.*

- 1 (19) *Ellsworth Air Force Base, South Dakota.*
- 2 (20) *Minot Air Force Base, North Dakota.*
- 3 (21) *Westover Air Reserve Base, Massachusetts.*
- 4 (22) *Eaker Air Force Base, Arkansas.*
- 5 (23) *Naval Air Station Alameda, California.*
- 6 (24) *Eielson Air Force Base, Alaska.*
- 7 (25) *Horsham Air Guard Station, Pennsylvania.*
- 8 (26) *Vance Air Force Base, Oklahoma.*
- 9 (27) *Dover Air Force Base, Delaware.*
- 10 (28) *Edwards Air Force Base, California.*
- 11 (29) *Robins Air Force Base, Georgia.*
- 12 (30) *Joint Base McGuire–Dix–Lakehurst, New*
13 *Jersey.*
- 14 (31) *Galena Air Force Base, Alaska.*
- 15 (32) *Naval Research Laboratory Chesapeake Bay*
16 *Detachment, Maryland.*
- 17 (33) *Buckley Air Force Base, Colorado.*
- 18 (34) *Arnold Air Force Base, Tennessee.*
- 19 (35) *Tinker Air Force Base, Oklahoma.*
- 20 (36) *Fairchild Air Force Base, Washington.*
- 21 (37) *Vandenberg Air Force Base, California.*
- 22 (38) *Hancock Field Air National Guard Base,*
23 *New York.*
- 24 (39) *F.E. Warren Air Force Base, Wyoming.*
- 25 (40) *Nevada Air National Guard Base, Nevada.*

1 (41) *K.I. Sawyer Air Force Base, Michigan.*

2 (42) *Pease Air Force Base, New Hampshire.*

3 (43) *Whiteman Air Force Base, Missouri.*

4 (44) *Wurtsmith Air Force Base, Michigan.*

5 (45) *Shepherd Field Air National Guard Base,*
6 *West Virginia.*

7 (46) *Naval Air Station Whidbey Island–Ault*
8 *Field, Washington.*

9 (47) *Rosecrans Air National Guard Base, Mis-*
10 *souri.*

11 (48) *Joint Base Andrews, Maryland.*

12 (49) *Iowa Air National Guard Base, Iowa.*

13 (50) *Stewart Air National Guard Base, New*
14 *York.*

15 (b) *DEFINITIONS.—In this section:*

16 (1) *The term “perfluoroalkyl substance” means a*
17 *man-made chemical of which all of the carbon atoms*
18 *are fully fluorinated carbon atoms.*

19 (2) *The term “polyfluoroalkyl substance” means*
20 *a man-made chemical containing a mix of fully*
21 *fluorinated carbon atoms, partially fluorinated car-*
22 *bon atoms, and nonfluorinated carbon atoms.*

1 ***Subtitle E—Logistics and***
2 ***Sustainment***

3 ***SEC. 351. MITIGATION OF CONTESTED LOGISTICS CHAL-***
4 ***LENGES OF THE DEPARTMENT OF DEFENSE***
5 ***THROUGH REDUCTION OF OPERATIONAL EN-***
6 ***ERGY DEMAND.***

7 (a) *CLARIFICATION OF OPERATIONAL ENERGY RE-*
8 *SPONSIBILITIES.*—*Section 2926 of title 10, United States*
9 *Code, is amended—*

10 (1) *in subsection (a), by inserting “in contested*
11 *logistics environments” after “missions”; and*

12 (2) *in subsection (b)—*

13 (A) *in the heading, by striking “AUTHORI-*
14 *TIES” and inserting “RESPONSIBILITIES”;*

15 (B) *in the matter preceding paragraph (1),*
16 *by striking “may” and inserting “shall”;*

17 (C) *by amending paragraph (1) to read as*
18 *follows:*

19 “(1) *require the Secretaries concerned and the*
20 *commanders of the combatant commands to assess the*
21 *energy supportability in contested logistics environ-*
22 *ments of systems, capabilities, and plans;”;*

23 (D) *in paragraph (2), by inserting “*
24 *supportability in contested logistics environ-*
25 *ments,” after “power,”; and*

1 (E) in paragraph (3), by inserting “in con-
2 tested logistics environments” after
3 “vulnerabilities”.

4 (b) *ESTABLISHMENT OF WORKING GROUP.*—Such sec-
5 tion is further amended—

6 (1) in subsection (c)—

7 (A) in the matter preceding paragraph (1),
8 by inserting “ and in coordination with the
9 working group under subsection (d)” after “com-
10 ponents”;

11 (B) in paragraph (1), by striking “Defense
12 and oversee” and inserting “Defense, including
13 the activities of the working group established
14 under subsection (d), and oversee”;

15 (C) in paragraph (2), by inserting “, taking
16 into account the findings of the working group
17 under subsection (d)” after “Defense”; and

18 (D) in paragraph (3), by inserting “, tak-
19 ing into account the findings of the working
20 group under subsection (d)” after “resilience”;

21 (2) by redesignating subsections (d) through (f)
22 as subsections (e) through (g), respectively;

23 (3) by inserting after subsection (c), as amended
24 by paragraph (1), the following new subsection:

1 “(d) *WORKING GROUP.*—(1) *The Secretary of Defense*
2 *shall establish a working group to integrate efforts to miti-*
3 *gate contested logistics challenges through the reduction of*
4 *operational energy demand that are carried out within each*
5 *armed force, across the armed forces, and with the Office*
6 *of the Secretary of Defense and to conduct other coordinated*
7 *functions relating to such efforts.*

8 “(2) *The head of the working group under paragraph*
9 *(1) shall be the Assistant Secretary of Defense for Energy,*
10 *Installations, and Environment. The Assistant Secretary*
11 *shall supervise the members of the working group and pro-*
12 *vide guidance to such members with respect to specific oper-*
13 *ational energy plans and programs to be carried out pursu-*
14 *ant to the strategy under subsection (e).*

15 “(3) *The members of the working group under para-*
16 *graph (1) shall be appointed as follows:*

17 “(A) *A senior official of each armed force, who*
18 *shall be nominated by the Secretary concerned and*
19 *confirmed by the Senate to represent such armed*
20 *force.*

21 “(B) *A senior official from each geographic and*
22 *functional combatant command, who shall be ap-*
23 *pointed by the commander of the respective combatant*
24 *command to represent such combatant command.*

1 “(C) A senior official under the jurisdiction of
2 the Chairman of the Joint Chiefs of Staff, who shall
3 be appointed by the Chairman to represent the Joint
4 Chiefs of Staff and the Joint Staff.

5 “(4) Each member of the working group shall be re-
6 sponsible for carrying out operational energy plans and
7 programs and implementing coordinated initiatives pursu-
8 ant to the strategy under subsection (e) for the respective
9 component of the Department that the member represents.

10 “(5) The duties of the working group under paragraph
11 (1) shall be as follows:

12 “(A) Planning for the integration of efforts to
13 mitigate contested logistics challenges through the re-
14 duction of operational energy demand carried out
15 within each armed force, across the armed forces, and
16 with the Office of the Secretary of Defense.

17 “(B) Developing recommendations regarding the
18 strategy for operational energy under subsection (e).

19 “(C) Developing recommendations relating to the
20 development of, and modernization efforts for, plat-
21 forms and weapons systems of the armed forces.

22 “(D) Developing recommendations to ensure that
23 such development and modernization efforts lead to
24 increased lethality, extended range, and extended on-
25 station time for tactical assets.

1 “(E) *Developing recommendations to mitigate*
2 *the effects of hostile action by a near-peer adversary*
3 *targeting operational energy storage and operations of*
4 *the armed forces, including through the use of innova-*
5 *tive delivery systems, distributed storage, flexible con-*
6 *tracting, and improved automation.”; and*

7 (4) *in subsection (g), as redesignated by para-*
8 *graph (2)—*

9 (A) *in paragraph (1)—*

10 (i) *by striking “The Secretary of a*
11 *military department” and inserting “Each*
12 *member of the working group under sub-*
13 *section (d)”;* and

14 (ii) *by striking “conducted by the mili-*
15 *tary department” and inserting “conducted*
16 *by the respective component of the Depart-*
17 *ment that the member represents for pur-*
18 *poses of the working group”;* and

19 (B) *in paragraph (2), by striking “military*
20 *department” and inserting “armed force”.*

21 (c) *MODIFICATIONS TO OPERATIONAL ENERGY STRAT-*
22 *EGY.—Subsection (e) of such section, as redesignated by*
23 *subsection (b)(2), is amended to read as follows:*

24 “(1) *The Assistant Secretary of Defense for Energy,*
25 *Installations, and Environment, in coordination with the*

1 *working group under subsection (d), shall be responsible for*
2 *the establishment and maintenance of a department-wide*
3 *transformational strategy for operational energy. The strat-*
4 *egy shall be updated every five years and shall establish*
5 *near-term, mid-term, and long-term goals, performance*
6 *metrics to measure progress in meeting the goals, and a*
7 *plan for implementation of the strategy within each armed*
8 *force, across the armed forces, and with the Office of the*
9 *Secretary of Defense.*

10 “(2) *The strategy required under paragraph (1) shall*
11 *include the following:*

12 “(A) *A plan to integrate efforts to mitigate con-*
13 *tested logistics challenges through the reduction of*
14 *operational energy demand within each armed force.*

15 “(B) *An assessment of how industry trends*
16 *transitioning from the production of internal combus-*
17 *tion engines to the development and production of al-*
18 *ternative propulsion systems may affect the long-term*
19 *availability of parts for military equipment, the fuel*
20 *costs for such equipment, and the sustainability of*
21 *such equipment.*

22 “(C) *An assessment of any technologies, includ-*
23 *ing electric, hydrogen, or other sustainable fuel tech-*
24 *nologies, that may reduce operational energy demand*
25 *in the near-term or long-term.*

1 “(D) *An assessment of how the Secretaries con-*
2 *cerned and the commanders of the combatant com-*
3 *mands can better plan for challenges presented by*
4 *near-peer adversaries in a contested logistics environ-*
5 *ment, including through innovative delivery systems,*
6 *distributed storage, flexible contracting, and improved*
7 *automation.*

8 “(E) *An assessment of any infrastructure invest-*
9 *ments of allied and partner countries that may affect*
10 *operational energy availability in the event of a con-*
11 *flict with a near-peer adversary.*

12 “(3) *By authority of the Secretary of Defense, and tak-*
13 *ing into consideration the findings of the working group,*
14 *the Assistant Secretary shall prescribe policies and proce-*
15 *dures for the implementation of the strategy and make rec-*
16 *ommendations to the Secretary of Defense and Deputy Sec-*
17 *retary of Defense with respect to specific operational energy*
18 *plans and programs to be carried out pursuant to the strat-*
19 *egy.*

20 “(4) *Not later than 30 days after the date on which*
21 *the budget for fiscal year 2024 is submitted to Congress pur-*
22 *suant to section 1105 of title 31, and every five years there-*
23 *after, the Assistant Secretary shall submit to the congres-*
24 *sional defense committees the strategy required under para-*
25 *graph (1).”.*

1 (d) *DEFINITION.*—Such section is further amended by
2 adding at the end the following new subsection:

3 “(h) *CONTESTED LOGISTICS ENVIRONMENT DE-*
4 *FINED.*—In this section, the term ‘contested logistics envi-
5 ronment’ means an environment in which the armed forces
6 engage in conflict with an adversary that presents chal-
7 lenges in all domains and directly targets logistics oper-
8 ations, facilities, and activities in the United States,
9 abroad, or in transit from one location to the other.”.

10 (e) *CONFORMING AMENDMENT.*—Section 2926(c)(5) of
11 title 10, United States Code, is amended by striking “sub-
12 section (e)(4)” and inserting “subsection (f)(4)”.

13 (f) *INTERIM REPORT.*—Not later than 180 days after
14 the date of the enactment of this Act, the Assistant Secretary
15 of Defense for Energy, Installations, and Environment shall
16 submit to the congressional defense committees an interim
17 report on any actions taken pursuant to the amendments
18 made by this section. Such report shall include an update
19 regarding the establishment of the working group under sec-
20 tion 2926(d) of title 10, United States Code, as amended
21 by subsection (b).

22 (g) *BRIEFING ON ASSISTANT SECRETARY OF DEFENSE*
23 *FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT.*—Not
24 later than 60 days after the date of the enactment of this
25 Act, the Secretary of Defense shall provide to the Commit-

1 *tees on Armed Services of the House of Representatives and*
 2 *the Senate a briefing on the status of the following:*

3 (1) *The planned division of responsibilities be-*
 4 *tween the Assistant Secretary of Defense for*
 5 *Sustainment and the Assistant Secretary of Defense*
 6 *for Energy, Installations, and Environment.*

7 (2) *A personnel plan to ensure the adequate*
 8 *manning of support personnel for the Assistant Sec-*
 9 *retary of Defense for Energy, Installations, and Envi-*
 10 *ronment.*

11 (3) *Any additional resources necessary to ensure*
 12 *the ability of the Assistant Secretary of Defense for*
 13 *Energy, Installations, and Environment to fulfill the*
 14 *duty required under section 138(b)(7) of title 10,*
 15 *United States Code, and any other duties required of*
 16 *such Assistant Secretary by law.*

17 **SEC. 352. GLOBAL BULK FUEL MANAGEMENT AND DELIV-**
 18 **ERY.**

19 (a) *RESPONSIBILITY OF UNITED STATES TRANSPOR-*
 20 *TATION COMMAND.—*

21 (1) *IN GENERAL.—Subchapter III of chapter 173*
 22 *of title 10, United States Code, is amended by adding*
 23 *at the end the following new section:*

1 **“§2927. Global bulk fuel management and delivery**

2 “(a) *RESPONSIBLE ELEMENT.*—(1) *Beginning during*
3 *the period described in paragraph (2) and permanently*
4 *thereafter, the United States Transportation Command*
5 *shall be the element responsible for bulk fuel management*
6 *and delivery of the Department of Defense on a global basis.*

7 “(2) *The period described in this paragraph is the pe-*
8 *riod beginning on January 1, 2023, and ending on Feb-*
9 *ruary 1, 2023.*

10 “(b) *COORDINATION WITH DEFENSE LOGISTICS AGEN-*
11 *CY.*—*In carrying out the responsibilities specified in sub-*
12 *section (a), the Commander of the United States Transpor-*
13 *tation Command shall coordinate with the Director of the*
14 *Defense Logistics Agency.*

15 “(c) *RULE OF CONSTRUCTION.*—*Except to the extent*
16 *that, prior to January 1, 2023, a responsibility specified*
17 *in subsection (a) was a specific function of the Defense Lo-*
18 *gistics Agency Energy, nothing under this section shall be*
19 *construed as—*

20 “(1) *limiting any other function of the Defense*
21 *Logistics Agency Energy; or*

22 “(2) *requiring the transfer of any function, per-*
23 *sonnel, or asset from the Defense Logistics Agency En-*
24 *ergy to the United States Transportation Com-*
25 *mand.*”.

1 (2) *CLERICAL AMENDMENT.*—*The table of con-*
2 *tents for such subchapter is amended by adding at the*
3 *end the following new item:*

“2927. Global bulk fuel management and delivery.”.

4 (b) *BRIEFING.*—*Not later than July 1, 2022, the Com-*
5 *mander of United States Transportation Command shall*
6 *provide to the Committees on Armed Services of the House*
7 *of Representatives and the Senate a briefing on progress*
8 *made to carry out the transfer of responsibilities to the*
9 *United States Transportation Command pursuant to sec-*
10 *tion 2927 of title 10, United States Code (as added by sub-*
11 *section (a)), including—*

12 (1) *a review of the plan of action for such trans-*
13 *fer;*

14 (2) *a review of milestones completed and yet to*
15 *be completed with respect to such transfer; and*

16 (3) *an identification of any legislative changes*
17 *or additional resources the Commander determines*
18 *are necessary to implement such section 2927.*

19 (c) *GLOBAL BULK FUEL MANAGEMENT STRATEGY.*—

20 (1) *STRATEGY REQUIRED.*—*Not later than Octo-*
21 *ber 1, 2022, the Commander of United States Trans-*
22 *portation Command shall prepare and submit to the*
23 *Committees on Armed Services of the House of Rep-*
24 *resentatives and the Senate a strategy to develop the*
25 *infrastructure and programs necessary to optimally*

1 *support global bulk fuel management of the Depart-*
2 *ment of Defense.*

3 (2) *ADDITIONAL ELEMENTS.—The strategy under*
4 *paragraph (1) shall include the following additional*
5 *elements:*

6 (A) *A description of the current organiza-*
7 *tional responsibility for bulk fuel management of*
8 *the Department, organized by geographic com-*
9 *batant command, including with respect to or-*
10 *dering, storage, and strategic and tactical trans-*
11 *portation.*

12 (B) *A description of any legacy bulk fuel*
13 *management assets of each of the geographic*
14 *combatant commands.*

15 (C) *A description of the operational plan to*
16 *exercise such assets to ensure full functionality*
17 *and to repair, upgrade, or replace such assets as*
18 *necessary.*

19 (D) *An identification of the resources re-*
20 *quired for any such repairs, upgrades, or re-*
21 *placements.*

22 (E) *A description of the current programs*
23 *relating to platforms, weapon systems, or re-*
24 *search and development, that are aimed at man-*

1 aging fuel constraints by decreasing demand for
2 fuel.

3 (F) An assessment of current and projected
4 threats to forward-based bulk fuel delivery, stor-
5 age, and distribution systems, and an assess-
6 ment, based on such current and projected
7 threats, of attrition to bulk fuel infrastructure,
8 including storage and distribution systems, in a
9 conflict involving near-peer foreign countries.

10 (G) An assessment of current days of supply
11 guidance, petroleum war reserve requirements,
12 and prepositioned war reserve stocks, based on
13 operational tempo associated with distributed
14 operations in a contested environment.

15 (H) An identification of the resources re-
16 quired to address any changes to such guidance,
17 requirements, or stocks recommended as the re-
18 sult of such assessment.

19 (I) An identification of any global shortfall
20 with respect to bulk fuel management, organized
21 by geographic combatant command, and a
22 prioritized list of investment recommendations to
23 address each shortfall identified.

24 (3) COORDINATION.—In preparing the strategy
25 under paragraph (1), the Commander of United

1 *States Transportation Command shall coordinate*
2 *with subject matter experts of the Joint Staff, the geo-*
3 *graphic combatant commands, the Defense Logistics*
4 *Agency, and the military departments.*

5 (4) *FORM.*—*The strategy under paragraph (1)*
6 *may be submitted in classified form, but if so sub-*
7 *mitted shall include an unclassified executive sum-*
8 *mary.*

9 (d) *CONFORMING AMENDMENTS.*—*Section 2854 of the*
10 *Military Construction Authorization Act for Fiscal Year*
11 *2021 (division B of Public Law 116–283) is amended—*

12 (1) *in subsection (b), by striking “The organiza-*
13 *tional element designated pursuant to subsection (a)”*
14 *and inserting “The Secretary of Defense”;*

15 (2) *in subsection (c), by striking “subsection (b)”*
16 *and inserting “subsection (a)”;*

17 (3) *by striking subsections (a) and (d); and*

18 (4) *by redesignating subsections (b) and (c), as*
19 *amended by paragraphs (1) and (2), as subsections*
20 *(a) and (b), respectively.*

21 **SEC. 353. TEST AND EVALUATION OF POTENTIAL BIOBASED**
22 **SOLUTION FOR CORROSION CONTROL AND**
23 **MITIGATION.**

24 (a) *TEST AND EVALUATION.*—*Not later than 120 days*
25 *after the date of the enactment of this Act, the Director of*

1 *the Strategic Environmental Research and Development*
2 *Program and the Environmental Security Technology Cer-*
3 *tification Program shall test and evaluate at least one exist-*
4 *ing covered biobased solution for use as an alternative to*
5 *current solutions of the Department of Defense for the con-*
6 *trol and mitigation of corrosion.*

7 **(b) DETERMINATION.**—*Following the test and evalua-*
8 *tion of a covered biobased solution under subsection (a), the*
9 *Director shall determine, based on such test and evaluation,*
10 *whether the solution meets the following requirements:*

11 **(1)** *The solution is capable of being produced do-*
12 *mestically in sufficient quantities.*

13 **(2)** *The solution is at least as effective at the*
14 *control and mitigation of corrosion as current alter-*
15 *native solutions.*

16 **(3)** *The solution reduces environmental expo-*
17 *sures.*

18 **(c) RECOMMENDATIONS.**—*The Director shall develop*
19 *recommendations for the Department of Defense-wide de-*
20 *ployment of covered biobased solutions that the Director has*
21 *determined meet the requirements under subsection (b).*

22 **(d) COVERED BIOBASED SOLUTION DEFINED.**—*In this*
23 *section, the term “covered biobased solution” means a solu-*
24 *tion for the control and mitigation of corrosion that is do-*
25 *mestically produced, commercial, and biobased.*

1 **SEC. 354. PILOT PROGRAM ON DIGITAL OPTIMIZATION OF**
2 **ORGANIC INDUSTRIAL BASE MAINTENANCE**
3 **AND REPAIR OPERATIONS.**

4 (a) *IN GENERAL.*—Beginning not later than 180 days
5 after the date of the enactment of this Act, the Assistant
6 Secretary of Defense for Sustainment, in coordination with
7 the Secretaries of the military departments, shall undertake
8 a pilot program under which the digitization of the facili-
9 ties and operations of at least one covered depot shall be
10 provided for by the Secretary concerned.

11 (b) *ELEMENTS OF PILOT PROGRAM.*—In carrying out
12 the pilot program under this section, the Secretary con-
13 cerned shall provide for each of the following at the covered
14 depot or depots at which the program is carried out:

15 (1) *The creation of a digital twin model of the*
16 *maintenance, repair, and remanufacturing infra-*
17 *structure and activities.*

18 (2) *The modeling and simulation of optimized*
19 *facility configuration, logistics systems, and processes.*

20 (3) *The analysis of material flow and resource*
21 *use to achieve key performance metrics for all levels*
22 *of maintenance and repair.*

23 (4) *An assessment of automated, advanced, and*
24 *additive manufacturing technologies that could im-*
25 *prove maintenance, repair, and remanufacturing op-*
26 *erations.*

1 (c) *REPORT.*—Not later than 60 days after the comple-
2 tion of the digital twin model and associated analysis, the
3 Assistant Secretary of Defense for Sustainment shall submit
4 to the Committees on Armed Services of the Senate and the
5 House of Representatives a report on the pilot program.

6 Such report shall include—

7 (1) a summary of the cost of the pilot program;

8 (2) a description of the efficiencies identified
9 under the pilot program;

10 (3) a description of the infrastructure, workforce,
11 and capital equipment investments necessary to
12 achieve such efficiencies;

13 (4) any plans to undertake such investments;
14 and

15 (5) the assessment of the Assistant Secretary of
16 the value of the pilot program and the potential ap-
17 plicability of the findings of the pilot program to
18 other covered depots.

19 (d) *DEFINITIONS.*—In this section:

20 (1) The term “covered depot” includes any depot
21 covered under section 2476(e) of title 10, United
22 States Code, except for the following:

23 (A) Portsmouth Naval Shipyard, Maine.

24 (B) Pearl Harbor Naval Shipyard, Hawaii.

1 (C) *Puget Sound Naval Shipyard, Wash-*
2 *ington.*

3 (D) *Norfolk Naval Shipyard, Virginia.*

4 (2) *The terms “military departments” and “Sec-*
5 *retary concerned” have the meanings given such terms*
6 *in section 101 of title 10, United States Code.*

7 **SEC. 355. IMPROVED OVERSIGHT FOR IMPLEMENTATION OF**
8 **SHIPYARD INFRASTRUCTURE OPTIMIZATION**
9 **PROGRAM OF THE NAVY.**

10 (a) *UPDATED PLAN.—*

11 (1) *IN GENERAL.—Not later than September 30,*
12 *2022, the Secretary of the Navy shall submit to the*
13 *congressional defense committees an update to the*
14 *plan of the Secretary for implementation of the Ship-*
15 *yard Infrastructure Optimization Program of the De-*
16 *partment of the Navy, with the objective of providing*
17 *increased transparency for the actual costs and sched-*
18 *ules associated with infrastructure optimization ac-*
19 *tivities for shipyards covered by such program.*

20 (2) *UPDATED COST ESTIMATES.—The updated*
21 *plan required under paragraph (1) shall include up-*
22 *dated cost estimates comprising the most recent costs*
23 *of capital improvement projects for each of the four*
24 *public shipyards covered by the Shipyard Infrastruc-*
25 *ture Optimization Program.*

1 **(b) BRIEFING REQUIREMENT.**—

2 **(1) IN GENERAL.**—*Before the start of physical*
3 *construction with respect to a covered project, the Sec-*
4 *retary of the Navy or a designee of the Secretary shall*
5 *brief each of the congressional defense committees on*
6 *such project, regardless of the source of funding for*
7 *such project.*

8 **(2) WRITTEN INFORMATION.**—*Before conducting*
9 *a briefing under paragraph (1) with respect to a cov-*
10 *ered project, the Secretary of the Navy or a designee*
11 *of the Secretary shall submit to the congressional de-*
12 *fense committees in writing the following informa-*
13 *tion:*

14 **(A)** *An updated cost estimate for such*
15 *project that—*

16 **(i)** *meets the standards of the Associa-*
17 *tion for the Advancement of Cost Engineer-*
18 *ing for a Level 1 or Level 2 cost estimate;*
19 *or*

20 **(ii)** *is an independent cost estimate.*

21 **(B)** *A schedule for such project that is com-*
22 *prehensive, well-constructed, credible, and con-*
23 *trolled pursuant to the Schedule Assessment*
24 *Guide: Best Practices for Project Schedules*
25 *(GAO–16–89G) set forth by the Comptroller Gen-*

1 *eral of the United States in December 2015, or*
2 *successor guide.*

3 *(C) An estimate of the likelihood that pro-*
4 *grammed and planned funds for such project*
5 *will be sufficient for the completion of the*
6 *project.*

7 *(3) COVERED PROJECT DEFINED.—In this sub-*
8 *section, the term “covered project” means a shipyard*
9 *project under the Shipyard Infrastructure Optimiza-*
10 *tion Program—*

11 *(A) with a contract awarded on or after Oc-*
12 *tober 1, 2024; and*

13 *(B) valued at \$250,000,000 or more.*

14 *(c) ANNUAL REPORT.—*

15 *(1) IN GENERAL.—Not later than December 31,*
16 *2022, and not later than December 31 of each year*
17 *thereafter, the Commander of the Naval Sea Systems*
18 *Command, in coordination with the Program Man-*
19 *ager Ships 555, shall submit to the congressional de-*
20 *fense committees a report detailing the use by the De-*
21 *partment of the Navy of funding for all efforts associ-*
22 *ated with the Shipyard Infrastructure Optimization*
23 *Program, including the use of amounts made avail-*
24 *able by law to support the projects identified in the*

1 *plan to implement such program, including any up-*
2 *date to such plan under subsection (a).*

3 (2) *ELEMENTS.—Each report required by para-*
4 *graph (1) shall include updated cost and schedule es-*
5 *timates—*

6 (A) *for the plan to implement the Shipyard*
7 *Optimization Program, including any update to*
8 *such plan under subsection (a); and*

9 (B) *for each dry dock, major facility, and*
10 *infrastructure project valued at \$250,000,000 or*
11 *more under such program.*

12 (d) *COMPTROLLER GENERAL REPORT.—*

13 (1) *REPORT.—*

14 (A) *IN GENERAL.—Not later than May 1,*
15 *2023, the Comptroller General of the United*
16 *States shall submit to the Committees on Armed*
17 *Services of the Senate and the House of Rep-*
18 *resentatives a report on the progress of the Sec-*
19 *retary of the Navy in implementing the Ship-*
20 *yard Infrastructure Optimization Program, in-*
21 *cluding—*

22 (i) *the progress of the Secretary in*
23 *completing the first annual report required*
24 *under such program; and*

1 (ii) the cost and schedule estimates for
2 full implementation of such program.

3 (B) *ELEMENTS.*—The report required by
4 subparagraph (A) shall include the following:

5 (i) An assessment of the extent to
6 which the cost estimate for the updated opti-
7 mization plan for the Shipyard Infrastruc-
8 ture Optimization Program is consistent
9 with leading practices for cost estimation.

10 (ii) An assessment of the extent to
11 which the project schedule for such program
12 is comprehensive, well-constructed, credible,
13 and controlled.

14 (iii) An assessment of whether pro-
15 grammed and planned funds for a project
16 under such program will be sufficient for
17 the completion of the project.

18 (iv) Such other related matters as the
19 Comptroller General considers appropriate.

20 (2) *INITIAL BRIEFING.*—Not later than April 1,
21 2023, the Comptroller General shall brief the Commit-
22 tees on Armed Services of the Senate and the House
23 of Representatives on the preliminary findings of the
24 report under paragraph (1).

1 **SEC. 356. REPORT AND CERTIFICATION REQUIREMENTS RE-**
2 **GARDING SUSTAINMENT COSTS FOR FIGHTER**
3 **AIRCRAFT PROGRAMS.**

4 (a) *REPORT.*—Not later than 180 days after the date
5 of the enactment of this Act, the Secretary of Defense shall
6 submit to the congressional defense committees a report on
7 individual aircraft fleet sustainment costs for the F-35 A/
8 B/C, F/A-18 C/D/E/F/G, AV-8B, A-10C, F-16 C/D, F-22,
9 and F-15 C/E/EX aircraft fleets. Such report shall include
10 the following:

11 (1) *A detailed description and explanation of,*
12 *and the actual cost data related to, current*
13 *sustainment costs for the aircraft fleets specified in*
14 *this subsection, including an identification and as-*
15 *essment of cost elements attributable to the Federal*
16 *Government or to contractors (disaggregated by the*
17 *entity responsible for each portion of the cost element,*
18 *including for a prime contractor and any first-tier*
19 *subcontractor) with respect to such sustainment costs.*

20 (2) *An identification of sustainment cost metrics*
21 *for each aircraft fleet specified in this subsection for*
22 *each of fiscal years 2022 through 2026, expressed in*
23 *cost-per-tail-per-year format.*

24 (b) *LIMITATION ON CERTAIN F-35 CONTRACTS.*—

25 (1) *IN GENERAL.*—The Secretary of Defense may
26 not enter into a performance-based logistics

1 *sustainment contract for the F-35 airframe or engine*
2 *programs, or modify an existing contract for the F-*
3 *35 airframe or engine programs to require the use of*
4 *a performance-based logistics sustainment contract,*
5 *unless the Secretary submits to the congressional de-*
6 *fense committees a certification that the Secretary has*
7 *determined such a performance-based logistics con-*
8 *tract will—*

9 *(A) reduce sustainment or operating costs*
10 *for the F-35 airframe or engine programs; or*

11 *(B) increase readiness rates, full and par-*
12 *tial mission capability rates, or airframe and*
13 *engine availability rates of the F-35 weapon sys-*
14 *tem.*

15 *(2) CERTIFICATION.—Any certification sub-*
16 *mitted pursuant to paragraph (1) shall include a*
17 *cost-benefit analysis comparing an existing contract*
18 *for the F-35 airframe or engine programs with a per-*
19 *formance-based logistics sustainment contract for the*
20 *F-35 airframe or engine programs.*

21 *(3) APPLICABILITY.—The limitation under para-*
22 *graph (1) shall not apply with respect to the termi-*
23 *nation, modification, exercise of a contract option for,*
24 *or other action relating to, a contract for the F-35*
25 *program entered into prior to the date of the enact-*

1 *ment of this Act unless such termination, modifica-*
2 *tion, exercise, or other action would require the use of*
3 *a performance-based logistics sustainment contract as*
4 *specified in paragraph (1).*

5 *(c) COST-PER-TAIL-PER-YEAR CALCULATION.—For*
6 *purposes of this section, the average cost-per-tail of a vari-*
7 *ant of an aircraft of an Armed Force shall be determined*
8 *by—*

9 *(1) adding the total amount expended for a fiscal*
10 *year (in base year fiscal 2012 dollars) for all such*
11 *aircraft in the inventory of an Armed Force for—*

12 *(A) unit level manpower;*

13 *(B) unit operations;*

14 *(C) maintenance;*

15 *(D) sustaining support;*

16 *(E) continuing system support; and*

17 *(F) modifications; and*

18 *(2) dividing the sum resulting under paragraph*
19 *(1) by the average number of such aircraft in the in-*
20 *ventory of an Armed Force during such fiscal year.*

21 **SEC. 357. COMPTROLLER GENERAL ANNUAL REVIEWS OF F-**

22 **35 SUSTAINMENT EFFORTS.**

23 *(a) ANNUAL REVIEWS AND BRIEFINGS.—Not later*
24 *than March 1 of each year of 2022, 2023, 2024, and 2025,*
25 *the Comptroller General of the United States shall—*

1 (1) *conduct an annual review of the sustainment*
2 *efforts of the Department of Defense with respect to*
3 *the F-35 aircraft program (including the air vehicle*
4 *and propulsion elements of such program); and*

5 (2) *provide to the Committees on Armed Services*
6 *of the House of Representatives and the Senate a*
7 *briefing on such review, including any findings of the*
8 *Comptroller General as a result of such review.*

9 (b) *ELEMENTS.—Each review under subsection (a)(1)*
10 *shall include an assessment of the following:*

11 (1) *The status of the sustainment strategy of the*
12 *Department for the F-35 Lightning II aircraft pro-*
13 *gram.*

14 (2) *The Department oversight and prime con-*
15 *tractor management of key sustainment functions*
16 *with respect to the F-35 aircraft program.*

17 (3) *The ability of the Department to reduce the*
18 *costs, or otherwise maintain the affordability, of the*
19 *sustainment of the F-35 fleet.*

20 (4) *Any other matters regarding the sustainment*
21 *or affordability of the F-35 aircraft program that the*
22 *Comptroller General determines to be of critical im-*
23 *portance to the long-term viability of such program.*

24 (c) *REPORTS.—Following the provision of each brief-*
25 *ing under subsection (a)(2), at such time as is mutually*

1 *agreed upon by the Committees on Armed Services of the*
2 *House of Representatives and the Senate and the Comptroller General, the Comptroller General shall submit to*
3 *such committees a report on the matters covered by the*
4 *briefing.*

6 ***Subtitle F—Reports***

7 ***SEC. 361. INCLUSION OF INFORMATION REGARDING BOR-***
8 ***ROWED MILITARY MANPOWER IN READINESS***
9 ***REPORTS.***

10 *Section 482(b) of title 10, United States Code, is*
11 *amended—*

12 *(1) by redesignating paragraph (10) as para-*
13 *graph (11); and*

14 *(2) by inserting after paragraph (9) the fol-*
15 *lowing new paragraph:*

16 *“(10) Information regarding the extent to which*
17 *any member of the armed forces is assigned or de-*
18 *tailed outside the member’s unit or away from train-*
19 *ing in order to perform any function that had pre-*
20 *viously been performed by civilian employees of the*
21 *Federal Government.”.*

22 ***SEC. 362. ANNUAL REPORT ON MATERIAL READINESS OF***
23 ***NAVY SHIPS.***

24 *Section 8674(d) of title 10, United States Code, is*
25 *amended—*

1 (1) *in paragraph (1)—*

2 (A) *by striking “submit to the” and insert-*
3 *ing “provide to the”;*

4 (B) *by inserting “a briefing and submit to*
5 *such committees” after “congressional defense*
6 *committees”;* and

7 (C) *by striking “setting forth” and inserting*
8 *“regarding”;*

9 (2) *in paragraph (2)—*

10 (A) *by striking “in an unclassified form*
11 *that is releasable to the public without further*
12 *redaction.” and inserting “in—”;* and

13 (B) *by adding at the end the following new*
14 *subparagraphs:*

15 “(A) *a classified form; and*

16 “(B) *an unclassified form that is releasable to*
17 *the public without further redaction.”;* and

18 (3) *by striking paragraph (3).*

19 **SEC. 363. INCIDENT REPORTING REQUIREMENTS FOR DE-**
20 **PARTMENT OF DEFENSE REGARDING LOST**
21 **OR STOLEN WEAPONS.**

22 (a) *IN GENERAL.—For each of fiscal years 2022, 2023,*
23 *and 2024, the Secretary of Defense shall submit to the Com-*
24 *mittees on Armed Services of the Senate and the House of*
25 *Representatives a report on security, control, thefts, losses,*

1 *and recoveries of sensitive conventional arms, ammunition,*
2 *and explosives (commonly referred to as “AA&E”) of the*
3 *Department of Defense during such year, including the fol-*
4 *lowing:*

5 (1) *M-16 or M4s.*

6 (2) *Light automatic weapons up to and includ-*
7 *ing M249, M2, and 40mm MK19 machine guns.*

8 (3) *Functional launch tube with umbilical squib*
9 *installed and grip stock for the Stinger missile.*

10 (4) *Launch tube, sight assembly, and grip stock*
11 *for missiles.*

12 (5) *Tracker for the Dragon missile.*

13 (6) *Mortar tubes up to and including 81mm.*

14 (7) *Grenade launchers.*

15 (8) *Rocket and missile launchers with an un-*
16 *packed weight of 100 pounds or less.*

17 (9) *Flame throwers.*

18 (10) *The launcher, missile guidance se, or the op-*
19 *tical sight for the TOW and the Javelin Command*
20 *Launch Unit.*

21 (11) *Single shot and semi-automatic (non-auto-*
22 *matic) shoulder-fired weapons such as shotguns and*
23 *bolt action rifles and weapons barrels.*

24 (12) *Handguns.*

1 (13) *Recoil-less rifles up to and including*
2 *106mm.*

3 (14) *Man-portable missiles and rockets in a*
4 *ready-to-fire configuration or when jointly stored or*
5 *transported with the launcher tube or grip-stock and*
6 *the explosive round.*

7 (15) *Stinger missiles.*

8 (16) *Dragon, Javelin, light antitank weapon*
9 *(66mm), shoulder-launched multi-purpose assault*
10 *weapon rocket (83mm), M136 (AT4) anti-armor*
11 *launcher and cartridge (84mm).*

12 (17) *Missiles and rockets that are crew-served or*
13 *require platform-mounted launchers and other equip-*
14 *ment to function, including HYDRA-70 rockets and*
15 *tube-launched optically wire guided (TOW) missiles.*

16 (18) *Missiles and rockets that require platform-*
17 *mounted launchers and complex hardware equipment*
18 *to function including the HELLFIRE missile.*

19 (19) *Explosive rounds of any missile or rocket*
20 *listed in paragraphs (1) through (18).*

21 (20) *Hand or rifle grenades (high-explosive and*
22 *white phosphorous).*

23 (21) *Antitank or antipersonnel mines.*

24 (22) *Explosives used in demolition operations,*
25 *C-4, military dynamite, and trinitrotoluene (TNT).*

1 (23) *Warheads for sensitive missiles and rockets*
2 *weighing less than 50 pounds each.*

3 (24) *Ammunition that is .50 caliber or larger*
4 *with explosive-filled projectile.*

5 (25) *Incendiary grenades and fuses for high-ex-*
6 *plosive grenades.*

7 (26) *Blasting caps.*

8 (27) *Supplementary charges.*

9 (28) *Bulk explosives.*

10 (29) *Detonating cord.*

11 (30) *Riot control agents.*

12 (b) *IMMEDIATE REPORTING OF CONFIRMED THEFTS,*
13 *LOSSES, AND RECOVERIES.—Not later than 72 hours after*
14 *a confirmed theft, loss, or recovery of a sensitive conven-*
15 *tional arm, ammunition, or explosive covered by the report*
16 *required by subsection (a), the Secretary shall report such*
17 *theft, loss, or recovery to the National Crime Information*
18 *Center and local law enforcement.*

19 **SEC. 364. STRATEGY AND ANNUAL REPORT ON CRITICAL**
20 **LANGUAGE PROFICIENCY OF SPECIAL OPER-**
21 **ATIONS FORCES.**

22 (a) *STRATEGY.—*

23 (1) *STRATEGY REQUIRED.—Not later than 180*
24 *days after the date of the enactment of this Act, the*
25 *Assistant Secretary of Defense for Special Operations*

1 *and Low-Intensity Conflict, in coordination with the*
2 *Secretaries of the military departments, shall submit*
3 *to the congressional defense committees a strategy to*
4 *improve the language proficiency of the special oper-*
5 *ations forces of the Armed Forces, including by iden-*
6 *tifying individuals who have proficiency in a critical*
7 *language and recruiting and retaining such individ-*
8 *uals in the special operations forces.*

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

11 (A) *A baseline of foreign language pro-*
12 *iciency requirements to be implemented within*
13 *the special operations forces, disaggregated by*
14 *Armed Force and by critical language.*

15 (B) *Annual recruitment targets for the*
16 *number of candidates with demonstrated pro-*
17 *iciency in a critical language to be selected for*
18 *participation in the initial assessment and qual-*
19 *ification programs of the special operations*
20 *forces.*

21 (C) *A description of current and planned*
22 *efforts of the Secretaries concerned and the As-*
23 *istant Secretary to meet such annual recruit-*
24 *ment targets.*

1 (D) *A description of any training programs*
2 *used to enhance or maintain foreign language*
3 *proficiency within the special operations forces,*
4 *including any nongovernmental programs used.*

5 (E) *An annual plan to enhance and main-*
6 *tain foreign language proficiency within the spe-*
7 *cial operations forces of each Armed Force.*

8 (F) *An annual plan to retain members of*
9 *the special operation forces of each Armed Force*
10 *who have proficiency in a foreign language.*

11 (G) *A description of current and projected*
12 *capabilities and activities that the Assistant Sec-*
13 *retary determines are necessary to maintain pro-*
14 *ficiency in critical languages within the special*
15 *operations forces.*

16 (H) *A plan to implement a training pro-*
17 *gram for members of the special operations forces*
18 *who serve in positions that the Assistant Sec-*
19 *retary determines require proficiency in a crit-*
20 *ical language to support the Department of De-*
21 *fense in strategic competition.*

22 (b) *REPORTS REQUIRED.—Not later than December*
23 *31, 2022, and annually thereafter until December 31, 2025,*
24 *the Assistant Secretary of Defense for Special Operations*
25 *and Low-Intensity Conflict, in coordination with the Secre-*

1 *taries of the military departments, shall submit to the con-*
 2 *gressional defense committees a report on the strategy re-*
 3 *quired under subsection (a), including progress in achieving*
 4 *the objectives of the strategy with respect to the recruitment,*
 5 *training, and retention of members of the special operations*
 6 *forces who have proficiency in a critical language.*

7 *(c) DEFINITIONS.—In this section:*

8 *(1) The term “critical language” means a lan-*
 9 *guage identified by the Director of the National Secu-*
 10 *rity Education Program as critical to national secu-*
 11 *rity.*

12 *(2) The terms “military departments” and “Sec-*
 13 *retary concerned” have the meanings given such terms*
 14 *in section 101 of title 10, United States Code.*

15 *(3) The term “proficiency” means proficiency in*
 16 *a language, as assessed by the Defense Language Pro-*
 17 *ficiency Test.*

18 *(4) The term “special operations forces” means*
 19 *forces described under section 167(j) of title 10,*
 20 *United States Code.*

21 **Subtitle G—Other Matters**

22 **SEC. 371. MILITARY AVIATION AND INSTALLATION ASSUR-** 23 **ANCE CLEARINGHOUSE MATTERS.**

24 *(a) STRATEGY TO TEST AND INTEGRATE WIND TUR-*
 25 *BINE INTERFERENCE MITIGATION STRATEGIES.—The Sec-*

1 *retary of Defense and the Secretary of the Air Force, in*
2 *coordination with the Commander of United States North-*
3 *ern Command and the Commander of North American*
4 *Aerospace Defense Command, shall develop a strategy to test*
5 *and integrate wind turbine interference mitigation tech-*
6 *nologies into radars and the air surveillance command and*
7 *control architecture of the Department of Defense.*

8 **(b) MODIFICATION OF CLEARINGHOUSE REQUIRE-**
9 *MENTS.—Section 183a(c) of title 10, United States Code,*
10 *is amended—*

11 *(1) in paragraph (2), by adding at the end the*
12 *following new subparagraph:*

13 *“(C) A notice of presumed risk issued under subpara-*
14 *graph (A) is a preliminary assessment only and does not*
15 *represent a formal objection pursuant to subsection (e). Dis-*
16 *cussions of possible mitigation actions under such subpara-*
17 *graph could favorably resolve any concerns identified in the*
18 *notice of presumed risk.”; and*

19 *(2) by adding at the end the following new para-*
20 *graph:*

21 *“(8) If, in reviewing an application for an energy*
22 *project pursuant to paragraph (1), the Clearinghouse finds*
23 *no adverse impact on military operations under section*
24 *44718(b)(1) of title 49, the Clearinghouse shall commu-*
25 *nicate to the Secretary of Transportation in writing, not*

1 *later than five business days after making such finding, the*
2 *following: ‘No Part 77 concerns, national security review*
3 *ongoing.’”.*

4 **SEC. 372. ESTABLISHMENT OF JOINT SAFETY COUNCIL.**

5 *(a) IN GENERAL.—Chapter 7 of title 10, United States*
6 *Code, is amended by inserting after section 183a the fol-*
7 *lowing new section:*

8 **“§ 184. Joint Safety Council**

9 *“(a) IN GENERAL.—There is established, within the*
10 *Office of the Deputy Secretary of Defense, a Joint Safety*
11 *Council (in this section referred to as the ‘Council’).*

12 *“(b) MEMBERSHIP; APPOINTMENT; COMPENSATION.—*
13 *(1) The Council shall be composed of voting members as*
14 *follows:*

15 *“(A) The Director of Safety for each military de-*
16 *partment.*

17 *“(B) An employee of the Department of Defense*
18 *who is a career member of the Senior Executive Serv-*
19 *ice and has a demonstrated record of success in the*
20 *implementation of programs within the Department*
21 *of Defense (as determined by the Deputy Secretary of*
22 *Defense), appointed by the Deputy Secretary of De-*
23 *fense.*

1 “(C) *One member of the armed forces or civilian*
2 *employee from each military department, appointed*
3 *by the Secretary concerned.*

4 “(D) *Such additional members as may be deter-*
5 *mined by the Deputy Secretary of Defense.*

6 “(2)(A) *Each member of the Council shall serve at the*
7 *will of the official who appointed that member.*

8 “(B) *Any vacancy on the Council shall be filled in the*
9 *same manner as the original appointment.*

10 “(3) *Members of the Council may not receive addi-*
11 *tional pay, allowances, or benefits by reason of their service*
12 *on the Council.*

13 “(c) *CHAIRPERSON AND VICE CHAIRPERSON.—(1)(A)*
14 *The Secretary of Defense, or the designee of the Secretary,*
15 *shall select one of the members of the Council who is a mem-*
16 *ber of the armed forces to serve as the Chairperson of the*
17 *Council.*

18 “(B) *The Chairperson shall serve for a term of two*
19 *years and shall be responsible for—*

20 “(i) *serving as the Director of Safety for the De-*
21 *partment of Defense;*

22 “(ii) *serving as principal advisor to the Sec-*
23 *retary of Defense regarding military safety and re-*
24 *lated regulations and policy reforms, including issues*

1 *regarding maintenance, supply chains, personnel*
2 *management, and training;*

3 “(iii) *overseeing all duties and activities of the*
4 *Council, including the conduct of military safety*
5 *studies and the issuance of safety guidance to the*
6 *military departments;*

7 “(iv) *working with, and advising, the Secretaries*
8 *of the military departments through appointed safety*
9 *chiefs to implement standardized safety guidance*
10 *across the military departments;*

11 “(v) *submitting to the Secretary of Defense and*
12 *Congress an annual report reviewing the compliance*
13 *of each military department with the guidance de-*
14 *scribed in clause (iv);*

15 “(vi) *advising Congress on issues relating to*
16 *military safety and reforms; and*

17 “(vii) *overseeing coordination with other Federal*
18 *agencies, including the Federal Aviation Administra-*
19 *tion, to inform military aviation safety guidance and*
20 *reforms.*

21 “(2) *The individual appointed under subsection*
22 *(b)(1)(B) shall serve as the Vice Chairperson. The Vice*
23 *Chairperson shall report to the Chairperson and shall serve*
24 *as Chairperson in the absence of the Chairperson.*

1 “(d) *RESPONSIBILITIES.*—*The Council shall carry out*
2 *the following responsibilities:*

3 “(1) *Subject to subsection (e), issuing, pub-*
4 *lishing, and updating regulations related to joint*
5 *safety, including regulations on the reporting and in-*
6 *vestigation of mishaps.*

7 “(2) *With respect to mishap data—*

8 “(A) *establishing uniform data collection*
9 *standards and a repository, that is accessible De-*
10 *partment-wide, of data for mishaps in the De-*
11 *partment of Defense;*

12 “(B) *reviewing the compliance of each mili-*
13 *tary department in adopting and using the uni-*
14 *form data collection standards established under*
15 *subparagraph (A); and*

16 “(C) *reviewing mishap data to assess, iden-*
17 *tify, and prioritize risk mitigation efforts and*
18 *safety improvement efforts across the Depart-*
19 *ment.*

20 “(3) *With respect to non-mishap data—*

21 “(A) *establishing standards and require-*
22 *ments for the collection of aircraft, equipment,*
23 *simulator, airfield, range, pilot, and operator*
24 *data;*

1 “(B) establishing standards and require-
2 ments for the collection of ground vehicle equip-
3 ment and crew data; and

4 “(C) establishing requirements for each
5 military department to collect and analyze any
6 waivers issued relating to pilot or operator
7 qualifications or standards.

8 “(4) Reviewing and assessing civil and commer-
9 cial aviation safety programs and practices to deter-
10 mine the suitability of such programs and practices
11 for implementation in the military departments.

12 “(5) Establishing, in consultation with the Ad-
13 ministrator of the Federal Aviation Administration, a
14 requirement for each military department to imple-
15 ment an aviation safety management system.

16 “(6) Establishing, in consultation with the heads
17 of appropriate Federal departments and agencies, a
18 requirement for each military department to imple-
19 ment a separate safety management program for
20 ground vehicles and ships.

21 “(7) Reviewing the proposal of each military de-
22 partment for the safety management systems described
23 in paragraphs (9) and (10).

24 “(8) Reviewing the implementation of such sys-
25 tems by each military department.

1 “(9) *Ensuring each military department has in*
2 *place a system to monitor the implementation of rec-*
3 *ommendations made in safety and legal investigation*
4 *reports of mishap incidents.*

5 “(e) *OVERSIGHT.—The decisions and recommenda-*
6 *tions of the Council are subject to review and approval by*
7 *the Deputy Secretary of Defense.*

8 “(f) *STAFF.—(1) The Council may appoint staff in ac-*
9 *cordance with section 3101 of title 5.*

10 “(2) *The Council may accept persons on detail from*
11 *within the Department of Defense and from other Federal*
12 *departments or agencies on a reimbursable or non-reim-*
13 *bursable basis.*

14 “(g) *CONTRACT AUTHORITY.—The Council may enter*
15 *into contracts for the acquisition of administrative supplies,*
16 *equipment, and personnel services for use by the Council,*
17 *to the extent that funds are available for such purposes.*

18 “(h) *PROCUREMENT OF TEMPORARY AND INTERMIT-*
19 *TENT SERVICES.—The Chairperson may procure temporary*
20 *and intermittent services under section 3109(b) of title 5*
21 *at rates for individuals which do not exceed the daily equiv-*
22 *alent of the annual rate of basic pay prescribed for level*
23 *V of the Executive Schedule under section 5316 of such title.*

24 “(i) *DATA COLLECTION.—(1) Under regulations issued*
25 *by the Secretary of Defense, the Council shall have access*

1 to Department of Defense databases necessary to carry out
2 its responsibilities, including causal factors to be used for
3 mishap reduction purposes.

4 “(2) Under regulations issued by the Secretary of De-
5 fense, the Council may enter into agreements with the Fed-
6 eral Aviation Administration, the National Transportation
7 Safety Board, and any other Federal agency regarding the
8 sharing of safety data.

9 “(3) Data collected by the Council pursuant to this
10 subsection may include privileged safety information that
11 is protected from disclosure or discovery to any person.

12 “(j) MEETINGS.—The Council shall meet quarterly
13 and at the call of the Chairperson.

14 “(k) REPORT.—The Chair of the Council shall submit
15 to the congressional defense committees semi-annual reports
16 on the activities of the Council.”.

17 (b) CLERICAL AMENDMENT.—The table of sections at
18 the beginning of such chapter is amended by inserting after
19 the item relating to section 183a the following new item:
“184. Joint Safety Council.”.

20 (c) DEADLINES.—

21 (1) ESTABLISHMENT.—The Secretary of Defense
22 shall ensure the establishment of the Joint Safety
23 Council under section 184 of title 10, United States
24 Code (as added by subsection (a)), by not later than

1 *the date that is 120 days after the date of the enact-*
2 *ment of this Act.*

3 (2) *APPOINTMENT OF FIRST MEMBERS.*—*The ini-*
4 *tial members of the Joint Safety Council established*
5 *under such section 184 shall be appointed by not later*
6 *than the date that is 120 days after the date of the*
7 *enactment of this Act.*

8 (3) *DIRECTORS OF SAFETY.*—*Not later than 30*
9 *days after the date of the enactment of this Act, the*
10 *Secretary of each military department shall ensure*
11 *there is appointed as the Director of Safety for the*
12 *military department concerned an officer of that mili-*
13 *tary department in pay grade O–8 or above.*

14 (d) *REPORT.*—*Not later than 120 days after the date*
15 *of the enactment of this Act, the Secretary of Defense shall*
16 *submit to the congressional defense committees a report that*
17 *includes the following:*

18 (1) *A description of the measures the Secretary*
19 *plans to take to correct the issues identified in the re-*
20 *port of the National Commission on Military Avia-*
21 *tion Safety submitted to the President and Congress*
22 *and dated December 1, 2020.*

23 (2) *A statement as to whether the Secretary con-*
24 *curs or disagrees with the findings of such report.*

1 *members of the Armed Forces and military working*
2 *dogs”;* and

3 (2) *by striking paragraph (9) and inserting the*
4 *following new paragraph:*

5 “(9) *To inform and advise the conduct of re-*
6 *search on the leading causes of morbidity and mor-*
7 *tality of members of the Armed Forces and military*
8 *working dogs in combat.”.*

9 **SEC. 374. EXTENSION OF TEMPORARY AUTHORITY TO EX-**
10 **TEND CONTRACTS AND LEASES UNDER THE**
11 **ARMS INITIATIVE.**

12 *Section 343 of the National Defense Authorization Act*
13 *for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 7554*
14 *note) is amended by striking “the date that is five years*
15 *after the date of the enactment of this Act” and inserting*
16 *“November 25, 2025.”.*

17 **SEC. 375. AUTHORITY TO MAINTAIN ACCESS TO CATEGORY**
18 **3 SUBTERRANEAN TRAINING FACILITY.**

19 (a) *IN GENERAL.—The Secretary of Defense may en-*
20 *sure that the Department of Defense maintains access to*
21 *a covered category 3 subterranean training facility on a*
22 *continuing basis.*

23 (b) *AUTHORITY TO ENTER INTO LEASE.—The Sec-*
24 *retary of Defense is authorized to enter into a short-term*

1 *lease with a provider of a covered category 3 subterranean*
 2 *training facility for purposes of carrying out subsection (a).*

3 (c) *COVERED CATEGORY 3 SUBTERRANEAN TRAINING*
 4 *FACILITY DEFINED.—In this section, the term “covered cat-*
 5 *egory 3 subterranean training facility” means a category*
 6 *3 subterranean training facility that is—*

7 (1) *operational as of the date of the enactment*
 8 *of this Act; and*

9 (2) *deemed safe for use as of such date.*

10 **SEC. 376. ACCIDENT INVESTIGATION REVIEW BOARD.**

11 (a) *PROPOSAL FOR ESTABLISHMENT OF BOARD.—The*
 12 *Deputy Secretary of Defense shall develop a proposal for*
 13 *the establishment of an Accident Investigation Review*
 14 *Board (in this section referred to as the “Board”) to provide*
 15 *independent oversight and review of the legal investigations*
 16 *conducted by the Department of Defense outside of the safety*
 17 *process into the facts and circumstances surrounding oper-*
 18 *ational and training accidents. The proposal shall include*
 19 *recommendations relating to—*

20 (1) *the size and composition of the Board;*

21 (2) *the process by which the Board would screen*
 22 *accident investigations to identify unsatisfactory, bi-*
 23 *ased, incomplete, or insufficient investigations requir-*
 24 *ing subsequent review by the Board, including wheth-*
 25 *er the Board should review investigations meeting a*

1 *predetermined threshold (such as all fatal accidents or*
2 *all Class A mishaps);*

3 (3) *the process by which the military depart-*
4 *ments and other components of the Department of De-*
5 *fense could refer pending or completed accident inves-*
6 *tigations to the Board for review;*

7 (4) *the process by which the Board would evalu-*
8 *ate a particular accident investigation for accuracy,*
9 *thoroughness, and objectivity;*

10 (5) *the requirements for and process by which*
11 *the convening component of an investigation reviewed*
12 *by the Board should address the findings of the*
13 *Board's review of that particular investigation;*

14 (6) *proposed procedures for safeguarding privi-*
15 *leged and sensitive data and safety information col-*
16 *lected during the investigation review process; and*

17 (7) *how and when the Board would be required*
18 *to report to the Deputy Secretary of Defense on the*
19 *activities of the Board, the outcomes of individual in-*
20 *vestigation reviews performed by the Board, and the*
21 *assessment of the Board regarding cross-cutting*
22 *themes and trends identified by those reviews.*

23 (b) *REPORT.*—*Not later than 180 days after the date*
24 *of the enactment of this Act, the Deputy Secretary of De-*
25 *fense shall submit to the congressional defense committee the*

1 *proposal required by subsection (a) and a timeline for es-*
2 *tablishing the Board.*

3 **SEC. 377. IMPLEMENTATION OF COMPTROLLER GENERAL**
4 **RECOMMENDATIONS ON PREVENTING TAC-**
5 **TICAL VEHICLE TRAINING ACCIDENTS.**

6 *(a) PLAN REQUIRED.—Not later than 180 days after*
7 *the date of the enactment of this Act, each Secretary con-*
8 *cerned shall submit to the congressional defense committees*
9 *and to the Comptroller General of the United States a plan*
10 *to address the recommendations in the report of the Govern-*
11 *ment Accountability Office entitled “Army and Marine*
12 *Corps Should Take Additional Actions to Mitigate and Pre-*
13 *vent Training Accidents” (GAO–21–361). Each such plan*
14 *shall include, with respect to each recommendation in such*
15 *report that the Secretary concerned has implemented or in-*
16 *tends to implement—*

17 *(1) a summary of actions that have been or will*
18 *be taken to implement the recommendation; and*

19 *(2) a schedule, with specific milestones, for com-*
20 *pleting implementation of the recommendation.*

21 *(b) DEADLINE FOR IMPLEMENTATION.—*

22 *(1) IN GENERAL.—Except as provided in para-*
23 *graph (2), not later than 18 months after the date of*
24 *the enactment of this Act, each Secretary concerned*

1 *shall carry out activities to implement the plan of the*
2 *Secretary developed under subsection (a).*

3 (2) *EXCEPTION FOR IMPLEMENTATION OF CER-*
4 *TAIN RECOMMENDATIONS.—*

5 (A) *DELAYED IMPLEMENTATION.—*A Sec-
6 *retary concerned may initiate implementation of*
7 *a recommendation in the report referred to in*
8 *subsection (a) after the date specified in para-*
9 *graph (1) if, on or before such date, the Sec-*
10 *retary provides to the congressional defense com-*
11 *mittees a specific justification for the delay in*
12 *implementation of such recommendation.*

13 (B) *NONIMPLEMENTATION.—*A Secretary
14 *concerned may decide not to implement a rec-*
15 *ommendation in the report referred to in sub-*
16 *section (a) if, on or before the date specified in*
17 *paragraph (1), the Secretary provides to the con-*
18 *gressional defense committees—*

19 (i) *a specific justification for the deci-*
20 *sion not to implement the recommendation;*
21 *and*

22 (ii) *a summary of alternative actions*
23 *the Secretary plans to take to address the*
24 *conditions underlying the recommendation.*

1 (c) *SECRETARY CONCERNED.*—*In this section, the term*
2 *“Secretary concerned” means—*

3 (1) *the Secretary of the Army, with respect to the*
4 *Army; and*

5 (2) *the Secretary of the Navy, with respect to the*
6 *Navy.*

7 **SEC. 378. REQUIREMENTS RELATING TO EMISSIONS CON-**
8 **TROL TACTICS, TECHNIQUES, AND PROCE-**
9 **DURES.**

10 (a) *REVIEW.*—*Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary of Defense shall*
12 *conduct a review of current electromagnetic spectrum emis-*
13 *sions control tactics, techniques, and procedures across the*
14 *joint force.*

15 (b) *REQUIREMENTS.*—*Not later than 60 days after*
16 *completing the review under subsection (a), the Secretary*
17 *of Defense shall direct each Secretary of a military depart-*
18 *ment to update or establish, as applicable, standard tactics,*
19 *techniques, and procedures, including down to the oper-*
20 *ational level, pertaining to emissions control discipline dur-*
21 *ing all phases of operations.*

22 (c) *REPORT.*—*Not later than one year after the date*
23 *of the enactment of this Act, the Secretary of Defense shall*
24 *submit to the Committees on Armed Services of the Senate*
25 *and the House of Representatives a report on the implemen-*

1 *tation status of the tactics, techniques, and procedures up-*
2 *dated or established, as applicable, under subsection (b) by*
3 *each of the military departments, including—*

4 *(1) incorporation into doctrine of the military*
5 *departments;*

6 *(2) integration into training of the military de-*
7 *partments; and*

8 *(3) efforts to coordinate with the militaries of*
9 *partner countries and allies to develop similar stand-*
10 *ards and associated protocols, including through the*
11 *use of working groups.*

12 **SEC. 379. MANAGEMENT OF FATIGUE AMONG CREW OF**
13 **NAVAL SURFACE SHIPS AND RELATED IM-**
14 **PROVEMENTS.**

15 *(a) REQUIREMENT.—The Secretary of the Navy shall*
16 *implement each recommendation for executive action set*
17 *forth in the report of the Government Accountability Office*
18 *titled “Navy Readiness: Additional Efforts Are Needed to*
19 *Manage Fatigue, Reduce Crewing Shortfalls, and Imple-*
20 *ment Training” (GAO–21–366).*

21 *(b) REPORT.—Not later than one year after the date*
22 *of the enactment of this Act, the Secretary of the Navy shall*
23 *submit to the congressional defense committees and the*
24 *Comptroller General a report on the status of actions taken*
25 *by the Secretary to monitor crew fatigue and ensure equi-*

1 *table fatigue management throughout the naval surface ship*
 2 *fleet in accordance with subsection (a). Such report shall*
 3 *include the following:*

4 (1) *An assessment of the extent of crew fatigue*
 5 *throughout the naval surface ship fleet.*

6 (2) *A description of the metrics used to assess the*
 7 *extent of fatigue pursuant to paragraph (1).*

8 (3) *An identification of results-oriented goals for*
 9 *effective fatigue management.*

10 (4) *An identification of timeframes for achieving*
 11 *the goals identified pursuant to paragraph (3).*

12 (c) *COMPTROLLER GENERAL BRIEFING.—Not later*
 13 *than 90 days after the date on which the Comptroller Gen-*
 14 *eral receives the report under subsection (b), the Comptroller*
 15 *General shall provide to the congressional defense commit-*
 16 *tees a briefing on the extent to which the actions and goals*
 17 *described in the report meet the requirements of subsection*
 18 *(a).*

19 **SEC. 380. AUTHORITY FOR ACTIVITIES TO IMPROVE NEXT**
 20 **GENERATION RADAR SYSTEMS CAPABILITIES.**

21 (a) *AUTHORITY.—The Secretary of Defense may un-*
 22 *dertake activities to enhance future radar systems capabili-*
 23 *ties, including the following:*

24 (1) *Designating specific industry, academic, gov-*
 25 *ernment, or public-private partnership entities to*

1 *provide expertise in the repair, sustainment, and sup-*
2 *port of radar systems to meet current and future de-*
3 *fense requirements, as appropriate.*

4 (2) *Facilitating collaboration among academia,*
5 *the Federal Government, the defense industry, and the*
6 *commercial sector, including with respect to radar*
7 *system repair and sustainment activities.*

8 (3) *Establishing advanced research and work-*
9 *force training and educational programs to enhance*
10 *future radar systems capabilities.*

11 (4) *Establishing goals for research in areas of*
12 *study relevant to advancing technology and facili-*
13 *tating better understanding of radar systems in de-*
14 *fense systems and operational activities, including*
15 *continuing education and training goals.*

16 (5) *Increasing communications and personnel*
17 *exchanges with radar systems experts in industry to*
18 *support adoption of state-of-the-art technologies and*
19 *operational practices, especially to support meeting*
20 *future defense needs related to radar systems in au-*
21 *tonomous systems.*

22 (6) *Establishing agreements with one or more in-*
23 *stitutions of higher education or other organizations*
24 *in academia or industry to provide for activities au-*
25 *thorized under this section.*

1 *tion military working dogs for assessment for pro-*
2 *curement by the Department of Defense, at a rate of*
3 *at least 250 canines presented per fiscal year;*

4 *(2) facilitate the delivery and communication to*
5 *domestic breeders, covered institutions of higher edu-*
6 *cation, and covered national domestic canine associa-*
7 *tions, of information regarding—*

8 *(A) any specific needs or requirements for*
9 *the future acquisition by the Department of ex-*
10 *plosives detection military working dogs; and*

11 *(B) any factors identified as relevant to the*
12 *success or failure of explosives detection military*
13 *working dogs presented for assessment pursuant*
14 *to this section;*

15 *(3) collect information on the biological and*
16 *health factors of explosives detection military working*
17 *dogs procured by the Department, and make such in-*
18 *formation available for academic research and to do-*
19 *mestic breeders;*

20 *(4) collect and make available genetic and*
21 *phenotypic information, including canine rearing*
22 *and training data for study by domestic breeders and*
23 *covered institutions of higher education, for the fur-*
24 *ther development of working canines that are bred,*
25 *raised, and trained domestically; and*

1 (5) *evaluate current Department guidance for the*
2 *procurement of military working dogs to ensure that*
3 *pricing structures and procurement requirements for*
4 *foreign and domestic canine procurements accurately*
5 *account for input cost differences between foreign and*
6 *domestic canines.*

7 (b) *TERMINATION.—The authority to carry out the*
8 *pilot program under subsection (a) shall terminate on Octo-*
9 *ber 1, 2024.*

10 (c) *DEFINITIONS.—In this section:*

11 (1) *The term “covered institution of higher edu-*
12 *cation” means an institution of higher education, as*
13 *such term is defined in section 101 of the Higher*
14 *Education Act of 1965 (20 U.S.C. 1001), with dem-*
15 *onstrated expertise in veterinary medicine for work-*
16 *ing canines.*

17 (2) *The term “covered national domestic canine*
18 *association” means a national domestic canine asso-*
19 *ciation with demonstrated expertise in the breeding*
20 *and pedigree of working canine lines.*

21 (3) *The term “explosives detection military*
22 *working dog” means a canine that, in connection*
23 *with the work duties of the canine performed for the*
24 *Department of Defense, is certified and trained to de-*
25 *tect odors indicating the presence of explosives in a*

1 *given object or area, in addition to the performance*
2 *of such other duties for the Department as may be as-*
3 *signed.*

4 **SEC. 382. DEPARTMENT OF DEFENSE RESPONSE TO MILI-**
5 **TARY LAZING INCIDENTS.**

6 *(a) INVESTIGATION INTO LAZING OF MILITARY AIR-*
7 *CRAFT.—*

8 *(1) INVESTIGATION REQUIRED.—The Secretary*
9 *of Defense shall conduct a formal investigation into*
10 *all incidents of lazing of military aircraft that oc-*
11 *curred during fiscal year 2021. The Secretary shall*
12 *carry out such investigation in coordination and col-*
13 *laboration with appropriate non-Department of De-*
14 *fense entities.*

15 *(2) REPORT TO CONGRESS.—Not later than*
16 *March 31, 2022, the Secretary shall submit to the*
17 *congressional defense committees a report on the find-*
18 *ings of the investigation conducted pursuant to para-*
19 *graph (1).*

20 *(b) INFORMATION SHARING.—The Secretary shall seek*
21 *to increase information sharing between the Department of*
22 *Defense and the States with respect to incidents of lazing*
23 *of military aircraft, including by entering into memoranda*
24 *of understanding with State law enforcement agencies on*
25 *information sharing in connection with such incidents to*

1 *provide for procedures for closer cooperation with local law*
 2 *enforcement in responding to such incidents as soon as they*
 3 *are reported.*

4 *(c) DATA COLLECTION AND TRACKING.—The Secretary*
 5 *shall collect such data as may be necessary to track the cor-*
 6 *relation between noise complaints and incidents of military*
 7 *aircraft lazing.*

8 *(d) OPERATING PROCEDURES.—The Secretary shall*
 9 *give consideration to adapting local operating procedures*
 10 *in areas with high incidence of military aircraft lazing in-*
 11 *cidents to reduce potential injury to aircrew.*

12 *(e) EYE PROTECTION.—The Secretary shall examine*
 13 *the availability of commercial off-the-shelf laser eye protec-*
 14 *tion equipment that protects against the most commonly*
 15 *available green light lasers that are available to the public.*
 16 *If the Secretary determines that no such laser eye protection*
 17 *equipment is available, the Secretary shall conduct research*
 18 *and develop such equipment.*

19 **TITLE IV—MILITARY PERSONNEL**
 20 **AUTHORIZATIONS**

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Revisions in permanent active duty end strength minimum levels.

Sec. 403. Additional authority to vary Space Force end strength.

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. Accounting of reserve component members performing active duty or full-time National Guard duty towards authorized end strengths.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

1 ***Subtitle A—Active Forces***

2 ***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***

3 *The Armed Forces are authorized strengths for active*
4 *duty personnel as of September 30, 2022, as follows:*

5 (1) *The Army, 485,000.*

6 (2) *The Navy, 346,920.*

7 (3) *The Marine Corps, 178,500.*

8 (4) *The Air Force, 329,220.*

9 (5) *The Space Force, 8,400.*

10 ***SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END***
11 ***STRENGTH MINIMUM LEVELS.***

12 *Section 691(b) of title 10, United States Code, is*
13 *amended by striking paragraphs (1) through (5) and insert-*
14 *ing the following new paragraphs:*

15 “(1) *For the Army, 485,000.*

16 “(2) *For the Navy, 346,920.*

17 “(3) *For the Marine Corps, 178,500.*

18 “(4) *For the Air Force, 329,220.*

19 “(5) *For the Space Force, 8,400.*”.

1 **SEC. 403. ADDITIONAL AUTHORITY TO VARY SPACE FORCE**

2 **END STRENGTH.**

3 (a) *IN GENERAL.*—Notwithstanding section 115(g) of
4 title 10, United States Code, upon determination by the
5 Secretary of the Air Force that such action would enhance
6 manning and readiness in essential units or in critical spe-
7 cialties, the Secretary may vary the end strength authorized
8 by Congress for each fiscal year as follows:

9 (1) Increase the end strength authorized pursu-
10 ant to section 115(a)(1)(A) for a fiscal year for the
11 Space Force by a number equal to not more than 5
12 percent of such authorized end strength.

13 (2) Decrease the end strength authorized pursu-
14 ant to section 115(a)(1)(A) for a fiscal year for the
15 Space Force by a number equal to not more than 10
16 percent of such authorized end strength.

17 (b) *TERMINATION.*—The authority provided under sub-
18 section (a) shall terminate on December 31, 2022.

19 **Subtitle B—Reserve Forces**

20 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

21 (a) *IN GENERAL.*—The Armed Forces are authorized
22 strengths for Selected Reserve personnel of the reserve com-
23 ponents as of September 30, 2022, as follows:

24 (1) The Army National Guard of the United
25 States, 336,000.

26 (2) The Army Reserve, 189,500.

1 (3) *The Navy Reserve, 58,600.*

2 (4) *The Marine Corps Reserve, 36,800.*

3 (5) *The Air National Guard of the United*
4 *States, 108,300.*

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

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

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

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

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

20 (c) *END STRENGTH INCREASES.—Whenever units or*
21 *individual members of the Selected Reserve of any reserve*
22 *component are released from active duty during any fiscal*
23 *year, the end strength prescribed for such fiscal year for*
24 *the Selected Reserve of such reserve component shall be in-*
25 *creased proportionately by the total authorized strengths of*

1 *such units and by the total number of such individual mem-*
2 *bers.*

3 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
4 **DUTY IN SUPPORT OF THE RESERVES.**

5 *Within the end strengths prescribed in section 411(a),*
6 *the reserve components of the Armed Forces are authorized,*
7 *as of September 30, 2022, the following number of Reserves*
8 *to be serving on full-time active duty or full-time duty, in*
9 *the case of members of the National Guard, for the purpose*
10 *of organizing, administering, recruiting, instructing, or*
11 *training the reserve components:*

12 *(1) The Army National Guard of the United*
13 *States, 30,845.*

14 *(2) The Army Reserve, 16,511.*

15 *(3) The Navy Reserve, 10,293.*

16 *(4) The Marine Corps Reserve, 2,386.*

17 *(5) The Air National Guard of the United*
18 *States, 25,333.*

19 *(6) The Air Force Reserve, 6,003.*

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

22 *(a) IN GENERAL.—The minimum authorized number*
23 *of military technicians (dual status) as of the last day of*
24 *fiscal year 2022 for the reserve components of the Army and*

1 *the Air Force (notwithstanding section 129 of title 10,*
2 *United States Code) shall be the following:*

3 (1) *For the Army National Guard of the United*
4 *States, 22,294.*

5 (2) *For the Army Reserve, 6,492.*

6 (3) *For the Air National Guard of the United*
7 *States, 10,994.*

8 (4) *For the Air Force Reserve, 7,111.*

9 (b) *LIMITATION ON NUMBER OF TEMPORARY MILITARY*
10 *TECHNICIANS (DUAL STATUS).—The number of temporary*
11 *military technicians (dual-status) employed under the au-*
12 *thority of subsection (a) may not exceed 25 percent of the*
13 *total authorized number specified in such subsection.*

14 (c) *LIMITATION.—Under no circumstances may a*
15 *military technician (dual status) employed under the au-*
16 *thority of this section be coerced by a State into accepting*
17 *an offer of realignment or conversion to any other military*
18 *status, including as a member of the Active Guard and Re-*
19 *serve program of a reserve component. If a military techni-*
20 *cian (dual status) declines to participate in such realign-*
21 *ment or conversion, no further action will be taken against*
22 *the individual or the individual's position.*

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
2 **THORIZED TO BE ON ACTIVE DUTY FOR**
3 **OPERATIONAL SUPPORT.**

4 *During fiscal year 2022, the maximum number of*
5 *members of the reserve components of the Armed Forces who*
6 *may be serving at any time on full-time operational sup-*
7 *port duty under section 115(b) of title 10, United States*
8 *Code, is the following:*

9 (1) *The Army National Guard of the United*
10 *States, 17,000.*

11 (2) *The Army Reserve, 13,000.*

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

13 (4) *The Marine Corps Reserve, 3,000.*

14 (5) *The Air National Guard of the United*
15 *States, 16,000.*

16 (6) *The Air Force Reserve, 14,000.*

17 **SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEM-**
18 **BERS PERFORMING ACTIVE DUTY OR FULL-**
19 **TIME NATIONAL GUARD DUTY TOWARDS AU-**
20 **THORIZED END STRENGTHS.**

21 *Section 115(b)(2)(B) of title 10, United States Code,*
22 *is amended by striking “1095 days in the previous 1460*
23 *days” and inserting “1825 days in the previous 2190*
24 *days”.*

1 **Subtitle C—Authorization of**
 2 **Appropriations**

3 **SEC. 421. MILITARY PERSONNEL.**

4 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 5 hereby authorized to be appropriated for fiscal year 2022
 6 for the use of the Armed Forces and other activities and
 7 agencies of the Department of Defense for expenses, not oth-
 8 erwise provided for, for military personnel, as specified in
 9 the funding table in section 4401.

10 (b) *CONSTRUCTION OF AUTHORIZATION.*—The author-
 11 ization of appropriations in the subsection (a) supersedes
 12 any other authorization of appropriations (definite or in-
 13 definite) for such purpose for fiscal year 2022.

14 **TITLE V—MILITARY PERSONNEL**
 15 **POLICY**

Subtitle A—Officer Personnel Policy

*Sec. 501. Authority with respect to authorized strengths for general and flag offi-
 cers within the Armed Forces for emerging requirements.*

Sec. 502. Time in grade requirements.

*Sec. 503. Authority to vary number of Space Force officers considered for pro-
 motion to major general.*

Sec. 504. Seaman to Admiral-21 program: credit towards retirement.

Sec. 505. Independent assessment of retention of female surface warfare officers.

*Sec. 506. Reports on Air Force personnel performing duties of a Nuclear and
 Missile Operations Officer (13N).*

Subtitle B—Reserve Component Management

*Sec. 511. Modification of grant program supporting science, technology, engineer-
 ing, and math education in the Junior Reserve Officers' Train-
 ing Corps to include quantum information sciences.*

*Sec. 512. Prohibition on private funding for interstate deployment of National
 Guard.*

Sec. 513. Access to Tour of Duty system.

*Sec. 514. Implementation of certain recommendations regarding use of unmanned
 aircraft systems by the National Guard.*

Sec. 515. Continued National Guard support for FireGuard program.

- Sec. 516. Enhancement of National Guard Youth Challenge Program.*
Sec. 517. Report on methods to enhance support from the reserve components in response to catastrophic incidents.
Sec. 518. Study on reapportionment of National Guard force structure based on domestic responses.
Sec. 519. Briefing on Junior Reserve Officers' Training Corps program.

Subtitle C—General Service Authorities and Military Records

- Sec. 521. Reduction in service commitment required for participation in career intermission program of a military department.*
Sec. 522. Improvements to military accessions in Armed Forces under the jurisdiction of the Secretaries of the military departments.
Sec. 523. Notice program relating to options for naturalization.
Sec. 524. Appeals to Physical Evaluation Board determinations of fitness for duty.
Sec. 525. Command oversight of military privatized housing as element of performance evaluations.
Sec. 526. Feasibility study on establishment of housing history for members of the Armed Forces who reside in housing provided by the United States.
Sec. 527. Enhancements to national mobilization exercises.
Sec. 528. Temporary exemption from end strength grade restrictions for the Space Force.
Sec. 529. Report on exemptions and deferments for a possible military draft.
Sec. 529A. Report on processes and procedures for appeal of denial of status or benefits for failure to register for Selective Service.
Sec. 529B. Study and report on administrative separation boards.

Subtitle D—Military Justice Reform

PART 1—SPECIAL TRIAL COUNSEL

- Sec. 531. Special trial counsel.*
Sec. 532. Policies with respect to special trial counsel.
Sec. 533. Definition of military magistrate, covered offense, and special trial counsel.
Sec. 534. Clarification relating to who may convene courts-martial.
Sec. 535. Detail of trial counsel.
Sec. 536. Preliminary hearing.
Sec. 537. Advice to convening authority before referral for trial.
Sec. 538. Former jeopardy.
Sec. 539. Plea agreements.
Sec. 539A. Determinations of impracticability of rehearing.
Sec. 539B. Applicability to the United States Coast Guard.
Sec. 539C. Effective date.

PART 2—SEXUAL HARASSMENT; SENTENCING REFORM

- Sec. 539D. Inclusion of sexual harassment as general punitive article.*
Sec. 539E. Sentencing reform.

PART 3—REPORTS AND OTHER MATTERS

- Sec. 539F. Briefing and report on resourcing required for implementation.*
Sec. 539G. Briefing on implementation of certain recommendations of the Independent Review Commission on Sexual Assault in the Military.

Subtitle E—Other Military Justice and Legal Matters

- Sec. 541. Rights of the victim of an offense under the Uniform Code of Military Justice.*
- Sec. 542. Conduct unbecoming an officer.*
- Sec. 543. Independent investigation of complaints of sexual harassment.*
- Sec. 544. Department of Defense tracking of allegations of retaliation by victims of sexual assault or sexual harassment and related persons.*
- Sec. 545. Modification of notice to victims of pendency of further administrative action following a determination not to refer to trial by court-martial.*
- Sec. 546. Civilian positions to support Special Victims' Counsel.*
- Sec. 547. Plans for uniform document management system, tracking pretrial information, and assessing changes in law.*
- Sec. 548. Determination and reporting of members missing, absent unknown, absent without leave, and duty status-whereabouts unknown.*
- Sec. 549. Activities to improve family violence prevention and response.*
- Sec. 549A. Annual primary prevention research agenda.*
- Sec. 549B. Primary prevention workforce.*
- Sec. 549C. Reform and improvement of military criminal investigative organizations.*
- Sec. 549D. Military defense counsel.*
- Sec. 549E. Full functionality of Military Justice Review Panel.*
- Sec. 549F. Military service independent racial disparity review.*
- Sec. 549G. Inclusion of race and ethnicity in annual reports on sexual assaults; reporting on racial and ethnic demographics in the military justice system.*
- Sec. 549H. DoD Safe Helpline authorization to perform intake of official restricted and unrestricted reports for eligible adult sexual assault victims.*
- Sec. 549I. Extension of annual report regarding sexual assaults involving members of the Armed Forces.*
- Sec. 549J. Study and report on Sexual Assault Response Coordinator military occupational specialty.*
- Sec. 549K. Amendments to additional Deputy Inspector General of the Department of Defense.*
- Sec. 549L. Improved Department of Defense prevention of, and response to, bullying in the Armed Forces.*
- Sec. 549M. Recommendations on separate punitive article in the Uniform Code of Military Justice on violent extremism.*
- Sec. 549N. Combating foreign malign influence.*

Subtitle F—Member Education, Training, and Transition

- Sec. 551. Troops-to-Teachers Program.*
- Sec. 552. Codification of human relations training for certain members of the Armed Forces.*
- Sec. 553. Allocation of authority for nominations to the military service academies in the event of the death, resignation, or expulsion from office of a Member of Congress.*
- Sec. 554. Authority of President to appoint successors to members of Board of Visitors of military academies whose terms have expired.*
- Sec. 555. Meetings of the Board of Visitors of a military service academy: votes required to call; held in person or remotely.*
- Sec. 556. Defense Language Institute Foreign Language Center.*
- Sec. 557. United States Naval Community College.*

- Sec. 558. Codification of establishment of United States Air Force Institute of Technology.*
- Sec. 559. Concurrent use of Department of Defense Tuition Assistance and Montgomery GI Bill-Selected Reserve benefits.*
- Sec. 559A. Regulations on certain parental guardianship rights of cadets and midshipmen.*
- Sec. 559B. Defense language continuing education program.*
- Sec. 559C. Prohibition on implementation by United States Air Force Academy of civilian faculty tenure system.*
- Sec. 559D. Professional military education: report; definition.*
- Sec. 559E. Report on training and education of members of the Armed Forces regarding social reform and unhealthy behaviors.*
- Sec. 559F. Report on status of Army Tuition Assistance Program Army IgnitED program.*
- Sec. 559G. Briefing on cadets and midshipmen with speech disorders.*

Subtitle G—Military Family Readiness and Dependents' Education

- Sec. 561. Expansion of support programs for special operations forces personnel and immediate family members.*
- Sec. 562. Improvements to the Exceptional Family Member Program.*
- Sec. 563. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.*
- Sec. 564. Pilot program to establish employment fellowship opportunities for military spouses.*
- Sec. 565. Policy regarding remote military installations.*
- Sec. 566. Implementation of GAO recommendation on improved communication of best practices to engage military spouses with career assistance resources.*
- Sec. 567. Study on employment of military spouses.*
- Sec. 568. Briefing on efforts of commanders of military installations to connect military families with local entities that provide services to military families.*
- Sec. 569. Briefing on process to certify reporting of eligible federally connected children for purposes of Federal impact aid programs.*
- Sec. 569A. Briefing on legal services for families enrolled in the Exceptional Family Member Program.*
- Sec. 569B. GAO review of Preservation of the Force and Family Program of United States Special Operations Command: briefing; report.*

Subtitle H—Diversity and Inclusion

- Sec. 571. Reduction of gender-related inequities in costs of uniforms to members of the Armed Forces.*
- Sec. 572. Study on number of members of the Armed Forces who identify as Hispanic or Latino.*
- Sec. 573. Inclusion of military service academies, Officer Candidate and Training Schools, and the Senior Reserve Officers' Training Corps data in diversity and inclusion reporting.*
- Sec. 574. Extension of deadline for GAO report on equal opportunity at the military service academies.*

Subtitle I—Decorations and Awards, Miscellaneous Reports, and Other Matters

- Sec. 581. Modified deadline for establishment of special purpose adjunct to Armed Services Vocational Aptitude Battery test.*

Sec. 582. Authorizations for certain awards.

Sec. 583. Establishment of the Atomic Veterans Commemorative Service Medal.

Sec. 584. Updates and preservation of memorials to chaplains at Arlington National Cemetery.

Sec. 585. Reports on security force personnel performing protection level one duties.

Sec. 586. GAO study on tattoo policies of the Armed Forces.

Sec. 587. Briefing regarding best practices for community engagement in Hawaii.

1 ***Subtitle A— Officer Personnel***
 2 ***Policy***

3 ***SEC. 501. AUTHORITY WITH RESPECT TO AUTHORIZED***
 4 ***STRENGTHS FOR GENERAL AND FLAG OFFI-***
 5 ***CERS WITHIN THE ARMED FORCES FOR***
 6 ***EMERGING REQUIREMENTS.***

7 *(a) AUTHORITY ON AND BEFORE DECEMBER 31,*
 8 *2022.—Section 526 of title 10, United States Code, is*
 9 *amended—*

10 *(1) by redesignating subsection (k) as subsection*
 11 *(l); and*

12 *(2) by inserting after subsection (j) the following*
 13 *new subsection:*

14 *“(k) TRANSFER OF AUTHORIZATIONS AMONG THE*
 15 *MILITARY SERVICES.—(1) The Secretary of Defense may*
 16 *increase the maximum number of brigadier generals or*
 17 *major generals in the Army, Air Force, Marine Corps, or*
 18 *Space Force, or rear admirals (lower half) or rear admirals*
 19 *in the Navy, allowed under subsection (a) and section 525*
 20 *of this title, and the President may appoint officers in the*
 21 *equivalent grades equal to the number increased by the Sec-*

1 *retary of Defense, if each appointment is made in conjunc-*
2 *tion with an offsetting reduction under paragraph (2).*

3 “(2) *For each increase and appointment made under*
4 *the authority of paragraph (1) in the Army, Navy, Air*
5 *Force, Marine Corps, or Space Force, the number of ap-*
6 *pointments that may be made in the equivalent grade in*
7 *one of the other armed forces (other than the Coast Guard)*
8 *shall be reduced by one. When such an increase and ap-*
9 *pointment is made, the Secretary of Defense shall specify*
10 *the armed force in which the reduction required by this*
11 *paragraph is to be made.*

12 “(3) *The total number of general officers and flag offi-*
13 *cers increased under paragraph (1), combined with the total*
14 *number of general officers and flag officers increased under*
15 *section 526a(i)(1) of this title, may not exceed 15 at any*
16 *one time.*

17 “(4) *The Secretary may not increase the maximum*
18 *number of general officers or flag officers under paragraph*
19 *(1) until the date that is 30 days after the date on which*
20 *the Secretary provides, to the Committees on Armed Serv-*
21 *ices of the Senate and the House of Representatives, written*
22 *notice of—*

23 “(A) *such increase; and*

24 “(B) *each offsetting reduction under paragraph*
25 *(2), specifying the armed force and billet so reduced.”.*

1 (b) *AUTHORITY AFTER DECEMBER 31, 2022.*—Section
2 526a of title 10, United States Code, is amended by adding
3 at the end the following new subsection:

4 “(i) *TRANSFER OF AUTHORIZATIONS AMONG THE*
5 *MILITARY SERVICES.*—(1) *The Secretary of Defense may*
6 *increase the maximum number of brigadier generals or*
7 *major generals in the Army, Air Force, Marine Corps, or*
8 *Space Force, or rear admirals (lower half) or rear admirals*
9 *in the Navy, allowed under subsection (a) and section 525*
10 *of this title and the President may appoint officers in the*
11 *equivalent grades equal to the number increased by the Sec-*
12 *retary of Defense if each appointment is made in conjunc-*
13 *tion with an offsetting reduction under paragraph (2).*

14 “(2) *For each increase and appointment made under*
15 *the authority of paragraph (1) in the Army, Navy, Air*
16 *Force, Marine Corps, or Space Force, the number of ap-*
17 *pointments that may be made in the equivalent grade in*
18 *one of the other armed forces (other than the Coast Guard)*
19 *shall be reduced by one. When such an increase and ap-*
20 *pointment is made, the Secretary of Defense shall specify*
21 *the armed force in which the reduction required by this*
22 *paragraph is to be made.*

23 “(3) *The total number of general officers and flag offi-*
24 *cers increased under paragraph (1), combined with the total*
25 *number of general officers and flag officers increased under*

1 *section 526(k)(1) of this title, may not exceed 15 at any*
2 *one time.*

3 “(4) *The Secretary may not increase the maximum*
4 *number of general officers or flag officers under paragraph*
5 *(1) until the date that is 30 days after the date on which*
6 *the Secretary provides, to the Committees on Armed Serv-*
7 *ices of the Senate and the House of Representatives, written*
8 *notice of—*

9 “(A) *such increase; and*

10 “(B) *each offsetting reduction under paragraph*
11 *(2), specifying the armed force and billet so reduced.”.*

12 **SEC. 502. TIME IN GRADE REQUIREMENTS.**

13 *Section 619(a) of title 10, United States Code, is*
14 *amended—*

15 (1) *in paragraph (2), by striking “paragraph*
16 *(4)” and inserting “paragraph (5)”;*

17 (2) *by redesignating paragraphs (4) and (5) as*
18 *paragraphs (5) and (6), respectively; and*

19 (3) *by inserting after paragraph (3) the fol-*
20 *lowing new paragraph:*

21 “(4) *When the needs of the service require, the Sec-*
22 *retary of the military department concerned may prescribe*
23 *a shorter period of service in grade, but not less than two*
24 *years, for eligibility for consideration for promotion, in the*

1 *case of officers designated for limited duty to whom para-*
2 *graph (2) applies.”.*

3 **SEC. 503. AUTHORITY TO VARY NUMBER OF SPACE FORCE**
4 **OFFICERS CONSIDERED FOR PROMOTION TO**
5 **MAJOR GENERAL.**

6 (a) *IN GENERAL.*—*Notwithstanding section 616(d) of*
7 *title 10, United States Code, the number of officers rec-*
8 *ommended for promotion by a selection board convened by*
9 *the Secretary of the Air Force under section 611(a) of title*
10 *10, United States Code, to consider officers on the Space*
11 *Force active duty list for promotion to major general may*
12 *not exceed the number equal to 95 percent of the total num-*
13 *ber of brigadier generals eligible for consideration by the*
14 *board.*

15 (b) *TERMINATION.*—*The authority provided under sub-*
16 *section (a) shall terminate on December 31, 2022.*

17 **SEC. 504. SEAMAN TO ADMIRAL-21 PROGRAM: CREDIT TO-**
18 **WARDS RETIREMENT.**

19 (a) *CREDIT.*—*For each participant in the Seaman to*
20 *Admiral-21 program during fiscal years 2010 through 2014*
21 *for whom the Secretary of the Navy cannot find evidence*
22 *of an acknowledgment that, before entering a baccalaureate*
23 *degree program, service during the baccalaureate degree*
24 *program would not be included when computing years of*
25 *service for retirement, the Secretary shall include service*

1 *during the baccalaureate degree program when com-*
 2 *puting—*

3 (1) *years of service; and*

4 (2) *retired or retainer pay.*

5 (b) *REPORT REQUIRED.—The Secretary shall submit*
 6 *a report to the Committees on Armed Services of the Senate*
 7 *and House of Representatives regarding the number of par-*
 8 *ticipants credited with service under subsection (a).*

9 (c) *DEADLINE.—The Secretary shall carry out this sec-*
 10 *tion not later than 180 days after the date of the enactment*
 11 *of this Act.*

12 **SEC. 505. INDEPENDENT ASSESSMENT OF RETENTION OF**
 13 **FEMALE SURFACE WARFARE OFFICERS.**

14 (a) *IN GENERAL.—The Secretary of Defense shall seek*
 15 *to enter into an agreement with a nonprofit entity or a*
 16 *federally funded research and development center inde-*
 17 *pendent of the Department of Defense to conduct research*
 18 *and analysis on the gender gap in retention of surface war-*
 19 *fare officers in the Navy.*

20 (b) *ELEMENTS.—The research and analysis conducted*
 21 *under subsection (a) shall include consideration of the fol-*
 22 *lowing:*

23 (1) *Demographics of surface warfare officers,*
 24 *disaggregated by gender, including—*

25 (A) *race;*

1 (B) *ethnicity;*

2 (C) *socioeconomic status;*

3 (D) *marital status (including whether the*
4 *spouse is a member of the Armed Forces and, if*
5 *so, the length of service of such spouse);*

6 (E) *whether the officer has children (includ-*
7 *ing number and age or ages of children);*

8 (F) *whether an immediate family member*
9 *serves or has served as a member of the Armed*
10 *Forces; and*

11 (G) *the percentage of such officers who—*

12 (i) *indicate an intent to complete only*
13 *an initial service agreement; and*

14 (ii) *complete only an initial service*
15 *agreement.*

16 (2) *Whether there is a correlation between the*
17 *number of female surface warfare officers serving on*
18 *a vessel and responses of such officers to command cli-*
19 *mate surveys.*

20 (3) *An anonymous but traceable study of com-*
21 *mand climate results to—*

22 (A) *correlate responses from particular fe-*
23 *male surface warfare officers with resignation;*
24 *and*

1 (B) compare attitudes of first-tour and sec-
2 ond-tour female surface warfare officers.

3 (4) Recommendations based on the findings
4 under paragraphs (1), (2), and (3).

5 (c) REPORTS.—

6 (1) IN GENERAL.—Not later than 270 days after
7 the date on which a nonprofit entity or federally
8 funded research and development center enters into an
9 agreement under subsection (a) with the Secretary of
10 Defense, such entity or center shall submit to the Sec-
11 retary of Defense a report on the results of the re-
12 search and analysis under subsection (a).

13 (2) SUBMISSION TO CONGRESS.—Not later than
14 one year after the date of the enactment of this Act,
15 the Secretary of Defense shall submit to the congres-
16 sional defense committees each of the following:

17 (A) A copy of the report submitted under
18 paragraph (1) without change.

19 (B) Any comments, changes, recommenda-
20 tions, or other information provided by the Sec-
21 retary of Defense relating to the research and
22 analysis under subsection (a) and contained in
23 such report.

1 **SEC. 506. REPORTS ON AIR FORCE PERSONNEL PER-**
2 **FORMING DUTIES OF A NUCLEAR AND MIS-**
3 **SILE OPERATIONS OFFICER (13N).**

4 (a) *IN GENERAL.*—*The Secretary of the Air Force shall*
5 *submit to the congressional defense committees a report on*
6 *personnel performing the duties of a Nuclear and Missile*
7 *Operations Officer (13N)—*

8 (1) *not later than 90 days after the date of the*
9 *enactment of this Act; and*

10 (2) *concurrent with the submission to Congress*
11 *of the budget of the President for each of fiscal years*
12 *2023 through 2027 pursuant to section 1105(a) of*
13 *title 31, United States Code.*

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

16 (1) *The number of Nuclear and Missile Oper-*
17 *ations Officers commissioned, by commissioning*
18 *source, during the most recent fiscal year that ended*
19 *before submission of the report.*

20 (2) *A description of the rank structure and num-*
21 *ber of such officers by intercontinental ballistic mis-*
22 *sile operational group during that fiscal year.*

23 (3) *The retention rate of such officers by inter-*
24 *continental ballistic missile operational group during*
25 *that fiscal year and an assessment of reasons for any*
26 *loss in retention of such officers.*

1 (4) *A description of the rank structure and num-*
2 *ber of officers by intercontinental ballistic missile*
3 *operational group performing alert duties by month*
4 *during that fiscal year.*

5 (5) *A description of the structure of incentive*
6 *pay for officers performing 13N duties during that*
7 *fiscal year.*

8 (6) *A personnel manning plan for managing of-*
9 *ficers performing alert duties during the period of five*
10 *fiscal years after submission of the report.*

11 (7) *A description of methods, with metrics, to*
12 *manage the transition of Nuclear and Missile Oper-*
13 *ations Officers, by intercontinental ballistic missile*
14 *operational group, to other career fields in the Air*
15 *Force.*

16 (8) *Such other matters as the Secretary considers*
17 *appropriate to inform the congressional defense com-*
18 *mittees with respect to the 13N career field during the*
19 *period of five to ten fiscal years after submission of*
20 *the report.*

1 **Subtitle B—Reserve Component**
 2 **Management**

3 **SEC. 511. MODIFICATION OF GRANT PROGRAM SUP-**
 4 **PORTING SCIENCE, TECHNOLOGY, ENGINEER-**
 5 **ING, AND MATH EDUCATION IN THE JUNIOR**
 6 **RESERVE OFFICERS' TRAINING CORPS TO IN-**
 7 **CLUDE QUANTUM INFORMATION SCIENCES.**

8 *Section 2036(g)(2) of title 10, United States Code, is*
 9 *amended—*

10 (1) *by redesignating subparagraphs (J) through*
 11 *(M) as subparagraphs (K) through (N), respectively;*
 12 *and*

13 (2) *by inserting after subparagraph (I) the fol-*
 14 *lowing new subparagraph:*

15 “(J) *quantum information sciences;*”.

16 **SEC. 512. PROHIBITION ON PRIVATE FUNDING FOR INTER-**
 17 **STATE DEPLOYMENT OF NATIONAL GUARD.**

18 (a) *PROHIBITION.—Chapter 3 of title 32, United*
 19 *States Code, is amended by adding at the end the following*
 20 *new section:*

21 **“§ 329. Prohibition on private funding for interstate**
 22 **deployment**

23 *“A member of the National Guard may not be ordered*
 24 *to cross a border of a State to perform duty (under this*
 25 *title or title 10) if such duty is paid for with private funds,*

1 *unless such duty is in response to a major disaster or emer-*
 2 *gency under section 401 of the Robert T. Stafford Disaster*
 3 *Relief and Emergency Assistance Act (42 U.S.C. 5170).”.*

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

“329. Prohibition on private funding for interstate deployment.”.

7 **SEC. 513. ACCESS TO TOUR OF DUTY SYSTEM.**

8 (a) *ACCESS.—*

9 (1) *IN GENERAL.—Not later than one year after*
 10 *the date of the enactment of this Act, the Secretary of*
 11 *the Army shall ensure, subject to paragraph (2), that*
 12 *a member of the reserve components of the Army may*
 13 *access the Tour of Duty system using a personal*
 14 *internet-enabled device.*

15 (2) *EXCEPTION.—The Secretary of the Army*
 16 *may restrict access to the Tour of Duty system on*
 17 *personal internet-enabled devices if the Secretary de-*
 18 *termines such restriction is necessary to ensure the se-*
 19 *curity and integrity of information systems and data*
 20 *of the United States.*

21 (b) *TOUR OF DUTY SYSTEM DEFINED.—In this Act,*
 22 *the term “Tour of Duty system” means the online system*
 23 *of listings for opportunities to serve on active duty for mem-*
 24 *bers of the reserve components of the Army and through*

1 *which such a member may apply for such an opportunity,*
2 *known as “Tour of Duty”, or any successor to such system.*

3 **SEC. 514. IMPLEMENTATION OF CERTAIN RECOMMENDA-**
4 **TIONS REGARDING USE OF UNMANNED AIR-**
5 **CRAFT SYSTEMS BY THE NATIONAL GUARD.**

6 *Not later than September 30, 2022, the Secretary of*
7 *Defense shall implement recommendations of the Secretary*
8 *described in section 519C(a)(2) of the William M. (Mac)*
9 *Thornberry National Defense Authorization Act for Fiscal*
10 *Year 2021 (Public Law 116–283).*

11 **SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR**
12 **FIREGUARD PROGRAM.**

13 *Until September 30, 2026, the Secretary of Defense*
14 *shall continue to support the FireGuard program with per-*
15 *sonnel of the California National Guard to aggregate, ana-*
16 *lyze, and assess multi-source remote sensing information for*
17 *interagency partnerships in the initial detection and moni-*
18 *toring of wildfires.*

19 **SEC. 516. ENHANCEMENT OF NATIONAL GUARD YOUTH**
20 **CHALLENGE PROGRAM.**

21 *(a) AUTHORITY.—During fiscal year 2022, the Sec-*
22 *retary of Defense may provide assistance to a National*
23 *Guard Youth Challenge Program of a State—*

24 *(1) in addition to assistance under subsection (d)*
25 *of section 509 of title 32, United States Code;*

1 (2) *that is not subject to the matching require-*
2 *ment under such subsection; and*

3 (3) *for—*

4 (A) *new program start-up costs; or*

5 (B) *a workforce development program.*

6 (b) *LIMITATIONS.—*

7 (1) *MATCHING.—The Secretary may not provide*
8 *additional assistance under this section to a State*
9 *that does not comply with the fund matching require-*
10 *ment under such subsection regarding assistance*
11 *under such subsection.*

12 (2) *TOTAL ASSISTANCE.—Total assistance under*
13 *this section to all States may not exceed \$5,000,000*
14 *of the funds appropriated for the National Guard*
15 *Youth Challenge Program for fiscal year 2022.*

16 (c) *REPORTING.—Any assistance provided under this*
17 *section shall be included in the annual report under sub-*
18 *section (k) of section 509 of such title.*

19 **SEC. 517. REPORT ON METHODS TO ENHANCE SUPPORT**
20 **FROM THE RESERVE COMPONENTS IN RE-**
21 **SPONSE TO CATASTROPHIC INCIDENTS.**

22 (a) *IN GENERAL.—Not later than 180 days after the*
23 *date of the enactment of this Act, the Secretary of Defense,*
24 *in consultation and coordination with the Federal Emer-*
25 *gency Management Agency, the National Security Council,*

1 *the Council of Governors, and the National Governors Asso-*
2 *ciation, shall submit to the appropriate congressional com-*
3 *mittees a report that includes—*

4 (1) *a detailed examination of the policy frame-*
5 *work for the reserve components, consistent with exist-*
6 *ing authorities, to provide support to other Federal*
7 *agencies in response to catastrophic incidents;*

8 (2) *identify major statutory or policy impedi-*
9 *ments to such support; and*

10 (3) *recommendations for legislation as appro-*
11 *priate.*

12 (b) *CONTENTS.—The report submitted under this sec-*
13 *tion shall include a description of—*

14 (1) *the assessment of the Secretary, informed by*
15 *consultation with the Federal Emergency Manage-*
16 *ment Agency, the National Security Council, the*
17 *Council of Governors, and the National Governors As-*
18 *sociation, regarding—*

19 (A) *the sufficiency of current authorities for*
20 *the reimbursement of reserve component per-*
21 *sonnel during catastrophic incidents under title*
22 *10 and title 32, United States Code; and*

23 (B) *specifically whether reimbursement au-*
24 *thorities are sufficient to ensure that military*
25 *training and readiness are not degraded to fund*

1 *disaster response, or use of such authorities de-*
2 *grades the effectiveness of the Disaster Relief*
3 *Fund;*

4 *(2) the plan of the Secretary to ensure there is*
5 *parallel and consistent policy in the application of*
6 *the authorities granted under section 12304a of title*
7 *10, United States Code, and section 502(f) of title 32,*
8 *United States Code, including—*

9 *(A) a description of the disparities between*
10 *benefits and protections under Federal law*
11 *versus State active duty;*

12 *(B) recommended solutions to achieve par-*
13 *ity at the Federal level; and*

14 *(C) recommended changes at the State level,*
15 *if appropriate;*

16 *(3) the plan of the Secretary to ensure there is*
17 *parity of benefits and protections for members of the*
18 *Armed Forces employed as part of the response to cat-*
19 *astrophic incidents under title 32 or title 10, United*
20 *States Code, and recommendations for addressing*
21 *shortfalls; and*

22 *(4) a review, by the Federal Emergency Manage-*
23 *ment Agency, of the current policy for, and an assess-*
24 *ment of the sufficiency of, reimbursement authority*
25 *for the use of the reserve components, both to the De-*

1 *partment of Defense and to the States, during cata-*
2 *strophic incidents, including any policy and legal*
3 *limitations, and cost assessment impact on Federal*
4 *funding.*

5 *(c) DEFINITIONS.—In this section:*

6 *(1) The term “appropriate congressional com-*
7 *mittees” means the following:*

8 *(A) The congressional defense committees;*

9 *(B) The Committee on Homeland Security*
10 *of the House of Representatives.*

11 *(C) The Committee on Homeland Security*
12 *and Governmental Affairs of the Senate.*

13 *(D) The Committee on Transportation and*
14 *Infrastructure of the House of Representatives.*

15 *(E) The Committee on Commerce, Science,*
16 *and Transportation of the Senate.*

17 *(2) The term “catastrophic incident” has the*
18 *meaning given that term in section 501 of the Home-*
19 *land Security Act of 2002 (Public Law 107–296; 6*
20 *U.S.C. 311).*

21 **SEC. 518. STUDY ON REAPPORTIONMENT OF NATIONAL**
22 **GUARD FORCE STRUCTURE BASED ON DO-**
23 **MESTIC RESPONSES.**

24 *(a) STUDY.—The Secretary of Defense shall conduct a*
25 *study to determine whether to reapportion the current force*

1 *structure of the National Guard based on wartime and do-*
2 *mestic response requirements. The study shall include the*
3 *following elements:*

4 (1) *An assessment of how domestic response mis-*
5 *sions affect recruitment and retention of qualified*
6 *personnel, especially in States—*

7 (A) *with the lowest ratios of National*
8 *Guard members to the general population; and*

9 (B) *that are most prone to natural disas-*
10 *ters.*

11 (2) *An assessment of how domestic response mis-*
12 *sions affect the ability of the National Guard of a*
13 *State to ability to staff, equip, and ready a unit for*
14 *its Federal missions.*

15 (3) *A comparison of the costs of a response to a*
16 *domestic incident in a State with—*

17 (A) *units of the National Guard of such*
18 *State; and*

19 (B) *units of the National Guards of other*
20 *States pursuant to an emergency management*
21 *assistance compact.*

22 (4) *Based on the recommendations in the 2021*
23 *report of the National Guard Bureau titled “Impact*
24 *of U.S. Population Trends on National Guard Force*
25 *Structure”, an assessment of—*

1 (A) challenges to recruiting members of the
2 National Guard;

3 (B) allocating mission sets to other geo-
4 graphic regions;

5 (C) the ability to track and respond to do-
6 mestic migration trends in order to establish a
7 baseline for force structure requirements;

8 (D) the availability of training ranges for
9 Federal missions;

10 (E) the availability of transportation and
11 other support infrastructure; and

12 (F) the cost of operation in each State.

13 (5) *In light of the limited authority of the Presi-*
14 *dent under section 104(c) of title 32, United States*
15 *Code, an assessment of whether the number of mem-*
16 *bers of the National Guard is sufficient to reappor-*
17 *tion force structure to meet the requirements of domes-*
18 *tic responses and shifting populations.*

19 (b) *REPORT.*—*Not later than 180 days after the date*
20 *of the enactment of this Act, the Secretary of Defense shall*
21 *submit to the Committees on Armed Services of the Senate*
22 *and House of Representatives a report on the results of the*
23 *study under subsection (a).*

1 (c) *STATE DEFINED.*—*In this section, the term “State”*
2 *includes the various States and Territories, the Common-*
3 *wealth of Puerto Rico, and the District of Columbia.*

4 **SEC. 519. BRIEFING ON JUNIOR RESERVE OFFICERS’ TRAIN-**
5 **ING CORPS PROGRAM.**

6 *Not later than one year after the date of the enactment*
7 *of this Act, the Secretary of Defense shall submit to the*
8 *Committees on Armed Services of the Senate and the House*
9 *of Representatives a briefing on the status of the Junior*
10 *Reserve Officers’ Training Corps programs of each Armed*
11 *Force. The briefing shall include—*

12 (1) *an assessment of the current usage of the pro-*
13 *gram, including the number of individuals enrolled in*
14 *the program, the demographic information of individ-*
15 *uals enrolled in the program, and the number of units*
16 *established under the program;*

17 (2) *a description of the efforts of the Armed*
18 *Forces to meet current enrollment targets for the pro-*
19 *gram;*

20 (3) *an explanation of the reasons such enroll-*
21 *ment targets have not been met, if applicable;*

22 (4) *a description of any obstacles preventing the*
23 *Armed Forces from meeting such enrollment targets;*

24 (5) *a comparison of the potential benefits and*
25 *drawbacks of expanding the program; and*

1 (6) a description of program-wide diversity and
2 inclusion recruitment and retention efforts.

3 **Subtitle C—General Service**
4 **Authorities and Military Records**

5 **SEC. 521. REDUCTION IN SERVICE COMMITMENT REQUIRED**
6 **FOR PARTICIPATION IN CAREER INTER-**
7 **MISSION PROGRAM OF A MILITARY DEPART-**
8 **MENT.**

9 Section 710(c)(3) of title 10, United States Code, is
10 amended by striking “two months” and inserting “one
11 month”.

12 **SEC. 522. IMPROVEMENTS TO MILITARY ACCESSIONS IN**
13 **ARMED FORCES UNDER THE JURISDICTION**
14 **OF THE SECRETARIES OF THE MILITARY DE-**
15 **PARTMENTS.**

16 (a) *IN GENERAL.*—Not later than one year after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall take the following steps regarding military accessions
19 in each Armed Force under the jurisdiction of the Secretary
20 of a military department:

21 (1) *Assess the prescribed medical standards for*
22 *appointment as an officer, or enlistment as a mem-*
23 *ber, in such Armed Force.*

24 (2) *Determine how to update the medical screen-*
25 *ing processes for appointment or enlistment.*

1 (3) *Determine how to standardize operations*
2 *across the military entrance processing stations.*

3 (4) *Determine how to improve aptitude testing*
4 *methods and standardized testing requirements.*

5 (5) *Determine how to improve the waiver process*
6 *for individuals who do not meet medical standards*
7 *for accession.*

8 (6) *Determine, by reviewing data from calendar*
9 *years 2017 through 2021, whether military accessions*
10 *(including such accessions pursuant to waivers) vary,*
11 *by geographic region.*

12 (7) *Determine, by reviewing data from calendar*
13 *years 2017 through 2021, whether access to military*
14 *health records has suppressed the number of such*
15 *military accessions, authorized Secretaries of the*
16 *military departments, by—*

17 (A) *children of members of such Armed*
18 *Forces;*

19 (B) *retired members of such Armed Forces;*
20 *or*

21 (C) *recently separated members of such*
22 *Armed Forces.*

23 (8) *Implement improvements determined under*
24 *paragraphs (1) through (7).*

1 *the member of existing programs or services that may aid*
2 *in the naturalization process of such member.*

3 **SEC. 524. APPEALS TO PHYSICAL EVALUATION BOARD DE-**
4 **TERMINATIONS OF FITNESS FOR DUTY.**

5 *Not later than 90 days after the date of the enactment*
6 *of this Act, the Secretary of Defense shall incorporate a for-*
7 *mal appeals process (including timelines established by the*
8 *Secretary of Defense) into the policies and procedures appli-*
9 *cable to the implementation of the Integrated Disability*
10 *Evaluation System of the Department of Defense. The ap-*
11 *peals process shall include the following:*

12 *(1) The Secretary concerned shall ensure that a*
13 *member of the Armed Forces may submit a formal*
14 *appeal made with respect to determinations of fitness*
15 *for duty to a Physical Evaluation Board of such Sec-*
16 *retary.*

17 *(2) The appeals process shall include, at the re-*
18 *quest of such member, an impartial hearing on a fit-*
19 *ness for duty determination to be conducted by the*
20 *Secretary concerned.*

21 *(3) Such member shall have the option to be rep-*
22 *resented at a hearing by legal counsel.*

1 **SEC. 525. COMMAND OVERSIGHT OF MILITARY PRIVATIZED**
2 **HOUSING AS ELEMENT OF PERFORMANCE**
3 **EVALUATIONS.**

4 (a) *EVALUATIONS IN GENERAL.*—Each Secretary of a
5 military department shall ensure that the performance eval-
6 uations of any individual described in subsection (b) under
7 the jurisdiction of such Secretary provides for an assessment
8 of the extent to which such individual has or has not exer-
9 cised effective oversight and leadership in the following:

10 (1) *Improving conditions of privatized housing*
11 *under subchapter IV of chapter 169 of title 10, United*
12 *States Code.*

13 (2) *Addressing concerns with respect to such*
14 *housing of members of the Armed Forces and their*
15 *families who reside in such housing on an installa-*
16 *tion of the military department concerned.*

17 (b) *COVERED INDIVIDUALS.*—The individuals de-
18 scribed in this subsection are as follows:

19 (1) *The commander of an installation of a mili-*
20 *tary department at which on-installation housing is*
21 *managed by a landlord of privatized housing under*
22 *subchapter IV of chapter 169 of title 10, United*
23 *States Code.*

24 (2) *Each officer or senior enlisted member of the*
25 *Armed Forces at an installation described in para-*

1 *graph (1) whose duties include facilities or housing*
2 *management at such installation.*

3 *(3) Any other officer or enlisted member of the*
4 *Armed Forces (whether or not at an installation de-*
5 *scribed in paragraph (1)) as specified by the Sec-*
6 *retary of the military department concerned for pur-*
7 *poses of this section.*

8 **SEC. 526. FEASIBILITY STUDY ON ESTABLISHMENT OF**
9 **HOUSING HISTORY FOR MEMBERS OF THE**
10 **ARMED FORCES WHO RESIDE IN HOUSING**
11 **PROVIDED BY THE UNITED STATES.**

12 *(a) STUDY; REPORT.—Not later than September 30,*
13 *2022, the Secretary of Defense shall—*

14 *(1) conduct a feasibility study regarding the es-*
15 *tablishment of a standard record of housing history*
16 *for members of the Armed Forces who reside in cov-*
17 *ered housing; and*

18 *(2) submit to the appropriate congressional com-*
19 *mittees a report on the results of such study.*

20 *(b) CONTENTS.—A record described in subsection (a)*
21 *includes, with regards to each period during which the*
22 *member concerned resided in covered housing, the following:*

23 *(1) The assessment of the commander of the mili-*
24 *tary installation in which such housing is located, of*
25 *the condition of such covered housing—*

1 (A) *prior to the beginning of such period;*

2 *and*

3 (B) *in which the member concerned left*
4 *such covered housing upon vacating such covered*
5 *housing.*

6 (2) *Contact information a housing provider may*
7 *use to inquire about such a record.*

8 (c) *ONLINE ACCESS.—A record described in subsection*
9 *(a) would be accessible through a website, maintained by*
10 *the Secretary of the military department concerned, through*
11 *which a member of the Armed Forces under the jurisdiction*
12 *of such Secretary may access such record of such member.*

13 (d) *ISSUANCE.—The Secretary concerned would issue*
14 *a copy of a described in subsection (a) to the member con-*
15 *cerned upon the separation, retirement, discharge, or dis-*
16 *missal of such member from the Armed Forces, with the DD*
17 *Form 214 for such member.*

18 (e) *DEFINITIONS.—In this section:*

19 (1) *The term “appropriate congressional com-*
20 *mittees” means the following:*

21 (A) *The Committee on Armed Services of*
22 *the House of Representatives.*

23 (B) *The Committee on Armed Services of*
24 *the Senate.*

1 (C) *The Committee on Transportation and*
2 *Infrastructure of the House of Representatives.*

3 (D) *The Committee on Commerce, Science,*
4 *and Transportation of the Senate.*

5 (2) *The term “covered housing” means housing*
6 *provided by the United States to a member of the*
7 *Armed Forces.*

8 **SEC. 527. ENHANCEMENTS TO NATIONAL MOBILIZATION**
9 **EXERCISES.**

10 (a) *INCLUSION OF PROCESSES OF SELECTIVE SERVICE*
11 *SYSTEM.—Section 10208 of title 10, United States Code,*
12 *is amended by adding at the end the following new sub-*
13 *section:*

14 “(c)(1) *The Secretary shall, beginning in the first fis-*
15 *cal year that begins after the date of the enactment of this*
16 *subsection, and every five years thereafter, as part of the*
17 *major mobilization exercise under subsection (a), include*
18 *the processes of the Selective Service System in preparation*
19 *for induction of personnel into the armed forces under the*
20 *Military Selective Service Act (50 U.S.C. 3801 et seq.), and*
21 *submit to Congress a report on the results of this exercise*
22 *and evaluation. The report may be submitted in classified*
23 *form.*

24 “(2) *The exercise under this subsection—*

1 “(A) shall include a review of national mobiliza-
2 tion strategic and operational concepts; and

3 “(B) shall include a simulation of a mobilization
4 of all armed forces and reserve units, with plans and
5 processes for incorporating Selective Service System
6 inductees.”.

7 (b) *BRIEFING; REPORT.*—

8 (1) *BRIEFING.*—Not later than 180 days after
9 the date on which the Secretary of Defense conducts
10 the first mobilization exercise under section 10208 of
11 title 10, United States Code, after the date of the en-
12 actment of this Act, the Secretary shall provide to the
13 Committees of Armed Services of the Senate and
14 House of Representatives a briefing on—

15 (A) the status of the review and assessments
16 conducted pursuant to subsection (c) of such sec-
17 tion, as added by subsection (a); and

18 (B) any interim recommendations of the
19 Secretary.

20 (2) *REPORT.*—Not later than two years after the
21 date on which the Secretary conducts the first mobili-
22 zation exercise as described in paragraph (1), the Sec-
23 retary shall submit to the Committees of Armed Serv-
24 ices of the Senate and House of Representatives a re-
25 port that contains the following:

1 (A) *A review of national mobilization stra-*
2 *tegic and operational concepts.*

3 (B) *A simulation of a mobilization of all*
4 *Armed Forces and reserve units, with plans and*
5 *processes for incorporating Selective Service Sys-*
6 *tem inductees.*

7 (C) *An assessment of the Selective Service*
8 *system in the current organizational form.*

9 (D) *An assessment of the Selective Service*
10 *System as a peace-time registration system.*

11 (E) *Recommendations with respect to the*
12 *challenges, opportunities, cost, and timelines re-*
13 *garding the assessments described in subpara-*
14 *graphs (C) and (D).*

15 **SEC. 528. TEMPORARY EXEMPTION FROM END STRENGTH**
16 **GRADE RESTRICTIONS FOR THE SPACE**
17 **FORCE.**

18 (a) *EXEMPTION.*—*Sections 517 and 523 of title 10,*
19 *United States Code, shall not apply to the Space Force until*
20 *January 1, 2023.*

21 (b) *SUBMITTAL.*—*Not later than April 1, 2022, the*
22 *Secretary of the Air Force shall establish and submit to the*
23 *Committees on Armed Services for the Senate and House*
24 *of Representatives for inclusion in the National Defense Au-*

1 *thorization Act for fiscal year 2023, the number of officers*
2 *who—*

3 *(1) may be serving on active duty in each of the*
4 *grades of major, lieutenant colonel, and colonel; and*

5 *(2) may not, as of the end of such fiscal year,*
6 *exceed a number determined in accordance with sec-*
7 *tion 523(a)(1) of such title.*

8 **SEC. 529. REPORT ON EXEMPTIONS AND DEFERMENTS FOR**
9 **A POSSIBLE MILITARY DRAFT.**

10 *Not later than 120 days after the date of the enactment*
11 *of this Act, the Director of the Selective Service System, in*
12 *consultation with the Secretary of Defense and the Sec-*
13 *retary of Homeland Security, shall submit to Congress a*
14 *report providing a review of exemptions and deferments*
15 *from registration, training, and service under the Military*
16 *Selective Service Act (50 U.S.C. 3801 et seq.).*

17 **SEC. 529A. REPORT ON PROCESSES AND PROCEDURES FOR**
18 **APPEAL OF DENIAL OF STATUS OR BENEFITS**
19 **FOR FAILURE TO REGISTER FOR SELECTIVE**
20 **SERVICE.**

21 *(a) REPORT REQUIRED.—Not later than 180 days*
22 *after the date of the enactment of this Act, the Director of*
23 *the Selective Service System shall submit to the appropriate*
24 *committees of Congress a report setting forth the results of*
25 *a review of the processes and procedures employed by agen-*

1 *cies across the Federal Government for the appeal by indi-*
2 *viduals of a denial of status or benefits under Federal law*
3 *for failure to register for selective service under the Military*
4 *Selective Service Act (50 U.S.C. 3801 et seq.).*

5 (b) *CONSULTATION.*—*The Director of the Selective*
6 *Service System shall carry out this section in consultation*
7 *with the Secretary of Homeland Security, the Secretary of*
8 *Education, the Director of the Office of Personnel Manage-*
9 *ment, and the heads of other appropriate Federal agencies.*

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

12 (1) *A description and assessment of the various*
13 *appeals processes and procedures described in sub-*
14 *section (a), including—*

15 (A) *a description of such processes and pro-*
16 *cedures; and*

17 (B) *an assessment of—*

18 (i) *the adequacy of notice provided for*
19 *appeals under such processes and proce-*
20 *dures;*

21 (ii) *the fairness of each such process*
22 *and procedure;*

23 (iii) *the ease of use of each such process*
24 *and procedure;*

1 (iv) consistency in the application of
2 such processes and procedures across the
3 Federal Government; and

4 (v) the applicability of an appeal
5 granted by one Federal agency under such
6 processes and procedures to the actions and
7 decisions of another Federal agency on a
8 similar appeal.

9 (2) Information on the number of waivers re-
10 quested, and the number of waivers granted, during
11 the 15-year period ending on the date of the enact-
12 ment of this Act in connection with denial of status
13 or benefits for failure to register for selective service.

14 (3) An analysis and assessment of the rec-
15 ommendations of the National Commission on Mili-
16 tary, National, and Public Service for reforming the
17 rules and policies concerning failure to register for se-
18 lective service.

19 (4) Such recommendations for legislative or ad-
20 ministrative action as the Director of the Selective
21 Service System, and the consulting officers pursuant
22 to subsection (b), consider appropriate in light of the
23 review conducted pursuant to subsection (a).

1 (c) *REPORT.*—Not later than one year after the date
 2 of the enactment of this Act, the Comptroller General shall
 3 submit to the Committees on Armed Services of the Senate
 4 and the House of Representatives a report on the results
 5 of the study conducted under subsection (a).

6 **Subtitle D—Military Justice Reform**

7 **PART 1—SPECIAL TRIAL COUNSEL**

8 **SEC. 531. SPECIAL TRIAL COUNSEL.**

9 (a) *IN GENERAL.*—Subchapter V of chapter 47 of title
 10 10, United States Code, is amended by inserting after sec-
 11 tion 824 (article 24 of the Uniform Code of Military Jus-
 12 tice) the following new section:

13 **“§ 824a. Art 24a. Special trial counsel**

14 “(a) *DETAIL OF SPECIAL TRIAL COUNSEL.*—Each
 15 Secretary concerned shall promulgate regulations for the de-
 16 tail of commissioned officers to serve as special trial coun-
 17 sel.

18 “(b) *QUALIFICATIONS.*—A special trial counsel shall be
 19 a commissioned officer who—

20 “(1)(A) is a member of the bar of a Federal
 21 court or a member of the bar of the highest court of
 22 a State; and

23 “(B) is certified to be qualified, by reason of edu-
 24 cation, training, experience, and temperament, for
 25 duty as a special trial counsel by—

1 “(i) the Judge Advocate General of the
2 armed force of which the officer is a member; or

3 “(ii) in the case of the Marine Corps, the
4 Staff Judge Advocate to the Commandant of the
5 Marine Corps; and

6 “(2) in the case of a lead special trial counsel
7 appointed pursuant to section 1044f(a)(2) of this
8 title, is in a grade no lower than O-7.

9 “(c) DUTIES AND AUTHORITIES.—

10 “(1) IN GENERAL.—Special trial counsel shall
11 carry out the duties described in this chapter and any
12 other duties prescribed by the Secretary concerned, by
13 regulation.

14 “(2) DETERMINATION OF COVERED OFFENSE;
15 RELATED CHARGES.—

16 “(A) AUTHORITY.—A special trial counsel
17 shall have exclusive authority to determine if a
18 reported offense is a covered offense and shall ex-
19 ercise authority over any such offense in accord-
20 ance with this chapter. Any determination to
21 prefer or refer charges shall not act to disqualify
22 the special trial counsel as an accuser.

23 “(B) KNOWN AND RELATED OFFENSES.—If
24 a special trial counsel determines that a reported
25 offense is a covered offense, the special trial coun-

1 *sel may also exercise authority over any offense*
2 *that the special trial counsel determines to be re-*
3 *lated to the covered offense and any other offense*
4 *alleged to have been committed by a person al-*
5 *leged to have committed the covered offense.*

6 “(3) *DISMISSAL; REFERRAL; PLEA BARGAINS.—*
7 *Subject to paragraph (4), with respect to charges and*
8 *specifications alleging any offense over which a spe-*
9 *cial trial counsel exercises authority, a special trial*
10 *counsel shall have exclusive authority to, in accord-*
11 *ance with this chapter—*

12 “(A) *on behalf of the Government, withdraw*
13 *or dismiss the charges and specifications or make*
14 *a motion to withdraw or dismiss the charges and*
15 *specifications;*

16 “(B) *refer the charges and specifications for*
17 *trial by a special or general court-martial;*

18 “(C) *enter into a plea agreement; and*

19 “(D) *determine if an ordered rehearing is*
20 *impracticable.*

21 “(4) *BINDING DETERMINATION.—The determina-*
22 *tion of a special trial counsel to refer charges and*
23 *specifications to a court-martial for trial shall be*
24 *binding on any applicable convening authority for*
25 *the referral of such charges and specifications.*

1 “(5) *DEFERRAL TO COMMANDER OR CONVENING*
 2 *AUTHORITY.*—*If a special trial counsel exercises au-*
 3 *thority over an offense and elects not to prefer charges*
 4 *and specifications for such offense or, with respect to*
 5 *charges and specifications for such offense preferred*
 6 *by a person other than a special trial counsel, elects*
 7 *not to refer such charges and specifications, a com-*
 8 *mander or convening authority may exercise any of*
 9 *the authorities of such commander or convening au-*
 10 *thority under this chapter with respect to such offense,*
 11 *except that such commander or convening authority*
 12 *may not refer charges and specifications for a covered*
 13 *offense for trial by special or general court-martial.”.*

14 (b) *TABLE OF SECTIONS AMENDMENT.*—*The table of*
 15 *sections at the beginning of subchapter V of chapter 47 of*
 16 *title 10, United States Code (the Uniform Code of Military*
 17 *Justice), is amended by inserting after the item relating*
 18 *to section 824 (article 24) the following new item:*

 “824a. *Art 24a. Special trial counsel.*”.

19 (c) *REPORT REQUIRED.*—

20 (1) *IN GENERAL.*—*Not later than one year after*
 21 *the date of the enactment of this Act, each Secretary*
 22 *concerned shall submit to the Committees on Armed*
 23 *Services of the Senate and the House of Representa-*
 24 *tives a report setting forth the plan of the Secretary*
 25 *for detailing officers to serve as special trial counsel*

1 *pursuant to section 824a of title 10, United States*
2 *Code (article 24a of the Uniform Code of Military*
3 *Justice) (as added by subsection (a) of this section).*

4 (2) *ELEMENTS.—Each report under paragraph*
5 *(1) shall include the following—*

6 (A) *The plan of the Secretary concerned—*

7 (i) *for staffing billets for—*

8 (I) *special trial counsel who meet*
9 *the requirements set forth in section*
10 *824a of title 10, United States Code*
11 *(article 24a of the Uniform Code of*
12 *Military Justice) (as added by sub-*
13 *section (a) of this section); and*

14 (II) *defense counsel for cases in-*
15 *volving covered offenses; and*

16 (ii) *for supporting and ensuring the*
17 *continuing professional development of mili-*
18 *tary justice practitioners.*

19 (B) *An estimate of the resources needed to*
20 *implement such section 824a (article 24a).*

21 (C) *An explanation of other staffing re-*
22 *quired to implement such section 824a (article*
23 *24a), including staffing levels required for mili-*
24 *tary judges, military magistrates, military de-*

1 *fense attorneys, and paralegals and other sup-*
2 *port staff.*

3 *(D) A description of how the use of special*
4 *trial counsel will affect the military justice sys-*
5 *tem as a whole.*

6 *(E) A description of how the Secretary con-*
7 *cerned plans to place appropriate emphasis and*
8 *value on litigation experience for judge advocates*
9 *in order to ensure judge advocates are experi-*
10 *enced, prepared, and qualified to handle covered*
11 *offenses, both as special trial counsel and as de-*
12 *fense counsel. Such a description shall address*
13 *promotion considerations and explain how the*
14 *Secretary concerned plans to instruct promotion*
15 *boards to value litigation experience.*

16 *(F) Any additional resources, authorities, or*
17 *information that each Secretary concerned deems*
18 *relevant or important to the implementation of*
19 *the requirements of this title.*

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

21 *(A) The term “Secretary concerned” has the*
22 *meaning given that term in section 101(a) of*
23 *title 10, United States Code.*

24 *(B) The term “covered offense” has the*
25 *meaning given that term in section 801(17) of*

1 *title 10, United States Code (as added by section*
2 *533 of this part).*

3 **SEC. 532. POLICIES WITH RESPECT TO SPECIAL TRIAL**
4 **COUNSEL.**

5 *(a) IN GENERAL.—Chapter 53 of title 10, United*
6 *States Code, is amended by inserting after section 1044e*
7 *the following new section:*

8 **“§ 1044f. Policies with respect to special trial counsel**

9 *“(a) POLICIES REQUIRED.—The Secretary of Defense*
10 *shall establish policies with respect to the appropriate mech-*
11 *anisms and procedures that the Secretaries of the military*
12 *departments shall establish relating to the activities of spe-*
13 *cial trial counsel, including expected milestones for such*
14 *Secretaries to fully implement such mechanisms and proce-*
15 *dures. The policies shall—*

16 *“(1) provide for the establishment of a dedicated*
17 *office within each military service from which office*
18 *the activities of the special trial counsel of the mili-*
19 *tary service concerned shall be supervised and over-*
20 *seen;*

21 *“(2) provide for the appointment of one lead spe-*
22 *cial trial counsel, who shall—*

23 *“(A) be a judge advocate of that service in*
24 *a grade no lower than O-7, with significant ex-*
25 *perience in military justice;*

1 “(B) be responsible for the overall super-
2 vision and oversight of the activities of the spe-
3 cial trial counsel of that service; and

4 “(C) report directly to the Secretary con-
5 cerned, without intervening authority;

6 “(3) ensure that within each office created pur-
7 suant to paragraph (1), the special trial counsel and
8 other personnel assigned or detailed to the office—

9 “(A) are independent of the military chains
10 of command of both the victims and those ac-
11 cused of covered offenses and any other offenses
12 over which a special trial counsel at any time
13 exercises authority in accordance with section
14 824a of this title (article 24a); and

15 “(B) conduct assigned activities free from
16 unlawful or unauthorized influence or coercion;

17 “(4) provide that special trial counsel shall be
18 well-trained, experienced, highly skilled, and com-
19 petent in handling cases involving covered offenses;
20 and

21 “(5) provide that commanders of the victim and
22 the accused in a case involving a covered offense shall
23 have the opportunity to provide input to the special
24 trial counsel regarding case disposition, but that the
25 input is not binding on the special trial counsel.

1 “(b) *UNIFORMITY.*—*The Secretary of Defense shall en-*
2 *sure that any lack of uniformity in the implementation of*
3 *policies, mechanisms, and procedures established under sub-*
4 *section (a) does not render unconstitutional any such pol-*
5 *icy, mechanism, or procedure.*”

6 “(c) *MILITARY SERVICE DEFINED.*—*In this section,*
7 *the term ‘military service’ means the Army, Navy, Air*
8 *Force, Marine Corps, and Space Force.’”*

9 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
10 *the beginning of chapter 53 of title 10, United States Code,*
11 *is amended by inserting after the item relating to section*
12 *1044e the following new item:*

“1044f. Policies with respect to special trial counsel.”

13 (c) *QUARTERLY BRIEFING.*—*Beginning not later than*
14 *180 days after the date of the enactment of this Act, and*
15 *at the beginning of each fiscal quarter thereafter until the*
16 *policies established pursuant to section 1044f(a) of title 10,*
17 *United States Code (as added by subsection (a)) and the*
18 *mechanisms and procedures to which they apply are fully*
19 *implemented and operational, the Secretary of Defense and*
20 *the Secretaries of the military departments shall jointly*
21 *provide to the Committee on Armed Services of the Senate*
22 *and the Committee on Armed Services of the House of Rep-*
23 *resentatives a briefing detailing the actions taken and*
24 *progress made by the Office of the Secretary of Defense and*

1 *each of the military departments in meeting the milestones*
 2 *established as required by such section.*

3 **SEC. 533. DEFINITION OF MILITARY MAGISTRATE, COVERED**
 4 **OFFENSE, AND SPECIAL TRIAL COUNSEL.**

5 *Section 801 of title 10, United States Code (article 1*
 6 *of the Uniform Code of Military Justice), is amended—*

7 *(1) by inserting after paragraph (10) the fol-*
 8 *lowing new paragraph:*

9 *“(11) The term ‘military magistrate’ means a*
 10 *commissioned officer certified for duty as a military*
 11 *magistrate in accordance with section 826a of this*
 12 *title (article 26a).”;* and

13 *(2) by adding at the end the following new para-*
 14 *graphs:*

15 *“(17) The term ‘covered offense’ means—*

16 *“(A) an offense under section 917a (article*
 17 *117a), section 918 (article 118), section 919 (ar-*
 18 *ticle 119), section 920 (article 120), section 920b*
 19 *(article 120b), section 920c (article 120c), section*
 20 *925 (article 125), section 928b (article 128b),*
 21 *section 930 (article 130), section 932 (article*
 22 *132), or the standalone offense of child pornog-*
 23 *raphy punishable under section 934 (article 134)*
 24 *of this title;*

1 “(B) a conspiracy to commit an offense
2 specified in subparagraph (A) as punishable
3 under section 881 of this title (article 81);

4 “(C) a solicitation to commit an offense
5 specified in subparagraph (A) as punishable
6 under section 882 of this title (article 82); or

7 “(D) an attempt to commit an offense speci-
8 fied in subparagraph (A), (B), or (C) as punish-
9 able under section 880 of this title (article 80).

10 “(18) The term ‘special trial counsel’ means a
11 judge advocate detailed as a special trial counsel in
12 accordance with section 824a of this title (article 24a)
13 and includes a judge advocate appointed as a lead
14 special trial counsel pursuant to section 1044f(a)(2)
15 of this title.”.

16 **SEC. 534. CLARIFICATION RELATING TO WHO MAY CON-**
17 **VENE COURTS-MARTIAL.**

18 (a) *GENERAL COURTS-MARTIAL.*—Section 822(b) of
19 title 10, United States Code (article 22(b) of the Uniform
20 Code of Military Justice), is amended—

21 (1) by striking “If any” and inserting “(1) If
22 any”; and

23 (2) by adding at the end the following new para-
24 graph:

1 “(2) A commanding officer shall not be considered an
2 accuser solely due to the role of the commanding officer in
3 convening a general court-martial to which charges and
4 specifications were referred by a special trial counsel in ac-
5 cordance with this chapter.”.

6 (b) *SPECIAL COURTS-MARTIAL*.—Section 823(b) of
7 title 10, United States Code (article 23(b) of the Uniform
8 Code of Military Justice), is amended—

9 (1) by striking “If any” and inserting “(1) If
10 any”; and

11 (2) by adding at the end the following new para-
12 graph:

13 “(2) A commanding officer shall not be considered an
14 accuser solely due to the role of the commanding officer in
15 convening a special court-martial to which charges and
16 specifications were referred by a special trial counsel in ac-
17 cordance with this chapter.”.

18 **SEC. 535. DETAIL OF TRIAL COUNSEL.**

19 Section 827 of title 10, United States Code (article 27
20 of the Uniform Code of Military Justice), is amended by
21 adding at the end the following new subsection:

22 “(e) For each general and special court-martial for
23 which charges and specifications were referred by a special
24 trial counsel—

1 “(1) a special trial counsel shall be detailed as
2 trial counsel; and

3 “(2) a special trial counsel may detail other trial
4 counsel as necessary who are judge advocates.”.

5 **SEC. 536. PRELIMINARY HEARING.**

6 (a) *DETAIL OF HEARING OFFICER; WAIVER.*—Sub-
7 section (a)(1) of section 832 of title 10, United States Code
8 (article 32 of the Uniform Code of Military Justice), is
9 amended—

10 (1) in subparagraph (A), by striking “hearing
11 officer” and all that follows through the period at the
12 end and inserting “hearing officer detailed in accord-
13 ance with subparagraph (C).”;

14 (2) in subparagraph (B), by striking “written
15 waiver” and all that follows through the period at the
16 end and inserting the following: “written waiver to—

17 “(i) except as provided in clause (ii), the
18 convening authority and the convening authority
19 determines that a hearing is not required; and

20 “(ii) with respect to charges and specifica-
21 tions over which the special trial counsel is exer-
22 cising authority in accordance with section 824a
23 of this title (article 24a), the special trial counsel
24 and the special trial counsel determines that a
25 hearing is not required.”; and

1 (3) *by adding at the end the following new sub-*
2 *paragraph:*

3 “(C)(i) *Except as provided in clause (ii), the*
4 *convening authority shall detail a hearing officer.*

5 “(ii) *If a special trial counsel is exercising au-*
6 *thority over the charges and specifications subject to*
7 *a preliminary hearing under this section (article), the*
8 *special trial counsel shall request a hearing officer*
9 *and a hearing officer shall be provided by the con-*
10 *vening authority, in accordance with regulations pre-*
11 *scribed by the President.”.*

12 (b) *REPORT OF PRELIMINARY HEARING OFFICER.—*
13 *Subsection (c) of such section is amended—*

14 (1) *in the heading, by inserting “OR SPECIAL*
15 *TRIAL COUNSEL” after “CONVENING AUTHORITY”;*
16 *and*

17 (2) *in the matter preceding paragraph (1) by*
18 *striking “to the convening authority” and inserting*
19 *“to the convening authority or, in the case of a pre-*
20 *liminary hearing in which the hearing officer is pro-*
21 *vided at the request of a special trial counsel to the*
22 *special trial counsel,”.*

1 **SEC. 537. ADVICE TO CONVENING AUTHORITY BEFORE RE-**
2 **FERRAL FOR TRIAL.**

3 *Section 834 of title 10, United States Code (article 34*
4 *of the Uniform Code of Military Justice), is amended—*

5 *(1) in subsection (a)(1), by striking “Before re-*
6 *ferral” and inserting “Subject to subsection (c), before*
7 *referral”*

8 *(2) in subsection (b), by striking “Before refer-*
9 *ral” and inserting “Subject to subsection (c), before*
10 *referral”;*

11 *(3) by redesignating subsections (c) and (d) as*
12 *subsections (d) and (e) respectively;*

13 *(4) by inserting after subsection (b) the following*
14 *new subsection:*

15 *“(c) COVERED OFFENSES.—A referral to a general or*
16 *special court-martial for trial of charges and specifications*
17 *over which a special trial counsel exercises authority may*
18 *only be made—*

19 *“(1) by a special trial counsel, subject to a spe-*
20 *cial trial counsel’s written determination accom-*
21 *panying the referral that—*

22 *“(A) each specification under a charge al-*
23 *leges an offense under this chapter;*

24 *“(B) there is probable cause to believe that*
25 *the accused committed the offense charged; and*

1 “(C) a court-martial would have jurisdic-
2 tion over the accused and the offense; or

3 “(2) in the case of charges and specifications
4 that do not allege a covered offense and as to which
5 a special trial counsel declines to prefer or, in the
6 case of charges and specifications preferred by a per-
7 son other than a special trial counsel, refer charges,
8 by the convening authority in accordance with this
9 section.”; and

10 (5) in subsection (e), as so redesignated, by in-
11 serting “or, with respect to charges and specifications
12 over which a special trial counsel exercises authority
13 in accordance with section 824a of this title (article
14 24a), a special trial counsel,” after “convening au-
15 thority”.

16 **SEC. 538. FORMER JEOPARDY.**

17 Section 844(c) of title 10, United States Code (article
18 44(c) of the Uniform Code of Military Justice), is amended
19 by inserting “or the special trial counsel” after “the con-
20 vening authority” each place it appears.

21 **SEC. 539. PLEA AGREEMENTS.**

22 (a) **AUTHORITY TO ENTER INTO AGREEMENTS.**—Sub-
23 section (a) of section 853a of title 10, United States Code
24 (article 53a of the Uniform Code of Military Justice), is
25 amended—

1 (1) by striking “*IMPRACTICAL.—If the Judge Ad-*
 2 *vocate General*” and inserting the following: “*IMPRAC-*
 3 *TICABLE.—*”

4 “(i) *IN GENERAL.—Subject to clause (ii), if*
 5 *the Judge Advocate General*”;

6 (2) by striking “*impractical*” and inserting “*im-*
 7 *practicable*”; and

8 (3) by adding at the end the following new
 9 *clause:*

10 “(i) *CASES REFERRED BY SPECIAL TRIAL*
 11 *COUNSEL .—If a case was referred to trial by a*
 12 *special trial counsel, a special trial counsel shall*
 13 *determine if a rehearing is impracticable and*
 14 *shall dismiss the charges if the special trial*
 15 *counsel so determines.”.*

16 (b) *COURTS OF CRIMINAL APPEALS.—Section*
 17 *866(f)(1)(C) of title 10, United States Code (article*
 18 *66(f)(1)(C) of the Uniform Code of Military Justice), is*
 19 *amended—*

20 (1) by striking “*IMPRACTICABLE.—If the Court*
 21 *of Criminal Appeals*” and inserting the following:

22 “*IMPRACTICABLE.—*

23 “(i) *IN GENERAL.—Subject to clause (ii), if*
 24 *the Court of Criminal Appeals*”; and

1 (2) *by adding at the end the following new*
2 *clause:*

3 “(i) *CASES REFERRED BY SPECIAL TRIAL*
4 *COUNSEL.—If a case was referred to trial by a*
5 *special trial counsel, a special trial counsel shall*
6 *determine if a rehearing is impracticable and*
7 *shall dismiss the charges if the special trial*
8 *counsel so determines.”.*

9 (c) *REVIEW BY THE COURT OF APPEALS FOR THE*
10 *ARMED FORCES.—Section 867(e) of title 10, United States*
11 *Code (article 67(e) of the Uniform Code of Military Jus-*
12 *tice), is amended by adding at the end the following new*
13 *sentence: “Notwithstanding the preceding sentence, if a case*
14 *was referred to trial by a special trial counsel, a special*
15 *trial counsel shall determine if a rehearing is impracticable*
16 *and shall dismiss the charges if the special trial counsel*
17 *so determines.”.*

18 (d) *REVIEW BY JUDGE ADVOCATE GENERAL.—Section*
19 *869(c)(1)(D) of title 10, United States Code (article*
20 *69(c)(1)(D) of the Uniform Code of Military Justice), is*
21 *amended—*

22 (1) *by striking “If the Judge Advocate General”*
23 *and inserting “(i) Subject to clause (ii), if the Judge*
24 *Advocate General”;*

1 (2) by striking “impractical” and inserting “im-
2 practicable”; and

3 (3) by adding at the end the following new
4 clause:

5 “(ii) If a case was referred to trial by a special trial
6 counsel, a special trial counsel shall determine if a rehear-
7 ing is impracticable and shall dismiss the charges if the
8 special trial counsel so determines.”.

9 **SEC. 539B. APPLICABILITY TO THE UNITED STATES COAST**
10 **GUARD.**

11 *The Secretary of Defense shall consult and enter into*
12 *an agreement with the Secretary of Homeland Security to*
13 *apply the provisions of this part and the amendments made*
14 *by this part, and the policies, mechanisms, and processes*
15 *established pursuant to such provisions, to the United*
16 *States Coast Guard when it is operating as a service in*
17 *the Department of Homeland Security.*

18 **SEC. 539C. EFFECTIVE DATE.**

19 (a) *IN GENERAL.—Except as provided in subsection*
20 *(b), the amendments made by this part shall take effect on*
21 *the date that is two years after the date of the enactment*
22 *of this Act and shall apply with respect to offenses that*
23 *occur after that date.*

24 (b) *REGULATIONS.—*

1 (b) *ELEMENTS OF OFFENSE.*—*The regulations and the*
2 *revisions to the Manual for Courts-Martial required under*
3 *subsection (a) shall provide that the required elements con-*
4 *stituting the offense of sexual harassment are—*

5 (1) *that the accused knowingly made sexual ad-*
6 *vances, demands or requests for sexual favors, or*
7 *knowingly engaged in other conduct of a sexual na-*
8 *ture;*

9 (2) *that such conduct was unwelcome;*

10 (3) *that, under the circumstances, such con-*
11 *duct—*

12 (A) *would cause a reasonable person to be-*
13 *lieve, and a certain person did believe, that sub-*
14 *mission to such conduct would be made, either*
15 *explicitly or implicitly, a term or condition of*
16 *that person’s job, pay, career, benefits, or entitle-*
17 *ments;*

18 (B) *would cause a reasonable person to be-*
19 *lieve, and a certain person did believe, that sub-*
20 *mission to, or rejection of, such conduct would be*
21 *used as a basis for decisions affecting that per-*
22 *son’s job, pay, career, benefits, or entitlements; or*

23 (C) *was so severe, repetitive, or pervasive*
24 *that a reasonable person would perceive, and a*

1 *certain person did perceive, an intimidating,*
2 *hostile, or offensive working environment; and*
3 *(4) that, under the circumstances, the conduct of*
4 *the accused was—*

5 *(A) to the prejudice of good order and dis-*
6 *cipline in the armed forces;*

7 *(B) of a nature to bring discredit upon the*
8 *armed forces; or*

9 *(C) to the prejudice of good order and dis-*
10 *cipline in the armed forces and of a nature to*
11 *bring discredit upon the armed forces.*

12 **SEC. 539E. SENTENCING REFORM.**

13 *(a) ARTICLE 53; FINDINGS AND SENTENCING.—Sec-*
14 *tion 853 of title 10, United States Code (article 53 of the*
15 *Uniform Code of Military Justice), is amended—*

16 *(1) in subsection (b), by amending paragraph*
17 *(1) to read as follows:*

18 *“(1) GENERAL AND SPECIAL COURTS-MARTIAL.—*
19 *Except as provided in subsection (c) for capital of-*
20 *fenses, if the accused is convicted of an offense in a*
21 *trial by general or special court-martial, the military*
22 *judge shall sentence the accused. The sentence deter-*
23 *mined by the military judge constitutes the sentence*
24 *of the court-martial.”; and*

25 *(2) in subsection (c)—*

1 (A) by amending paragraph (1) to read as
2 follows:

3 “(1) *IN GENERAL.*—In a capital case, if the ac-
4 cused is convicted of an offense for which the court-
5 martial may sentence the accused to death—

6 “(A) the members shall determine—

7 “(i) whether the sentence for that of-
8 fense shall be death or life in prison without
9 eligibility for parole; or

10 “(ii) whether the matter shall be re-
11 turned to the military judge for determina-
12 tion of a lesser punishment; and

13 “(B) the military judge shall sentence the
14 accused for that offense in accordance with the
15 determination of the members under subpara-
16 graph (A).”; and

17 (B) in paragraph (2), by striking “the
18 court-martial” and inserting “the military
19 judge”.

20 (b) *ARTICLE 53A; PLEA AGREEMENTS.*—Section 853a
21 of title 10, United States Code (article 53a of the Uniform
22 Code of Military Justice), as amended by section 539 of
23 this Act, is further amended—

24 (1) by redesignating subsections (b), (c), and (d),
25 as subsections (c), (d), and (e), respectively; and

1 (2) *by inserting after subsection (a) the following*
2 *new subsection:*

3 “(b) *ACCEPTANCE OF PLEA AGREEMENT.*—*Subject to*
4 *subsection (c), the military judge of a general or special*
5 *court-martial shall accept a plea agreement submitted by*
6 *the parties, except that—*

7 “(1) *in the case of an offense with a sentencing*
8 *parameter set forth in regulations prescribed by the*
9 *President pursuant to section 539E(e) of the National*
10 *Defense Authorization Act for Fiscal Year 2022, the*
11 *military judge may reject a plea agreement that pro-*
12 *poses a sentence that is outside the sentencing param-*
13 *eter if the military judge determines that the proposed*
14 *sentence is plainly unreasonable; and*

15 “(2) *in the case of an offense for which the Presi-*
16 *dent has not established a sentencing parameter pur-*
17 *suant to section 539E(e) of the National Defense Au-*
18 *thorization Act for Fiscal Year 2022, the military*
19 *judge may reject a plea agreement that proposes a*
20 *sentence if the military judge determines that the pro-*
21 *posed sentence is plainly unreasonable.”.*

22 (c) *ARTICLE 56; SENTENCING.*—*Section 856 of title 10,*
23 *United States Code (article 56 of the Uniform Code of Mili-*
24 *tary Justice), is amended—*

25 (1) *in subsection (c)—*

1 (A) in paragraph (1)—

2 (i) in subparagraph (C)(vii), by strik-
3 ing “and” at the end;

4 (ii) in subparagraph (D), by striking
5 the period at the end and inserting “; and”;
6 and

7 (iii) by adding at the end the following
8 new subparagraph:

9 “(E) the applicable sentencing parameters
10 or sentencing criteria set forth in regulations
11 prescribed by the President pursuant to section
12 539E(e) of the National Defense Authorization
13 Act for Fiscal Year 2022.”; and

14 (B) by striking paragraphs (2) through (4)
15 and inserting the following new paragraphs:

16 “(2) APPLICATION OF SENTENCING PARAMETERS
17 IN GENERAL AND SPECIAL COURTS-MARTIAL.—

18 “(A) REQUIREMENT TO SENTENCE WITHIN
19 PARAMETERS.—~~Except~~ as provided in subpara-
20 graph (B), in a general or special court-martial
21 in which the accused is convicted of an offense
22 for which the President has established a sen-
23 tencing parameter pursuant to section 539E(e)
24 of the National Defense Authorization Act for
25 Fiscal Year 2022, the military judge shall sen-

1 *tence the accused for that offense within the ap-*
2 *plicable parameter.*

3 “(B) *EXCEPTION.*—*The military judge may*
4 *impose a sentence outside a sentencing param-*
5 *eter upon finding specific facts that warrant*
6 *such a sentence. If the military judge imposes a*
7 *sentence outside a sentencing parameter under*
8 *this subparagraph, the military judge shall in-*
9 *clude in the record a written statement of the*
10 *factual basis for the sentence.*

11 “(3) *USE OF SENTENCING CRITERIA IN GENERAL*
12 *AND SPECIAL COURTS-MARTIAL.*—*In a general or spe-*
13 *cial court-martial in which the accused is convicted*
14 *of an offense for which the President has established*
15 *sentencing criteria pursuant to section 539E(e) of the*
16 *National Defense Authorization Act for Fiscal Year*
17 *2022, the military judge shall consider the applicable*
18 *sentencing criteria in determining the sentence for*
19 *that offense.*

20 “(4) *OFFENSE-BASED SENTENCING IN GENERAL*
21 *AND SPECIAL COURTS-MARTIAL.*—*In announcing the*
22 *sentence under section 853 of this title (article 53) in*
23 *a general or special court-martial, the military judge*
24 *shall, with respect to each offense of which the accused*
25 *is found guilty, specify the term of confinement, if*

1 *any, and the amount of the fine, if any. If the accused*
2 *is sentenced to confinement for more than one offense,*
3 *the military judge shall specify whether the terms of*
4 *confinement are to run consecutively or concurrently.*

5 “(5) *INAPPLICABILITY TO DEATH PENALTY.—*
6 *Sentencing parameters and sentencing criteria shall*
7 *not apply to a determination of whether an offense*
8 *should be punished by death.*

9 “(6) *SENTENCE OF CONFINEMENT FOR LIFE*
10 *WITHOUT ELIGIBILITY FOR PAROLE.—*

11 “(A) *IN GENERAL.—If an offense is subject*
12 *to a sentence of confinement for life, a court-*
13 *martial may impose a sentence of confinement*
14 *for life without eligibility for parole.*

15 “(B) *TERM OF CONFINEMENT.—An accused*
16 *who is sentenced to confinement for life without*
17 *eligibility for parole shall be confined for the re-*
18 *mainder of the accused’s life unless—*

19 “(i) *the sentence is set aside or other-*
20 *wise modified as a result of—*

21 “(I) *action taken by the convening*
22 *authority or the Secretary concerned;*
23 *or*

24 “(II) *any other action taken dur-*
25 *ing post-trial procedure or review*

1 *under any other provision of sub-*
2 *chapter IX of this chapter;*

3 *“(ii) the sentence is set aside or other-*
4 *wise modified as a result of action taken by*
5 *a court of competent jurisdiction; or*

6 *“(iii) the accused receives a pardon or*
7 *another form of Executive clemency.”; and*

8 *(4) in subsection (d)(1)—*

9 *(A) in subparagraph (A), by striking “or”*
10 *at the end;*

11 *(B) by redesignating subparagraph (B) as*
12 *subparagraph (C);*

13 *(C) by inserting after subparagraph (A) the*
14 *following new subparagraph:*

15 *“(B) in the case of a sentence for an offense*
16 *for which the President has established a sen-*
17 *tencing parameter pursuant to section 539E(e)*
18 *of the National Defense Authorization Act for*
19 *Fiscal Year 2022, the sentence is a result of an*
20 *incorrect application of the parameter; or”;* and

21 *(D) in subparagraph (C), as redesignated*
22 *by subparagraph (B) of this paragraph, by strik-*
23 *ing “, as determined in accordance with stand-*
24 *ards and procedures prescribed by the Presi-*
25 *dent”.*

1 (d) *ARTICLE 66; COURTS OF CRIMINAL APPEALS.—*
2 *Section 866 of title 10, United States Code (article 66 of*
3 *the Uniform Code of Military Justice), as amended by sec-*
4 *tion 539A of this Act, is further amended—*

5 (1) *in subsection (d)(1)(A), by striking the third*
6 *sentence; and*

7 (2) *by amending subsection (e) to read as fol-*
8 *lows:*

9 “(e) *CONSIDERATION OF SENTENCE.—*

10 “(1) *IN GENERAL.—In considering a sentence on*
11 *appeal, other than as provided in section 856(d) of*
12 *this title (article 56(d)), the Court of Criminal Ap-*
13 *peals may consider—*

14 “(A) *whether the sentence violates the law;*

15 “(B) *whether the sentence is inappropri-*
16 *ately severe—*

17 “(i) *if the sentence is for an offense for*
18 *which the President has not established a*
19 *sentencing parameter pursuant to section*
20 *539E(e) of the National Defense Authoriza-*
21 *tion Act for Fiscal Year 2022; or*

22 “(ii) *in the case of an offense for which*
23 *the President has established a sentencing*
24 *parameter pursuant to section 539E(e) of*
25 *the National Defense Authorization Act for*

1 *Fiscal Year 2022, if the sentence is above*
2 *the upper range of such sentencing param-*
3 *eter;*

4 “(C) *in the case of a sentence for an offense*
5 *for which the President has established a sen-*
6 *tencing parameter pursuant to section 539E(e)*
7 *of the National Defense Authorization Act for*
8 *Fiscal Year 2022, whether the sentence is a result*
9 *of an incorrect application of the parameter;*

10 “(D) *whether the sentence is plainly unrea-*
11 *sonable; and*

12 “(E) *in review of a sentence to death or to*
13 *life in prison without eligibility for parole deter-*
14 *mined by the members in a capital case under*
15 *section 853(c) of this title (article 53(c)), whether*
16 *the sentence is otherwise appropriate, under*
17 *rules prescribed by the President.*

18 “(2) *RECORD ON APPEAL.—In an appeal under*
19 *this subsection or section 856(d) of this title (article*
20 *56(d)), other than review under subsection (b)(2) of*
21 *this section, the record on appeal shall consist of—*

22 “(A) *any portion of the record in the case*
23 *that is designated as pertinent by any party;*

24 “(B) *the information submitted during the*
25 *sentencing proceeding; and*

1 “(C) any information required by rule or
2 order of the Court of Criminal Appeals.”.

3 (e) *ESTABLISHMENT OF SENTENCING PARAMETERS*
4 *AND SENTENCING CRITERIA.*—

5 (1) *IN GENERAL.*—Not later than two years after
6 the date of the enactment of this Act, the President
7 shall prescribe regulations establishing sentencing pa-
8 rameters and sentencing criteria related to offenses
9 under chapter 47 of title 10, United States Code (the
10 *Uniform Code of Military Justice*), in accordance
11 with this subsection. Such parameters and criteria—

12 (A) shall cover sentences of confinement;
13 and

14 (B) may cover lesser punishments, as the
15 President determines appropriate.

16 (2) *SENTENCING PARAMETERS.*—Sentencing pa-
17 rameters established under paragraph (1) shall—

18 (A) identify a delineated sentencing range
19 for an offense that is appropriate for a typical
20 violation of the offense, taking into consider-
21 ation—

22 (i) the severity of the offense;

23 (ii) the guideline or offense category
24 that would apply to the offense if the offense
25 were tried in a United States district court;

1 (iii) any military-specific sentencing
2 factors;

3 (iv) the need for the sentencing param-
4 eter to be sufficiently broad to allow for in-
5 dividualized consideration of the offense and
6 the accused; and

7 (v) any other relevant sentencing
8 guideline.

9 (B) include no fewer than 5 and no more
10 than 12 offense categories;

11 (C) assign such offense under this chapter to
12 an offense category unless the offense is identified
13 as unsuitable for sentencing parameters under
14 paragraph (4)(F)(ii); and

15 (D) delineate the confinement range for each
16 offense category by setting an upper confinement
17 limit and a lower confinement limit.

18 (3) SENTENCING CRITERIA.—Sentencing criteria
19 established under paragraph (1) shall identify offense-
20 specific factors the military judge should consider and
21 any collateral effects of available punishments that
22 may aid the military judge in determining an appro-
23 priate sentence when there is no applicable sentencing
24 parameter for a specific offense.

1 (4) *MILITARY SENTENCING PARAMETERS AND*
2 *CRITERIA BOARD.*—

3 (A) *IN GENERAL.*—*There is established*
4 *within the Department of Defense a board, to be*
5 *known as the “Military Sentencing Parameters*
6 *and Criteria Board” (referred to in this sub-*
7 *section as the “Board”).*

8 (B) *VOTING MEMBERS.*—*The Board shall*
9 *have 5 voting members, as follows:*

10 (i) *The 4 chief trial judges designated*
11 *under section 826(g) of title 10, United*
12 *States Code (article 26(g) of the Uniform*
13 *Code of Military Justice), except that, if the*
14 *chief trial judge of the Coast Guard is not*
15 *available, the Judge Advocate General of the*
16 *Coast Guard may designate as a voting*
17 *member a judge advocate of the Coast*
18 *Guard with substantial military justice ex-*
19 *perience.*

20 (ii) *A trial judge of the Navy, des-*
21 *ignated under regulations prescribed by the*
22 *President, if the chief trial judges des-*
23 *ignated under section 826(g) of title 10,*
24 *United States Code (article 26(g) of the*

1 *Uniform Code of Military Justice*), do not
2 include a trial judge of the Navy.

3 (iii) *A trial judge of the Marine Corps,*
4 *designated under regulations prescribed by*
5 *the President, if the chief trial judges des-*
6 *ignated under section 826(g) of title 10,*
7 *United States Code (article 26(g) of the*
8 *Uniform Code of Military Justice), do not*
9 include a trial judge of the Marine Corps.

10 (C) *NONVOTING MEMBERS.—The Chief*
11 *Judge of the Court of Appeals for the Armed*
12 *Forces, the Chairman of the Joint Chiefs of Staff,*
13 *and the General Counsel of the Department of*
14 *Defense shall each designate one nonvoting mem-*
15 *ber of the Board. The Secretary of Defense may*
16 *appoint one additional nonvoting member of the*
17 *Board at the Secretary's discretion.*

18 (D) *CHAIR AND VICE-CHAIR.—The Sec-*
19 *retary of Defense shall designate one voting*
20 *member as chair of the Board and one voting*
21 *member as vice-chair.*

22 (E) *VOTING REQUIREMENT.—An affirma-*
23 *tive vote of at least three members is required for*
24 *any action of the Board under this subsection.*

1 (F) *DUTIES OF BOARD.*—*The Board shall*
2 *have the following duties:*

3 (i) *As directed by the Secretary of De-*
4 *fense, the Board shall submit to the Presi-*
5 *dent for approval—*

6 (I) *sentencing parameters for all*
7 *offenses under chapter 47 of title 10,*
8 *United States Code (the Uniform Code*
9 *of Military Justice) (other than of-*
10 *fenses that the Board identifies as un-*
11 *suitable for sentencing parameters in*
12 *accordance with clause (ii)); and*

13 (II) *sentencing criteria to be used*
14 *by military judges in determining ap-*
15 *propriate sentences for offenses that are*
16 *identified as unsuitable for sentencing*
17 *parameters in accordance with clause*
18 *(ii).*

19 (ii) *Identify each offense under chapter*
20 *47 of title 10, United States Code (the Uni-*
21 *form Code of Military Justice), that is un-*
22 *suitable for sentencing parameters. The*
23 *Board shall identify an offense as unsuit-*
24 *able for sentencing parameters if—*

1 (I) the nature of the offense is in-
2 determinate and unsuitable for cat-
3 egorization; and

4 (II) there is no similar criminal
5 offense under the laws of the United
6 States or the laws of the District of Co-
7 lumbia.

8 (iii) In developing sentencing param-
9 eters and criteria, the Board shall consider
10 the sentencing data collected by the Military
11 Justice Review Panel pursuant to section
12 946(f)(2) of title 10, United States Code
13 (article 146(f)(2) of the Uniform Code of
14 Military Justice).

15 (iv) In addition to establishing param-
16 eters for sentences of confinement under
17 clause (i)(I), the Board shall consider the
18 appropriateness of establishing sentencing
19 parameters for punitive discharges, fines,
20 reductions, forfeitures, and other lesser pun-
21 ishments authorized under chapter 47 of
22 title 10, United States Code (the Uniform
23 Code of Military Justice).

24 (v) The Board shall regularly—

1 (I) review, and propose revision
2 to, in consideration of comments and
3 data coming to the Board's attention,
4 the sentencing parameters and sen-
5 tencing criteria prescribed under para-
6 graph (1); and

7 (II) submit to the President,
8 through the Secretary of Defense, pro-
9 posed amendments to the sentencing
10 parameters and sentencing criteria, to-
11 gether with statements explaining the
12 basis for the proposed amendments.

13 (vi) The Board shall develop means of
14 measuring the degree to which applicable
15 sentencing, penal, and correctional practices
16 are effective with respect to the sentencing
17 factors and policies set forth in this section.

18 (vii) In fulfilling its duties and in ex-
19 ercising its powers, the Board shall consult
20 authorities on, and individual and institu-
21 tional representatives of, various aspects of
22 the military criminal justice system. The
23 Board may establish separate advisory
24 groups consisting of individuals with cur-
25 rent or recent experience in command and

1 *in senior enlisted positions, individuals*
2 *with experience in the trial of courts-mar-*
3 *tial, and such other groups as the Board*
4 *deems appropriate.*

5 *(viii) The Board shall submit to the*
6 *President, through the Secretary of Defense,*
7 *proposed amendments to the rules for*
8 *courts-martial with respect to sentencing*
9 *proceedings and maximum punishments, to-*
10 *gether with statements explaining the basis*
11 *for the proposed amendments.*

12 *(f) EFFECTIVE DATE.—The amendments made by this*
13 *section shall take effect on the date that is two years after*
14 *the date of the enactment of this Act and shall apply to*
15 *sentences adjudged in cases in which all findings of guilty*
16 *are for offenses that occurred after the date that is two years*
17 *after the date of the enactment of this Act.*

18 *(g) REPEAL OF SECRETARIAL GUIDELINES ON SEN-*
19 *TENCES FOR OFFENSES COMMITTED UNDER THE UNIFORM*
20 *CODE OF MILITARY JUSTICE.—Section 537 of the National*
21 *Defense Authorization Act for Fiscal Year 2020 (Public*
22 *Law 116–92; 133 Stat. 1363; 10 U.S.C. 856 note) is re-*
23 *pealed.*

1 **PART 3—REPORTS AND OTHER MATTERS**

2 **SEC. 539F. BRIEFING AND REPORT ON RESOURCING RE-**
3 **QUIRED FOR IMPLEMENTATION.**

4 *(a) BRIEFING AND REPORT REQUIRED.—*

5 *(1) BRIEFING.—Not later than March 1, 2022,*
6 *each Secretary concerned shall provide to the appro-*
7 *priate congressional committees a briefing that details*
8 *the resourcing necessary to implement this subtitle*
9 *and the amendments made by this subtitle.*

10 *(2) REPORT.—On a date occurring after the*
11 *briefing under paragraph (1), but not later than one*
12 *year after the date of the enactment of this Act, each*
13 *Secretary concerned shall submit to the appropriate*
14 *congressional committees a report that details the*
15 *resourcing necessary to implement this subtitle and*
16 *the amendments made by this subtitle.*

17 *(3) FORM OF BRIEFING AND REPORT.—Each*
18 *Secretary concerned may provide the briefing and re-*
19 *port required under paragraphs (1) and (2) jointly,*
20 *or separately, as determined appropriate by such Sec-*
21 *retaries*

22 *(b) ELEMENTS.—The briefing and report required*
23 *under subsection (a) shall address the following:*

24 *(1) The number of additional personnel and per-*
25 *sonnel authorizations (military and civilian) required*
26 *by the Armed Forces to implement and execute the*

1 *provisions of this subtitle and the amendments made*
2 *by this subtitle by the effective date specified in sec-*
3 *tion 539C.*

4 (2) *The basis for the number provided pursuant*
5 *to paragraph (1), including the following:*

6 (A) *A description of the organizational*
7 *structure in which such personnel or groups of*
8 *personnel are or will be aligned.*

9 (B) *The nature of the duties and functions*
10 *to be performed by any such personnel or groups*
11 *of personnel across the domains of policy-mak-*
12 *ing, execution, assessment, and oversight.*

13 (C) *The optimum caseload goal assigned to*
14 *the following categories of personnel who are or*
15 *will participate in the military justice process:*
16 *criminal investigators of different levels and ex-*
17 *pertise, laboratory personnel, defense counsel,*
18 *special trial counsel, military defense counsel,*
19 *military judges, and military magistrates.*

20 (D) *Any required increase in the number of*
21 *personnel currently authorized in law to be as-*
22 *signed to the Armed Force concerned.*

23 (3) *The nature and scope of any contract re-*
24 *quired by the Armed Force concerned to implement*
25 *and execute the provisions of this subtitle and the*

1 *amendments made by this subtitle by the effective*
2 *date specified in section 539C.*

3 (4) *The amount and types of additional funding*
4 *required by the Armed Force concerned to implement*
5 *the provisions of this subtitle and the amendments*
6 *made by this subtitle by the effective date specified in*
7 *section 539C.*

8 (5) *Any additional authorities required to imple-*
9 *ment the provisions of this subtitle and the amend-*
10 *ments made by this subtitle by the effective date speci-*
11 *fied in section 539C.*

12 (6) *Any additional information the Secretary*
13 *concerned determines is necessary to ensure the man-*
14 *ning, equipping, and resourcing of the Armed Forces*
15 *to implement and execute the provisions of this sub-*
16 *title and the amendments made by this subtitle.*

17 (c) *DEFINITIONS.—In this section:*

18 (1) *The term “appropriate congressional com-*
19 *mittees” means—*

20 (A) *the Committee on Armed Services and*
21 *the Committee on Commerce, Science, and*
22 *Transportation of the Senate; and*

23 (B) *the Committee on Armed Services and*
24 *the Committee on Transportation and Infra-*
25 *structure of the House of Representatives.*

1 (2) *The term “Secretary concerned” has the*
2 *meaning given that term in section 101(a) of title 10,*
3 *United States Code.*

4 **SEC. 539G. BRIEFING ON IMPLEMENTATION OF CERTAIN**
5 **RECOMMENDATIONS OF THE INDEPENDENT**
6 **REVIEW COMMISSION ON SEXUAL ASSAULT**
7 **IN THE MILITARY.**

8 (a) *BRIEFING REQUIRED.—Not later than 180 days*
9 *after the date of the enactment of this Act, the Secretary*
10 *of Defense shall provide to the Committees on Armed Serv-*
11 *ices of the Senate and the House of Representatives a brief-*
12 *ing on the status of the implementation of the recommenda-*
13 *tions set forth in the report of the Independent Review Com-*
14 *mission on Sexual Assault in the Military titled “Hard*
15 *Truths and the Duty to Change: Recommendations from the*
16 *Independent Review Commission on Sexual Assault in the*
17 *Military”, and dated July 2, 2021.*

18 (b) *ELEMENTS.—The briefing under subsection (a)*
19 *shall address the following:*

20 (1) *The status of the implementation of each rec-*
21 *ommendation, including—*

22 (A) *whether, how, and to what extent the*
23 *recommendation has been implemented; and*

24 (B) *any rules, regulations, policies, or other*
25 *guidance that have been issued, revised, changed,*

1 or cancelled as a result of the implementation of
2 the recommendation.

3 (2) For each recommendation that has not been
4 fully implemented or superseded by statute as of the
5 date of the briefing, a description of any plan for the
6 implementation of the recommendation, including
7 identification of—

8 (A) intermediate actions, milestone dates,
9 and any expected completion date for implemen-
10 tation of the recommendation; and

11 (B) any rules, regulations, policies, or other
12 guidance that are expected to be issued, revised,
13 changed, or cancelled as a result of the imple-
14 mentation of the recommendation.

15 ***Subtitle E—Other Military Justice***
16 ***and Legal Matters***

17 ***SEC. 541. RIGHTS OF THE VICTIM OF AN OFFENSE UNDER***
18 ***THE UNIFORM CODE OF MILITARY JUSTICE.***

19 Section 806b(a) of title 10, United States Code (article
20 6b(a) of the Uniform Code of Military Justice), is amend-
21 ed—

22 (1) by redesignating paragraph (8) as para-
23 graph (9); and

24 (2) by inserting after paragraph (7) the fol-
25 lowing new paragraph:

1 “(8) *The right to be informed in a timely man-*
 2 *ner of any plea agreement, separation-in-lieu-of-trial*
 3 *agreement, or non-prosecution agreement relating to*
 4 *the offense, unless providing such information would*
 5 *jeopardize a law enforcement proceeding or would vio-*
 6 *late the privacy concerns of an individual other than*
 7 *the accused.”.*

8 **SEC. 542. CONDUCT UNBECOMING AN OFFICER.**

9 (a) *IN GENERAL.*—Section 933 of title 10, United
 10 *States Code (article 133 of the Uniform Code of Military*
 11 *Justice) is amended—*

12 (1) *in the section heading, by striking “and a*
 13 *gentleman”;* and

14 (2) *by striking “and a gentleman”.*

15 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 16 *the beginning of subchapter X of chapter 47 of such title*
 17 *is amended by striking the item relating to section 933 (ar-*
 18 *ticle 133) and inserting the following new item:*

“933. 133. *Conduct unbecoming an officer.*”.

19 **SEC. 543. INDEPENDENT INVESTIGATION OF COMPLAINTS**
 20 **OF SEXUAL HARASSMENT.**

21 (a) *IN GENERAL.*—Section 1561 of title 10, United
 22 *States Code, is amended to read as follows:*

1 **“§1561. Complaints of sexual harassment: inde-**
2 **pendent investigation**

3 “(a) *ACTION ON COMPLAINTS ALLEGING SEXUAL HAR-*
4 *ASSMENT.—A commanding officer or officer in charge of a*
5 *unit, vessel, facility, or area of the Army, Navy, Air Force,*
6 *Marine Corps, or Space Force who receives from a member*
7 *of the command or a civilian employee under the super-*
8 *vision of the officer a formal complaint alleging a claim*
9 *of sexual harassment by a member of the armed forces or*
10 *a civilian employee of the Department of Defense shall, to*
11 *the extent practicable, direct that an independent investiga-*
12 *tion of the matter be carried out in accordance with this*
13 *section.*

14 “(b) *COMMENCEMENT OF INVESTIGATION.—To the ex-*
15 *tent practicable, a commanding officer or officer in charge*
16 *receiving such a formal complaint shall forward such com-*
17 *plaint to an independent investigator within 72 hours after*
18 *receipt of the complaint, and shall further—*

19 “(1) *forward the formal complaint or a detailed*
20 *description of the allegation to the next superior offi-*
21 *cer in the chain of command who is authorized to*
22 *convene a general court-martial; and*

23 “(2) *advise the complainant of the commence-*
24 *ment of the investigation.*

25 “(c) *DURATION OF INVESTIGATION.—To the extent*
26 *practicable, a commanding officer or officer in charge shall*

1 *ensure that an independent investigator receiving a formal*
2 *complaint of sexual harassment under this section completes*
3 *the investigation of the complaint not later than 14 days*
4 *after the date on which the investigation is commenced, and*
5 *that the findings of the investigation are forwarded to the*
6 *commanding officer or officer in charge specified in sub-*
7 *section (a) for action as appropriate.*

8 “(d) *REPORT ON INVESTIGATION.*—*To the extent prac-*
9 *ticable, a commanding officer or officer in charge shall—*

10 “(1) *submit a final report on the results of the*
11 *independent investigation, including any action taken*
12 *as a result of the investigation, to the next superior*
13 *officer referred to in subsection (b)(1) within 20 days*
14 *after the date on which the investigation is com-*
15 *menced; or*

16 “(2) *submit a report on the progress made in*
17 *completing the investigation to the next superior offi-*
18 *cer referred to in subsection (b)(1) within 20 days*
19 *after the date on which the investigation is com-*
20 *menced and every 14 days thereafter until the inves-*
21 *tigation is completed and, upon completion of the in-*
22 *vestigation, then submit a final report on the results*
23 *of the investigation, including any action taken as a*
24 *result of the investigation, to that next superior offi-*
25 *cer.*

1 “(e) *SEXUAL HARASSMENT DEFINED.*—*In this section,*
2 *the term ‘sexual harassment’ means conduct that constitutes*
3 *the offense of sexual harassment as punishable under section*
4 *934 of this title (article 134) pursuant to the regulations*
5 *prescribed by the Secretary of Defense for purposes of such*
6 *section (article).”.*

7 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
8 *the beginning of chapter 80 of title 10, United States Code,*
9 *is amended by striking the item relating to section 1561*
10 *and inserting the following new item:*

“1561. Complaints of sexual harassment: independent investigation.”.

11 (c) *EFFECTIVE DATE.*—*The amendments made by sub-*
12 *sections (a) and (b) shall—*

13 (1) *take effect on the date that is two years after*
14 *the date of the enactment of this Act; and*

15 (2) *apply to any investigation of a formal com-*
16 *plaint of sexual harassment (as defined in section*
17 *1561 of title 10, United States Code, as amended by*
18 *subsection (a)) made on or after that date.*

19 (d) *REGULATIONS.*—*Not later than 18 months after the*
20 *date of the enactment of this Act the Secretary of Defense*
21 *shall prescribe regulations providing for the implementa-*
22 *tion of section 1561 of title 10, United States Code, as*
23 *amended by subsection (a).*

24 (e) *REPORT ON IMPLEMENTATION.*—*Not later than one*
25 *year after the date of the enactment of this Act, the Sec-*

1 *retary of Defense shall submit to the Committees on Armed*
2 *Services of the Senate and the House of Representatives a*
3 *report on the preparation of the Secretary to implement sec-*
4 *tion 1561 of title 10, United States Code, as amended by*
5 *subsection (a).*

6 **SEC. 544. DEPARTMENT OF DEFENSE TRACKING OF ALLE-**
7 **GATIONS OF RETALIATION BY VICTIMS OF**
8 **SEXUAL ASSAULT OR SEXUAL HARASSMENT**
9 **AND RELATED PERSONS.**

10 *(a) IN GENERAL.—Chapter 80 of title 10, United*
11 *States Code, is amended by inserting after section 1562 the*
12 *following new section:*

13 **“§ 1562a. Complaints of retaliation by victims of sex-**
14 **ual assault or sexual harassment and re-**
15 **lated persons: tracking by Department of**
16 **Defense**

17 **“(a) DESIGNATION OF RESPONSIBLE COMPONENT.—**
18 *The Secretary of Defense shall designate a component of the*
19 *Office of the Secretary of Defense to be responsible for docu-*
20 *menting and tracking all covered allegations of retaliation*
21 *and shall ensure that the Secretaries concerned and the In-*
22 *spector General of the Department of Defense provide to*
23 *such component the information required to be documented*
24 *and tracked as described in subsection (b).*

1 “(b) *TRACKING OF ALLEGATIONS.*—*The head of the*
2 *component designated by the Secretary under subsection (a)*
3 *shall document and track each covered allegation of retali-*
4 *ation, including—*

5 “(1) *that such an allegation has been reported*
6 *and by whom;*

7 “(2) *the date of the report;*

8 “(3) *the nature of the allegation and the name*
9 *of the person or persons alleged to have engaged in*
10 *such retaliation;*

11 “(4) *the Department of Defense component or*
12 *other entity responsible for the investigation of or in-*
13 *quiry into the allegation;*

14 “(5) *the entry of findings;*

15 “(6) *referral of such findings to a decisionmaker*
16 *for review and action, as appropriate;*

17 “(7) *the outcome of final action; and*

18 “(8) *any other element of information pertaining*
19 *to the allegation determined appropriate by the Sec-*
20 *retary or the head of the component designated by the*
21 *Secretary.*

22 “(c) *COVERED ALLEGATION OF RETALIATION DE-*
23 *FINED.*—*In this section, the term ‘covered allegation of re-*
24 *taliation’ means an allegation of retaliation—*

25 “(1) *made by—*

1 “(A) *an alleged victim of sexual assault or*
2 *sexual harassment;*

3 “(B) *an individual charged with providing*
4 *services or support to an alleged victim of sexual*
5 *assault or sexual harassment;*

6 “(C) *a witness or bystander to an alleged*
7 *sexual assault or sexual harassment; or*

8 “(D) *any other person associated with an*
9 *alleged victim of a sexual assault or sexual har-*
10 *assment; and*

11 “(2) *without regard to whether the allegation is*
12 *reported to or investigated or inquired into by—*

13 “(A) *the Department of Defense Inspector*
14 *General or any other inspector general;*

15 “(B) *a military criminal investigative or-*
16 *ganization;*

17 “(C) *a commander or other person at the*
18 *direction of the commander;*

19 “(D) *another military or civilian law en-*
20 *forcement organization; or*

21 “(E) *any other organization, officer, or em-*
22 *ployee of the Department of Defense.”.*

23 (b) *CLERICAL AMENDMENT.—The table of sections at*
24 *the beginning of chapter 80 of title 10, United States Code,*

1 *is amended by inserting after the item relating to section*
 2 *1562 the following new item:*

“1562a. Complaints of retaliation by victims of sexual assault or sexual harassment and related persons: tracking by Department of Defense.”.

3 **SEC. 545. MODIFICATION OF NOTICE TO VICTIMS OF PEND-**
 4 **ENCY OF FURTHER ADMINISTRATIVE ACTION**
 5 **FOLLOWING A DETERMINATION NOT TO**
 6 **REFER TO TRIAL BY COURT-MARTIAL.**

7 *Section 549 of the National Defense Authorization Act*
 8 *for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 806b*
 9 *note) is amended—*

10 *(1) in the section heading, by striking “AL-*
 11 *LEGED SEXUAL ASSAULT” and inserting “AL-*
 12 *LEGED SEX-RELATED OFFENSE”;*

13 *(2) by striking “Under regulations” and insert-*
 14 *ing “Notwithstanding section 552a of title 5, United*
 15 *States Code, and under regulations”;*

16 *(3) by striking “alleged sexual assault” and in-*
 17 *serting “an alleged sex-related offense (as defined in*
 18 *section 1044e(h) of title 10, United States Code)”;*
 19 *and*

20 *(4) by adding at the end the following new sen-*
 21 *tence: “Upon such final determination, the com-*
 22 *mander shall notify the victim of the type of action*
 23 *taken on such case, the outcome of the action (includ-*
 24 *ing any punishments assigned or characterization of*

1 *service, as applicable), and such other information as*
2 *the commander determines to be relevant.”*

3 **SEC. 546. CIVILIAN POSITIONS TO SUPPORT SPECIAL VIC-**
4 **TIMS’ COUNSEL.**

5 *(a) CIVILIAN SUPPORT POSITIONS.—Each Secretary of*
6 *a military department may establish one or more civilian*
7 *positions within each office of the Special Victims’ Counsel*
8 *under the jurisdiction of such Secretary.*

9 *(b) DUTIES.—The duties of each position under sub-*
10 *section (a) shall be—*

11 *(1) to provide support to Special Victims’ Coun-*
12 *sel, including legal, paralegal, and administrative*
13 *support; and*

14 *(2) to ensure the continuity of legal services and*
15 *the preservation of institutional knowledge in the pro-*
16 *vision of victim legal services notwithstanding transi-*
17 *tions in the military personnel assigned to offices of*
18 *the Special Victims’ Counsel.*

19 *(c) SPECIAL VICTIMS’ COUNSEL DEFINED.—In this*
20 *section, the term “Special Victims’ Counsel” means Special*
21 *Victims’ Counsel described in section 1044e of title 10,*
22 *United States Code, and in the case of the Navy and Marine*
23 *Corps, includes counsel designated as “Victims’ Legal Coun-*
24 *sel”.*

1 **SEC. 547. PLANS FOR UNIFORM DOCUMENT MANAGEMENT**
2 **SYSTEM, TRACKING PRETRIAL INFORMATION,**
3 **AND ASSESSING CHANGES IN LAW.**

4 *(a) PLAN FOR DOCUMENT MANAGEMENT SYSTEM.—*

5 *(1) IN GENERAL.—Not later than one year after*
6 *the date of the enactment of this Act, the Secretary of*
7 *Defense, in consultation with the Secretary of Home-*
8 *land Security (with respect to the Coast Guard when*
9 *it is not operating as a service in the Navy), the Sec-*
10 *retaries of the military departments, and the Judge*
11 *Advocates specified in subsection (e), shall publish a*
12 *plan pursuant to which the Secretary of Defense shall*
13 *establish a single document management system for*
14 *use by each Armed Force to collect and present infor-*
15 *mation on matters within the military justice system,*
16 *including information collected and maintained for*
17 *purposes of section 940a of title 10, United States*
18 *Code (article 140a of the Uniform Code of Military*
19 *Justice).*

20 *(2) ELEMENTS.—The plan under subsection (a)*
21 *shall meet the following criteria:*

22 *(A) CONSISTENCY OF DATA FIELDS.—The*
23 *plan shall ensure that each Armed Force uses*
24 *consistent data collection fields, definitions, and*
25 *other criteria for the document management sys-*
26 *tem described in subsection (a).*

1 (B) *BEST PRACTICES.*—*The plan shall in-*
2 *clude a strategy for incorporating into the docu-*
3 *ment management system the features of the case*
4 *management and electronic case filing system of*
5 *the Federal courts to the greatest extent possible.*

6 (C) *PROSPECTIVE APPLICATION.*—*The plan*
7 *shall require the document management system*
8 *to be used for the collection and presentation of*
9 *information about matters occurring after the*
10 *date of the implementation of the system. The*
11 *plan shall not require the collection and presen-*
12 *tation of historical data about matters occurring*
13 *before the implementation date of the system.*

14 (D) *RESOURCES.*—*The plan shall include*
15 *an estimate of the resources (including costs,*
16 *staffing, and other resources) required to imple-*
17 *ment the document management system.*

18 (E) *AUTHORITIES.*—*The plan shall include*
19 *an analysis of any legislative actions, including*
20 *any changes to law, that may be required to im-*
21 *plement the document management system for*
22 *each Armed Force.*

23 (b) *PLAN FOR TRACKING PRETRIAL INFORMATION.*—
24 *Not later than one year after the date of the enactment of*
25 *this Act, the Secretary of Defense, in consultation with the*

1 *Secretary of Homeland Security (with respect to the Coast*
2 *Guard when it is not operating as a service in the Navy),*
3 *the Secretaries of the military departments, and the Judge*
4 *Advocates specified in subsection (e), shall publish a plan*
5 *addressing how the Armed Forces will collect, track, and*
6 *maintain pretrial records, data, and other information re-*
7 *garding the reporting, investigation, and processing of all*
8 *offenses under chapter 47 of title 10, United States Code*
9 *(the Uniform Code of Military Justice), arising in any*
10 *Armed Force in a manner such that each Armed Force uses*
11 *consistent data collection fields, definitions, and criteria.*

12 (c) *PLAN FOR ASSESSING EFFECTS OF CHANGES IN*
13 *LAW.—Not later than one year after the date of the enact-*
14 *ment of this Act, the Secretary of Defense, in consultation*
15 *with the Secretary of Homeland Security (with respect to*
16 *the Coast Guard when it is not operating as a service in*
17 *the Navy), the Secretaries of the military departments, and*
18 *the Judge Advocates specified in subsection (e), shall publish*
19 *a plan addressing the manner in which the Department of*
20 *Defense will analyze the effects of the changes in law and*
21 *policy required under subtitle D and the amendments made*
22 *by such subtitle with respect to the disposition of offenses*
23 *over which a special trial counsel at any time exercises au-*
24 *thority in accordance with section 824a of title 10, United*

1 *States Code (article 24a of the Uniform Code of Military*
2 *Justice) (as added by section 531 of this Act).*

3 *(d) INTERIM BRIEFINGS.—*

4 *(1) IN GENERAL.—Not less frequently than once*
5 *every 90 days during the covered period, the Sec-*
6 *retary of Defense, in consultation with the Secretary*
7 *of Homeland Security (with respect to the Coast*
8 *Guard when it is not operating as a service in the*
9 *Navy), the Secretaries of the military departments,*
10 *and the Judge Advocates specified in subsection (e),*
11 *shall provide to the Committees on Armed Services of*
12 *the Senate and the House of Representatives, the*
13 *Committee on Commerce, Science, and Transpor-*
14 *tation of the Senate, and the Committee on Transpor-*
15 *tation and Infrastructure of the House of Representa-*
16 *tives a briefing on the status of the development of the*
17 *plans required under subsections (a) through (c).*

18 *(2) COVERED PERIOD.—In this subsection, the*
19 *term “covered period” means the period beginning on*
20 *the date of the enactment of this Act and ending on*
21 *the date that is one year after the date of the enact-*
22 *ment of this Act.*

23 *(e) JUDGE ADVOCATES SPECIFIED.—The Judge Advoc-*
24 *ates specified in this subsection are the following:*

25 *(1) The Judge Advocate General of the Army.*

1 (2) *The Judge Advocate General of the Navy.*

2 (3) *The Judge Advocate General of the Air Force.*

3 (4) *The Staff Judge Advocate to the Com-*
4 *mandant of the Marine Corps.*

5 (5) *The Judge Advocate General of the Coast*
6 *Guard.*

7 **SEC. 548. DETERMINATION AND REPORTING OF MEMBERS**
8 **MISSING, ABSENT UNKNOWN, ABSENT WITH-**
9 **OUT LEAVE, AND DUTY STATUS-WHERE-**
10 **ABOUTS UNKNOWN.**

11 (a) *COMPREHENSIVE REVIEW OF MISSING PERSONS*
12 *REPORTING.*—*The Secretary of Defense shall instruct each*
13 *Secretary of a military department to perform a com-*
14 *prehensive review of the policies and procedures of the mili-*
15 *tary department concerned to determine and report a mem-*
16 *ber of an Armed Force under the jurisdiction of such Sec-*
17 *retary of a military department as missing, absent un-*
18 *known, absent without leave, or duty status-whereabouts*
19 *unknown.*

20 (b) *REVIEW OF INSTALLATION-LEVEL PROCEDURES.*—
21 *In addition to such other requirements as may be set forth*
22 *by the Secretary of Defense pursuant to subsection (a), each*
23 *Secretary of a military department shall, with regard to*
24 *the military department concerned—*

1 (1) *direct each commander of a military instal-*
2 *lation, including any tenant command or activity*
3 *present on such military installation, to review poli-*
4 *cies and procedures for carrying out the determina-*
5 *tion and reporting activities described in subsection*
6 *(a); and*

7 (2) *update such installation-level policies and*
8 *procedures, including any tenant command or activ-*
9 *ity policies and procedures, to improve force protec-*
10 *tion, enhance security for members living on the mili-*
11 *tary installation, and promote reporting at the ear-*
12 *liest practicable time to local law enforcement (at all*
13 *levels) and Federal law enforcement field offices with*
14 *overlapping jurisdiction with that installation, when*
15 *a member is determined to be missing, absent un-*
16 *known, absent without leave, or duty status-where-*
17 *abouts unknown.*

18 (c) *INSTALLATION-SPECIFIC REPORTING PROTO-*
19 *COLS.—*

20 (1) *IN GENERAL.—Each commander of a mili-*
21 *tary installation shall establish a protocol applicable*
22 *to all persons and organizations present on the mili-*
23 *tary installation, including tenant commands and ac-*
24 *tivities, for sharing information with local and Fed-*
25 *eral law enforcement agencies about members who are*

1 *missing, absent-unknown, absent without leave, or*
2 *duty status-whereabouts unknown. The protocol shall*
3 *provide for the immediate entry regarding the mem-*
4 *ber concerned in the Missing Persons File of the Na-*
5 *tional Crimes Information Center data and for the*
6 *commander to immediately notify all local law en-*
7 *forcement agencies with jurisdictions in the imme-*
8 *di-ate area of the military installation, when the sta-*
9 *tus of a member assigned to such installation has*
10 *been determined to be missing, absent unknown, ab-*
11 *sent without leave, or duty status-whereabouts un-*
12 *known.*

13 (2) *REPORTING TO MILITARY INSTALLATION COM-*
14 *MAND.—Each commander of a military installation*
15 *shall submit the protocol established pursuant to*
16 *paragraph (1) to the Secretary of the military depart-*
17 *ment concerned.*

18 (d) *REPORT REGARDING NATIONAL GUARD.—Not*
19 *later than June 1, 2022, the Secretary of Defense shall sub-*
20 *mit, to the Committees on Armed Services of the Senate*
21 *and House of Representatives, a report on the feasibility*
22 *of implementing subsections (a), (b), and (c), with regards*
23 *to facilities of the National Guard. Such report shall in-*
24 *clude recommendations of the Secretary, including a pro-*

1 posed timeline for implementing the provisions of such sub-
2 sections that the Secretary determines feasible.

3 **SEC. 549. ACTIVITIES TO IMPROVE FAMILY VIOLENCE PRE-**
4 **VENTION AND RESPONSE.**

5 (a) *DELEGATION OF AUTHORITY TO AUTHORIZE EX-*
6 *CEPTIONAL ELIGIBILITY FOR CERTAIN BENEFITS.*—Para-
7 graph (4) of section 1059(m) of title 10, United States Code,
8 is amended to read as follows:

9 “(4)(A) Except as provided in subparagraph (B), the
10 authority of the Secretary concerned under paragraph (1)
11 may not be delegated.

12 “(B) During the two year period following the date
13 of the enactment of the National Defense Authorization Act
14 for Fiscal Year 2022, the authority of the Secretary con-
15 cerned under paragraph (1) may be delegated to an official
16 at the Assistant Secretary-level or above. Any exercise of
17 such delegated authority shall be reported to the Secretary
18 concerned on a quarterly basis.”.

19 (b) *EXTENSION OF REQUIREMENT FOR ANNUAL FAM-*
20 *ILY ADVOCACY PROGRAM REPORT REGARDING CHILD*
21 *ABUSE AND DOMESTIC VIOLENCE.*—Section 574(a) of the
22 *National Defense Authorization Act for Fiscal Year 2017*
23 *(Public Law 114–328; 130 Stat. 2141)* is amended by strik-
24 *ing “April 30, 2021” and inserting “April 30, 2026”.*

1 (c) *IMPLEMENTATION OF COMPTROLLER GENERAL*
2 *RECOMMENDATIONS.*—

3 (1) *IN GENERAL.*—*Consistent with the rec-*
4 *ommendations set forth in the report of the Comp-*
5 *troller General of the United States titled “Domestic*
6 *Abuse: Actions Needed to Enhance DOD’s Prevention,*
7 *Response, and Oversight” (GAO–21–289), the Sec-*
8 *retary of Defense, in consultation with the Secretaries*
9 *of the military departments, shall carry out the ac-*
10 *tivities specified in subparagraphs (A) through (K).*

11 (A) *DOMESTIC ABUSE DATA.*—*Not later*
12 *than 180 days after the date of the enactment of*
13 *this Act, the Secretary of Defense, in consulta-*
14 *tion with the Secretaries of the military depart-*
15 *ments, shall carry out each of the following:*

16 (i) *Issue guidance to the Secretaries of*
17 *the military departments to clarify and*
18 *standardize the process for collecting and*
19 *reporting data on domestic abuse in the*
20 *Armed Forces, including—*

21 (I) *data on the numbers and types*
22 *of domestic abuse incidents involving*
23 *members of the Armed Forces; and*

24 (II) *data for inclusion in the re-*
25 *ports required to be submitted under*

1 *section 574 of the National Defense Au-*
2 *thorization Act for Fiscal Year 2017*
3 *(Public Law 114–328; 130 Stat. 2141).*

4 *(ii) Develop a quality control process*
5 *to ensure the accurate and complete report-*
6 *ing of data on allegations of abuse involving*
7 *a member of the Armed Forces, including*
8 *allegations of abuse that do not meet the De-*
9 *partment of Defense definition of domestic*
10 *abuse.*

11 *(iii) Expand the scope of any report-*
12 *ing to Congress that includes data on do-*
13 *mestic abuse in the Armed Forces to include*
14 *data on and analysis of the types of allega-*
15 *tions of domestic abuse.*

16 *(B) DOMESTIC VIOLENCE AND COMMAND AC-*
17 *TION DATA.—Not later than 180 days after the*
18 *date of the enactment of this Act, the Secretary*
19 *of Defense, in consultation with the Secretaries*
20 *of the military departments, shall—*

21 *(i) evaluate the organizations and ele-*
22 *ments of the Department of Defense that are*
23 *responsible for tracking domestic violence*
24 *incidents and the command actions taken*
25 *in response to such incidents to determine if*

1 *there are actions that may be carried out*
2 *to—*

3 (I) *eliminate gaps and*
4 *redundancies in the activities of such*
5 *organizations;*

6 (II) *ensure consistency in the ap-*
7 *proaches of such organizations to the*
8 *tracking of such incidents and actions;*
9 *and*

10 (III) *otherwise improve the track-*
11 *ing of such incidents and actions*
12 *across the Department;*

13 (ii) *based on the evaluation under*
14 *clause (i), clarify or adjust—*

15 (I) *the duties of such organiza-*
16 *tions and elements; and*

17 (II) *the manner in which such or-*
18 *ganizations and elements coordinate*
19 *their activities; and*

20 (iii) *issue guidance to the Secretaries*
21 *of the military departments to clarify and*
22 *standardize the information required to be*
23 *collected and reported to the database on do-*
24 *mestic violence incidents under section 1562*
25 *of title 10, United States Code.*

1 (C) *REGULATIONS FOR VIOLATION OF CIVIL-*
2 *IAN ORDERS OF PROTECTION.*—*The Secretary of*
3 *Defense shall revise or issue regulations (as ap-*
4 *plicable) to ensure that each Secretary of a mili-*
5 *tary department provides, to any member of the*
6 *Armed Forces under the jurisdiction of such Sec-*
7 *retary who is subject to a civilian order of pro-*
8 *tection, notice that the violation of such order*
9 *may be punishable under chapter 47 of title 10,*
10 *United States Code (the Uniform Code of Mili-*
11 *tary Justice).*

12 (D) *AGREEMENTS WITH CIVILIAN VICTIM*
13 *SERVICE ORGANIZATIONS.*—

14 (i) *GUIDANCE REQUIRED.*—*The Sec-*
15 *retary of Defense, in consultation with the*
16 *Secretaries of the military departments,*
17 *shall issue guidance pursuant to which per-*
18 *sonnel of a Family Advocacy Program at a*
19 *military installation may enter into memo-*
20 *randa of understanding with qualified civil-*
21 *ian victim service organizations for pur-*
22 *poses of providing services to victims of do-*
23 *mestic abuse in accordance with clause (ii).*

24 (ii) *CONTENTS OF AGREEMENT.*—*A*
25 *memorandum of understanding entered into*

1 *under clause (i) shall provide that personnel*
2 *of a Family Advocacy Program at a mili-*
3 *tary installation may refer a victim of do-*
4 *mestic abuse to a qualified civilian victim*
5 *service organization if such personnel deter-*
6 *mine that—*

7 *(I) the services offered at the in-*
8 *stallation are insufficient to meet the*
9 *victim's needs; or*

10 *(II) such a referral would other-*
11 *wise benefit the victim.*

12 *(E) SCREENING AND REPORTING OF INITIAL*
13 *ALLEGATIONS.—The Secretary of Defense, in*
14 *consultation with the Secretaries of the military*
15 *departments, shall develop and implement a*
16 *standardized process—*

17 *(i) to ensure consistency in the manner*
18 *in which allegations of domestic abuse are*
19 *screened and documented at military instal-*
20 *lations, including by ensuring that allega-*
21 *tions of domestic abuse are documented re-*
22 *gardless of the severity of the incident; and*

23 *(ii) to ensure consistency in the form*
24 *and manner in which such allegations are*

1 *presented to Incident Determination Com-*
2 *mittees.*

3 *(F) IMPLEMENTATION AND OVERSIGHT OF*
4 *INCIDENT DETERMINATION COMMITTEES.—*

5 *(i) IMPLEMENTATION.—The Secretary*
6 *of Defense, in consultation with the Secre-*
7 *taries of the military departments, shall en-*
8 *sure that Incident Determination Commit-*
9 *tees are fully implemented within each*
10 *Armed Force.*

11 *(ii) OVERSIGHT AND MONITORING.—*
12 *The Secretary of Defense shall—*

13 *(I) direct the Under Secretary of*
14 *Defense for Personnel and Readiness to*
15 *conduct oversight of the activities of the*
16 *Incident Determination Committees of*
17 *the Armed Forces on an ongoing basis;*
18 *and*

19 *(II) establish a formal process*
20 *through which the Under Secretary*
21 *will monitor Incident Determination*
22 *Committees to ensure that the activities*
23 *of such Committees are conducted in*
24 *an consistent manner in accordance*
25 *with the applicable policies of the De-*

1 *partment of Defense and the Armed*
2 *Forces.*

3 (G) *REASONABLE SUSPICION STANDARD*
4 *FOR INCIDENT REPORTING.*—*Not later than 90*
5 *days after the date of the enactment of the Act,*
6 *the Secretary of Defense, in consultation with the*
7 *Secretaries of the military departments, shall*
8 *issue regulations—*

9 (i) *under which the personnel of a*
10 *Family Advocacy Program shall be required*
11 *to report an allegation of domestic abuse to*
12 *an Incident Determination Committee if*
13 *there is reasonable suspicion that the abuse*
14 *occurred; and*

15 (ii) *that fully define and establish*
16 *standardized criteria for determining*
17 *whether an allegation of abuse meets the*
18 *reasonable suspicion standard referred to in*
19 *clause (i).*

20 (H) *GUIDANCE FOR VICTIM RISK ASSESS-*
21 *MENT.*—*The Secretary of Defense, in consulta-*
22 *tion with the Secretaries of the military depart-*
23 *ments, shall issue guidance that—*

24 (i) *identifies the risk assessment tools*
25 *that must be used by Family Advocacy Pro-*

1 *gram personnel to assess reports of domestic*
2 *abuse; and*

3 *(ii) establishes minimum qualifications*
4 *for the personnel responsible for using such*
5 *tools.*

6 *(I) IMPROVING FAMILY ADVOCACY PROGRAM*
7 *AWARENESS CAMPAIGNS.—The Secretary of De-*
8 *fense, in consultation with the Secretaries of the*
9 *military departments, shall develop and imple-*
10 *ment—*

11 *(i) a communications strategy to sup-*
12 *port the Armed Forces in increasing aware-*
13 *ness of the options and resources available*
14 *for reporting incidents of domestic abuse;*
15 *and*

16 *(ii) metrics to evaluate the effectiveness*
17 *of domestic abuse awareness campaigns*
18 *within the Department of Defense and the*
19 *Armed Forces, including by identifying a*
20 *target audience and defining measurable ob-*
21 *jectives for such campaigns.*

22 *(J) ASSESSMENT OF THE DISPOSITION*
23 *MODEL FOR DOMESTIC VIOLENCE.—As part of*
24 *the independent analysis required by section*
25 *549C of the William M. (Mac) Thornberry Na-*

1 *tional Defense Authorization Act for Fiscal Year*
2 *2021 (Public Law 116–283) the Secretary of De-*
3 *fense shall include an assessment of—*

4 *(i) the risks and consequences of the*
5 *disposition model for domestic violence in*
6 *effect as of the date of the enactment of this*
7 *Act, including the risks and consequences of*
8 *such model with respect to—*

9 *(I) the eligibility of victims for*
10 *transitional compensation and other*
11 *benefits; and*

12 *(II) the eligibility of perpetrators*
13 *of domestic violence to possess firearms*
14 *and any related effects on the military*
15 *service of such individuals; and*

16 *(ii) the feasibility and advisability of*
17 *establishing alternative disposition models*
18 *for domestic violence, including an assess-*
19 *ment of the advantages and disadvantages*
20 *of each proposed model.*

21 *(K) FAMILY ADVOCACY PROGRAM TRAIN-*
22 *ING.—*

23 *(i) TRAINING FOR COMMANDERS AND*
24 *SENIOR ENLISTED ADVISORS.—The Sec-*
25 *retary of Defense, in consultation with the*

1 *Secretaries of the military departments,*
2 *shall—*

3 *(I) ensure that the Family Advoca-*
4 *cacy Program training provided to in-*
5 *stallation-level commanders and senior*
6 *enlisted advisors of the Armed Forces*
7 *meets the applicable requirements of*
8 *the Department of Defense; and*

9 *(II) shall provide such additional*
10 *guidance and sample training mate-*
11 *rials as may be necessary to improve*
12 *the consistency of such training.*

13 *(ii) TRAINING FOR CHAPLAINS.—The*
14 *Secretary of Defense shall—*

15 *(I) require that chaplains of the*
16 *Armed Forces receive Family Advocacy*
17 *Program training;*

18 *(II) establish content requirements*
19 *and learning objectives for such train-*
20 *ing; and*

21 *(III) provide such additional*
22 *guidance and sample training mate-*
23 *rials as may be necessary to effectively*
24 *implement such training.*

1 (iii) *TRAINING COMPLETION DATA.*—

2 *The Secretary of Defense, in consultation*
3 *with the Secretaries of the military depart-*
4 *ments, shall develop a process to ensure the*
5 *quality and completeness of data indicating*
6 *whether members of the Armed Forces who*
7 *are required to complete Family Advocacy*
8 *Program training, including installation-*
9 *level commanders and senior enlisted advi-*
10 *sors, have completed such training.*

11 (2) *GENERAL IMPLEMENTATION DATE.*—*Except*
12 *as otherwise provided in paragraph (1), the Secretary*
13 *of Defense shall complete the implementation of the*
14 *activities specified in such paragraph by not later*
15 *than one year after the date of the enactment of this*
16 *Act.*

17 (3) *QUARTERLY STATUS BRIEFING.*—*Not later*
18 *than 90 days after the date of the enactment of this*
19 *Act and on a quarterly basis thereafter until the date*
20 *on which all of the activities specified in paragraph*
21 *(1) have been implemented, the Secretary of Defense*
22 *shall provide to the appropriate congressional com-*
23 *mittees a briefing on the status of the implementation*
24 *of such activities.*

1 (d) *INFORMATION ON SERVICES FOR MILITARY FAMI-*
2 *LIES.—Each Secretary of a military department shall en-*
3 *sure that a military family member who reports an inci-*
4 *dent of domestic abuse or child abuse and neglect to a Fam-*
5 *ily Advocacy Program under the jurisdiction of such Sec-*
6 *retary receives comprehensive information, in a clear and*
7 *easily understandable format, on the services available to*
8 *such family member in connection with such incident. Such*
9 *information shall include a complete guide to the following:*

10 (1) *The Family Advocacy Program of the Armed*
11 *Force or military department concerned.*

12 (2) *Military law enforcement services, including*
13 *an explanation of the process that follows a report of*
14 *an incident of domestic abuse or child abuse or ne-*
15 *glect.*

16 (3) *Other applicable victim services.*

17 (e) *REPORTS ON STAFFING LEVELS FOR FAMILY AD-*
18 *VOCACY PROGRAMS.—*

19 (1) *IN GENERAL.—Not later than 180 days after*
20 *the date on which the staffing tool described in para-*
21 *graph (2) becomes operational, and on an annual*
22 *basis thereafter for the following five years, the Sec-*
23 *retary of Defense shall submit to the appropriate con-*
24 *gressional committees a report setting forth the fol-*
25 *lowing:*

1 (A) *Military, civilian, and contract support*
2 *staffing levels for the Family Advocacy Programs*
3 *of the Armed Forces at each military installation*
4 *so staffed as of the date of the report.*

5 (B) *Recommendations for ideal staffing lev-*
6 *els for the Family Advocacy Programs, as identi-*
7 *fied by the staffing tool.*

8 (2) *STAFFING TOOL DESCRIBED.—The staffing*
9 *tool described in this paragraph is a tool that will be*
10 *used to assist the Department in determining ade-*
11 *quate staffing levels for Family Advocacy Programs.*

12 (3) *COMPTROLLER GENERAL REVIEW.—*

13 (A) *IN GENERAL.—Following the submis-*
14 *sion of the first annual report required under*
15 *paragraph (1), the Comptroller General of the*
16 *United States shall conduct a review of the staff-*
17 *ing of the Family Advocacy Programs of the*
18 *Armed Forces.*

19 (B) *ELEMENTS.—The review conducted*
20 *under subparagraph (A) shall include an assess-*
21 *ment of each of the following:*

22 (i) *The extent to which the Armed*
23 *Forces have filled authorized billets for*
24 *Family Advocacy program manager, clini-*
25 *cian, and victim advocate positions.*

1 (ii) *The extent to which the Armed*
2 *Forces have experienced challenges filling*
3 *authorized Family Advocacy Program posi-*
4 *tions, and how such challenges, if any, have*
5 *affected the provision of services.*

6 (iii) *The extent to which the Depart-*
7 *ment of Defense and Armed Forces have en-*
8 *sured that Family Advocacy Program clini-*
9 *cians and victim advocates meet qualifica-*
10 *tion and training requirements.*

11 (iv) *The extent to which the Depart-*
12 *ment of Defense has established metrics to*
13 *evaluate the effectiveness of the staffing tool*
14 *described in paragraph (2).*

15 (C) *BRIEFING AND REPORT.*—

16 (i) *BRIEFING.*—*Not later than one*
17 *year following the submission of the first*
18 *annual report required under paragraph*
19 *(1), the Comptroller General shall provide*
20 *to the Committees on Armed Services of the*
21 *Senate and the House of Representatives a*
22 *briefing on the preliminary observations*
23 *made by the Comptroller General as part of*
24 *the review required under subparagraph*
25 *(A).*

1 (ii) *REPORT*.—Not later than 90 days
2 after the date of the briefing under clause
3 (i), the Comptroller General shall submit to
4 the Committees on Armed Services of the
5 Senate and the House of Representatives a
6 report on the results of the review conducted
7 under subparagraph (A).

8 (f) *STUDY AND BRIEFING ON INITIAL ENTRY*
9 *POINTS*.—

10 (1) *STUDY*.—The Secretary of Defense shall con-
11 duct a study to identify initial entry points (includ-
12 ing anonymous entry points) through which military
13 family members may seek information or support re-
14 lating to domestic abuse or child abuse and neglect.
15 Such study shall include an assessment of—

16 (A) points at which military families inter-
17 act with the Armed Forces or the Department of
18 Defense through which such information or sup-
19 port may be provided to family members, includ-
20 ing points such as enrollment in the Defense En-
21 rollment Eligibility Reporting System, and the
22 issuance of identification cards; and

23 (B) other existing and potential routes
24 through which such family members may seek
25 information or support from the Armed Forces

1 or the Department, including online chat rooms,
2 text-based support capabilities, and software ap-
3 plications for smartphones.

4 (2) *BRIEFING.*—Not later than one year after the
5 date of the enactment of this Act, the Secretary of De-
6 fense shall provide to the Committees on Armed Serv-
7 ices of the Senate and the House of Representatives a
8 briefing setting forth the results of the study con-
9 ducted under paragraph (1).

10 (g) *DEFINITIONS.*—In this section:

11 (1) The term “appropriate congressional com-
12 mittees” means the Committees on Armed Services of
13 the Senate and the House of Representatives.

14 (2) The term “civilian order of protection” has
15 the meaning given that term in section 1561a of title
16 10, United States Code.

17 (3) The term “disposition model for domestic vi-
18 olence” means the process to determine—

19 (A) the disposition of charges of an offense
20 of domestic violence under section 928b of title
21 10, United States Code (article 128b of the Uni-
22 form Code of Military Justice); and

23 (B) consequences of such disposition for
24 members of the Armed Forces determined to have

1 *committed such offense and the victims of such*
 2 *offense.*

3 (4) *The term “Incident Determination Com-*
 4 *mittee” means a committee established at a military*
 5 *installation that is responsible for reviewing reported*
 6 *incidents of domestic abuse and determining whether*
 7 *such incidents constitute harm to the victims of such*
 8 *abuse according to the applicable criteria of the De-*
 9 *partment of Defense.*

10 (5) *The term “qualified civilian victim service*
 11 *organization” means an organization outside the De-*
 12 *partment of Defense that—*

13 (A) *is approved by the Secretary of Defense*
 14 *for the purpose of providing legal or other serv-*
 15 *ices to victims of domestic abuse; and*

16 (B) *is located in a community surrounding*
 17 *a military installation.*

18 (6) *The term “risk assessment tool” means a*
 19 *process or technology that may be used to evaluate a*
 20 *report of an incident of domestic abuse to determine*
 21 *the likelihood that the abuse will escalate or recur.*

22 **SEC. 549A. ANNUAL PRIMARY PREVENTION RESEARCH**
 23 **AGENDA.**

24 (a) *IN GENERAL.—Beginning on October 1, 2022, and*
 25 *annually on the first day of each fiscal year thereafter, the*

1 *Secretary of Defense shall publish a Department of Defense*
2 *research agenda for that fiscal year, focused on the primary*
3 *prevention of interpersonal and self-directed violence, in-*
4 *cluding sexual assault, sexual harassment, domestic vio-*
5 *lence, child abuse and maltreatment, problematic juvenile*
6 *sexual behavior, suicide, workplace violence, and substance*
7 *misuse.*

8 (b) *ELEMENTS.*—*Each annual primary prevention re-*
9 *search agenda published under subsection (a) shall—*

10 (1) *identify research priorities for that fiscal*
11 *year;*

12 (2) *assign research projects and tasks to the mili-*
13 *tary departments and other components of the De-*
14 *partment of Defense, as the Secretary of Defense de-*
15 *termines appropriate;*

16 (3) *allocate or direct the allocation of appro-*
17 *priate resourcing for each such project and task; and*

18 (4) *be directive in nature and enforceable across*
19 *all components of the Department of Defense, includ-*
20 *ing with regard to—*

21 (A) *providing for timely access to records,*
22 *data and information maintained by any com-*
23 *ponent of the Department of Defense that may be*
24 *required in furtherance of an assigned research*
25 *project or task;*

1 (B) ensuring the sharing across all compo-
2 nents of the Department of Defense of the find-
3 ings and the outcomes of any research project or
4 task; and

5 (C) any other matter determined by the Sec-
6 retary of Defense.

7 (c) *GUIDING PRINCIPLES.*—The primary prevention
8 research agenda should, as determined by the Secretary of
9 Defense—

10 (1) reflect a preference for research projects and
11 tasks with the potential to yield or contribute to the
12 development and implementation of actionable pri-
13 mary prevention strategies in the Department of De-
14 fense;

15 (2) be integrated, so as to discover or test cross-
16 cutting interventions across the spectrum of inter-
17 personal and self-directed violence;

18 (3) incorporate collaboration with other Federal
19 departments and agencies, State governments, aca-
20 demia, industry, federally funded research and devel-
21 opment centers, non-profit organizations, and other
22 organizations outside of the Department of Defense;
23 and

24 (4) minimize unnecessary duplication of effort.

1 (d) *BUDGETING.*—*The Secretary of Defense shall cre-*
2 *ate a unique Program Element for and shall prioritize re-*
3 *curring funding to ensure the continuity of research pursu-*
4 *ant to the annual primary prevention research agenda.*

5 **SEC. 549B. PRIMARY PREVENTION WORKFORCE.**

6 (a) *ESTABLISHMENT.*—*The Secretary of Defense shall*
7 *establish a Primary Prevention Workforce to provide a com-*
8 *prehensive and integrated program across the Department*
9 *of Defense enterprise for the primary prevention of inter-*
10 *personal and self-directed violence, including sexual assault,*
11 *sexual harassment, domestic violence, child abuse and mal-*
12 *treatment, problematic juvenile sexual behavior, suicide,*
13 *workplace violence, and substance misuse.*

14 (b) *PRIMARY PREVENTION WORKFORCE MODEL.*—

15 (1) *IN GENERAL.*—*Not later than 180 days after*
16 *the date of the enactment of this Act, the Secretary of*
17 *Defense shall submit to the Committee on Armed*
18 *Services of the Senate and the Committee on Armed*
19 *Services of the House of Representatives a report set-*
20 *ting forth a holistic model for a dedicated and capa-*
21 *ble Primary Prevention Workforce in the Department*
22 *of Defense.*

23 (2) *ELEMENTS.*—*The model required under*
24 *paragraph (1) shall include the following elements:*

1 (A) *A description of Primary Prevention*
2 *Workforce roles, responsibilities, and capabilities,*
3 *including—*

4 (i) *the conduct of research and anal-*
5 *ysis;*

6 (ii) *advising all levels of military com-*
7 *manders and leaders;*

8 (iii) *designing and writing strategic*
9 *and operational primary prevention poli-*
10 *cies and programs;*

11 (iv) *integrating and analyzing data;*
12 *and*

13 (v) *implementing, evaluating, and*
14 *adapting primary prevention programs and*
15 *activities, to include developing evidence-*
16 *based training and education programs for*
17 *Department personnel that is appropriately*
18 *tailored by rank, occupation, and environ-*
19 *ment.*

20 (B) *The design and structure of the Pri-*
21 *mary Prevention Workforce, including—*

22 (i) *consideration of military, civilian,*
23 *and hybrid manpower options;*

24 (ii) *the comprehensive integration of*
25 *the workforce from strategic to tactical levels*

1 *of the Department of Defense and its com-*
2 *ponents; and*

3 *(iii) mechanisms for individuals in*
4 *workforce roles to report to and align with*
5 *installation-level and headquarters per-*
6 *sonnel.*

7 *(C) Strategies, plans, and systematic ap-*
8 *proaches for recruiting, credentialing, promoting,*
9 *and sustaining the diversity of work force roles*
10 *comprising a professional workforce dedicated to*
11 *primary prevention.*

12 *(D) The creation of a professional, primary*
13 *prevention credential that standardizes a com-*
14 *mon base of education and experience across the*
15 *prevention workforce, coupled with knowledge de-*
16 *velopment and skill building requirements built*
17 *into the career cycle of prevention practitioners*
18 *such that competencies and expertise increase*
19 *over time.*

20 *(E) Any other matter the Secretary of De-*
21 *fense determines necessary and appropriate to*
22 *presenting an accurate and complete model of*
23 *the Primary Prevention Workforce.*

24 *(c) REPORTS.—*

1 (1) *IN GENERAL.*—Not later than one year after
2 the date of the enactment of this Act, the Secretaries
3 of the military departments and the Chief of the Na-
4 tional Guard Bureau each shall submit to the Com-
5 mittee on Armed Services of the Senate and the Com-
6 mittee on Armed Services of the House of Representa-
7 tives a report detailing how the military services and
8 the National Guard, as applicable, will adapt and
9 implement the primary prevention workforce model
10 set forth in the report required under subsection (b).

11 (2) *ELEMENTS.*—Each report submitted under
12 subsection (a) shall include a description of—

13 (A) *expected milestones to implement the*
14 *prevention workforce in the component at issue;*

15 (B) *challenges associated with implementa-*
16 *tion of the workforce and the strategies for ad-*
17 *ressing such challenges; and*

18 (C) *additional authorities that may be re-*
19 *quired to optimize implementation and oper-*
20 *ation of the workforce.*

21 (d) *OPERATING CAPABILITY DEADLINE.*—The Pri-
22 mary Prevention Workforce authorized under this section
23 shall attain initial operating capability in each military
24 department and military service and in the National

1 *Guard by not later than the effective date specified in sec-*
2 *tion 539C.*

3 **SEC. 549C. REFORM AND IMPROVEMENT OF MILITARY**
4 **CRIMINAL INVESTIGATIVE ORGANIZATIONS.**

5 *(a) EVALUATION AND PLAN FOR REFORM.—Not later*
6 *than one year after the date of the enactment of this Act,*
7 *each Secretary concerned shall—*

8 *(1) complete an evaluation of the effectiveness of*
9 *the military criminal investigative organization*
10 *under the jurisdiction of such Secretary; and*

11 *(2) submit to the appropriate congressional com-*
12 *mittees a report that includes—*

13 *(A) the results of the evaluation conducted*
14 *under paragraph (1); and*

15 *(B) based on such results, if the Secretary*
16 *determines that reform to the military criminal*
17 *investigative organization under the jurisdiction*
18 *of such Secretary is advisable, a proposal for re-*
19 *forming such organization to ensure that the or-*
20 *ganization effectively meets the demand for com-*
21 *plex investigations and other emerging mission*
22 *requirements.*

23 *(b) IMPLEMENTATION PLAN.—*

24 *(1) IN GENERAL.—Not later than two years after*
25 *the date of the enactment of this Act, each Secretary*

1 *concerned shall submit to the appropriate congres-*
2 *sional committees a plan to implement, to the extent*
3 *determined appropriate by such Secretary, the re-*
4 *forms to the military criminal investigative organiza-*
5 *tion proposed by such Secretary under subsection (a)*
6 *to ensure that such organization is capable of profes-*
7 *sionally investigating criminal misconduct under its*
8 *jurisdiction.*

9 (2) *ELEMENTS.—Each plan under paragraph*
10 *(1) shall include, with respect to the military crimi-*
11 *nal investigative organization under the jurisdiction*
12 *of the Secretary concerned, the following:*

13 (A) *The requirements that such military*
14 *criminal investigative organization must meet to*
15 *effectively carry out criminal investigative and*
16 *other law enforcement missions in 2022 and sub-*
17 *sequent years.*

18 (B) *The resources that will be needed to en-*
19 *sure that each such military criminal investiga-*
20 *tive organization can achieve its mission.*

21 (C) *An analysis of factors affecting the per-*
22 *formance of such military criminal investigate*
23 *organization, including—*

1 (i) whether appropriate technological
2 investigative tools are available and acces-
3 sible to such organization; and

4 (ii) whether the functions of such orga-
5 nization would be better supported by civil-
6 ian rather than military leadership.

7 (D) For each such military criminal inves-
8 tigative organization—

9 (i) the number of military personnel
10 assigned to the organization;

11 (ii) the number of civilian personnel
12 assigned to the organization; and

13 (iii) the functions of such military and
14 civilian personnel.

15 (E) A description of any plans of the Sec-
16 retary concerned to develop a more professional
17 workforce of military and civilian investigators.

18 (F) A proposed timeline for the reform of
19 such military investigative organization.

20 (G) An explanation of the potential benefits
21 of such reforms, including a description of—

22 (i) specific improvements that are ex-
23 pected to result from the reforms; and

1 (ii) whether the reforms will improve
2 information sharing across military crimi-
3 nal investigative organizations.

4 (H) With respect to the military criminal
5 investigative organization of the Army, an expla-
6 nation of how the plan will—

7 (i) address the findings of the report of
8 the Fort Hood Independent Review Com-
9 mittee, dated November 6, 2020; and

10 (ii) coordinate with any other internal
11 reform efforts of the Army.

12 (c) *LIMITATION ON THE CHANGES TO TRAINING LOCA-*
13 *TIONS.—In carrying out this section, the Secretary con-*
14 *cerned may not change the locations at which military*
15 *criminal investigative training is provided to members of*
16 *the military criminal investigative organization under the*
17 *jurisdiction of such Secretary until—*

18 (1) the implementation plan under subsection (b)
19 is submitted to the appropriate congressional commit-
20 tees; and

21 (2) a period of 60 days has elapsed following the
22 date on which the Secretary notifies the appropriate
23 congressional committees of the Secretary's intent to
24 move such training to a different location.

25 (d) *DEFINITIONS.—In this section:*

1 (1) *The term “appropriate congressional com-*
2 *mittees” means—*

3 (A) *the Committee on Armed Services and*
4 *the Committee on Commerce, Science, and*
5 *Transportation of the Senate; and*

6 (B) *the Committee on Armed Services and*
7 *the Committee on Transportation and Infra-*
8 *structure of the House of Representatives.*

9 (2) *The term “military criminal investigative*
10 *organization” means each organization or element of*
11 *the Department of Defense or the Armed Forces that*
12 *is responsible for conducting criminal investigations,*
13 *including—*

14 (A) *the Army Criminal Investigation Com-*
15 *mand;*

16 (B) *the Naval Criminal Investigative Serv-*
17 *ice;*

18 (C) *the Air Force Office of Special Inves-*
19 *tigations;*

20 (D) *the Coast Guard Investigative Service;*
21 *and*

22 (E) *the Defense Criminal Investigative*
23 *Service.*

24 (3) *The term “Secretary concerned” means—*

1 (A) the Secretary of the Army, with respect
2 to the Army Criminal Investigation Command;

3 (B) the Secretary of the Navy, with respect
4 to the Naval Criminal Investigative Service;

5 (C) the Secretary of the Air Force, with re-
6 spect to the Air Force Office of Special Investiga-
7 tions;

8 (D) the Secretary of Homeland Security,
9 with respect to the Coast Guard Investigative
10 Service; and

11 (E) the Secretary of Defense, with respect to
12 the Defense Criminal Investigative Service.

13 **SEC. 549D. MILITARY DEFENSE COUNSEL.**

14 *Each Secretary of a military department shall—*

15 (1) *ensure that military defense counsel have*
16 *timely and reliable access to and funding for defense*
17 *investigators, expert witnesses, trial support, pre-trial*
18 *and post-trial support, paralegal support, counsel*
19 *travel, and other necessary resources;*

20 (2) *ensure that military defense counsel detailed*
21 *to represent a member of the Armed Forces accused of*
22 *a covered offense (as defined in section 801(17) of title*
23 *10, United States Code (article 1(17) of the Uniform*
24 *Code of Military Justice), as added by section 533 of*
25 *this Act) are well-trained and experienced, highly*

1 *skilled, and competent in the defense of cases involv-*
2 *ing covered offenses; and*

3 *(3) take or direct such other actions regarding*
4 *military defense counsel as may be warranted in the*
5 *interest of the fair administration of justice.*

6 **SEC. 549E. FULL FUNCTIONALITY OF MILITARY JUSTICE RE-**
7 **VIEW PANEL.**

8 *Not later than 30 days after the date of the enactment*
9 *of this Act, the Secretary of Defense shall establish or recon-*
10 *stitute, maintain, and ensure the full functionality of the*
11 *Military Justice Review Panel established pursuant to sec-*
12 *tion 946 of title 10, United States Code (article 146 of the*
13 *Uniform Code of Military Justice)).*

14 **SEC. 549F. MILITARY SERVICE INDEPENDENT RACIAL DIS-**
15 **PARITY REVIEW.**

16 *(a) REVIEW REQUIRED.—Each Secretary of a mili-*
17 *tary department shall conduct an assessment of racial dis-*
18 *parity in military justice and discipline processes and*
19 *military personnel policies, as they pertain to minority*
20 *populations.*

21 *(b) REPORT REQUIRED.—Not later than one year after*
22 *the date of the enactment of this Act, each Secretary of a*
23 *military department shall submit to the Committees on*
24 *Armed Services of the Senate and the House of Representa-*
25 *tives and the Comptroller General of the United States a*

1 report detailing the results of the assessment required by
2 subsection (a), together with recommendations for statutory
3 or regulatory changes as the Secretary concerned determines
4 appropriate.

5 (c) *COMPTROLLER GENERAL REPORT.*—Not later than
6 180 days after receiving the reports submitted under sub-
7 section (b), the Comptroller General shall submit to the
8 Committees on Armed Services of the Senate and the House
9 of Representatives a report comparing the military service
10 assessments on racial disparity conducted under subsection
11 (a) to existing reports assessing racial disparity in civilian
12 criminal justice systems in the United States.

13 (d) *DEFINITIONS.*—In this section:

14 (1) *MILITARY JUSTICE; DISCIPLINE PROC-*
15 *ESSES.*—The terms “military justice” and “discipline
16 processes” refer to all facets of the military justice
17 system, including investigation, the use of adminis-
18 trative separations and other administrative sanc-
19 tions, non-judicial punishment, panel selection, pre-
20 trial confinement, the use of solitary confinement, dis-
21 positions of courts-martial, sentencing, and post-trial
22 processes.

23 (2) *MILITARY PERSONNEL POLICIES.*—The term
24 “military personnel policies” includes accession rates
25 and policies, retention rates and policies, promotion

1 *rates, assignments, professional military education se-*
 2 *lection and policies, and career opportunity for mi-*
 3 *nority members of the Armed Forces.*

4 (3) *MINORITY POPULATIONS.*—*The term “minor-*
 5 *ity populations” includes Black, Hispanic, Asian/Pa-*
 6 *cific Islander, American Indian, and Alaska Native*
 7 *populations.*

8 **SEC. 549G. INCLUSION OF RACE AND ETHNICITY IN AN-**
 9 **NUAL REPORTS ON SEXUAL ASSAULTS; RE-**
 10 **PORTING ON RACIAL AND ETHNIC DEMO-**
 11 **GRAPHICS IN THE MILITARY JUSTICE SYS-**
 12 **TEM.**

13 (a) *ANNUAL REPORTS ON RACIAL AND ETHNIC DEMO-*
 14 *GRAPHICS IN THE MILITARY JUSTICE SYSTEM.*—

15 (1) *IN GENERAL.*—*Chapter 23 of title 10, United*
 16 *States Code, is amended by inserting after section 485*
 17 *the following new section:*

18 **“§486. Annual reports on racial and ethnic demo-**
 19 **graphics in the military justice system**

20 *“(a) IN GENERAL.*—*Not later than March 1 of each*
 21 *year, the Secretary of each military department shall sub-*
 22 *mit to the Secretary of Defense a report on racial, ethnic,*
 23 *and sex demographics in the military justice system during*
 24 *the preceding year. In the case of the Secretary of the Navy,*
 25 *separate reports shall be prepared for the Navy and for the*

1 *Marine Corps. In the case of the Secretary of the Air Force,*
2 *separate reports shall be prepared for the Air Force and*
3 *for the Space Force.*

4 “(b) *CONTENTS.*—*The report of a Secretary of a mili-*
5 *tary department for an armed force under subsection (a)*
6 *shall contain, to the extent possible, statistics on offenses*
7 *under chapter 47 of this title (the Uniform Code of Military*
8 *Justice), during the year covered by the report, including—*

9 “(1) *the number of offenses in the armed force*
10 *that were reported to military officials, disaggregated*
11 *by—*

12 “(A) *statistical category as related to the*
13 *victim; and*

14 “(B) *statistical category as related to the*
15 *principal;*

16 “(2) *the number of offenses in the armed forces*
17 *that were investigated, disaggregated by statistical*
18 *category as related to the principal;*

19 “(3) *the number of offenses in which administra-*
20 *tive action was imposed, disaggregated by statistical*
21 *category as related to the principal and each type of*
22 *administrative action imposed;*

23 “(4) *the number of offenses in which non judicial*
24 *punishment was imposed under section 815 of this*
25 *title (article 15 of the Uniform Code of Military Jus-*

1 *tice), disaggregated by statistical category as related*
2 *to the principal;*

3 “(5) *the number of offenses in which charges*
4 *were preferred, disaggregated by statistical category*
5 *as related to the principal;*

6 “(6) *the number of offenses in which charges*
7 *were referred to court-martial, disaggregated by sta-*
8 *tistical category as related to the principal and type*
9 *of court-martial;*

10 “(7) *the number of offenses which resulted in*
11 *conviction at court-martial, disaggregated by statis-*
12 *tical category as related to the principal and type of*
13 *court-martial; and*

14 “(8) *the number of offenses which resulted in ac-*
15 *quittal at court-martial, disaggregated by statistical*
16 *category as related to the principal and type of court-*
17 *martial.*

18 “(c) *SUBMISSION TO CONGRESS.—Not later than April*
19 *30 of each year in which the Secretary of Defense receives*
20 *reports under subsection (a), the Secretary of Defense shall*
21 *forward the reports to the Committees on Armed Services*
22 *of the Senate and the House of Representatives.*

23 “(e) *DEFINITIONS.—In this section:*

24 “(1) *The term ‘statistical category’ means each of*
25 *the following categories:*

1 “(A) race;

2 “(B) sex;

3 “(C) ethnicity;

4 “(D) rank; and

5 “(E) offense enumerated under chapter 47
6 of this title (the Uniform Code of Military Jus-
7 tice).

8 “(2) The term ‘principal’ has the meaning given
9 that term in section 877 of this title (article 77 of the
10 Uniform Code of Military Justice).”.

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions at the beginning of chapter 23 of such title is
13 amended by inserting after the item relating to sec-
14 tion 485 the following new item:

 “486. Annual reports on racial and ethnic demographics in the military justice
 system.”.

15 (b) POLICY REQUIRED.—

16 (1) REQUIREMENT.—Not later than two years
17 after the date of the enactment of this Act, the Sec-
18 retary of Defense shall prescribe a policy requiring
19 information on the race and ethnicity of accused indi-
20 viduals to be included to the maximum extent prac-
21 ticable in the annual report required under section
22 1631 of the Ike Skelton National Defense Authoriza-
23 tion Act for Fiscal Year 2011 (Public Law 111–383;
24 10 U.S.C. 1561 note).

1 (2) *EXCLUSION.*—*The policy prescribed under*
 2 *paragraph (1) may provide for the exclusion of such*
 3 *information based on privacy concerns, impacts on*
 4 *accountability efforts, or other matters of importance*
 5 *as determined and identified in such policy by the*
 6 *Secretary.*

7 (3) *PUBLICLY AVAILABLE.*—*The Secretary of De-*
 8 *fense shall make publicly available the information*
 9 *described in paragraph (1), subject to the exclusion of*
 10 *such information pursuant to paragraph (2).*

11 (4) *SUNSET.*—*The requirements of this sub-*
 12 *section shall terminate on May 1, 2028.*

13 **SEC. 549H. DOD SAFE HELPLINE AUTHORIZATION TO PER-**
 14 **FORM INTAKE OF OFFICIAL RESTRICTED AND**
 15 **UNRESTRICTED REPORTS FOR ELIGIBLE**
 16 **ADULT SEXUAL ASSAULT VICTIMS.**

17 *Section 584 of the National Defense Authorization Act*
 18 *for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561*
 19 *note) is amended—*

20 (1) *by redesignating subsection (d) as subsection*
 21 *(e); and*

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

24 “(d) *AUTHORIZATIONS FOR DOD SAFE HELPLINE.*—

1 “(1) *PROVIDING SUPPORT AND RECEIVING OFFI-*
2 *CIAL REPORTS.—DoD Safe Helpline (or any successor*
3 *service to DoD Safe Helpline, if any, as identified by*
4 *the Secretary of Defense) is authorized to provide cri-*
5 *sis intervention and support and to perform the in-*
6 *take of official reports of sexual assault from eligible*
7 *adult sexual assault victims who contact the DoD*
8 *Safe Helpline or other reports as directed by the Sec-*
9 *retary of Defense.*

10 “(2) *TRAINING AND OVERSIGHT.—DoD Safe*
11 *Helpline staff shall have specialized training and ap-*
12 *propriate certification to support eligible adult sexual*
13 *assault victims.*

14 “(3) *ELIGIBILITY AND PROCEDURES.—The Sec-*
15 *retary of Defense shall prescribe regulations regarding*
16 *eligibility for DoD Safe Helpline services, procedures*
17 *for providing crisis intervention and support, and ac-*
18 *cepting reports.*

19 “(4) *ELECTRONIC RECEIPT OF OFFICIAL RE-*
20 *PORTS OF ADULT SEXUAL ASSAULTS.—DoD Safe*
21 *Helpline shall provide the ability to receive reports of*
22 *adult sexual assaults through the DoD Safe Helpline*
23 *website and mobile phone applications, in a secure*
24 *manner consistent with appropriate protection of vic-*
25 *tim privacy, and may offer other methods of receiving*

1 *electronic submission of adult sexual assault reports,*
2 *as appropriate, in a manner that appropriately pro-*
3 *tects victim privacy.*

4 “(5) *TYPES OF REPORTS.—Reports of sexual as-*
5 *sault from eligible adult sexual assault victims re-*
6 *ceived by DoD Safe Helpline (or a successor as deter-*
7 *mined by the Secretary of Defense) shall include unre-*
8 *stricted and restricted reports, or other reports as di-*
9 *rected by the Secretary of Defense.*

10 “(6) *OPTION FOR ENTRY INTO THE CATCH A SE-*
11 *RIAL OFFENDER SYSTEM.—An individual making a*
12 *restricted report (or a relevant successor type of re-*
13 *port or other type of appropriate report, as deter-*
14 *mined by the Secretary of Defense) to the DoD Safe*
15 *Helpline (or a successor as determined by the Sec-*
16 *retary of Defense) shall have the option to submit in-*
17 *formation related to their report to the Catch a Serial*
18 *Offender system (or its successor or similar system as*
19 *determined by the Secretary of Defense).”.*

20 **SEC. 549I. EXTENSION OF ANNUAL REPORT REGARDING**
21 **SEXUAL ASSAULTS INVOLVING MEMBERS OF**
22 **THE ARMED FORCES.**

23 *Section 1631(a) of the Ike Skelton National Defense*
24 *Authorization Act for Fiscal Year 2011 (Public Law 111–*

1 383; 10 U.S.C. 1561 note) is amended by striking “through
2 March 1, 2021” and inserting “through March 1, 2026”.

3 **SEC. 549J. STUDY AND REPORT ON SEXUAL ASSAULT RE-**
4 **SPONSE COORDINATOR MILITARY OCCUPA-**
5 **TIONAL SPECIALTY.**

6 (a) *STUDY.*—Beginning not later than 30 days after
7 the date of the enactment of this Act, the Secretary of De-
8 fense shall initiate a personnel study to determine—

9 (1) *the feasibility and advisability of creating a*
10 *military occupational speciality for Sexual Assault*
11 *Response Coordinators; and*

12 (2) *if determined to be feasible and advisable, the*
13 *optimal approach to establishing and maintaining*
14 *such a military occupational speciality.*

15 (b) *REPORT AND BRIEFING.*—

16 (1) *REPORT.*—Not later than 180 days after the
17 date of the enactment of this Act the Secretary of De-
18 fense shall submit to the congressional defense com-
19 mittees a report on the results of the study conducted
20 under subsection (a).

21 (2) *BRIEFING.*—Not later than 30 days after the
22 date on which the report is submitted under para-
23 graph (1), the Secretary of Defense shall provide to
24 the congressional defense committees a briefing on the
25 results of the study conducted under subsection (a).

1 (c) *ELEMENTS.*—*The report and briefing under sub-*
2 *section (b) shall include the following:*

3 (1) *The determination of the Secretary of Defense*
4 *as to whether creating a military occupational spe-*
5 *ciality for Sexual Assault Response Coordinators is*
6 *feasible and advisable.*

7 (2) *If the Secretary determines that the creation*
8 *of such a specialty is feasible and advisable—*

9 (A) *a recommendation on the rank and level*
10 *of experience required for a military occupa-*
11 *tional specialty for Sexual Assault Response Co-*
12 *ordinators;*

13 (B) *recommendations for strengthening re-*
14 *ruitment and retention of members of the*
15 *Armed Forces of the required rank and experi-*
16 *ence identified under subparagraph (A), includ-*
17 *ing recommendations with respect to—*

18 (i) *designating Sexual Assault Re-*
19 *sponse Coordinators as a secondary mili-*
20 *tary occupational speciality instead of a*
21 *primary military occupational speciality;*

22 (ii) *providing initial or recurrent bo-*
23 *nuses or duty stations of choice to members*
24 *who qualify for the military occupational*

1 *speciality for Sexual Assault Response Co-*
2 *ordinators;*

3 (iii) *limiting the amount of time that*
4 *a member who has qualified for such mili-*
5 *tary occupational speciality can serve as a*
6 *Sexual Assault Response Coordinator in a*
7 *given period; or*

8 (iv) *requiring evaluations, completed*
9 *by an officer in the rank of O-6 or higher,*
10 *for members who have qualified for such*
11 *military occupational speciality and are*
12 *serving as a Sexual Assault Response Coor-*
13 *dinator;*

14 (C) *recommendations for standardizing*
15 *training and education for members of the*
16 *Armed Forces seeking a military occupational*
17 *speciality for Sexual Assault Response Coordina-*
18 *tors or those serving as a Sexual Assault Re-*
19 *sponse Coordinator, including by establishing*
20 *dedicated educational programs for such mem-*
21 *bers within each Armed Force;*

22 (D) *an analysis of the impact of a military*
23 *occupational speciality for Sexual Assault Re-*
24 *sponse Coordinators on the personnel manage-*
25 *ment of the existing Sexual Assault Response Co-*

1 ordinator program, including recruitment and
2 retention;

3 (E) an analysis of the requirements for a
4 Sexual Assault Response Coordinator-specific
5 chain of command;

6 (F) analysis of the costs of establishing and
7 maintaining a military occupational speciality
8 for Sexual Assault Response Coordinators;

9 (G) analysis of the potential impacts of a
10 military occupational specialty for Sexual As-
11 sault Response Coordinators on the mental
12 health of personnel within the specialty; and

13 (H) any other matters the Secretary of De-
14 fense determines relevant for inclusion.

15 **SEC. 549K. AMENDMENTS TO ADDITIONAL DEPUTY INSPEC-**
16 **TOR GENERAL OF THE DEPARTMENT OF DE-**
17 **FENSE.**

18 Section 554(a) of the William M. (Mac) Thornberry
19 National Defense Authorization Act for Fiscal Year 2021
20 (Public Law 116–283) is amended—

21 (1) in the section heading, by striking “**DEP-**
22 **UTY**” and inserting “**ASSISTANT**”;

23 (2) in paragraph (1)—

24 (A) in the matter preceding subparagraph

25 (A)—

1 (i) by striking “Secretary of Defense”
2 and inserting “Inspector General of the De-
3 partment of Defense”; and

4 (ii) by striking “Deputy” and insert-
5 ing “Assistant”;

6 (B) in subparagraph (A), by striking “of
7 the Department”; and

8 (C) in subparagraph (B), by striking “re-
9 port directly to and serve” and inserting “be”;

10 (3) in paragraph (2)—

11 (A) in the matter preceding clause (i) of
12 subparagraph (A)—

13 (i) by striking “Conducting and super-
14 vising” and inserting “Developing and car-
15 rying out a plan for the conduct of com-
16 prehensive oversight, including through the
17 conduct and supervision of”; and

18 (ii) by striking “evaluations” and in-
19 serting “inspections,”;

20 (B) in clause (ii) of subparagraph (A), by
21 striking “, including the duties of the Inspector
22 General under subsection (b)”; and

23 (C) in subparagraph (B), by striking “Sec-
24 retary or”;

1 (4) in paragraph (3)(A) in the matter preceding
2 subparagraph (A), by striking “Deputy” and insert-
3 ing “Assistant”;

4 (5) in paragraph (4)—

5 (A) in subparagraph (A), by striking “Dep-
6 uty” each place it appears and inserting “Assist-
7 ant”;

8 (B) in subparagraph (B)—

9 (i) by striking “Deputy” the first place
10 it appears;

11 (ii) by striking “and the Inspector
12 General”;

13 (iii) by striking “Deputy” the second
14 place it appears and inserting “Assistant”;
15 and

16 (iv) by inserting before the period at
17 the end the following: “, for inclusion in the
18 next semiannual report of the Inspector
19 General under section 5 of the Inspector
20 General Act of 1978 (5 U.S.C. App.)”;

21 (C) in subparagraph (C)—

22 (i) by striking “Deputy”; and

23 (ii) by striking “and Inspector Gen-
24 eral”;

25 (D) in subparagraph (D)—

1 (i) by striking “Deputy”;

2 (ii) by striking “and the Inspector
3 General”;

4 (iii) by striking “Secretary or”; and

5 (iv) by striking “direct” and inserting
6 “determine”; and

7 (E) in subparagraph (E)—

8 (i) by striking “Deputy”; and

9 (ii) by striking “of the Department”
10 and all that follows through “Representa-
11 tives” and inserting “consistent with the re-
12 quirements of the Inspector General Act of
13 1978 (5 U.S.C. App.).”.

14 **SEC. 549L. IMPROVED DEPARTMENT OF DEFENSE PREVEN-**
15 **TION OF, AND RESPONSE TO, BULLYING IN**
16 **THE ARMED FORCES.**

17 *Section 549 of the National Defense Authorization Act*
18 *for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 113*
19 *note) is amended—*

20 (1) in the section heading, by inserting “**AND**
21 **BULLYING**” after “**HAZING**”;

22 (2) in subsection (a)—

23 (A) in the heading, by inserting “and anti-
24 bullying” after “Anti-hazing”; and

1 (B) by inserting “or bullying” after “haz-
2 ing” both places it appears;

3 (3) in subsection (b), by inserting “and bul-
4 lying” after “hazing”; and

5 (4) in subsection (c)—

6 (A) in the heading, by inserting “and bul-
7 lying” after “hazing”;

8 (B) in paragraph (1)—

9 (i) in the matter preceding subpara-
10 graph (A)—

11 (I) by striking “January 31 of
12 each year through January 31, 2021”
13 and inserting “May 31, 2023, and an-
14 nually thereafter for five years,”; and

15 (II) by striking “each Secretary of
16 a military department, in consultation
17 with the Chief of Staff of each Armed
18 Force under the jurisdiction of such
19 Secretary,” and inserting “the Sec-
20 retary of Defense”;

21 (ii) in subparagraph (A), by inserting
22 “or bullying” after “hazing”; and

23 (iii) in subparagraph (C), by inserting
24 “and anti-bullying” after “anti-hazing”;
25 and

1 (C) in amending paragraph (2) to read as
2 follows:

3 “(2) *ADDITIONAL ELEMENTS.*—Each report re-
4 quired by this subsection shall include the following:

5 “(A) A description of comprehensive data-
6 collection systems of each Armed Force described
7 in subsection (b) and the Office of the Secretary
8 of Defense for collecting hazing or bullying re-
9 ports involving a member of the Armed Forces.

10 “(B) A description of processes of each
11 Armed Force described in subsection (b) to iden-
12 tify, document, and report alleged instances of
13 hazing or bullying. Such description shall in-
14 clude the methodology each such Armed Force
15 uses to categorize and count potential instances
16 of hazing or bullying.

17 “(C) An assessment by each Secretary of a
18 military department of the quality and need for
19 training on recognizing and preventing hazing
20 and bullying provided to members under the ju-
21 risdiction of such Secretary.

22 “(D) An assessment by the Office of the Sec-
23 retary of Defense of—

24 “(i) the effectiveness of each Armed
25 Force described in subsection (b) in tracking

1 *and reporting instances of hazing or bul-*
2 *lying;*

3 “(ii) *whether the performance of each*
4 *such Armed Force was satisfactory or un-*
5 *satisfactory in the preceding fiscal year.*

6 “(E) *Recommendations of the Secretary to*
7 *improve—*

8 “(i) *elements described in subpara-*
9 *graphs (A) through (D).*

10 “(ii) *the Uniform Code of Military*
11 *Justice or the Manual for Courts-Martial to*
12 *improve the prosecution of persons alleged*
13 *to have committed hazing or bullying in the*
14 *Armed Forces.*

15 “(F) *The status of efforts of the Secretary to*
16 *evaluate the prevalence of hazing and bullying in*
17 *the Armed Forces.*

18 “(G) *Data on allegations of hazing and bul-*
19 *lying in the Armed Forces, including final dis-*
20 *position of investigations.*

21 “(H) *Plans of the Secretary to improve haz-*
22 *ing and bullying prevention and response during*
23 *the next reporting year.”.*

1 **SEC. 549M. RECOMMENDATIONS ON SEPARATE PUNITIVE**
 2 **ARTICLE IN THE UNIFORM CODE OF MILI-**
 3 **TARY JUSTICE ON VIOLENT EXTREMISM.**

4 *Not later than 180 days after the date of the enactment*
 5 *of this Act, the Secretary of Defense shall submit to the*
 6 *Committees on Armed Services of the Senate and the House*
 7 *of Representatives a report containing such recommenda-*
 8 *tions as the Secretary considers appropriate with respect*
 9 *to the establishment of a separate punitive article in chap-*
 10 *ter 47 of title 10, United States Code (the Uniform Code*
 11 *of Military Justice), on violent extremism.*

12 **SEC. 549N. COMBATING FOREIGN MALIGN INFLUENCE.**

13 *Section 589E of the William M. (Mac) Thornberry Na-*
 14 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
 15 *lic Law 116–283) is amended—*

16 *(1) by striking subsections (d) and (e); and*

17 *(2) by inserting after subsection (c) the following*
 18 *new subsections:*

19 *“(d) ESTABLISHMENT OF WORKING GROUP.—(1) Not*
 20 *later than one year after the date of the enactment of this*
 21 *subsection, the Secretary of Defense shall establish a work-*
 22 *ing group to assist the official designated under subsection*
 23 *(b), as follows:*

24 *“(A) In the identification of mediums used by*
 25 *covered foreign countries to identify, access, and en-*
 26 *deavor to influence servicemembers and Department*

1 of Defense civilian employees through foreign malign
2 influence campaigns and the themes conveyed through
3 such mediums.

4 “(B) In coordinating and integrating the train-
5 ing program under this subsection in order to en-
6 hance and strengthen servicemember and Department
7 of Defense civilian employee awareness of and de-
8 fenses against foreign malign influence, including by
9 bolstering information literacy.

10 “(C) In such other tasks deemed appropriate by
11 the Secretary of Defense or the official designated
12 under subsection (b).

13 “(2) The official designed under subsection (b) and the
14 working group established under this subsection shall con-
15 sult with the Foreign Malign Influence Response Center es-
16 tablished pursuant to section 3059 of title 50, United States
17 Code.

18 “(e) *REPORT REQUIRED.*—Not later than 18 months
19 after the establishment of the working group, the Secretary
20 shall submit to the Committees on Armed Services of the
21 Senate and the House of Representatives a report on the
22 results of the working group, its activities, the effectiveness
23 of the counter foreign malign influence activities carried out
24 under this section, the metrics applied to determined effec-

1 *tiveness, and the actual costs associated with actions under-*
 2 *taken pursuant to this section.*

3 “(f) *DEFINITIONS.*—*In this section:*

4 “(1) *FOREIGN MALIGN INFLUENCE.*—*The term*
 5 *‘foreign malign influence’ has the meaning given that*
 6 *term in section 119C of the National Security Act of*
 7 *1947 (50 U.S.C. 3059).*

8 “(2) *COVERED FOREIGN COUNTRY.*—*The term*
 9 *‘covered foreign country’ has the meaning given that*
 10 *term in section 119C of the National Security Act of*
 11 *1947 (50 U.S.C. 3059)*

12 “(3) *INFORMATION LITERACY.*—*The term ‘infor-*
 13 *mation literacy’ means the set of skills needed to find,*
 14 *retrieve, understand, evaluate, analyze, and effectively*
 15 *use information (which encompasses spoken and*
 16 *broadcast words and videos, printed materials, and*
 17 *digital content, data, and images).”*

18 ***Subtitle F—Member Education,***
 19 ***Training, and Transition***

20 ***SEC. 551. TROOPS-TO-TEACHERS PROGRAM.***

21 (a) *REQUIREMENT TO CARRY OUT PROGRAM.*—*Sec-*
 22 *tion 1154(b) of title 10, United States Code, is amended*
 23 *by striking “may” and inserting “shall”.*

24 (b) *REPORTING REQUIREMENT.*—*Section 1154 of title*
 25 *10, United States Code, is amended—*

1 (1) *by redesignating subsection (i) as subsection*
2 *(j); and*

3 (2) *by inserting after subsection (h) the following*
4 *new subsection:*

5 “(i) *ANNUAL REPORT.—(1) Not later than December*
6 *1, 2022, and annually thereafter, the Secretary of Defense*
7 *shall submit to the appropriate congressional committees a*
8 *report on the Program.*

9 “(2) *The report required under paragraph (1) shall in-*
10 *clude the following elements:*

11 “(A) *The total cost of the Program for the most*
12 *recent fiscal year.*

13 “(B) *The total number of teachers placed during*
14 *such fiscal year and the locations of such placements.*

15 “(C) *An assessment of the STEM backgrounds of*
16 *the teachers placed, the number of placements in high-*
17 *need schools, and any other metric or information the*
18 *Secretary considers appropriate to illustrate the cost*
19 *and benefits of the program to members of the armed*
20 *forces, veterans, and local educational agencies.*

21 “(3) *In this subsection, the term ‘appropriate congress-*
22 *sional committees’ means—*

23 “(A) *the Committee on Armed Services and the*
24 *Committee on Help, Education, Labor, and Pensions*
25 *of the Senate; and*

1 “(B) *the Committee on Armed Services and the*
2 *Committee on Education and Labor of the House of*
3 *Representatives.*”.

4 (c) *SUNSET.*—Section 1154 of title 10, United States
5 Code, as amended by subsection (b), is further amended by
6 adding at the end the following new subsection:

7 “(k) *SUNSET.*—The Program shall terminate on July
8 1, 2025, with respect to the selection of new participants
9 for the program. Participants in the Program as of that
10 date may complete their program, and remain eligible for
11 benefits under this section.”.

12 **SEC. 552. CODIFICATION OF HUMAN RELATIONS TRAINING**
13 **FOR CERTAIN MEMBERS OF THE ARMED**
14 **FORCES.**

15 (a) *IN GENERAL.*—Chapter 101 of title 10, United
16 States Code, is amended by inserting before section 2002
17 the following new section:

18 **“§2001. Human relations training**

19 “(a) *HUMAN RELATIONS TRAINING.*—(1)(A) *The Sec-*
20 *retary of Defense shall ensure that the Secretary of each*
21 *military department conducts ongoing programs for human*
22 *relations training for all members of the armed forces under*
23 *the jurisdiction of the Secretary.*

1 “(B) *Matters covered by such training include race re-*
2 *lations, equal opportunity, opposition to gender discrimi-*
3 *nation, and sensitivity to hate group activity.*

4 “(C) *Such training shall be provided during basic*
5 *training (or other initial military training) and on a reg-*
6 *ular basis thereafter.*

7 “(2) *The Secretary of Defense shall ensure that a unit*
8 *commander is aware of the responsibility to ensure that im-*
9 *permissible activity, based upon discriminatory motives,*
10 *does not occur in a unit under the command of such com-*
11 *mander.*

12 “(b) *INFORMATION PROVIDED TO PROSPECTIVE RE-*
13 *CRUITS.—The Secretary of Defense shall ensure that—*

14 “(1) *each individual preparing to enter an offi-*
15 *cer accession program or to execute an original enlist-*
16 *ment agreement is provided information concerning*
17 *the meaning of the oath of office or oath of enlistment*
18 *for service in the armed forces in terms of the equal*
19 *protection and civil liberties guarantees of the Con-*
20 *stitution; and*

21 “(2) *each such individual is informed that if*
22 *supporting such guarantees is not possible personally*
23 *for that individual, then that individual should de-*
24 *cline to enter the armed forces.”.*

25 “(b) *TECHNICAL AND CONFORMING AMENDMENTS.—*

1 (1) *TECHNICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of such chapter is amended by*
 3 *inserting before the item relating to section 2002 the*
 4 *following new item:*

“2001. *Human relations training.*”.

5 (2) *CONFORMING AMENDMENT.*—*Section 571 of*
 6 *the National Defense Authorization Act for Fiscal*
 7 *Year 1997 (Public Law 104–201; 10 U.S.C. 113 note)*
 8 *is repealed.*

9 (c) *BRIEFING.*—*Not later than 180 days after the date*
 10 *of the enactment of this Act, the Secretary of Defense shall*
 11 *brief the Committees on Armed Services of the Senate and*
 12 *House of Representatives regarding—*

13 (1) *implementation of section 2001 of such title,*
 14 *as added by subsection (a); and*

15 (2) *legislation the Secretary determines necessary*
 16 *to complete such implementation.*

17 **SEC. 553. ALLOCATION OF AUTHORITY FOR NOMINATIONS**
 18 **TO THE MILITARY SERVICE ACADEMIES IN**
 19 **THE EVENT OF THE DEATH, RESIGNATION,**
 20 **OR EXPULSION FROM OFFICE OF A MEMBER**
 21 **OF CONGRESS.**

22 (a) *UNITED STATES MILITARY ACADEMY.*—

23 (1) *IN GENERAL.*—*Chapter 753 of title 10,*
 24 *United States Code, is amended by inserting after sec-*
 25 *tion 7442 the following new section:*

1 **“§ 7442a. Cadets: nomination in event of death, res-**
2 **ignation, or expulsion from office of Mem-**
3 **ber of Congress otherwise authorized to**
4 **nominate**

5 “(a) *SENATORS.*—*In the event a Senator does not sub-*
6 *mit all nominations for cadets allocated to such Senator*
7 *for an academic year in accordance with section 7442(a)(3)*
8 *of this title, due to death, resignation from office, or expul-*
9 *sion from office, and the date of the swearing-in of the Sen-*
10 *ator’s successor as Senator occurs after the date of the dead-*
11 *line for submittal of nominations for cadets for the aca-*
12 *demie year, the nominations for cadets for such academic*
13 *year, otherwise authorized to be made by the Senator pursu-*
14 *ant to such section, may be made instead by the other Sen-*
15 *ator from the State of such Representative.*

16 “(b) *REPRESENTATIVES.*—*In the event a Representa-*
17 *tive does not submit all nominations for cadets allocated*
18 *to such Representative for an academic year in accordance*
19 *with section 7442(a)(4) of this title, due to death, resigna-*
20 *tion from office, or expulsion from office, and the date of*
21 *the swearing-in of the Representative’s successor as Rep-*
22 *resentative occurs after the date of the deadline for sub-*
23 *mittal of nominations for cadets for the academic year, the*
24 *nominations for cadets for such academic year, otherwise*
25 *authorized to be made by the Representative pursuant to*
26 *such section, may be made instead by the Senators from*

1 *the State of such Representative, with such nominations di-*
 2 *vided equally among such Senators and any remainder*
 3 *going to the senior Senator from the State.*

4 “(c) *RULE OF CONSTRUCTION.*—*The nomination of a*
 5 *cadet by a Member of Congress pursuant to this section shall*
 6 *not be construed to permanently reallocate nominations*
 7 *under section 7442 of this title.”.*

8 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 9 *tions at the beginning of chapter 753 of such title is*
 10 *amended by inserting after the item relating to sec-*
 11 *tion 7442 the following new item:*

“7442a. *Cadets: nomination in event of death, resignation, or expulsion from office*
of Member of Congress otherwise authorized to nominate.”.

12 (b) *UNITED STATES NAVAL ACADEMY.*—

13 (1) *IN GENERAL.*—*Chapter 853 of title 10,*
 14 *United States Code, is amended by inserting after sec-*
 15 *tion 8454 the following new section:*

16 “§8454a. ***Midshipmen: nomination in event of death,***
 17 ***resignation, or expulsion from office of***
 18 ***Member of Congress otherwise authorized***
 19 ***to nominate***

20 “(a) *SENATORS.*—*In the event a Senator does not sub-*
 21 *mit all nominations for midshipmen allocated to such Sen-*
 22 *ator for an academic year in accordance with section*
 23 *8454(a)(3) of this title, due to death, resignation from office,*
 24 *or expulsion from office, and the date of the swearing-in*

1 *of the Senator's successor as Senator occurs after the date*
2 *of the deadline for submittal of nominations for mid-*
3 *shipmen for the academic year, the nominations for mid-*
4 *shipmen for such academic year, otherwise authorized to*
5 *be made by the Senator pursuant to such section, may be*
6 *made instead by the other Senator from the State of such*
7 *Representative.*

8 “(b) *REPRESENTATIVES.*—*In the event a Representa-*
9 *tive does not submit all nominations for midshipmen allo-*
10 *cated to such Representative for an academic year in ac-*
11 *cordance with section 8454(a)(4) of this title, due to death,*
12 *resignation from office, or expulsion from office, and the*
13 *date of the swearing-in of the Representative's successor as*
14 *Representative occurs after the date of the deadline for sub-*
15 *mittal of nominations for midshipmen for the academic*
16 *year, the nominations for midshipmen for such academic*
17 *year, otherwise authorized to be made by the Representative*
18 *pursuant to such section, may be made instead by the Sen-*
19 *ators from the State of such Representative, with such*
20 *nominations divided equally among such Senators and any*
21 *remainder going to the senior Senator from the State.*

22 “(c) *RULE OF CONSTRUCTION.*—*The nomination of a*
23 *midshipman by a Member of Congress pursuant to this sec-*
24 *tion shall not be construed to permanently reallocate nomi-*
25 *nations under section 8454 of this title.”.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 853 of such title is*
 3 *amended by inserting after the item relating to sec-*
 4 *tion 8454 the following new item:*

“8454a. *Midshipmen: nomination in event of death, resignation, or expulsion from office of Member of Congress otherwise authorized to nominate.*”.

5 (c) *AIR FORCE ACADEMY.*—

6 (1) *IN GENERAL.*—*Chapter 953 of title 10,*
 7 *United States Code, is amended by inserting after sec-*
 8 *tion 9442 the following new section:*

9 “**§9442a. Cadets: nomination in event of death, res-**
 10 **ignation, or expulsion from office of Mem-**
 11 **ber of Congress otherwise authorized to**
 12 **nominate**

13 “(a) *SENATORS.*—*In the event a Senator does not sub-*
 14 *mit all nominations for cadets allocated to such Senator*
 15 *for an academic year in accordance with section 9442(a)(3)*
 16 *of this title, due to death, resignation from office, or expul-*
 17 *sion from office, and the date of the swearing-in of the Sen-*
 18 *ator’s successor as Senator occurs after the date of the dead-*
 19 *line for submittal of nominations for cadets for the aca-*
 20 *demic year, the nominations for cadets for such academic*
 21 *year, otherwise authorized to be made by the Senator pursu-*
 22 *ant to such section, may be made instead by the other Sen-*
 23 *ator from the State of such Representative.*

1 “(b) *REPRESENTATIVES.*—*In the event a Representa-*
 2 *tive does not submit all nominations for cadets allocated*
 3 *to such Representative for an academic year in accordance*
 4 *with section 9442(a)(4) of this title, due to death, resigna-*
 5 *tion from office, or expulsion from office, and the date of*
 6 *the swearing-in of the Representative’s successor as Rep-*
 7 *resentative occurs after the date of the deadline for sub-*
 8 *mittal of nominations for cadets for the academic year, the*
 9 *nominations for cadets for such academic year, otherwise*
 10 *authorized to be made by the Representative pursuant to*
 11 *such section, may be made instead by the Senators from*
 12 *the State of such Representative, with such nominations di-*
 13 *vided equally among such Senators and any remainder*
 14 *going to the senior Senator from the State.*

15 “(c) *RULE OF CONSTRUCTION.*—*The nomination of a*
 16 *cadet by a Member of Congress pursuant to this section shall*
 17 *not be construed to permanently reallocate nominations*
 18 *under section 9442 of this title.”.*

19 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 20 *tions at the beginning of chapter 953 of such title is*
 21 *amended by inserting after the item relating to sec-*
 22 *tion 9442 the following new item:*

*“9442a. Cadets: nomination in event of death, resignation, or expulsion from office
 of Member of Congress otherwise authorized to nominate.”.*

23 “(d) *REPORT.*—*Not later than September 30, 2022, the*
 24 *Secretary of Defense shall submit to the Committees on*

1 *Armed Services of the Senate and House of Representatives*
2 *a report regarding implementation of the amendments*
3 *under this section, including—*

4 (1) *the estimate of the Secretary regarding the*
5 *frequency with which the authorities under such*
6 *amendments will be used each year; and*

7 (2) *the number of times a Member of Congress*
8 *has failed to submit nominations to the military*
9 *academies due to death, resignation from office, or ex-*
10 *pulsion from office.*

11 **SEC. 554. AUTHORITY OF PRESIDENT TO APPOINT SUCCES-**
12 **SORS TO MEMBERS OF BOARD OF VISITORS**
13 **OF MILITARY ACADEMIES WHOSE TERMS**
14 **HAVE EXPIRED.**

15 (a) *UNITED STATES MILITARY ACADEMY.—Section*
16 *7455(b) of title 10, United States Code, is amended by strik-*
17 *ing “is appointed” and inserting “is appointed by the*
18 *President”.*

19 (b) *UNITED STATES NAVAL ACADEMY.—Section*
20 *8468(b) of title 10, United States Code, is amended by strik-*
21 *ing “is appointed” and inserting “is appointed by the*
22 *President”.*

23 (c) *UNITED STATES AIR FORCE ACADEMY.—Section*
24 *9455(b)(1) of title 10, United States Code, is amended by*

1 *striking “is designated” and inserting “is designated by the*
 2 *President”.*

3 (d) *UNITED STATES COAST GUARD ACADEMY.—Section*
 4 *1903(b)(2)(B) of title 14, United States Code, is*
 5 *amended by striking “is appointed” and inserting “is ap-*
 6 *pointed by the President”.*

7 **SEC. 555. MEETINGS OF THE BOARD OF VISITORS OF A MILI-**
 8 **TARY SERVICE ACADEMY: VOTES REQUIRED**
 9 **TO CALL; HELD IN PERSON OR REMOTELY.**

10 (a) *UNITED STATES MILITARY ACADEMY.—Section*
 11 *7455 of title 10, United States Code, is amended by adding*
 12 *at the end the following new subsection:*

13 “(i)(1) *A majority of the members of the Board may*
 14 *call an official meeting of the Board once per year.*

15 “(2) *A member may attend such meeting—*

16 “(A) *in person, at the Academy; or*

17 “(B) *remotely, at the election of such member.”.*

18 (b) *UNITED STATES NAVAL ACADEMY.—Section 8468*
 19 *of title 10, United States Code, is amended by adding at*
 20 *the end the following new subsection:*

21 “(i)(1) *A majority of the members of the Board may*
 22 *call an official meeting of the Board once per year.*

23 “(2) *A member may attend such meeting—*

24 “(A) *in person, at the Academy; or*

25 “(B) *remotely, at the election of such member.”.*

1 (c) *UNITED STATES AIR FORCE ACADEMY.*—Section
 2 9455 of title 10, United States Code, is amended by adding
 3 at the end the following new subsection:

4 “(i)(1) A majority of the members of the Board may
 5 call an official meeting of the Board once per year.

6 “(2) A member may attend such meeting—

7 “(A) in person, at the Academy; or

8 “(B) remotely, at the election of such member.”.

9 **SEC. 556. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
 10 **GUAGE CENTER.**

11 (a) *AUTHORITY TO AWARD BACHELOR’S DEGREES.*—
 12 Section 2168 of title 10, United States Code, is amended—

13 (1) in the section heading, by striking “**Asso-**
 14 **ciate**” and inserting “**Associate or Bachelor**”;
 15 and

16 (2) by amending subsection (a) to read as fol-
 17 lows:

18 “(a) Subject to subsection (b), the Commandant of the
 19 Defense Language Institute may confer—

20 “(1) an Associate of Arts degree in a foreign lan-
 21 guage upon any graduate of the Foreign Language
 22 Center of the Institute who fulfills the requirements
 23 for that degree; or

24 “(2) a Bachelor of Arts degree in a foreign lan-
 25 guage upon any graduate of the Foreign Language

1 *Center of the Institute who fulfills the requirements*
 2 *for that degree.”.*

3 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 4 *the beginning of chapter 108 of title 10, United States Code,*
 5 *is amended by striking the item relating to section 2168*
 6 *and inserting the following new item:*

 “2168. *Defense Language Institute Foreign Language Center: degree of Associate*
 or Bachelor of Arts in foreign language.”.

7 **SEC. 557. UNITED STATES NAVAL COMMUNITY COLLEGE.**

8 (a) *ESTABLISHMENT.*—*Chapter 859 of title 10, United*
 9 *States Code, is amended by adding at the end the following*
 10 *new section:*

11 **“§8595. United States Naval Community College: es-**
 12 **tablishment and degree granting author-**
 13 **ity**

14 “(a) *ESTABLISHMENT AND FUNCTION.*—*There is a*
 15 *United States Naval Community College. The primary*
 16 *function of such College shall be to provide—*

17 “(1) *programs of academic instruction and pro-*
 18 *fessional and technical education for individuals de-*
 19 *scribed in subsection (b) in—*

20 “(A) *academic and technical fields of the*
 21 *liberal arts and sciences which are relevant to*
 22 *the current and future needs of the Navy and*
 23 *Marine Corps, including in designated fields of*
 24 *national and economic importance such as cy-*

1 *bersecurity, artificial intelligence, machine*
2 *learning, data science, and software engineering;*
3 *and*

4 “(B) *their practical duties;*

5 “(2) *remedial, developmental, or continuing edu-*
6 *cation programs, as prescribed by the Secretary of the*
7 *Navy, which are necessary to support, maintain, or*
8 *extend programs under paragraph (1);*

9 “(3) *support and advisement services for indi-*
10 *viduals pursuing such programs; and*

11 “(4) *continuous monitoring of the progress of*
12 *such individuals.*

13 “(b) *INDIVIDUALS ELIGIBLE FOR PROGRAMS.—Subject*
14 *to such other eligibility requirements as the Secretary of*
15 *the Navy may prescribe, the following individuals are eligi-*
16 *ble to participate in programs and services under subsection*
17 *(a):*

18 “(1) *Enlisted members of the Navy and Marine*
19 *Corps.*

20 “(2) *Officers of the Navy and Marine Corps who*
21 *hold a commission but have not completed a postsec-*
22 *ondary degree.*

23 “(3) *Civilian employees of the Department of the*
24 *Navy.*

1 “(4) *Other individuals, as determined by the*
2 *Secretary of the Navy, so long as access to programs*
3 *and services under subsection (a) by such individuals*
4 *is—*

5 “(A) *in alignment with the mission of the*
6 *United States Naval Community College; and*

7 “(B) *determined to support the mission or*
8 *needs of the Department of the Navy.*

9 “(c) *DEGREE AND CREDENTIAL GRANTING AUTHOR-*
10 *ITY.—*

11 “(1) *IN GENERAL.—Under regulations prescribed*
12 *by the Secretary of the Navy, the head of the United*
13 *States Naval Community College may, upon the rec-*
14 *ommendation of the directors and faculty of the Col-*
15 *lege, confer appropriate degrees or academic creden-*
16 *tials upon graduates who meet the degree or creden-*
17 *tial requirements.*

18 “(2) *LIMITATION.—A degree or credential may*
19 *not be conferred under this subsection unless—*

20 “(A) *the Secretary of Education has rec-*
21 *ommended approval of the degree or credential*
22 *in accordance with the Federal Policy Governing*
23 *Granting of Academic Degrees by Federal Agen-*
24 *cies; and*

1 “(B) *the United States Naval Community*
2 *College is accredited by the appropriate civilian*
3 *academic accrediting agency or organization to*
4 *award the degree or credential, as determined by*
5 *the Secretary of Education.*

6 “(3) *CONGRESSIONAL NOTIFICATION REQUIRE-*
7 *MENTS.—*

8 “(A) *When seeking to establish degree or*
9 *credential granting authority under this sub-*
10 *section, the Secretary of Defense shall submit to*
11 *the Committees on Armed Services of the Senate*
12 *and House of Representatives—*

13 “(i) *a copy of the self assessment ques-*
14 *tionnaire required by the Federal Policy*
15 *Governing Granting of Academic Degrees*
16 *by Federal Agencies, at the time the assess-*
17 *ment is submitted to the Department of*
18 *Education’s National Advisory Committee*
19 *on Institutional Quality and Integrity; and*

20 “(ii) *the subsequent recommendations*
21 *and rationale of the Secretary of Education*
22 *regarding the establishment of the degree or*
23 *credential granting authority.*

24 “(B) *Upon any modification or redesigna-*
25 *tion of existing degree or credential granting au-*

1 *thority, the Secretary of Defense shall submit to*
2 *the Committees on Armed Services of the Senate*
3 *and House of Representatives a report con-*
4 *taining the rationale for the proposed modifica-*
5 *tion or redesignation and any subsequent rec-*
6 *ommendation of the Secretary of Education on*
7 *the proposed modification or redesignation.*

8 “(C) *The Secretary of Defense shall submit*
9 *to the Committees on Armed Services of the Sen-*
10 *ate and House of Representatives a report con-*
11 *taining an explanation of any action by the ap-*
12 *propriate academic accrediting agency or orga-*
13 *nization not to accredit the United States Naval*
14 *Community College to award any new or exist-*
15 *ing degree or credential.*

16 “(d) *CIVILIAN FACULTY MEMBERS.—*

17 “(1) *AUTHORITY OF SECRETARY.—The Secretary*
18 *of the Navy may employ as many civilians as profes-*
19 *sors, instructors, and lecturers at the United States*
20 *Naval Community College as the Secretary considers*
21 *necessary.*

22 “(2) *COMPENSATION.—The compensation of per-*
23 *sons employed under this subsection shall be pre-*
24 *scribed by the Secretary of the Navy.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 859 of title 10, United States Code,*
 3 *is amended by adding at the end the following new item:*

“8595. *United States Naval Community College: establishment and degree granting authority.*”.

4 **SEC. 558. CODIFICATION OF ESTABLISHMENT OF UNITED**
 5 **STATES AIR FORCE INSTITUTE OF TECH-**
 6 **NOLOGY.**

7 (a) *IN GENERAL.*—*Chapter 951 of title 10, United*
 8 *States Code, is amended by inserting before section 9414*
 9 *the following new section:*

10 **“§9413. United States Air Force Institute of Tech-**
 11 **nology: establishment**

12 *“There is in the Department of the Air Force a United*
 13 *States Air Force Institute of Technology, the purposes of*
 14 *which are to perform research and to provide, to members*
 15 *of the Air Force and Space Force (including the reserve*
 16 *components) and civilian employees of such Department,*
 17 *advanced instruction and technical education regarding*
 18 *their duties.”.*

19 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 20 *the beginning of such chapter is amended by inserting, be-*
 21 *fore the item relating to section 9414, the following new*
 22 *item:*

“9413. *United States Air Force Institute of Technology: establishment.*”.

1 **SEC. 559. CONCURRENT USE OF DEPARTMENT OF DEFENSE**
2 **TUITION ASSISTANCE AND MONTGOMERY GI**
3 **BILL-SELECTED RESERVE BENEFITS.**

4 (a) *IN GENERAL.*—Section 16131 of title 10, United
5 States Code, is amended by adding at the end the following
6 new subsection:

7 “(k)(1) *In the case of an individual entitled to edu-*
8 *cational assistance under this chapter who is pursuing edu-*
9 *cation or training described in subsection (a) or (c) of sec-*
10 *tion 2007 of this title on a half-time or more basis, the Sec-*
11 *retary concerned shall, at the election of the individual, pay*
12 *the individual educational assistance allowance under this*
13 *chapter for pursuit of such education or training as if the*
14 *individual were not also eligible to receive or in receipt of*
15 *educational assistance under section 2007 for pursuit of*
16 *such education or training.*

17 “(2) *Concurrent receipt of educational assistance*
18 *under section 2007 of this title and educational assistance*
19 *under this chapter shall not be considered a duplication of*
20 *benefits if the individual is enrolled in a program of edu-*
21 *cation on a half-time or more basis.”.*

22 (b) *CONFORMING AMENDMENTS.*—Section 2007(d) of
23 such title is amended—

24 (1) *in paragraph (1), by inserting “or chapter*
25 *1606 of this title” after “of title 38”; and*

1 (2) *in paragraph (2), by inserting “, in the case*
2 *of educational assistance under chapter 30 of such*
3 *title, and section 16131(k), in the case of educational*
4 *assistance under chapter 1606 of this title” before the*
5 *period at the end.*

6 **SEC. 559A. REGULATIONS ON CERTAIN PARENTAL GUARD-**
7 **IANSHIP RIGHTS OF CADETS AND MID-**
8 **SHIPMEN.**

9 (a) *REGULATIONS REQUIRED.—Not later than one*
10 *year after the date of the enactment of this Act, the Sec-*
11 *retary of Defense, after consultation with the Secretaries of*
12 *the military departments and the Superintendent of each*
13 *military service academy, shall prescribe regulations that*
14 *include the option to preserve parental guardianship rights*
15 *of a cadet or midshipman who becomes pregnant or fathers*
16 *a child while attending a military service academy, con-*
17 *sistent with the individual and academic responsibilities of*
18 *such cadet or midshipman.*

19 (b) *BRIEFINGS; REPORT.—*

20 (1) *INTERIM BRIEFING.—Not later than May 1,*
21 *2022, the Secretary of Defense shall provide to the*
22 *Committees on Armed Services of the Senate and*
23 *House of Representatives an interim briefing on the*
24 *development of the regulations prescribed under sub-*
25 *section (a).*

1 (2) *REPORT.*—Not later than 180 days after the
2 date of the enactment of this Act, the Secretary of De-
3 fense shall submit to the Committees on Armed Serv-
4 ices of the Senate and House of Representatives a re-
5 port on any legislation the Secretary determines nec-
6 essary to implement the regulations prescribed under
7 subsection (a).

8 (3) *FINAL BRIEFING.*—Not later than one year
9 after the date of the enactment of this Act, the Sec-
10 retary of Defense shall submit to the Committees on
11 Armed Services of the Senate and House of Represent-
12 atives a final briefing on the regulations prescribed
13 under subsection (a).

14 (c) *RULE OF CONSTRUCTION.*—Nothing in this section
15 shall be construed to change, or require a change to, any
16 admission requirement at a military service academy.

17 (d) *MILITARY SERVICE ACADEMY DEFINED.*—In this
18 section, the term “military service academy” means the fol-
19 lowing:

20 (1) *The United States Military Academy.*

21 (2) *The United States Naval Academy.*

22 (3) *The United States Air Force Academy.*

1 **SEC. 559B. DEFENSE LANGUAGE CONTINUING EDUCATION**
2 **PROGRAM.**

3 (a) *IN GENERAL.*—Not later than 180 days after the
4 date of the enactment of this Act, the Under Secretary of
5 Defense for Personnel and Readiness shall establish policies
6 and procedures to provide, to linguists of the covered Armed
7 Forces who have made the transition from formal training
8 programs to operational and staff assignments, continuing
9 language education to maintain their respective language
10 proficiencies.

11 (b) *REIMBURSEMENT AUTHORITY.*—

12 (1) *IN GENERAL.*—Not later than one year after
13 the date of the enactment of this Act, the Under Sec-
14 retary, in coordination with the chief of each covered
15 Armed Force, shall establish a procedure by which the
16 covered Armed Force concerned may reimburse an or-
17 ganization of the Department of Defense that pro-
18 vides, to members of such covered Armed Force, con-
19 tinuing language education, described in subsection
20 (a), for the costs of such education.

21 (2) *SUNSET.*—The authority under this sub-
22 section shall expire on September 30, 2025.

23 (c) *BRIEFING.*—Not later than July 1, 2022, the Under
24 Secretary shall brief the Committees on Armed Services of
25 the Senate and House of Representatives on implementation

1 *of this section and plans regarding continuing language*
2 *education described in subsection (a).*

3 (d) *COVERED ARMED FORCE DEFINED.—In this sec-*
4 *tion, the term “covered Armed Force” means the Army,*
5 *Navy, Air Force, Marine Corps, or Space Force.*

6 **SEC. 559C. PROHIBITION ON IMPLEMENTATION BY UNITED**
7 **STATES AIR FORCE ACADEMY OF CIVILIAN**
8 **FACULTY TENURE SYSTEM.**

9 *The Secretary of Defense may not implement a civil-*
10 *ian faculty tenure system for the United States Air Force*
11 *Academy (in this section referred to as the “Academy”)*
12 *until the Secretary submits to the Committees on Armed*
13 *Services of the Senate and the House of Representatives a*
14 *report assessing the following:*

15 (1) *How a civilian faculty tenure system would*
16 *promote the mission of the Academy.*

17 (2) *How a civilian faculty tenure system would*
18 *affect the current curricular governance process of the*
19 *Academy.*

20 (3) *How the Academy will determine the number*
21 *of civilian faculty at the Academy who would be*
22 *granted tenure.*

23 (4) *How a tenure system would be structured for*
24 *Federal employees at the Academy, including exact*
25 *details of specific protections and limitations.*

1 (5) *The budget implications of implementing a*
2 *tenure system for the Academy.*

3 (6) *The faculty qualifications that would be re-*
4 *quired to earn and maintain tenure.*

5 (7) *The reasons for termination of tenure that*
6 *will be implemented and how a tenure termination ef-*
7 *fort would be conducted.*

8 **SEC. 559D. PROFESSIONAL MILITARY EDUCATION: REPORT;**
9 **DEFINITION.**

10 (a) *REPORT.—*

11 (1) *IN GENERAL.—Not later than July 1, 2022,*
12 *the Secretary of Defense, in consultation with the*
13 *Chairman of the Joint Chiefs of Staff, shall submit to*
14 *the Committees on Armed Services of the Senate and*
15 *the House of Representatives a report setting forth the*
16 *results of a review and assessment of the definition of*
17 *professional military education in the Department of*
18 *Defense and the military departments as specified in*
19 *subsection (c).*

20 (2) *ELEMENTS.—The report under this sub-*
21 *section shall include the following elements:*

22 (A) *A consolidated summary of all defini-*
23 *tions of the term “professional military edu-*
24 *cation” used in the Department of Defense and*
25 *the military departments.*

1 (B) *A description of how such term is used*
2 *in the Department of Defense in educational in-*
3 *stitutions, associated schools, programs, think*
4 *tanks, research centers, and support activities.*

5 (C) *An analysis of how such term—*

6 (i) *applies to tactical, operational, and*
7 *strategic settings; and*

8 (ii) *is linked to mission requirements.*

9 (D) *An analysis of how professional mili-*
10 *tary education has been applied and linked*
11 *through all levels of Department of Defense edu-*
12 *cation and training.*

13 (E) *The applicability of professional mili-*
14 *tary education to the domains of warfare, in-*
15 *cluding land, air, sea, space, and cyber.*

16 (F) *With regards to online and virtual*
17 *learning in professional military education—*

18 (i) *an analysis of the use of such learn-*
19 *ing; and*

20 (ii) *student satisfaction in comparison*
21 *to traditional classroom learning.*

22 (b) *DEFINITION.—Not later than one year after the*
23 *date of the enactment of this Act, the Secretary of Defense,*
24 *in coordination with the Chairman of the Joint Chiefs of*
25 *Staff and the Secretaries of the military departments, using*

1 *the report under subsection (a), shall standardize the defini-*
2 *tion of “professional military education” across the mili-*
3 *tary departments and the Department of Defense.*

4 **SEC. 559E. REPORT ON TRAINING AND EDUCATION OF MEM-**
5 **BERS OF THE ARMED FORCES REGARDING**
6 **SOCIAL REFORM AND UNHEALTHY BEHAV-**
7 **IORES.**

8 *(a) REPORT REQUIRED.—Not later than June 1, 2022,*
9 *the Secretary of Defense, in consultation with the Secre-*
10 *taries of the military departments, shall submit to the Com-*
11 *mittees on Armed Services of the Senate and House of Rep-*
12 *resentatives a report on training and courses of education*
13 *offered to covered members regarding—*

- 14 *(1) sexual assault;*
15 *(2) sexual harassment;*
16 *(3) extremism;*
17 *(4) domestic violence;*
18 *(5) diversity, equity, and inclusion;*
19 *(6) military equal opportunity;*
20 *(7) suicide prevention; and*
21 *(8) substance abuse.*

22 *(b) ELEMENTS.—The report under subsection (a) shall*
23 *identify, with regard to each training or course of edu-*
24 *cation, the following:*

- 25 *(1) Sponsor.*

1 (2) *Location.*

2 (3) *Method.*

3 (4) *Frequency.*

4 (5) *Number of covered members who have par-*
5 *ticipated.*

6 (6) *Legislation, regulation, instruction, or guid-*
7 *ance that requires such training or course (if applica-*
8 *ble).*

9 (7) *Metrics of—*

10 (A) *performance;*

11 (B) *effectiveness; and*

12 (C) *data collection.*

13 (8) *Responsibilities of the Secretary of Defense or*
14 *Secretary of a military department to—*

15 (A) *communicate with non-departmental*
16 *entities;*

17 (B) *process feedback from trainers, trainees,*
18 *and such entities;*

19 (C) *connect such training or course to tac-*
20 *tical, operational, and strategic goals; and*

21 (D) *connect such training or course to other*
22 *training regarding social reform and unhealthy*
23 *behavior.*

24 (9) *Analyses of—*

1 (A) whether the metrics described in para-
2 graph (7) are standardized across the military
3 departments;

4 (B) mechanisms used to engage non-depart-
5 mental entities to assist in the development of
6 such training or courses;

7 (C) incentives used to ensure the effective-
8 ness of such training or courses;

9 (D) how each training or courses is in-
10 tended to change behavior; and

11 (E) costs of such training and courses.

12 (10) Recommendations of the Secretary of De-
13 fense to improve such training or courses, including
14 the estimated costs to implement such improvements.

15 (11) Any other information the Secretary of De-
16 fense determines relevant.

17 (c) COVERED MEMBER DEFINED.—In this section, the
18 term “covered member” means a member of an Armed Force
19 under the jurisdiction of the Secretary of a military depart-
20 ment.

21 **SEC. 559F. REPORT ON STATUS OF ARMY TUITION ASSIST-**
22 **ANCE PROGRAM ARMY IGNITED PROGRAM.**

23 (a) IN GENERAL.—Not later than 60 days after the
24 date of the enactment of this Act, the Secretary of the Army
25 shall submit to the congressional defense committees a re-

1 *port on the status of the Army IgnitED program of the*
2 *Army's Tuition Assistance Program.*

3 (b) *ELEMENTS.*—*The report required under subsection*
4 *(a) shall describe—*

5 (1) *the estimated date when the Army IgnitED*
6 *program will be fully functional;*

7 (2) *the estimated date when service members will*
8 *be reimbursed for out of pocket expenses caused by*
9 *processing delays and errors under the Army IgnitED*
10 *program; and*

11 (3) *the estimated date when institutions of high-*
12 *er education will be fully reimbursed for all costs*
13 *typically provided through the Tuition Assistance*
14 *Program but delayed due to processing delays and er-*
15 *rors under the Army IgnitED program.*

16 **SEC. 559G. BRIEFING ON CADETS AND MIDSHIPMEN WITH**
17 **SPEECH DISORDERS.**

18 *Not later than 180 days after the date of the enactment*
19 *of this Act, the Secretary of Defense shall brief the Commit-*
20 *tees on Armed Services of the Senate and House of Rep-*
21 *resentatives regarding nominees, who have speech disorders,*
22 *to each military service academy. Such briefing shall in-*
23 *clude the following:*

24 (1) *The number of such nominees were offered*
25 *admission to the military service academy concerned.*

1 (2) *The number of nominees described in para-*
 2 *graph (1) who were denied admission on the basis of*
 3 *such disorder.*

4 (3) *Whether the admission process to a military*
 5 *service academy includes testing for speech disorders.*

6 (4) *The current medical standards of each mili-*
 7 *tary service academy regarding speech disorders.*

8 (5) *Whether the Superintendent of each military*
 9 *service academy provides speech therapy to mitigate*
 10 *speech disorders—*

11 (A) *of nominees to such military service*
 12 *academy to facilitate admission of such nomi-*
 13 *nees; and*

14 (B) *of the cadets or midshipman at such*
 15 *military service academy.*

16 ***Subtitle G—Military Family Readiness and Dependents’ Education***
 17

18 ***SEC. 561. EXPANSION OF SUPPORT PROGRAMS FOR SPE-***
 19 ***CIAL OPERATIONS FORCES PERSONNEL AND***
 20 ***IMMEDIATE FAMILY MEMBERS.***

21 *Section 1788a(e) of title 10, United States Code, is*
 22 *amended—*

23 (1) *in paragraph (4), by striking “covered per-*
 24 *sonnel” and inserting “covered individuals”; and*

25 (2) *in paragraph (5)—*

1 (A) by striking “covered personnel” and in-
2 serting “covered individuals”;

3 (B) in subparagraph (B), by striking “and”
4 at the end;

5 (C) in subparagraph (C), by striking the
6 period at the end and inserting “; and”; and

7 (D) by adding at the end the following new
8 subparagraph:

9 “(D) immediate family members of individ-
10 uals described in subparagraphs (A) or (B) in a
11 case in which such individual died—

12 “(i) as a direct result of armed con-
13 flict;

14 “(ii) while engaged in hazardous serv-
15 ice;

16 “(iii) in the performance of duty under
17 conditions simulating war; or

18 “(iv) through an instrumentality of
19 war.”.

20 **SEC. 562. IMPROVEMENTS TO THE EXCEPTIONAL FAMILY**
21 **MEMBER PROGRAM.**

22 (a) *EXPANSION OF ADVISORY PANEL ON COMMUNITY*
23 *SUPPORT FOR MILITARY FAMILIES WITH SPECIAL*
24 *NEEDS.*—Section 563(d)(2) of the National Defense Author-

1 *ization Act for Fiscal Year 2010 (Public Law 111–84; 10*
2 *U.S.C. 1781c note) is amended—*

3 *(1) by striking “seven” and inserting “nine”;*

4 *(2) by inserting “, appointed by the Secretary of*
5 *Defense,” after “individuals”;*

6 *(3) by inserting “each” before “a member”;*

7 *(4) by striking the second sentence and inserting*
8 *“In appointing individuals to the panel, the Sec-*
9 *retary shall ensure that—”; and*

10 *(5) by adding at the end the following:*

11 *“(A) one individual is the spouse of an en-*
12 *listed member;*

13 *“(B) one individual is the spouse of an offi-*
14 *cer in a grade below O-6;*

15 *“(C) one individual is a junior enlisted*
16 *member;*

17 *“(D) one individual is a junior officer;*

18 *“(E) individuals reside in different geo-*
19 *graphic regions;*

20 *“(F) one individual is a member serving at*
21 *a remote installation or is a member of the fam-*
22 *ily of such a member; and*

23 *“(G) at least two individuals are members*
24 *serving on active duty, each with a dependent*
25 *who—*

1 “(i) is enrolled in the *Exceptional*
2 *Family Member Program*; and

3 “(ii) has an individualized education
4 program.”.

5 (b) *RELOCATION*.—*The Secretary of the military de-*
6 *partment concerned may, if such Secretary determines it*
7 *feasible, permit a covered member who receives permanent*
8 *change of station orders to elect, not later than 14 days after*
9 *such receipt, from at least two locations that provide sup-*
10 *port for the dependent of such covered member with a spe-*
11 *cial need.*

12 (c) *FAMILY MEMBER MEDICAL SUMMARY*.—*The Sec-*
13 *retary of a military department, in coordination with the*
14 *Director of the Defense Health Agency, shall require that*
15 *a family member medical summary, completed by a li-*
16 *censed and credentialed medical provider, is accessible in*
17 *the electronic health record of the Department of Defense*
18 *for subsequent review by a licensed medical provider.*

19 (d) *COVERED MEMBER DEFINED*.—*In this section, the*
20 *term “covered member” means a member of an Armed*
21 *Force—*

22 (1) *under the jurisdiction of the Secretary of a*
23 *military department; and*

24 (2) *with a dependent with a special need.*

1 **SEC. 563. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL**
2 **AGENCIES THAT BENEFIT DEPENDENTS OF**
3 **MILITARY AND CIVILIAN PERSONNEL.**

4 (a) *CONTINUATION OF AUTHORITY TO ASSIST LOCAL*
5 *EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF*
6 *MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF*
7 *DEFENSE CIVILIAN EMPLOYEES.—*

8 (1) *ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
9 *NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of*
10 *the amount authorized to be appropriated for fiscal*
11 *year 2022 by section 301 and available for operation*
12 *and maintenance for Defense-wide activities as speci-*
13 *fied in the funding table in section 4301, \$50,000,000*
14 *shall be available only for the purpose of providing*
15 *assistance to local educational agencies under sub-*
16 *section (a) of section 572 of the National Defense Au-*
17 *thorization Act for Fiscal Year 2006 (Public Law*
18 *109–163; 20 U.S.C. 7703b).*

19 (2) *LOCAL EDUCATIONAL AGENCY DEFINED.—In*
20 *this subsection, the term “local educational agency”*
21 *has the meaning given that term in section 7013(9)*
22 *of the Elementary and Secondary Education Act of*
23 *1965 (20 U.S.C. 7713(9)).*

24 (b) *IMPACT AID FOR CHILDREN WITH SEVERE DIS-*
25 *ABILITIES.—*

1 (1) *IN GENERAL.*—Of the amount authorized to
2 be appropriated for fiscal year 2022 pursuant to sec-
3 tion 301 and available for operation and mainte-
4 nance for Defense-wide activities as specified in the
5 funding table in section 4301, \$10,000,000 shall be
6 available for payments under section 363 of the Floyd
7 D. Spence National Defense Authorization Act for
8 Fiscal Year 2001 (as enacted into law by Public Law
9 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

10 (2) *ADDITIONAL AMOUNT.*—Of the amount au-
11 thorized to be appropriated for fiscal year 2022 pur-
12 suant to section 301 and available for operation and
13 maintenance for Defense-wide activities as specified
14 in the funding table in section 4301, \$10,000,000
15 shall be available for use by the Secretary of Defense
16 to make payments to local educational agencies deter-
17 mined by the Secretary to have higher concentrations
18 of military children with severe disabilities.

19 (3) *REPORT.*—Not later than March 31, 2022,
20 the Secretary shall brief the Committees on Armed
21 Services of the Senate and the House of Representa-
22 tives on the Department’s evaluation of each local
23 educational agency with higher concentrations of
24 military children with severe disabilities and subse-

1 *quent determination of the amounts of impact aid*
2 *each such agency shall receive.*

3 **SEC. 564. PILOT PROGRAM TO ESTABLISH EMPLOYMENT**
4 **FELLOWSHIP OPPORTUNITIES FOR MILITARY**
5 **SPOUSES.**

6 *(a) ESTABLISHMENT.—Not later than one year after*
7 *the date of the enactment of this Act, the Secretary of De-*
8 *fense may establish a three-year pilot program to provide*
9 *employment support to the spouses of members of the Armed*
10 *Forces through a paid fellowship with employers across a*
11 *variety of industries. In carrying out the pilot program,*
12 *the Secretary shall take the following steps:*

13 *(1) Enter into a contract or other agreement to*
14 *conduct a career fellowship pilot program for mili-*
15 *tary spouses.*

16 *(2) Determine the appropriate capacity for the*
17 *pilot program based on annual funding availability.*

18 *(3) Establish evaluation criteria to determine*
19 *measures of effectiveness and cost-benefit analysis of*
20 *the pilot program in supporting military spouse em-*
21 *ployment.*

22 *(b) LIMITATION ON TOTAL AMOUNT OF ASSISTANCE.—*
23 *The total amount of the pilot program may not exceed*
24 *\$5,000,000 over the life of the pilot.*

1 (c) *REPORTS.*—Not later than two years after the Sec-
2 retary establishes the pilot program, the Secretary shall sub-
3 mit to the Committees on Armed Services of the Senate and
4 the House of Representatives an interim report that in-
5 cludes the following elements:

6 (1) *The number of spouses who participated in*
7 *the pilot program annually.*

8 (2) *The amount of funding spent through the*
9 *pilot program annually.*

10 (3) *A recommendation of the Secretary regarding*
11 *whether to discontinue, expand, or make the pilot pro-*
12 *gram permanent.*

13 (d) *FINAL REPORT.*—Not later than 180 days after the
14 pilot program ends, the Secretary shall submit to the Com-
15 mittees on Armed Services of the Senate and the House of
16 Representatives a final report that includes the following
17 elements:

18 (1) *The number of spouses who participated in*
19 *the pilot program.*

20 (2) *The amount of funding spent through the*
21 *pilot program.*

22 (3) *An evaluation of outcomes.*

23 (4) *A recommendation of the Secretary regarding*
24 *whether to make the pilot program permanent.*

1 (e) *TERMINATION.*—*The pilot program shall terminate*
2 *three years after the date on which the Secretary establishes*
3 *the pilot program.*

4 **SEC. 565. POLICY REGARDING REMOTE MILITARY INSTAL-**
5 **LATIONS.**

6 (a) *POLICY.*—*Not later than December 1, 2022, the*
7 *Secretary of Defense, in consultation with the Secretaries*
8 *of the military departments, shall develop a uniform policy*
9 *for how to—*

- 10 (1) *identify remote military installations; and*
11 (2) *assess and manage challenges associated with*
12 *remote military installations and military personnel*
13 *assigned to remote locations.*

14 (b) *ELEMENTS.*—*The policy under subsection (a) shall*
15 *address the following:*

16 (1) *Activities and facilities for the morale, wel-*
17 *fare, and recreation of members of the Armed Forces.*

18 (2) *Availability of housing, located on and off re-*
19 *mote military installations.*

20 (3) *Educational services for dependents of mem-*
21 *bers of the Armed Forces, located on and off remote*
22 *military installations.*

23 (4) *Availability of health care.*

24 (5) *Employment opportunities for military*
25 *spouses.*

1 (6) *Risks associated with having insufficient*
2 *support services for members of the Armed Forces and*
3 *their dependents.*

4 (c) *REPORT.—Not later than March 1, 2023, the Sec-*
5 *retary of Defense shall submit to the Committees on Armed*
6 *Services of the Senate and the House of Representatives a*
7 *report setting forth the policy under this section.*

8 (d) *MILITARY INSTALLATION DEFINED.—In this sec-*
9 *tion, the term “military installation” has the meaning*
10 *given that term in section 2801 of title 10, United States*
11 *Code.*

12 **SEC. 566. IMPLEMENTATION OF GAO RECOMMENDATION ON**
13 **IMPROVED COMMUNICATION OF BEST PRAC-**
14 **TICES TO ENGAGE MILITARY SPOUSES WITH**
15 **CAREER ASSISTANCE RESOURCES.**

16 (a) *PLAN REQUIRED.—The Secretary of Defense shall*
17 *develop a plan to implement the recommendation of the*
18 *Comptroller General of the United States, to address strate-*
19 *gies for sharing information on outreach to military*
20 *spouses regarding career assistance resources, in the report*
21 *of the Government Accountability Office titled “Military*
22 *Spouse Employment: DOD Should Continue Assessing*
23 *State Licensing Practices and Increase Awareness of Re-*
24 *sources” (GAO–21–193). The plan shall include the fol-*
25 *lowing elements:*

1 (1) *A summary of actions that have been taken*
2 *to implement the recommendation.*

3 (2) *A summary of actions that will be taken to*
4 *implement the recommendation, including how the*
5 *Secretary plans to—*

6 (A) *engage military services and installa-*
7 *tions, members of the Spouse Ambassador Net-*
8 *work, and other local stakeholders to obtain in-*
9 *formation on the outreach approaches and best*
10 *practices used by military installations and*
11 *stakeholders;*

12 (B) *overcome factors that may limit use of*
13 *best practices;*

14 (C) *disseminate best practices to relevant*
15 *stakeholders; and*

16 (D) *identify ways to and better coordinate*
17 *with the Secretaries of Veterans Affairs, Labor,*
18 *and Housing and Urban Development; and*

19 (E) *a schedule, with specific milestones, for*
20 *completing implementation of the recommenda-*
21 *tion.*

22 (b) *IMPLEMENTATION; DEADLINE.—Not later than 18*
23 *months after the date of the enactment of this Act, the Sec-*
24 *retary of Defense shall carry out activities to implement*
25 *the plan developed under subsection (a).*

1 **SEC. 567. STUDY ON EMPLOYMENT OF MILITARY SPOUSES.**

2 (a) *STUDY.*—

3 (1) *IN GENERAL.*—*The Secretary of Defense shall*
4 *conduct a study to identify employment barriers af-*
5 *fecting military spouses.*

6 (2) *ELEMENTS.*—*The study conducted under*
7 *paragraph (1) shall determine the following:*

8 (A) *The rate or prevalence of military*
9 *spouses who are currently employed and whether*
10 *such military spouses have children.*

11 (B) *The rate or prevalence of military*
12 *spouses who are underemployed.*

13 (C) *In connection with subparagraph (B),*
14 *whether a military spouse would have taken a*
15 *different position of employment if the military*
16 *spouse were not impacted by the spouse who is*
17 *a member of the Armed Forces.*

18 (D) *The rate or prevalence of military*
19 *spouses who, due to military affiliation, have ex-*
20 *perienced discrimination by civilian employers,*
21 *including loss of employment, denial of a pro-*
22 *motion, and difficulty in being hired.*

23 (E) *Any other barriers of entry into the*
24 *local workforce for military spouses, including—*

25 (i) *state licensure requirements;*

26 (ii) *availability of childcare;*

1 (iii) access to broadband;

2 (iv) job availability in military com-
3 munities; and

4 (v) access to housing.

5 (b) *REPORT.*—Not later than one year after the date
6 of the enactment of this section, the Secretary of Defense
7 shall submit to the congressional defense committees a re-
8 port containing the results of the study conducted under this
9 section, including any policy recommendations to address
10 employment barriers identified by the study.

11 (c) *DEFINITIONS.*—In this section:

12 (1) *MILITARY SPOUSE.*—The term “military
13 spouse” means the spouse of a member of the Armed
14 Forces serving on active duty.

15 (2) *CONGRESSIONAL DEFENSE COMMITTEES.*—
16 The term “congressional defense committees” has the
17 meaning given that term in section 101(a)(16) of title
18 10, United States Code.

19 **SEC. 568. BRIEFING ON EFFORTS OF COMMANDERS OF**
20 **MILITARY INSTALLATIONS TO CONNECT MILI-**
21 **TARY FAMILIES WITH LOCAL ENTITIES THAT**
22 **PROVIDE SERVICES TO MILITARY FAMILIES.**

23 Not later than 180 days after the date of the enactment
24 of this Act, the Secretary of Defense shall brief the Commit-
25 tees on Armed Services of the Senate and House of Rep-

1 *representatives on how and the extent to which commanders*
 2 *of military installations connect military families with*
 3 *local nonprofit and government entities that provide serv-*
 4 *ices to military families, including assistance with housing.*

5 **SEC. 569. BRIEFING ON PROCESS TO CERTIFY REPORTING**
 6 **OF ELIGIBLE FEDERALLY CONNECTED CHIL-**
 7 **DREN FOR PURPOSES OF FEDERAL IMPACT**
 8 **AID PROGRAMS.**

9 *(a) BRIEFING.—Not later April 1, 2022, the Secretary*
 10 *of Defense shall brief the Committees on Armed Services of*
 11 *the Senate and House of Representatives on the following:*

12 *(1) The feasibility of developing a written proc-*
 13 *ess whereby an installation commander can certify*
 14 *the information contained in impact aid source check*
 15 *forms received by such installation commander from*
 16 *local educational agencies.*

17 *(2) Benefits of working with local educational*
 18 *agencies to certify impact aid source check forms are*
 19 *submitted in the appropriate manner.*

20 *(3) An estimated timeline to implement such a*
 21 *certification process.*

22 *(b) DEFINITIONS.—In this section:*

23 *(1) The term “impact aid source check form”*
 24 *means a form submitted to a military installation by*
 25 *a local educational agency to confirm the number and*

1 *identity of children eligible to be counted for purposes*
 2 *of the Federal impact aid program under section*
 3 *7003(a) of the Elementary and Secondary Education*
 4 *Act of 1965 (20 U.S.C. 7703(a)).*

5 (2) *The term “local educational agency” has the*
 6 *meaning given that term in section 8101 of the Ele-*
 7 *mentary and Secondary Education Act of 1965 (20*
 8 *U.S.C. 7801).*

9 **SEC. 569A. BRIEFING ON LEGAL SERVICES FOR FAMILIES**
 10 **ENROLLED IN THE EXCEPTIONAL FAMILY**
 11 **MEMBER PROGRAM.**

12 (a) *BRIEFING REQUIRED.*—*Not later than 180 days*
 13 *after the date of the enactment of this Act, the Secretary*
 14 *of Defense shall brief the Committees on Armed Services of*
 15 *the Senate and House of Representatives on the provision*
 16 *of legal services, under section 582(b)(7) of the William M.*
 17 *(Mac) Thornberry National Defense Authorization Act for*
 18 *Fiscal Year 2021 (Public Law 116–283), to families en-*
 19 *rolled in EFMP.*

20 (b) *ELEMENTS.*—*The briefing shall include the fol-*
 21 *lowing elements:*

22 (1) *Training, provided by civilian attorneys or*
 23 *judge advocates general, regarding special education.*

24 (2) *Casework, relating to special education, of*
 25 *such civilian attorneys and judge advocates general.*

1 (3) *Information on how such legal services tie in*
2 *to broader EFMP support under the Individuals with*
3 *Disabilities Education Act (Public Law 91–230), in-*
4 *cluding the geographic support model.*

5 (4) *Other matters regarding such legal services*
6 *that the Secretary of Defense determines appropriate.*

7 (5) *Costs of such elements described in para-*
8 *graphs (1) through (4).*

9 (c) *DEFINITIONS.—In this section:*

10 (1) *The term “EFMP” means the Exceptional*
11 *Family Member Program.*

12 (2) *The terms “child with a disability”, “free ap-*
13 *propriate public education”, and “special education”*
14 *have the meanings given those terms in section 602 of*
15 *the Individuals with Disabilities Education Act (20*
16 *U.S.C. 1401).*

17 **SEC. 569B. GAO REVIEW OF PRESERVATION OF THE FORCE**
18 **AND FAMILY PROGRAM OF UNITED STATES**
19 **SPECIAL OPERATIONS COMMAND: BRIEFING;**
20 **REPORT.**

21 (a) *REVIEW.—The Comptroller General of the United*
22 *States shall conduct a review of POTFF. Such review shall*
23 *include the following:*

1 (1) *With regards to current programs and activi-*
2 *ties of POTFF, an assessment of the sufficiency of the*
3 *following domains:*

4 (A) *Human performance.*

5 (B) *Psychological and behavioral health.*

6 (C) *Social and family readiness.*

7 (D) *Spiritual.*

8 (2) *A description of efforts of the Commander of*
9 *United States Special Operations Command to assess*
10 *the unique needs of members of special operations*
11 *forces, including women and minorities.*

12 (3) *A description of plans of the Commander to*
13 *improve POTFF to better address the unique needs of*
14 *members of special operations forces.*

15 (4) *Changes in costs to the United States to oper-*
16 *ate POTFF since implementation.*

17 (5) *Rates of participation in POTFF, includ-*
18 *ing—*

19 (A) *the number of individuals who partici-*
20 *pate;*

21 (B) *frequency of use by such individuals;*
22 *and*

23 (C) *geographic locations where such indi-*
24 *viduals participate.*

1 (6) *Methods by which data on POTFF is col-*
2 *lected and analyzed.*

3 (7) *Outcomes used to determine the effects of*
4 *POTFF on members of special operations forces and*
5 *their immediate family members, including a descrip-*
6 *tion of the effectiveness of POTFF in addressing*
7 *unique needs of such individuals.*

8 (8) *Any other matter the Comptroller General*
9 *determines appropriate.*

10 (b) *BRIEFING.*—*Not later than 90 days after the date*
11 *of the enactment of this Act, the Comptroller General shall*
12 *brief the appropriate committees on the preliminary find-*
13 *ings of the Comptroller General under such review.*

14 (c) *REPORT.*—*The Comptroller General shall submit*
15 *to the appropriate committees a final report on such review*
16 *at a date mutually agreed upon by the Comptroller General*
17 *and the appropriate committees.*

18 (d) *DEFINITIONS.*—*In this section:*

19 (1) *The term “appropriate committees” means*
20 *the Committees on Armed Services of the Senate and*
21 *House of Representatives.*

22 (2) *The term “POTFF” means the Preservation*
23 *of the Force and Family Program of United States*
24 *Special Operations Command under section 1788a of*
25 *title 10, United States Code.*

1 (3) *The term “special operations forces” means*
2 *the forces described in section 167(j) of title 10,*
3 *United States Code.*

4 ***Subtitle H—Diversity and Inclusion***

5 ***SEC. 571. REDUCTION OF GENDER-RELATED INEQUITIES IN*** 6 ***COSTS OF UNIFORMS TO MEMBERS OF THE*** 7 ***ARMED FORCES.***

8 (a) *ESTABLISHMENT OF CRITERIA.*—*Not later than*
9 *180 days after the date of the enactment of this Act, the*
10 *Secretary of Defense, acting through the Under Secretary*
11 *of Defense for Personnel and Readiness and in coordination*
12 *with the Secretaries of the military departments, shall es-*
13 *tablish criteria, consistent across the Armed Forces, for de-*
14 *termining which uniform or clothing items across the*
15 *Armed Forces are considered uniquely military for purposes*
16 *of calculating the standard cash clothing replacement allow-*
17 *ances, in part to reduce differences in out-of pocket costs*
18 *incurred by enlisted members of the Armed Forces across*
19 *the military services and by gender within an Armed Force.*

20 (b) *REVIEWS.*—

21 (1) *QUINQUENNIAL REVIEW.*—*The Under Sec-*
22 *retary shall review the criteria established under sub-*
23 *section (a) every five years after such establishment*
24 *and recommend to the Secretaries of the military de-*
25 *partments adjustments to clothing allowances for en-*

1 *listed members if such allowances are insufficient to*
2 *pay for uniquely military items determined pursuant*
3 *to such criteria.*

4 (2) *PERIODIC REVIEWS.*—*The Secretary of De-*
5 *fense, acting through the Under Secretary of Defense*
6 *for Personnel and Readiness, and in coordination*
7 *with the Secretaries of the military departments, shall*
8 *periodically review—*

9 (A) *all uniform clothing plans of each*
10 *Armed Force under the jurisdiction of the Sec-*
11 *retary of a military department to identify data*
12 *needed to facilitate cost discussions and make*
13 *recommendations described in paragraph (1);*

14 (B) *not less than once every five years, cal-*
15 *culations of each Armed Force for standard*
16 *clothing replacement allowances for enlisted*
17 *members, in order to develop a standard by*
18 *which to identify differences described in sub-*
19 *section (a);*

20 (C) *not less than once every 10 years, ini-*
21 *tial clothing allowances for officers, in order to*
22 *identify data necessary to facilitate cost discus-*
23 *sions and make recommendations described in*
24 *paragraph (1); and*

1 (D) all plans of each Armed Force under
2 the jurisdiction of the Secretary of a military de-
3 partment for changing uniform items to deter-
4 mine if such planned changes will result in dif-
5 ferences described in subsection (a).

6 (c) REGULATIONS.—Not later than September 30,
7 2022, each Secretary of a military department shall pre-
8 scribe regulations that ensure the following:

9 (1) The out-of-pocket cost to an officer or enlisted
10 member of an Armed Force for a mandatory uniform
11 item (or part of such uniform) may not exceed such
12 cost to another officer or enlisted member of that
13 Armed Force for such uniform (or part, or equivalent
14 part, of such uniform) solely based on gender.

15 (2) If a change to a uniform of an Armed Force
16 affects only enlisted members of one gender, an en-
17 listed member of such gender in such Armed Force
18 shall be entitled to an allowance equal to the out-of-
19 pocket cost to the officer or enlisted member relating
20 to such change.

21 (3) An individual who has separated or retired,
22 or been discharged or dismissed, from the Armed
23 Forces, shall not entitled to an allowance under para-
24 graph (2).

1 (d) *REPORT.*—Not later than December 31, 2022, the
2 Secretary of Defense, in coordination with the Secretaries
3 of the military departments, shall submit to the Committees
4 on Armed Services of the Senate and the House of Rep-
5 resentatives a report on—

6 (1) *the estimated production costs and average*
7 *retail prices of military clothing items for members*
8 *(including officers and enlisted members) of each*
9 *Armed Force; and*

10 (2) *a comparison of costs for male and female*
11 *military clothing items for members of each Armed*
12 *Force.*

13 **SEC. 572. STUDY ON NUMBER OF MEMBERS OF THE ARMED**
14 **FORCES WHO IDENTIFY AS HISPANIC OR**
15 **LATINO.**

16 *The Secretary of Defense shall seek to enter into an*
17 *agreement with a federally funded research and develop-*
18 *ment center to conduct a study of the following:*

19 (1) *The number of members of the regular com-*
20 *ponents of the Armed Forces (including cadets and*
21 *midshipmen at the military service academies) who*
22 *identify as Hispanic or Latino, separated by rank.*

23 (2) *A comparison of the percentage of the mem-*
24 *bers described in paragraph (1) with the percentage*
25 *of the population of the United States who are eligible*

1 *to enlist or commission in the Armed Forces who*
 2 *identify as Hispanic or Latino.*

3 (3) *A comparison of how each of the Armed*
 4 *Forces recruits individuals who identify as Hispanic*
 5 *or Latino.*

6 (4) *A comparison of how each of the Armed*
 7 *Forces retains both officer and enlisted members who*
 8 *identify as Hispanic or Latino.*

9 (5) *A comparison of how each of the Armed*
 10 *Forces promotes both officer and enlisted members*
 11 *who identify as Hispanic or Latino.*

12 **SEC. 573. INCLUSION OF MILITARY SERVICE ACADEMIES,**
 13 **OFFICER CANDIDATE AND TRAINING**
 14 **SCHOOLS, AND THE SENIOR RESERVE OFFI-**
 15 **CERS' TRAINING CORPS DATA IN DIVERSITY**
 16 **AND INCLUSION REPORTING.**

17 *Section 113 of title 10, United States Code, is amend-*
 18 *ed—*

19 (1) *in subsection (c)(2), by inserting before the*
 20 *semicolon the following: “, including the status of di-*
 21 *versity and inclusion in the military service acad-*
 22 *emies, the Officer Candidate and Training Schools,*
 23 *and the Senior Reserve Officers' Training Corps pro-*
 24 *grams of such department”;* and

25 (2) *in subsection (m)—*

1 (A) by redesignating paragraphs (5), (6),
2 and (7) as paragraphs (6), (7), and (8), respec-
3 tively; and

4 (B) by inserting after paragraph (4) the fol-
5 lowing new paragraph:

6 “(5) The number of graduates of the Senior Re-
7 serve Officers’ Training Corps during the fiscal year
8 covered by the report, disaggregated by gender, race,
9 and ethnicity, for each military department.”.

10 **SEC. 574. EXTENSION OF DEADLINE FOR GAO REPORT ON**
11 **EQUAL OPPORTUNITY AT THE MILITARY**
12 **SERVICE ACADEMIES.**

13 Section 558 of the William M. (Mac) Thornberry Na-
14 tional Defense Authorization Act for Fiscal Year 2021 (Pub-
15 lic Law 116–283) is amended, in the matter preceding
16 paragraph (1), by striking “one year after the date of the
17 enactment of this Act” and inserting “May 31, 2022”.

1 ***Subtitle I—Decorations and***
2 ***Awards, Miscellaneous Reports,***
3 ***and Other Matters***

4 ***SEC. 581. MODIFIED DEADLINE FOR ESTABLISHMENT OF***
5 ***SPECIAL PURPOSE ADJUNCT TO ARMED***
6 ***SERVICES VOCATIONAL APTITUDE BATTERY***
7 ***TEST.***

8 *Section 594 of the William M. (Mac) Thornberry Na-*
9 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
10 *lic Law 116–283) is amended by striking “Not later than*
11 *one year after the date of the enactment of this Act” and*
12 *inserting “Not later than October 1, 2024”.*

13 ***SEC. 582. AUTHORIZATIONS FOR CERTAIN AWARDS.***

14 *(a) MEDAL OF HONOR TO CHARLES R. JOHNSON FOR*
15 *ACTS OF VALOR DURING THE KOREAN WAR.—*

16 *(1) AUTHORIZATION.—Notwithstanding the time*
17 *limitations specified in section 7274 of title 10,*
18 *United States Code, or any other time limitation with*
19 *respect to the awarding of certain medals to persons*
20 *who served in the Armed Forces, the President may*
21 *award the Medal of Honor under section 7271 of such*
22 *title to Charles R. Johnson for the acts of valor de-*
23 *scribed in paragraph (2).*

24 *(2) ACTS OF VALOR DESCRIBED.—The acts of*
25 *valor described in this paragraph are the actions of*

1 *Charles R. Johnson on June 11 and 12, 1953, as a*
2 *member of the Army serving in Korea, for which he*
3 *was awarded the Silver Star.*

4 *(b) MEDAL OF HONOR TO WATARU NAKAMURA FOR*
5 *ACTS OF VALOR DURING THE KOREAN WAR.—*

6 *(1) AUTHORIZATION.—Notwithstanding the time*
7 *limitations specified in section 7274 of title 10,*
8 *United States Code, or any other time limitation with*
9 *respect to the awarding of certain medals to persons*
10 *who served in the Armed Forces, the President may*
11 *award the Medal of Honor under section 7271 of such*
12 *title to Wataru Nakamura for the acts of valor de-*
13 *scribed in paragraph (2).*

14 *(2) ACTS OF VALOR DESCRIBED.—The acts of*
15 *valor described in this paragraph are the actions of*
16 *Wataru Nakamura on May 18, 1951, as a member of*
17 *the Army serving in Korea, for which he was awarded*
18 *the Distinguished-Service Cross.*

19 *(c) MEDAL OF HONOR TO BRUNO R. ORIG FOR ACTS*
20 *OF VALOR DURING THE KOREAN WAR.—*

21 *(1) AUTHORIZATION.—Notwithstanding the time*
22 *limitations specified in section 7274 of title 10,*
23 *United States Code, or any other time limitation with*
24 *respect to the awarding of certain medals to persons*
25 *who served in the Armed Forces, the President may*

1 *award the Medal of Honor under section 7271 of such*
2 *title to Bruno R. Orig for the acts of valor described*
3 *in paragraph (2).*

4 (2) *ACTS OF VALOR DESCRIBED.—The acts of*
5 *valor described in this paragraph are the actions of*
6 *Bruno R. Orig on Februray 15, 1951, as a member*
7 *of the Army serving in Korea, for which he was*
8 *awarded the Distinguished-Service Cross.*

9 (d) *MEDAL OF HONOR TO DENNIS M. FUJII FOR ACTS*
10 *OF VALOR DURING THE VIETNAM WAR.—*

11 (1) *AUTHORIZATION.—Notwithstanding the time*
12 *limitations specified in section 7274 of title 10,*
13 *United States Code, or any other time limitation with*
14 *respect to the awarding of certain medals to persons*
15 *who served in the Armed Forces, the President may*
16 *award the Medal of Honor under section 7271 of such*
17 *title to Dennis M. Fujii for the acts of valor described*
18 *in paragraph (2).*

19 (2) *ACTS OF VALOR DESCRIBED.—The acts of*
20 *valor described in this paragraph are the actions of*
21 *Dennis M. Fujii on February 18 through 22, 1971, as*
22 *a member of the Army serving in the Republic of*
23 *Vietnam, for which he was awarded the Distin-*
24 *guished-Service Cross.*

1 (e) *MEDAL OF HONOR TO EDWARD N. KANESHIRO,*
2 *FOR ACTS OF VALOR DURING THE VIETNAM WAR.*—

3 (1) *AUTHORIZATION.*—*Notwithstanding the time*
4 *limitations specified in section 7274 of title 10,*
5 *United States Code, or any other time limitation with*
6 *respect to the awarding of certain medals to persons*
7 *who served in the Armed Forces, the President may*
8 *award the Medal of Honor under section 7271 of such*
9 *title to Edward N. Kaneshiro for the acts of valor de-*
10 *scribed in paragraph (2).*

11 (2) *ACTS OF VALOR DESCRIBED.*—*The acts of*
12 *valor described in this paragraph are the actions of*
13 *Edward N. Kaneshiro on December 1, 1966, as a*
14 *member of the Army serving in Vietnam, for which*
15 *he was awarded the Distinguished-Service Cross.*

16 (f) *DISTINGUISHED-SERVICE CROSS TO EARL R. FILL-*
17 *MORE, JR. FOR ACTS OF VALOR IN SOMALIA.*—

18 (1) *AUTHORIZATION.*—*Notwithstanding the time*
19 *limitations specified in section 7274 of title 10,*
20 *United States Code, or any other time limitation with*
21 *respect to the awarding of certain medals to persons*
22 *who served in the Armed Forces, the President may*
23 *award the Distinguished-Service Cross under section*
24 *7272 of such title to Earl R. Fillmore, Jr. for the acts*
25 *of valor described in paragraph (2).*

1 (2) *ACTS OF VALOR DESCRIBED.*—*The acts of*
2 *valor described in this paragraph are the actions of*
3 *Earl R. Fillmore, Jr. on October 3, 1993, as a mem-*
4 *ber of the Army serving in Somalia, for which he was*
5 *awarded the Silver Star.*

6 (g) *DISTINGUISHED-SERVICE CROSS TO ROBERT L.*
7 *MABRY FOR ACTS OF VALOR IN SOMALIA.*—

8 (1) *AUTHORIZATION.*—*Notwithstanding the time*
9 *limitations specified in section 7274 of title 10,*
10 *United States Code, or any other time limitation with*
11 *respect to the awarding of certain medals to persons*
12 *who served in the Armed Forces, the President may*
13 *award the Distinguished-Service Cross under section*
14 *7272 of such title to Robert L. Mabry for the acts of*
15 *valor described in paragraph (2).*

16 (2) *ACTS OF VALOR DESCRIBED.*—*The acts of*
17 *valor described in this paragraph are the actions of*
18 *Robert L. Mabry on October 3 and 4, 1993, as a*
19 *member of the Army serving in Somalia, for which he*
20 *was awarded the Silver Star.*

21 (h) *DISTINGUISHED-SERVICE CROSS TO JOHN G.*
22 *MACEJUNAS FOR ACTS OF VALOR IN SOMALIA.*—

23 (1) *AUTHORIZATION.*—*Notwithstanding the time*
24 *limitations specified in section 7274 of title 10,*
25 *United States Code, or any other time limitation with*

1 *respect to the awarding of certain medals to persons*
2 *who served in the Armed Forces, the President may*
3 *award the Distinguished-Service Cross under section*
4 *7272 of such title to John G. Macejunas for the acts*
5 *of valor described in paragraph (2).*

6 (2) *ACTS OF VALOR DESCRIBED.—The acts of*
7 *valor described in this paragraph are the actions of*
8 *John G. Macejunas on October 3 and 4, 1993, as a*
9 *member of the Army serving in Somalia, for which he*
10 *was awarded the Silver Star.*

11 (i) *DISTINGUISHED-SERVICE CROSS TO WILLIAM F.*

12 *THETFORD FOR ACTS OF VALOR IN SOMALIA.—*

13 (1) *AUTHORIZATION.—Notwithstanding the time*
14 *limitations specified in section 7274 of title 10,*
15 *United States Code, or any other time limitation with*
16 *respect to the awarding of certain medals to persons*
17 *who served in the Armed Forces, the President may*
18 *award the Distinguished-Service Cross under section*
19 *7272 of such title to William F. Thetford for the acts*
20 *of valor described in paragraph (2).*

21 (2) *ACTS OF VALOR DESCRIBED.—The acts of*
22 *valor described in this paragraph are the actions of*
23 *William F. Thetford on October 3 and 4, 1993, as a*
24 *member of the Army serving in Somalia, for which he*
25 *was awarded the Silver Star.*

1 **SEC. 583. ESTABLISHMENT OF THE ATOMIC VETERANS COM-**
2 **MEMORATIVE SERVICE MEDAL.**

3 (a) *SERVICE MEDAL REQUIRED.*—*The Secretary of*
4 *Defense shall design and produce a commemorative mili-*
5 *tary service medal, to be known as the “Atomic Veterans*
6 *Commemorative Service Medal”, to commemorate the serv-*
7 *ice and sacrifice of veterans who were instrumental in the*
8 *development of our nations atomic and nuclear weapons*
9 *programs.*

10 (b) *ELIGIBILITY REQUIREMENTS.*—(1) *The Secretary*
11 *of Defense shall, within 180 days after the date of enactment*
12 *of this Act, determine eligibility requirements for this*
13 *medal.*

14 (2) *Sixty days prior to publishing the eligibility re-*
15 *quirements for this medal, the Secretary of Defense shall*
16 *submit proposed eligibility criteria under paragraph (1) to*
17 *the Committees on Armed Services of the Senate and House*
18 *of Representatives for comment.*

19 (3) *The Secretary of Defense may require persons to*
20 *submit supporting documentation for the medal authorized*
21 *in subsection (a) to determine eligibility under paragraph*
22 *(1).*

23 (c) *DISTRIBUTION OF MEDAL.*—

24 (1) *ISSUANCE TO RETIRED AND FORMER MEM-*
25 *BERS.*—*At the request of an eligible veteran, the Sec-*

1 granite, marble, or other stone base for the
2 bronze plaque of the memorial;

3 (B) to provide an updated bronze plaque,
4 described in subparagraph (A), including the
5 name of each chaplain, verified as described in
6 subsection (b), who died while serving on active
7 duty in the Armed Forces after the date on
8 which the original memorial was placed; and

9 (C) to make such other updates and correc-
10 tions to the memorial that the Secretary deter-
11 mines necessary.

12 (2) CATHOLIC AND JEWISH CHAPLAIN MEMO-
13 RIALS.—The Secretary of the Army may permit
14 NCMAF to update and make corrections to the Catho-
15 lic and Jewish chaplain memorials located on Chap-
16 lains Hill that the Secretary determines necessary.

17 (3) NO COST TO FEDERAL GOVERNMENT.—The
18 activities of NCMAF authorized by this subsection
19 shall be carried out at no cost to the Federal Govern-
20 ment.

21 (b) VERIFICATION OF NAMES.—NCMAF may not in-
22 clude the name of a chaplain on a memorial on Chaplains
23 Hill under subsection (a) unless that name has been verified
24 by the Chief of Chaplains of the Army, Navy, or Air Force
25 or the Chaplain of the United States Marine Corps, depend-

1 *ing on the branch of the Armed Forces in which the chap-*
 2 *lain served.*

3 (c) *PROHIBITION ON EXPANSION OF MEMORIALS.—*
 4 *Except as provided in subsection (a)(1)(A), this section may*
 5 *not be construed as authorizing the expansion of any memo-*
 6 *rial that is located on Chaplains Hill as of the date of the*
 7 *enactment of this Act.*

8 (d) *DEFINITIONS.—In this section:*

9 (1) *The term “Chaplains Hill” means the area*
 10 *in Arlington National Cemetery that, as of the date*
 11 *of the enactment of this Act, is generally identified*
 12 *and recognized as Chaplains Hill.*

13 (2) *The term “NCMAF” means the National*
 14 *Conference on Ministry to the Armed Forces or any*
 15 *successor organization recognized in law for purposes*
 16 *of the operation of this section.*

17 **SEC. 585. REPORTS ON SECURITY FORCE PERSONNEL PER-**
 18 **FORMING PROTECTION LEVEL ONE DUTIES.**

19 (a) *IN GENERAL.—The Secretary of the Air Force shall*
 20 *submit to the congressional defense committees a report on*
 21 *the status of security force personnel performing protection*
 22 *level one (PL–1) duties—*

23 (1) *not later than 90 days after the date of the*
 24 *enactment of this Act; and*

1 (2) *concurrent with the submission to Congress*
2 *of the budget of the President for each of fiscal years*
3 *2023 through 2027 pursuant to section 1105(a) of*
4 *title 31, United States Code.*

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

7 (1) *The number of Air Force personnel per-*
8 *forming, and the number of unfilled billets designated*
9 *for performance of, PL–1 duties on a full-time basis*
10 *during the most recent fiscal year that ended before*
11 *submission of the report.*

12 (2) *The number of such personnel disaggregated*
13 *by mission assignment during that fiscal year.*

14 (3) *The number of such personnel and unfilled*
15 *billets at each major PL–1 installation during that*
16 *fiscal year and a description of the rank structure of*
17 *such personnel.*

18 (4) *A statement of the time, by rank structure,*
19 *such personnel were typically assigned to perform*
20 *PL–1 duties at each major PL–1 installation during*
21 *that fiscal year.*

22 (5) *The retention rate for security personnel per-*
23 *forming such duties during that fiscal year.*

24 (6) *The number of Air Force PL–1 security force*
25 *members deployed to support another Air Force mis-*

1 (2) *Identify all the major community engage-*
 2 *ment efforts by the services, commands, installations*
 3 *and other military organizations in the State of Ha-*
 4 *waii.*

5 (3) *Evaluate the current community outreach ef-*
 6 *forts to identify any outreach gaps or coordination*
 7 *challenges that undermine the military engagement*
 8 *with the local community and elected official in the*
 9 *State of Hawaii.*

10 (4) *Propose options available to create an en-*
 11 *hanced, coordinated community engagement effort in*
 12 *the State of Hawaii based on the department's eval-*
 13 *uation.*

14 (5) *Resources to support the coordination de-*
 15 *scribed in this subsection, including the creation of*
 16 *joint liaison offices that are easily accessible to public*
 17 *officials to facilitate coordinating relations with State*
 18 *and local governmental agencies.*

19 **TITLE VI—COMPENSATION AND**
 20 **OTHER PERSONNEL BENEFITS**

Subtitle A—Pay and Allowances

Sec. 601. Basic needs allowance for members on active service in the Armed Forces.

Sec. 602. Equal incentive pay for members of the reserve components of the Armed Forces.

Sec. 603. Expansions of certain travel and transportation authorities.

Sec. 604. Repeal of expiring travel and transportation authorities.

Sec. 605. Requirements in connection with suspension of retired pay and retirement annuities.

Sec. 606. Report on relationship between basic allowance for housing and sizes of military families.

Sec. 607. Report on certain moving expenses for members of the Armed Forces.

Sec. 608. Report on temporary lodging expenses in competitive housing markets.

Sec. 609. Report on rental partnership programs.

Subtitle B—Bonus and Incentive Pays

Sec. 611. One-year extension of certain expiring bonus and special pay authorities.

Subtitle C—Family and Survivor Benefits

Sec. 621. Extension of paid parental leave.

Sec. 622. Bereavement leave for members of the Armed Forces.

Sec. 623. Travel and transportation allowances for family members to attend the funeral and memorial services of members.

Sec. 624. Expansion of pilot program to provide financial assistance to members of the Armed Forces for in-home child care.

Sec. 625. Pilot program on direct hire authority for spouses of members of the uniformed services at locations outside the United States.

Sec. 626. Casualty assistance program: reform; establishment of working group.

Subtitle D—Defense Resale Matters

Sec. 631. Additional sources of funds available for construction, repair, improvement, and maintenance of commissary stores.

Subtitle E—Miscellaneous Rights and Benefits

Sec. 641. Alexander Lofgren Veterans in Parks program.

1 ***Subtitle A—Pay and Allowances***

2 ***SEC. 601. BASIC NEEDS ALLOWANCE FOR MEMBERS ON AC-***
 3 ***TIVE SERVICE IN THE ARMED FORCES.***

4 *(a) IN GENERAL.—Chapter 7 of title 37, United States*
 5 *Code, is amended by inserting after section 402a the fol-*
 6 *lowing new section:*

7 ***“§ 402b. Basic needs allowance for members on active***
 8 ***service in the Armed Forces***

9 *“(a) ALLOWANCE REQUIRED.—The Secretary con-*
 10 *cerned shall pay to each member who is eligible under sub-*
 11 *section (b) a basic needs allowance in the amount deter-*
 12 *mined for such member under subsection (c).*

1 “(b) *ELIGIBLE MEMBERS.*—*A member on active serv-*
2 *ice in the armed forces is eligible for the allowance under*
3 *subsection (a) if—*

4 “(1) *the member has completed initial entry*
5 *training;*

6 “(2) *the gross household income of the member*
7 *during the most recent calendar year did not exceed*
8 *an amount equal to 130 percent of the Federal pov-*
9 *erty guidelines of the Department of Health and*
10 *Human Services for the location of the member and*
11 *the number of individuals in the household of the*
12 *member for such year; and*

13 “(3) *the member—*

14 “(A) *is not ineligible for the allowance*
15 *under subsection (d); and*

16 “(B) *does not elect under subsection (g) not*
17 *to receive the allowance.*

18 “(c) *AMOUNT OF ALLOWANCE.*—*The amount of the*
19 *monthly allowance payable to a member under subsection*
20 *(a) shall be the amount equal to—*

21 “(1)(A) *130 percent of the Federal poverty guide-*
22 *lines of the Department of Health and Human Serv-*
23 *ices for the calendar year during which the allowance*
24 *is paid based on the location of the member and the*
25 *number of individuals in the household of the member*

1 *during the month for which the allowance is paid;*
2 *minus*

3 “(B) *the gross household income of the member*
4 *during the preceding calendar year; divided by*

5 “(2) *12.*

6 “(d) *BASES OF INELIGIBILITY.—*

7 “(1) *IN GENERAL.—The following members are*
8 *ineligible for the allowance under subsection (a):*

9 “(A) *A member who does not have any de-*
10 *pendents.*

11 “(B) *A cadet at the United States Military*
12 *Academy, the United States Air Force Academy,*
13 *or the Coast Guard Academy, a midshipman at*
14 *the United States Naval Academy, or a cadet or*
15 *midshipman serving elsewhere in the armed*
16 *forces.*

17 “(2) *HOUSEHOLD WITH MORE THAN ONE ELIGI-*
18 *BLE MEMBER.—In the event a household contains two*
19 *or more members determined under subsection (f) to*
20 *be eligible to receive the allowance under subsection*
21 *(a), only one allowance may be paid to a member*
22 *among such members as such members shall jointly*
23 *elect.*

24 “(3) *AUTOMATIC INELIGIBILITY OF MEMBERS*
25 *RECEIVING CERTAIN PAY INCREASES.—A member de-*

1 *terminated to be eligible under subsection (f) for the al-*
2 *lowance under subsection (a) whose monthly gross*
3 *household income increases as a result of a promotion*
4 *or other permanent increase to pay or allowances*
5 *under this title to an amount that, on an annualized*
6 *basis, would exceed the amount described in sub-*
7 *section (b)(2) is ineligible for the allowance. If such*
8 *member is receiving the allowance, payment of the al-*
9 *lowance shall automatically terminate within a rea-*
10 *sonable time, as determined by the Secretary of De-*
11 *fense in regulations prescribed under subsection (j).*

12 *“(4) INELIGIBILITY OF CERTAIN CHANGES IN IN-*
13 *COME.—A member whose gross household income for*
14 *the preceding year decreases because of a fine, for-*
15 *feiture, or reduction in rank imposed as a part of dis-*
16 *ciplinary action or an action under chapter 47 of*
17 *title 10 (the Uniform Code of Military Justice) is not*
18 *eligible for the allowance under subsection (a) solely*
19 *as a result of the fine, forfeiture, or reduction in rank.*

20 *“(e) APPLICATION BY MEMBERS SEEKING ALLOW-*
21 *ANCE.—*

22 *“(1) IN GENERAL.—A member who seeks to re-*
23 *ceive the allowance under subsection (a) shall submit*
24 *to the Secretary concerned an application for the al-*
25 *lowance that includes such information as the Sec-*

1 *retary may require in order to determine whether or*
2 *not the member is eligible to receive the allowance.*

3 *“(2) TIMING OF SUBMISSION.—A member who*
4 *receives the allowance under subsection (a) and seeks*
5 *to continue to receive the allowance shall submit to*
6 *the Secretary concerned an updated application*
7 *under paragraph (1) at such times as the Secretary*
8 *may require, but not less frequently than annually.*

9 *“(3) VOLUNTARY SUBMISSION.—The submission*
10 *of an application under paragraph (1) is voluntary.*

11 *“(4) SCREENING OF MEMBERS FOR ELIGI-*
12 *BILITY.—The Secretary of Defense shall—*

13 *“(A) ensure that all members of the armed*
14 *forces are screened during initial entry training*
15 *and regularly thereafter for eligibility for the al-*
16 *lowance under subsection (a); and*

17 *“(B) notify any member so screened who*
18 *may be eligible that the member may apply for*
19 *the allowance by submitting an application*
20 *under paragraph (1).*

21 *“(f) DETERMINATIONS OF ELIGIBILITY.—*

22 *“(1) IN GENERAL.—The Secretary concerned*
23 *shall—*

24 *“(A) determine which members of the armed*
25 *forces are eligible under subsection (b); and*

1 “(B) notify each such member, in writing,
2 of that determination.

3 “(2) *INFORMATION INCLUDED IN NOTICE.*—The
4 notice under paragraph (1) shall include information
5 regarding financial management and assistance pro-
6 grams for which the member may be eligible.

7 “(g) *ELECTION NOT TO RECEIVE ALLOWANCE.*—

8 “(1) *IN GENERAL.*—A member determined under
9 subsection (f) to be eligible for the allowance under
10 subsection (a) may elect, in writing, not to receive the
11 allowance.

12 “(2) *DEEMED INELIGIBLE.*—A member who does
13 not submit an application under subsection (e) with-
14 in a reasonable time (as determined by the Secretary
15 concerned) shall be deemed ineligible for the allowance
16 under subsection (a).

17 “(h) *SPECIAL RULE FOR MEMBERS STATIONED OUT-*
18 *SIDE UNITED STATES.*—In the case of a member assigned
19 to a duty location outside the United States, the Secretary
20 concerned shall make the calculations described in sub-
21 sections (b)(2) and (c)(1) using the Federal poverty guide-
22 lines of the Department of Health and Human Services for
23 the continental United States.

24 “(i) *REGULATIONS.*—Not later than one year after the
25 date of the enactment of the National Defense Authorization

1 *Act for Fiscal Year 2022, the Secretary of Defense shall pre-*
2 *scribe regulations for the administration of this section.*

3 “(j) *EFFECTIVE PERIOD.*—

4 “(1) *IMPLEMENTATION PERIOD.*—*The allowance*
5 *under subsection (a) is payable for months beginning*
6 *on or after the date that is one year after the date of*
7 *the enactment of the National Defense Authorization*
8 *Act for Fiscal Year 2022.*

9 “(2) *TERMINATION.*—*The allowance under sub-*
10 *section (a) may not be paid for any month beginning*
11 *after December 31, 2027.*

12 “(k) *DEFINITIONS.*—*In this section:*

13 “(1) *GROSS HOUSEHOLD INCOME.*—*The term*
14 *‘gross household income’, with respect to a member of*
15 *the armed forces, includes—*

16 “(A) *all household income, derived from any*
17 *source; minus*

18 “(B) *in the case of a member whom the Sec-*
19 *retary concerned determines resides in an area*
20 *with a high cost of living, any portion of the*
21 *basic allowance for housing under section 403 of*
22 *this title that the Secretary concerned elects to*
23 *exclude.*

24 “(2) *HOUSEHOLD.*—*The term ‘household’ means*
25 *a member of the armed forces and any dependents of*

1 *the member enrolled in the Defense Enrollment Eligi-*
2 *bility Reporting System, regardless of the location of*
3 *those dependents.”.*

4 *(b) STUDY.—*

5 *(1) IN GENERAL.—The Secretary of Defense shall*
6 *conduct a study on food insecurity in the Armed*
7 *Forces. Results of such study shall include the fol-*
8 *lowing elements:*

9 *(A) An analysis of food deserts that affect*
10 *members of the Armed Forces, and their families,*
11 *who live in areas with high costs of living.*

12 *(B) A comparison of—*

13 *(i) the current method employed by the*
14 *Secretary of Defense to determine areas*
15 *with high costs of living;*

16 *(ii) local level indicators used by the*
17 *Bureau of Labor Statistics that indicate*
18 *buying power and consumer spending in*
19 *specific geographic areas;*

20 *(iii) indicators used by the Depart-*
21 *ment of Agriculture in market basket anal-*
22 *yses and other measures of local and re-*
23 *gional food costs.*

24 *(C) The feasibility of implementing a web*
25 *portal for a member of any Armed Force to*

1 *apply for the allowance under section 402b of*
2 *title 37, United States Code, added by subsection*
3 *(a), including—*

4 *(i) cost;*

5 *(ii) ease of use;*

6 *(iii) access;*

7 *(iv) privacy; and*

8 *(v) any other factor the Secretary de-*
9 *termines appropriate.*

10 *(D) The development of a process to deter-*
11 *mine an appropriate allowance to supplement*
12 *the income of members who suffer food insecur-*
13 *ity.*

14 *(E) Outcomes of forums with beneficiaries,*
15 *military service organizations, and advocacy*
16 *groups to elicit information regarding the effects*
17 *of food insecurity on members and their depend-*
18 *ents. The Secretary of Defense and each Sec-*
19 *retary of a military department shall conduct at*
20 *least one such forum, only one of which may be*
21 *conducted in the National Capital Region.*

22 *(F) An estimate of costs to implement each*
23 *recommendation of the Secretary developed pur-*
24 *suant to this paragraph.*

1 (G) Any other information the Secretary de-
2 termines appropriate.

3 (2) *BRIEFING.*—Not later than April 1, 2022, the
4 Secretary shall brief the Committees on Armed Serv-
5 ices of the Senate and House of Representatives on
6 initial findings of the study.

7 (3) *REPORT.*—Not later than October 1, 2022,
8 the Secretary shall submit to the Committees on
9 Armed Services of the Senate and House of Represent-
10 atives a report containing the final results of the
11 study.

12 (4) *DEFINITIONS.*—In this subsection:

13 (A) The term “food desert” means an area,
14 determined by the Secretary of Defense, where it
15 is difficult to obtain affordable or high-quality
16 fresh food.

17 (B) The term “National Capital Region”
18 has the meaning given such term in section 2674
19 of title 10, United States Code.

20 (c) *REPORTS ON EFFECTS OF ALLOWANCE ON FOOD*
21 *INSECURITY.*—Not later than December 31, 2025, and June
22 1, 2028, the Secretary of Defense shall submit to the congres-
23 sional defense committees a report regarding the effect of
24 the allowance under section 402b of title 37, United States

1 Code, added by subsection (a), on food insecurity among
2 members of the Armed Forces.

3 (d) CLERICAL AMENDMENT.—The table of sections at
4 the beginning of chapter 7 of such title is amended by in-
5 serting after the item relating to section 402a the following
6 new item:

“402b. Basic needs allowance for members on active service in the Armed Forces.”.

7 **SEC. 602. EQUAL INCENTIVE PAY FOR MEMBERS OF THE RE-**
8 **SERVE COMPONENTS OF THE ARMED**
9 **FORCES.**

10 (a) IN GENERAL.—Subchapter II of chapter 5 of title
11 37, United States Code, is amended by adding at the end
12 the following new section:

13 **“§357. Incentive pay authorities for members of the**
14 **reserve components of the armed forces**

15 “Notwithstanding section 1004 of this title, the Sec-
16 retary concerned shall pay a member of the reserve compo-
17 nent of an armed force incentive pay in the same monthly
18 amount as that paid to a member in the regular component
19 of such armed force performing comparable work requiring
20 comparable skills.”.

21 (b) TECHNICAL AMENDMENT.—The table of sections at
22 the beginning of such chapter is amended by inserting after
23 the item relating to section 356 the following:

“357. Incentive pay authorities for members of the reserve components of the
armed forces.”.

1 (c) *REPORT.*—Not later than September 30, 2022, the
2 Secretary of Defense shall submit to the Committees on
3 Armed Services of the Senate and House of Representatives
4 a report containing—

5 (1) the plan of the Secretary to implement sec-
6 tion 357 of such title, as added by subsection (a);

7 (2) an estimate of the costs of such implementa-
8 tion;

9 (3) the number of members described in such sec-
10 tion; and

11 (4) any other matter the Secretary determines
12 relevant.

13 (d) *IMPLEMENTATION DATE.*—The Secretary may not
14 implement section 357 of such title, as added by subsection
15 (a) until after—

16 (1) submission of the report under subsection (b);
17 and

18 (2) the Secretary determines and certifies in
19 writing to the Committees on Armed Services of the
20 Senate and House of Representatives that such imple-
21 mentation shall not have a detrimental effect on the
22 force structure of an Armed Force concerned, includ-
23 ing with regard to recruiting or retention of members
24 in the regular component of such Armed Force.

1 **SEC. 603. EXPANSIONS OF CERTAIN TRAVEL AND TRANS-**
2 **PORTATION AUTHORITIES.**

3 (a) *LODGING IN KIND FOR RESERVE COMPONENT*
4 *MEMBERS PERFORMING TRAINING.*—

5 (1) *IN GENERAL.*—Section 12604 of title 10,
6 *United States Code, is amended by adding at the end*
7 *the following new subsection:*

8 “(c) *LODGING IN KIND.*—(1) *In the case of a member*
9 *of a reserve component performing active duty for training*
10 *or inactive-duty training who is not otherwise entitled to*
11 *travel and transportation allowances in connection with*
12 *such duty, the Secretary concerned may reimburse the mem-*
13 *ber for housing service charge expenses incurred by the*
14 *member in occupying transient government housing during*
15 *the performance of such duty. If transient government hous-*
16 *ing is unavailable or inadequate, the Secretary concerned*
17 *may provide the member with lodging in kind.*

18 “(2) *Any payment or other benefit under this sub-*
19 *section shall be provided in accordance with regulations*
20 *prescribed by the Secretary concerned.*

21 “(3) *The Secretary may pay service charge expenses*
22 *under paragraph (1) and expenses of providing lodging in*
23 *kind under such paragraph out of funds appropriated for*
24 *operation and maintenance for the reserve component con-*
25 *cerned. Use of a Government charge card is authorized for*
26 *payment of these expenses.*

1 “(4) *Decisions regarding the availability or adequacy*
2 *of government housing at a military installation under*
3 *paragraph (1) shall be made by the installation com-*
4 *mander.*”.

5 (2) *CONFORMING AMENDMENT.*—Section 474 of
6 *title 37, United States Code, is amended by striking*
7 *subsection (i).*

8 (b) *MANDATORY PET QUARANTINE FEES FOR HOUSE-*
9 *HOLD PETS.*—Section 451(b)(8) of title 37, United States
10 *Code, is amended by adding at the end the following: “Such*
11 *costs include pet quarantine expenses.”.*

12 (c) *STUDENT DEPENDENT TRANSPORTATION.*—

13 (1) *IN GENERAL.*—Section 452(b) of title 37,
14 *United States Code, is amended by adding at the end*
15 *the following new paragraphs:*

16 “(18) *Travel by a dependent child to the United*
17 *States to obtain formal secondary, undergraduate,*
18 *graduate, or vocational education, if the permanent*
19 *duty assignment location of the member of the uni-*
20 *formed services is outside the continental United*
21 *States (other than in Alaska or Hawaii).*

22 “(19) *Travel by a dependent child within the*
23 *United States to obtain formal secondary, under-*
24 *graduate, graduate, or vocational education, if the*
25 *permanent duty assignment location of the member of*

1 *the uniformed services is in Alaska or Hawaii and*
2 *the school is located in a State outside of the perma-*
3 *nent duty assignment location.”.*

4 (2) *DEFINITIONS.—Section 451 of title 37,*
5 *United States Code, as amended by subsection (b) of*
6 *this section, is amended—*

7 (A) *in subsection (a)(2)(H), by adding at*
8 *the end the following new clauses:*

9 “(vii) *Transportation of a dependent*
10 *child of a member of the uniformed services*
11 *to the United States to obtain formal sec-*
12 *ondary, undergraduate, graduate, or voca-*
13 *tional education, if the permanent duty as-*
14 *signment location of the member is outside*
15 *the continental United States (other than in*
16 *Alaska or Hawaii).*

17 “(viii) *Transportation of a dependent*
18 *child of a member of the uniformed services*
19 *within the United States to obtain formal*
20 *secondary, undergraduate, graduate, or vo-*
21 *cational education, if the permanent duty*
22 *assignment location of the member is in*
23 *Alaska or Hawaii and the school is located*
24 *in a State outside of the permanent duty*
25 *assignment location.”; and*

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

3 “(10)(A) The term ‘permanent duty assignment
4 location’ means—

5 “(i) the official station of a member of the
6 uniformed services; or

7 “(ii) the residence of a dependent of a mem-
8 ber of the uniformed services.

9 “(B) As used in subparagraph (A)(ii), the resi-
10 dence of a dependent who is a student not living with
11 the member while at school is the permanent duty as-
12 signment location of the dependent student.”.

13 (d) *DEPENDENT TRANSPORTATION INCIDENT TO SHIP*
14 *CONSTRUCTION, INACTIVATION, AND OVERHAULING.*—

15 (1) *IN GENERAL.*—Section 452 of title 37,
16 United States Code, as amended by subsection (c) of
17 this section, is further amended—

18 (A) in subsection (b), by adding at the end
19 the following new paragraph:

20 “(20) Subject to subsection (i), travel by a de-
21 pendent to a location where a member of the uni-
22 formed services is on permanent duty aboard a ship
23 that is overhauling, inactivating, or under construc-
24 tion.”; and

1 (B) by adding at the end the following new
2 subsection:

3 “(i) *DEPENDENT TRANSPORTATION INCIDENT TO SHIP*
4 *CONSTRUCTION, INACTIVATION, AND OVERHAULING.*—The
5 *authority under subsection (a) for travel in connection with*
6 *circumstances described in subsection (b)(20) shall be sub-*
7 *ject to the following terms and conditions:*

8 “(1) *The member of the uniformed services must*
9 *be permanently assigned to the ship for 31 or more*
10 *consecutive days to be eligible for allowances, and the*
11 *transportation allowances accrue on the 31st day and*
12 *every 60 days thereafter.*

13 “(2) *Transportation in kind, reimbursement for*
14 *personally procured transportation, or a monetary al-*
15 *lowance for mileage in place of the cost of transpor-*
16 *tation may be provided, in lieu of the member’s enti-*
17 *tlement to transportation, for the member’s depend-*
18 *ents from the location that was the home port of the*
19 *ship before commencement of overhaul or inactivation*
20 *to the port of overhaul or inactivation.*

21 “(3) *The total reimbursement for transportation*
22 *for the member’s dependents may not exceed the cost*
23 *of one Government-procured commercial round-trip*
24 *travel.”.*

1 (2) *DEFINITIONS.*—Section 451(a)(2)(H) of title
2 37, United States Code, as amended by subsection (c)
3 of this section, is further amended by adding at the
4 end the following new clause:

5 “(ix) Transportation of a dependent to
6 a location where a member of the uniformed
7 services is on permanent duty aboard a ship
8 that is overhauling, inactivating, or under
9 construction.”.

10 (e) *TECHNICAL CORRECTION.*—Section 2784a(a)(3) of
11 title 10, United States Code, is amended by striking “sec-
12 tion 474” and inserting “section 452”.

13 **SEC. 604. REPEAL OF EXPIRING TRAVEL AND TRANSPOR-**
14 **TATION AUTHORITIES.**

15 (a) *IN GENERAL.*—Effective December 31, 2021, sub-
16 chapter III of chapter 8 of title 37, United States Code,
17 is repealed.

18 (b) *CLERICAL AMENDMENT.*—The table of sections at
19 the beginning of chapter 8 of such title is amended by strik-
20 ing the items relating to subchapter III and sections 471
21 through 495.

1 **SEC. 605. REQUIREMENTS IN CONNECTION WITH SUSPEN-**
2 **SION OF RETIRED PAY AND RETIREMENT AN-**
3 **NUITIES.**

4 (a) *ANNUAL ELIGIBILITY DETERMINATION PROCE-*
5 *DURES.*—Not later than 180 days after the date of the en-
6 actment of this Act, the Secretary of Defense shall prescribe
7 in regulations a single annual eligibility determination
8 procedure for determinations of eligibility for military re-
9 tired or retainer pay and survivor annuities in connection
10 with military service as a replacement of the current proce-
11 dures in connection with the Certificate of Eligibility and
12 Report of Existence for military retirees and annuitants.

13 (b) *REPORT.*—Not later than one year after the date
14 of the enactment of this Act, the Secretary of Defense shall
15 submit to the Committees on Armed Services of the Senate
16 and House of Representatives a report on a process by
17 which notifications of the death of a military retiree or an-
18 nuitant may be determined with respect to the termination
19 of eligibility for benefits.

20 **SEC. 606. REPORT ON RELATIONSHIP BETWEEN BASIC AL-**
21 **LOWANCE FOR HOUSING AND SIZES OF MILI-**
22 **TARY FAMILIES.**

23 *Not later than 180 days after the date of the enactment*
24 *of this Act, the Secretary of Defense shall submit to the*
25 *Committees on Armed Services of the Senate and House of*
26 *Representatives a report on whether the basic allowance for*

1 *housing under section 403 of title 37, United States Code,*
2 *is sufficient for the average family size of members of the*
3 *Armed Forces, disaggregated by rank and military housing*
4 *area.*

5 **SEC. 607. REPORT ON CERTAIN MOVING EXPENSES FOR**
6 **MEMBERS OF THE ARMED FORCES.**

7 *Not later than 180 days after the date of the enactment*
8 *of this Act, the Secretary of Defense shall submit to the*
9 *Committees on Armed Services of the Senate and House of*
10 *Representatives a report on moving expenses incurred by*
11 *members of the Armed Forces and their families that exceed*
12 *such expenses covered by the Joint Travel Regulations for*
13 *the Uniformed Services, disaggregated by Armed Force,*
14 *rank, and military housing area. In such report, the Sec-*
15 *retary shall examine the root causes of such expenses.*

16 **SEC. 608. REPORT ON TEMPORARY LODGING EXPENSES IN**
17 **COMPETITIVE HOUSING MARKETS.**

18 *Not later than 180 days after the date of the enactment*
19 *of this Act, the Secretary of Defense shall submit to the*
20 *Committees on Armed Services of the Senate and House of*
21 *Representatives a report on the appropriateness of the max-*
22 *imum payment period of 10 days under subsection (c) of*
23 *section 474a of title 37, United States Code in highly com-*
24 *petitive housing markets. Such report shall include how the*
25 *Secretary educates members of the Armed Forces and their*

1 *families about their ability to request payment under such*
 2 *section.*

3 **SEC. 609. REPORT ON RENTAL PARTNERSHIP PROGRAMS.**

4 *Not later than 120 days after the date of the enactment*
 5 *of this Act, the Secretary of Defense shall submit to the*
 6 *Committees on Armed Services of the Senate and House of*
 7 *Representatives a report on the rental partnership pro-*
 8 *grams of the Armed Forces. Such report shall include—*

9 *(1) the numbers and percentages of members of*
 10 *the Armed Forces who do not live in housing located*
 11 *on military installations who participate in such pro-*
 12 *grams; and*

13 *(2) the recommendation of the Secretary whether*
 14 *Congress should establish annual funding for such*
 15 *programs and, if so, what in amounts.*

16 ***Subtitle B—Bonus and Incentive***
 17 ***Pays***

18 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**

19 ***BONUS AND SPECIAL PAY AUTHORITIES.***

20 *(a) AUTHORITIES RELATING TO RESERVE FORCES.—*
 21 *Section 910(g) of title 37, United States Code, relating to*
 22 *income replacement payments for reserve component mem-*
 23 *bers experiencing extended and frequent mobilization for ac-*
 24 *tive duty service, is amended by striking “December 31,*
 25 *2021” and inserting “December 31, 2022”.*

1 (b) *TITLE 10 AUTHORITIES RELATING TO HEALTH*
2 *CARE PROFESSIONALS.*—*The following sections of title 10,*
3 *United States Code, are amended by striking “December 31,*
4 *2021” and inserting “December 31, 2022”:*

5 (1) *Section 2130a(a)(1), relating to nurse officer*
6 *candidate accession program.*

7 (2) *Section 16302(d), relating to repayment of*
8 *education loans for certain health professionals who*
9 *serve in the Selected Reserve.*

10 (c) *AUTHORITIES RELATING TO NUCLEAR OFFI-*
11 *CERS.*—*Section 333(i) of title 37, United States Code, is*
12 *amended by striking “December 31, 2021” and inserting*
13 *“December 31, 2022”.*

14 (d) *AUTHORITIES RELATING TO TITLE 37 CONSOLI-*
15 *DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-*
16 *THORITIES.*—*The following sections of title 37, United*
17 *States Code, are amended by striking “December 31, 2021”*
18 *and inserting “December 31, 2022”:*

19 (1) *Section 331(h), relating to general bonus au-*
20 *thority for enlisted members.*

21 (2) *Section 332(g), relating to general bonus au-*
22 *thority for officers.*

23 (3) *Section 334(i), relating to special aviation*
24 *incentive pay and bonus authorities for officers.*

1 (1) *in subsection (i)—*

2 (A) *in paragraph (1)—*

3 (i) *in subparagraph (A), by striking*
4 *“a member” and all that follows through the*
5 *period at the end and inserting the fol-*
6 *lowing: “a member of the armed forces de-*
7 *scribed in paragraph (2) is allowed up to a*
8 *total of 12 weeks of parental leave during*
9 *the one-year period beginning after the fol-*
10 *lowing events:*

11 “(i) *The birth or adoption of a child of*
12 *the member and in order to care for such*
13 *child.*

14 “(ii) *The placement of a minor child*
15 *with the member for adoption or long-term*
16 *foster care.”; and*

17 (ii) *by striking subparagraph (B) and*
18 *inserting the following:*

19 “(B)(i) *The Secretary concerned, under uni-*
20 *form regulations to be prescribed by the Sec-*
21 *retary of Defense, may authorize leave described*
22 *under subparagraph (A) to be taken after the*
23 *one-year period described in such paragraph in*
24 *the case of a member described in paragraph (2)*
25 *who, except for this subparagraph, would lose*

1 unused parental leave at the end of the one-year
2 period described in subparagraph (A) as a result
3 of—

4 “(I) operational requirements;

5 “(II) professional military education
6 obligations; or

7 “(III) other circumstances that the
8 Secretary determines reasonable and appro-
9 priate.

10 “(ii) The regulations prescribed under
11 clause (i) shall require that any leave authorized
12 to be taken after the one-year period described in
13 subparagraph (A) shall be taken within a rea-
14 sonable period of time, as determined by the Sec-
15 retary of Defense, after cessation of the cir-
16 cumstances warranting the extended deadline.”;

17 (B) by striking paragraphs (3), (8), and
18 (10) and redesignating paragraphs (4), (5), (6),
19 (7), and (9) as paragraphs (3), (4), (5), (6), and
20 (7), respectively;

21 (C) in paragraph (3), as redesignated by
22 subparagraph (B), by striking the matter pre-
23 ceding the em dash and inserting “A member
24 who has given birth may receive medical con-
25 valescent leave in conjunction with such birth.

1 *Medical convalescent leave in excess of the leave*
2 *under paragraph (1) may be authorized if such*
3 *additional medical convalescent leave”;*

4 *(D) in paragraph (4), as so redesignated, by*
5 *striking “paragraphs (1) and (4)” and inserting*
6 *“paragraphs (1) and (3)”;*

7 *(E) in paragraph (5)(A), as so redesign-*
8 *ated, by inserting “, subject to the exceptions in*
9 *paragraph (1)(B)(ii)” after “shall be forfeited”;*
10 *and*

11 *(F) in paragraph (7)(B), as so redesignated,*
12 *by striking “paragraph (4)” and inserting*
13 *“paragraph (3)”;*

14 *(2) by striking subsection (j) and redesignating*
15 *subsections (k) and (l) as subsections (j) and (k), re-*
16 *spectively; and*

17 *(3) by adding at the end the following new sub-*
18 *section (l):*

19 *“(l) A member of the armed forces who gives birth*
20 *while on active duty may be required to meet body composi-*
21 *tion standards or pass a physical fitness test during the*
22 *period of 12 months beginning on the date of such birth*
23 *only with the approval of a health care provider employed*
24 *at a military medical treatment facility and—*

25 *“(1) at the election of such member; or*

1 “(2) *in the interest of national security, as deter-*
2 *mined by the Secretary of Defense.*”

3 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
4 *section (a) shall take effect one year after the date of the*
5 *enactment of this Act.*

6 (c) *REGULATIONS.*—*Not later than one year after the*
7 *date of the enactment of this Act, the Secretary of Defense*
8 *shall prescribe regulations implementing the amendments*
9 *made by subsection (a).*

10 (d) *REPORTING.*—*Not later than January 1, 2023,*
11 *and annually thereafter, each Secretary of a military de-*
12 *partment shall submit, to the Committees on Armed Serv-*
13 *ices of the Senate and House of Representatives, a report*
14 *regarding the use, during the preceding fiscal year, of leave*
15 *under subsections (i) and (j) of section 701 of such title,*
16 *as amended by subsection (a), disaggregated by births,*
17 *adoptions, and foster placements, including the number of*
18 *members of the Armed Forces who—*

19 (1) *used the maximum amount of primary care-*
20 *giver leave; and*

21 (2) *used leave in multiple increments.*

1 **SEC. 622. BEREAVEMENT LEAVE FOR MEMBERS OF THE**
2 **ARMED FORCES.**

3 (a) *IN GENERAL.*—Section 701 of title 10, United
4 States Code, is amended by adding at the end the following
5 new subsection:

6 “(m)(1)(A) Under regulations prescribed by the Sec-
7 retary of Defense, a member of the armed forces described
8 in subparagraph (B) is allowed up to two weeks of leave
9 to be used in connection with the death of an immediate
10 family member.

11 “(B) Subparagraph (A) applies to the following mem-
12 bers:

13 “(A) A member on active duty.

14 “(B) A member of a reserve component per-
15 forming active Guard and Reserve duty.

16 “(C) A member of a reserve component subject to
17 an active duty recall or mobilization order in excess
18 of 12 months.

19 “(2) Under the regulations prescribed for purposes of
20 this subsection, a member taking leave under paragraph (1)
21 shall not have his or her leave account reduced as a result
22 of taking such leave if such member’s accrued leave is fewer
23 than 30 days. Members with 30 or more days of accrued
24 leave shall be charged for bereavement leave until such point
25 that the member’s accrued leave is less than 30 days. Any
26 remaining bereavement leave taken by such member in ac-

1 cordance with paragraph (1) after such point shall not be
2 chargeable to the member.

3 “(3) In this section, the term ‘immediate family mem-
4 ber’, with respect to a member of the armed forces, means—

5 “(A) the member’s spouse; or

6 “(B) a child of the member.”.

7 (b) *EFFECTIVE DATE.*—The amendment made by sub-
8 section (a) shall take effect 180 days after the date of the
9 enactment of this Act.

10 **SEC. 623. TRAVEL AND TRANSPORTATION ALLOWANCES**
11 **FOR FAMILY MEMBERS TO ATTEND THE FU-**
12 **NERAL AND MEMORIAL SERVICES OF MEM-**
13 **BERS.**

14 Section 452(b) of title 37, United States Code, is
15 amended by adding at the end the following new paragraph:

16 “(18) Presence of family members at the funeral
17 and memorial services of members.”.

18 **SEC. 624. EXPANSION OF PILOT PROGRAM TO PROVIDE FI-**
19 **NANCIAL ASSISTANCE TO MEMBERS OF THE**
20 **ARMED FORCES FOR IN-HOME CHILD CARE.**

21 Section 589(b) of the William M. (Mac) Thornberry
22 National Defense Authorization Act for Fiscal Year 2021
23 (Public Law 116–283) is amended—

24 (1) by inserting “(1)” before “The Secretary”;
25 and

1 (2) *by adding at the end the following new para-*
2 *graph:*

3 “(2) *The Secretary may carry out the pilot program*
4 *at other locations the Secretary determines appropriate.*”.

5 **SEC. 625. PILOT PROGRAM ON DIRECT HIRE AUTHORITY**
6 **FOR SPOUSES OF MEMBERS OF THE UNI-**
7 **FORMED SERVICES AT LOCATIONS OUTSIDE**
8 **THE UNITED STATES.**

9 (a) *IN GENERAL.*—*The Secretary of Defense may*
10 *carry out a pilot program to assess the feasibility and ad-*
11 *visability of using the authority under subsection (b) to hire*
12 *spouses of members of the uniformed services at locations*
13 *outside the United States.*

14 (b) *AUTHORITY.*—*In carrying out the pilot program*
15 *under this section, the Secretary may appoint, without re-*
16 *gard to the provisions of subchapter I of chapter 33 of title*
17 *5, United States Code (other than sections 3303 and 3328*
18 *of such chapter), a spouse of a member of the uniformed*
19 *services stationed at a duty location outside the United*
20 *States to a position described in subsection (c) if—*

21 (1) *the spouse has been authorized to accompany*
22 *the member to the duty location at Government ex-*
23 *pense; and*

1 (2) *the duty location is within reasonable com-*
2 *muting distance, as determined by the Secretary con-*
3 *cerned, of the location of the position.*

4 (c) *POSITION DESCRIBED.*—*A position described in*
5 *this subsection is a competitive service position within the*
6 *Department of Defense that is located outside the United*
7 *States.*

8 (d) *TERM OF APPOINTMENT.*—

9 (1) *IN GENERAL.*—*An appointment made under*
10 *this section shall be for a term not exceeding two*
11 *years.*

12 (2) *RENEWAL.*—*The Secretary of Defense may*
13 *renew an appointment made under this section for*
14 *not more than two additional terms, each not exceed-*
15 *ing two years.*

16 (3) *TERMINATION.*—*An appointment made*
17 *under this section shall terminate on the date on*
18 *which the member of the uniformed services relocates*
19 *back to the United States in connection with a per-*
20 *manent change of station.*

21 (e) *PAYMENT OF TRAVEL AND TRANSPORTATION AL-*
22 *LOWANCES.*—*Nothing in this section may be construed to*
23 *authorize additional travel or transportation allowances in*
24 *connection with an appointment made under this section.*

1 (f) *RELATIONSHIP TO OTHER LAW.*—*Nothing in this*
2 *section may be construed to interfere with—*

3 (1) *the authority of the President under section*
4 *3304 of title 5, United States Code;*

5 (2) *the authority of the President under section*
6 *1784 of title 10, United States Code;*

7 (3) *the ability of the head of an agency to make*
8 *noncompetitive appointments pursuant to section*
9 *3330d of title 5, United States Code; or*

10 (4) *any obligation under any applicable treaty,*
11 *status of forces agreement, or other international*
12 *agreement between the United States Government and*
13 *the government of the country in which the position*
14 *is located.*

15 (g) *REPORTS REQUIRED.*—

16 (1) *IN GENERAL.*—*Not later than one year after*
17 *the date of the enactment of this Act, and annually*
18 *thereafter, the Secretary of Defense shall submit to the*
19 *appropriate committees of Congress a report setting*
20 *forth the following:*

21 (A) *The number of individuals appointed*
22 *under this section.*

23 (B) *The position series and grade to which*
24 *each individual described in subparagraph (A)*
25 *was appointed.*

1 (C) *Demographic data on the individuals*
2 *described in subparagraph (A), including with*
3 *respect to race, gender, age, and education level*
4 *attained.*

5 (D) *Data on the members of the uniformed*
6 *services whose spouses have been appointed under*
7 *this section, including the rank of each such*
8 *member.*

9 (E) *Such recommendations for legislative or*
10 *administrative action as the Secretary considers*
11 *appropriate relating to continuing or expanding*
12 *the pilot program.*

13 (2) *FINAL REPORT.*—*Not later than December*
14 *31, 2026, the Secretary shall submit to the appro-*
15 *priate committees of Congress a final report setting*
16 *forth the information under paragraph (1).*

17 (h) *TERMINATION.*—*The pilot program under this sec-*
18 *tion shall terminate on December 31, 2026.*

19 (i) *DEFINITIONS.*—*In this section:*

20 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—
21 *The term “appropriate committees of Congress”*
22 *means—*

23 (A) *the Committee on Armed Services and*
24 *the Committee on Homeland Security and Gov-*
25 *ernmental Affairs of the Senate; and*

1 (B) *the Committee on Armed Services and*
2 *the Committee on Oversight and Reform of the*
3 *House of Representatives.*

4 (2) *SECRETARY CONCERNED.*—*The term “Sec-*
5 *retary concerned”*—

6 (A) *has the meaning given the term in sec-*
7 *tion 101(a)(9) of title 10, United States Code;*
8 *and*

9 (B) *includes—*

10 (i) *the Secretary of Commerce, with re-*
11 *spect to matters concerning the commis-*
12 *sioned officer corps of the National Oceanic*
13 *and Atmospheric Administration; and*

14 (ii) *the Secretary of Health and*
15 *Human Services, with respect to matters*
16 *concerning the commissioned corps of the*
17 *Public Health Service.*

18 (3) *UNIFORMED SERVICES.*—*The term “uni-*
19 *formed services” has the meaning given the term in*
20 *section 101(a)(5) of title 10, United States Code.*

21 (4) *UNITED STATES.*—*The term “United States”*
22 *has the meaning given that term in section 101(a)(1)*
23 *of title 10, United States Code.*

1 **SEC. 626. CASUALTY ASSISTANCE PROGRAM: REFORM; ES-**
2 **TABLISHMENT OF WORKING GROUP.**

3 (a) *CASUALTY ASSISTANCE REFORM WORKING*
4 *GROUP.—*

5 (1) *ESTABLISHMENT.—Not later than 180 days*
6 *after the date of the enactment of this Act, the Sec-*
7 *retary of Defense shall establish a working group to*
8 *be known as the “Casualty Assistance Reform Work-*
9 *ing Group” (in this section referred to as the “Work-*
10 *ing Group”).*

11 (2) *DUTIES.—The Working Group shall perform*
12 *the following duties:*

13 (A) *Create standards and training for*
14 *CAOs across the military departments.*

15 (B) *Explore the possibility of establishing a*
16 *unique badge designation for—*

17 (i) *CAOs who have performed CAO*
18 *duty more than five times; or*

19 (ii) *professional CAOs.*

20 (C) *Examine the current workflow of cas-*
21 *ualty affairs support across the military depart-*
22 *ments, including administrative processes and*
23 *survivor engagements.*

24 (D) *Perform a gap analysis and solution*
25 *document that clearly identifies and prioritizes*

1 *critical changes to modernize and professionalize*
2 *the casualty experience for survivors.*

3 *(E) Review the organization of the Office of*
4 *Casualty, Mortuary Affairs and Military Fu-*
5 *neral Honors to ensure it is positioned to coordi-*
6 *nate policy and assist in all matters under its*
7 *jurisdiction, across the Armed Forces, including*
8 *any potential intersections with the Defense*
9 *Prisoner of War and Missing in Action Account-*
10 *ing Agency.*

11 *(F) Explore the establishment of—*

12 *(i) an annual meeting, led by the Sec-*
13 *retary of Defense, with gold star families;*
14 *and*

15 *(ii) a surviving and gold star family*
16 *leadership council.*

17 *(G) Recommend improvements to the family*
18 *notification process of Arlington National Ceme-*
19 *tery.*

20 *(H) Explore the redesign of the Days Ahead*
21 *Binder, including creating an electronic version.*

22 *(I) Consider the expansion of the DD Form*
23 *93 to include more details regarding the last*
24 *wishes of the deceased member.*

1 *(J) Assess coordination between the Depart-*
2 *ment of Defense and the Office of Survivors As-*
3 *sistance of the Department of Veterans Affairs.*

4 (3) *MEMBERSHIP.*—*The membership of the*
5 *Working Group shall be composed of the following:*

6 (A) *The Under Secretary of Defense for Per-*
7 *sonnel and Readiness, who shall serve as Chair*
8 *of the Working Group.*

9 (B) *At least one person furnished with a*
10 *gold star lapel button under section 1126 of title*
11 *10, United States Code, by each Secretary of a*
12 *military department.*

13 (C) *Other members of the Armed Forces or*
14 *civilian employees of the Department of Defense,*
15 *appointed by the Secretary of Defense, based on*
16 *knowledge of, and experience with, matters de-*
17 *scribed in paragraph (2).*

18 (4) *REPORT.*—*Not later than September 30,*
19 *2022, the Working Group shall submit to the Sec-*
20 *retary of Defense a report containing the determina-*
21 *tions and recommendations of the Working Group.*

22 (5) *TERMINATION.*—*The Working Group shall*
23 *terminate upon submission of the report under para-*
24 *graph (4).*

1 (b) *REPORT REQUIRED.*—Not later than November 1,
 2 2022, the Secretary of Defense shall submit to the Commit-
 3 tees on Armed Services of the Senate and the House of Rep-
 4 resentatives a report setting forth the results of a review
 5 and assessment of the casualty assistance officer program,
 6 including the report of the Working Group.

7 (c) *ESTABLISHMENT OF CERTAIN DEFINITIONS.*—Not
 8 later than one year after the date of the enactment of this
 9 Act, the Secretary of Defense, in coordination with the Sec-
 10 retaries of the military departments, shall publish an in-
 11 terim rule that establishes standard definitions, for use
 12 across the military departments, of the terms “gold star
 13 family” and “gold star survivor”.

14 (d) *CAO DEFINED.*—In this section, the term “CAO”
 15 means a casualty assistance officer of the Armed Forces.

16 ***Subtitle D—Defense Resale Matters***

17 ***SEC. 631. ADDITIONAL SOURCES OF FUNDS AVAILABLE FOR***

18 ***CONSTRUCTION, REPAIR, IMPROVEMENT,***

19 ***AND MAINTENANCE OF COMMISSARY STORES.***

20 Section 2484(h) of title 10, United States Code, is
 21 amended—

22 (1) in paragraph (5), by adding at the end the
 23 following new subparagraphs:

1 “(F) Amounts made available for any purpose
2 set forth in paragraph (1) pursuant to an agreement
3 with a host nation.

4 “(G) Amounts appropriated for repair or recon-
5 struction of a commissary store in response to a dis-
6 aster or emergency.”; and

7 (2) by adding at the end the following new para-
8 graph:

9 “(6) Revenues made available under paragraph (5) for
10 the purposes set forth in paragraphs (1), (2), and (3) may
11 be supplemented with additional funds derived from—

12 “(A) improved management practices imple-
13 mented pursuant to sections 2481(c)(3), 2485(b), and
14 2487(c) of this title; and

15 “(B) the variable pricing program implemented
16 pursuant to subsection (i).”.

17 ***Subtitle E—Miscellaneous Rights***
18 ***and Benefits***

19 ***SEC. 641. ALEXANDER LOFGREN VETERANS IN PARKS PRO-***
20 ***GRAM.***

21 *Section 805 of the Federal Lands Recreation Enhance-*
22 *ment Act (Public Law 108–447; 118 Stat. 3385; 16 U.S.C.*
23 *6804) is amended—*

1 (1) *in subsection (a)(4), by striking “age and*
2 *disability discounted” and inserting “age discount*
3 *and lifetime”;* and

4 (2) *in subsection (b)—*

5 (A) *in the heading, by striking “DIS-*
6 *COUNTED” and inserting “FREE AND DIS-*
7 *COUNTED”;*

8 (B) *in paragraph (2)—*

9 (i) *in the heading, by striking “DIS-*
10 *ABILITY DISCOUNT” and inserting “LIFE-*
11 *TIME PASSES”;* and

12 (ii) *by striking subparagraph (B) and*
13 *inserting the following:*

14 “(B) *Any veteran who provides adequate*
15 *proof of military service as determined by the*
16 *Secretary.*

17 “(C) *Any member of a Gold Star Family*
18 *who meets the eligibility requirements of section*
19 *3.2 of Department of Defense Instruction 1348.36*
20 *(or a successor instruction).”;* and

21 (C) *in paragraph (3)—*

22 (i) *in the heading, by striking “GOLD*
23 *STAR FAMILIES PARKS PASS” and inserting*
24 *“ANNUAL PASSES”;* and

1 (ii) by striking “members of” and all
 2 that follows through the end of the sentence
 3 and inserting “members of the Armed
 4 Forces and their dependents who provide
 5 adequate proof of eligibility for such pass as
 6 determined by the Secretary.”.

7 **TITLE VII—HEALTH CARE**
 8 **PROVISIONS**

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

- Sec. 701. Eating disorders treatment for certain members of the Armed Forces and dependents.*
- Sec. 702. Addition of preconception and prenatal carrier screening coverage as benefits under TRICARE program.*
- Sec. 703. Revisions to TRICARE provider networks.*
- Sec. 704. Self-initiated referral process for mental health evaluations of members of the Armed Forces.*
- Sec. 705. Modifications to pilot program on health care assistance system.*
- Sec. 706. Modification of pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.*
- Sec. 707. Improvement of postpartum care for members of the Armed Forces and dependents.*

Subtitle B—Health Care Administration

- Sec. 711. Modification of certain Defense Health Agency organization requirements.*
- Sec. 712. Requirement for consultations relating to military medical research and Defense Health Agency Research and Development.*
- Sec. 713. Authorization of program to prevent fraud and abuse in the military health system.*
- Sec. 714. Authority of Secretary of Defense and Secretary of Veterans Affairs to enter into agreements for planning, design, and construction of facilities to be operated as shared medical facilities.*
- Sec. 715. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.*
- Sec. 716. Establishment of Department of Defense system to track and record information on vaccine administration.*
- Sec. 717. Exemption from required physical examination and mental health assessment for certain members of the reserve components.*
- Sec. 718. Authorization of provision of instruction at Uniformed Services University of the Health Sciences to certain Federal employees.*

- Sec. 719. Removal of requirement for one year of participation in certain medical and lifestyle incentive programs of the Department of Defense to receive benefits under such programs.*
- Sec. 720. Department of Defense standards for exemptions from mandatory COVID-19 vaccines.*
- Sec. 721. Establishment of centers of excellence for enhanced treatment of ocular injuries.*
- Sec. 722. Implementation of integrated product for management of population health across military health system.*
- Sec. 723. Digital health strategy of Department of Defense.*
- Sec. 724. Development and update of certain policies relating to military health system and integrated medical operations.*
- Sec. 725. Mandatory training on health effects of burn pits.*
- Sec. 726. Standardization of definitions used by the Department of Defense for terms related to suicide.*

Subtitle C—Reports and Other Matters

- Sec. 731. Modifications and reports related to military medical manning and medical billets.*
- Sec. 732. Access by United States Government employees and their family members to certain facilities of Department of Defense for assessment and treatment of anomalous health conditions.*
- Sec. 733. Pilot program on cardiac screening at certain military service academies.*
- Sec. 734. Pilot program on assistance for mental health appointment scheduling at military medical treatment facilities.*
- Sec. 735. Prohibition on availability of funds for certain research connected to China.*
- Sec. 736. Limitation on certain discharges solely on the basis of failure to obey lawful order to receive COVID-19 vaccine.*
- Sec. 737. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.*
- Sec. 738. Independent review of suicide prevention and response at military installations.*
- Sec. 739. Feasibility and advisability study on establishment of aeromedical squadron at Joint Base Pearl Harbor-Hickam.*
- Sec. 740. Study on incidence of breast cancer among members of the Armed Forces serving on active duty.*
- Sec. 741. GAO biennial study on Individual Longitudinal Exposure Record program.*
- Sec. 742. Comptroller General study on implementation by Department of Defense of recent statutory requirements to reform the military health system.*
- Sec. 743. Study to determine need for a joint fund for Federal Electronic Health Record Modernization Office.*
- Sec. 744. Briefing on domestic production of critical active pharmaceutical ingredients for national security purposes.*
- Sec. 745. Briefing on substance abuse in the Armed Forces.*

1 ***Subtitle A—TRICARE and Other***
2 ***Health Care Benefits***

3 ***SEC. 701. EATING DISORDERS TREATMENT FOR CERTAIN***
4 ***MEMBERS OF THE ARMED FORCES AND DE-***
5 ***PENDENTS.***

6 *(a) EATING DISORDERS TREATMENT FOR CERTAIN*
7 *DEPENDENTS.—Section 1079 of title 10, United States*
8 *Code, is amended—*

9 *(1) in subsection (a), by adding at the end the*
10 *following new paragraph:*

11 *“(18) Treatment for eating disorders may be*
12 *provided in accordance with subsection (r).”;* and

13 *(2) by adding at the end the following new sub-*
14 *section:*

15 *“(r)(1) The provision of health care services for an eat-*
16 *ing disorder under subsection (a)(18) may include the fol-*
17 *lowing services:*

18 *“(A) Outpatient services for in-person or tele-*
19 *health care, including partial hospitalization services*
20 *and intensive outpatient services.*

21 *“(B) Inpatient services, which shall include resi-*
22 *dential services only if medically indicated for treat-*
23 *ment of a primary diagnosis of an eating disorder.*

1 “(2) *A dependent provided health care services for an*
 2 *eating disorder under subsection (a)(18) shall be provided*
 3 *such services without regard to—*

4 “(A) *the age of the dependent, except with respect*
 5 *to residential services under paragraph (1)(B), which*
 6 *may be provided only to a dependent who is not eligi-*
 7 *ble for hospital insurance benefits under part A of*
 8 *title XVIII of the Social Security Act (42 U.S.C.*
 9 *1395c et seq.); and*

10 “(B) *except as otherwise specified in paragraph*
 11 *(1)(B), whether the eating disorder is the primary or*
 12 *secondary diagnosis of the dependent.*

13 “(3) *In this section, the term ‘eating disorder’ has the*
 14 *meaning given the term ‘feeding and eating disorders’ in*
 15 *the Diagnostic and Statistical Manual of Mental Disorders,*
 16 *5th Edition (or successor edition), published by the Amer-*
 17 *ican Psychiatric Association.”.*

18 **(b) LIMITATION WITH RESPECT TO RETIREES.—**

19 **(1) IN GENERAL.—***Section 1086(a) of title 10,*
 20 *United States Code, is amended by inserting “and*
 21 *(except as provided in subsection (i)) treatments for*
 22 *eating disorders” after “eye examinations”.*

23 **(2) EXCEPTION.—***Such section is further amend-*
 24 *ed by adding at the end the following new subsection:*

1 “(i) If, prior to October 1, 2022, a category of persons
2 covered by this section was eligible to receive a specific type
3 of treatment for eating disorders under a plan contracted
4 for under subsection (a), the general prohibition on the pro-
5 vision of treatments for eating disorders specified in such
6 subsection shall not apply with respect to the provision of
7 the specific type of treatment to such category of persons.”.

8 (c) *IDENTIFICATION AND TREATMENT OF EATING DIS-*
9 *ORDERS FOR MEMBERS OF THE ARMED FORCES.*—

10 (1) *IN GENERAL.*—Chapter 55 of title 10, United
11 States Code, is amended by—

12 (A) redesignating section 1090a as section
13 1090b; and

14 (B) inserting after section 1090 the fol-
15 lowing new section:

16 **“§ 1090a. Identifying and treating eating disorders.**

17 “(a) *IDENTIFICATION, TREATMENT, AND REHABILITA-*
18 *TION.*—The Secretary of Defense, and the Secretary of
19 Homeland Security with respect to the Coast Guard when
20 it is not operating as a service in the Navy, shall prescribe
21 regulations, implement procedures using each practical and
22 available method, and provide necessary facilities to iden-
23 tify, treat, and rehabilitate members of the armed forces
24 who have an eating disorder.

1 “(b) *FACILITIES AVAILABLE.*—(1) *In this section, the*
 2 *term ‘necessary facilities’ includes facilities that provide the*
 3 *services specified in section 1079(r)(1) of this title.*

4 “(2) *Consistent with section 1079(r)(1)(B) of this title,*
 5 *residential services shall be provided to a member pursuant*
 6 *to this section only if the member has a primary diagnosis*
 7 *of an eating disorder and treatment at such facility is*
 8 *medically indicated for treatment of that eating disorder.*

9 “(c) *EATING DISORDER DEFINED.*—*In this section, the*
 10 *term ‘eating disorder’ has the meaning given that term in*
 11 *section 1079(r) of this title.”*

12 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 13 *tions at the beginning of chapter 55 of title 10,*
 14 *United States Code, is amended by striking the item*
 15 *relating to section 1090a and inserting the following*
 16 *new items:*

“1090a. *Identifying and treating eating disorders.*

“1090b. *Commanding officer and supervisor referrals of members for mental health evaluations.”*

17 (d) *EFFECTIVE DATE.*—*The amendments made by this*
 18 *section shall take effect on October 1, 2022.*

19 **SEC. 702. ADDITION OF PRECONCEPTION AND PRENATAL**
 20 **CARRIER SCREENING COVERAGE AS BENE-**
 21 **FITS UNDER TRICARE PROGRAM.**

22 Section 1079(a) of title 10, United States Code, as
 23 amended by section 701, is further amended by adding at
 24 the end the following new paragraph:

1 “(19) *Preconception and prenatal carrier screen-*
 2 *ing tests shall be provided to eligible covered bene-*
 3 *ficiaries, with a limit per beneficiary of one test per*
 4 *condition per lifetime, for the following conditions:*

5 “(A) *Cystic Fibrosis.*

6 “(B) *Spinal Muscular Atrophy.*

7 “(C) *Fragile X Syndrome.*

8 “(D) *Tay-Sachs Disease.*

9 “(E) *Hemoglobinopathies.*

10 “(F) *Conditions linked with Ashkenazi Jew-*
 11 *ish descent.”.*

12 **SEC. 703. REVISIONS TO TRICARE PROVIDER NETWORKS.**

13 (a) *TRICARE SELECT.*—Section 1075 of title 10,
 14 *United States Code, is amended—*

15 (1) *by redesignating subsection (h) as subsection*
 16 *(i); and*

17 (2) *by inserting after subsection (g) the following*
 18 *new subsection (h):*

19 “(h) *AUTHORITY FOR MULTIPLE NETWORKS IN THE*
 20 *SAME GEOGRAPHIC AREA.*—(1) *The Secretary may estab-*
 21 *lish a system of multiple networks of providers under*
 22 *TRICARE Select in the same geographic area or areas.*

23 “(2) *Under a system established under paragraph (1),*
 24 *the Secretary may—*

1 “(A) require a covered beneficiary enrolling in
2 *TRICARE Select* to enroll in a specific provider net-
3 work established pursuant to such system, in which
4 case any provider not in that specific provider net-
5 work shall be deemed an out-of-network provider with
6 respect to the covered beneficiary (regardless of wheth-
7 er the provider is in a different *TRICARE Select* pro-
8 vider network) for purposes of this section or any
9 other provision of law limiting the coverage or provi-
10 sion of health care services to those provided by net-
11 work providers under the *TRICARE* program; and

12 “(B) include beneficiaries covered by subsection
13 (c)(2).”.

14 (b) *TRICARE PRIME*.—Section 1097a of such title is
15 amended—

16 (1) by redesignating subsection (e) as subsection
17 (f); and

18 (2) by inserting after subsection (d) the following
19 new subsection (e):

20 “(e) *AUTHORITY FOR MULTIPLE NETWORKS IN THE*
21 *SAME GEOGRAPHIC AREA*.—(1) The Secretary may estab-
22 lish a system of multiple networks of providers under
23 *TRICARE Prime* in the same geographic area or areas.

24 “(2) Under a system established under paragraph (1),
25 the Secretary may require a covered beneficiary enrolling

1 *in TRICARE Prime to enroll in a specific provider network*
 2 *established pursuant to such system, in which case any pro-*
 3 *vider not in that specific provider network shall be deemed*
 4 *an out-of-network provider with respect to the covered bene-*
 5 *ficiary (regardless of whether the provider is in a different*
 6 *TRICARE Prime provider network) for purposes of this sec-*
 7 *tion or any other provision of law limiting the coverage*
 8 *or provision of health care services to those provided by net-*
 9 *work providers under the TRICARE program.”.*

10 **SEC. 704. SELF-INITIATED REFERRAL PROCESS FOR MEN-**
 11 **TAL HEALTH EVALUATIONS OF MEMBERS OF**
 12 **THE ARMED FORCES.**

13 *Section 1090a of title 10, United States Code, is*
 14 *amended—*

15 *(1) in subsection (c), by inserting “or is required*
 16 *to make such a referral pursuant to the process de-*
 17 *scribed in subsection (e)(1)(A)” after “mental health*
 18 *evaluation”;*

19 *(2) by redesignating subsection (e) as subsection*
 20 *(g); and*

21 *(3) by inserting after subsection (d) the following*
 22 *new subsections:*

23 *“(e) SELF-INITIATED REFERRAL PROCESS.—(1) The*
 24 *regulations required by subsection (a) shall, with respect to*
 25 *a member of the armed forces—*

1 “(A) provide for a self-initiated process that en-
2 ables the member to trigger a referral for a mental
3 health evaluation by requesting such a referral from
4 a commanding officer or supervisor who is in a grade
5 above E-5;

6 “(B) ensure the function of the process described
7 in subparagraph (A) by—

8 “(i) requiring the commanding officer or
9 supervisor of the member to refer the member to
10 a mental health provider for a mental health
11 evaluation as soon as practicable following the
12 request of the member (including by providing to
13 the mental health provider the name and contact
14 information of the member and providing to the
15 member the date, time, and place of the sched-
16 uled mental health evaluation); and

17 “(ii) ensure the member may request a re-
18 ferral pursuant to subparagraph (A) on any
19 basis (including on the basis of a concern relat-
20 ing to fitness for duty, occupational require-
21 ments, safety issues, significant changes in per-
22 formance, or behavioral changes that may be at-
23 tributable to possible changes in mental status);
24 and

1 “(C) ensure that the process described in sub-
2 paragraph (A)—

3 “(i) reduces stigma in accordance with sub-
4 section (b), including by treating referrals for
5 mental health evaluations made pursuant to such
6 process in a manner similar to referrals for other
7 medical services, to the maximum extent prac-
8 ticable; and

9 “(ii) protects the confidentiality of the
10 member to the maximum extent practicable, in
11 accordance with requirements for the confiden-
12 tiality of health information under the Health
13 Insurance Portability and Accountability Act of
14 1996 (Public Law 104–191) and applicable pri-
15 vacy laws.

16 “(2) In making a referral for an evaluation of a mem-
17 ber of the armed forces triggered by a request made pursu-
18 ant to the process described in paragraph (1)(A), if the
19 member has made such a request on the basis of a concern
20 that the member is a potential or imminent danger to self
21 or others, the commanding officer or supervisor of the mem-
22 ber shall observe the following principles:

23 “(A) With respect to safety, if the commander or
24 supervisor determines the member is exhibiting dan-
25 gerous behavior, the first priority of the commander

1 *or supervisor shall be to ensure that precautions are*
2 *taken to protect the safety of the member, and others,*
3 *prior to the arrival of the member at the location of*
4 *the evaluation.*

5 *“(B) With respect to communication, prior to*
6 *such arrival, the commander or supervisor shall com-*
7 *municate to the provider to which the member is*
8 *being referred (in a manner and to an extent con-*
9 *sistent with paragraph (1)(C)(ii)), information on the*
10 *circumstances and observations that led to—*

11 *“(i) the member requesting the referral; and*

12 *“(ii) the commander or supervisor making*
13 *such referral based on the request.*

14 *“(f) ANNUAL TRAINING REQUIREMENT.—On an an-*
15 *nual basis, each Secretary concerned shall provide to the*
16 *members of the Armed Forces under the jurisdiction of such*
17 *Secretary a training on how to recognize personnel who*
18 *may require mental health evaluations on the basis of the*
19 *individual being an imminent danger to self or others, as*
20 *demonstrated by the behavior or apparent mental state of*
21 *the individual.”.*

1 **SEC. 705. MODIFICATIONS TO PILOT PROGRAM ON HEALTH**
2 **CARE ASSISTANCE SYSTEM.**

3 *Section 731(d) of the National Defense Authorization*
4 *Act for Fiscal Year 2018 (10 U.S.C. 1075 note) is amend-*
5 *ed—*

6 (1) *in the matter preceding paragraph (1), by*
7 *striking “January 1, 2021” and inserting “November*
8 *1, 2022”;*

9 (2) *in paragraph (1), by striking “; and” and*
10 *inserting a semicolon;*

11 (3) *in paragraph (2), by striking the period and*
12 *inserting “; and”;* and

13 (4) *by adding at the end the following new para-*
14 *graph:*

15 “(3) *input from covered beneficiaries who have*
16 *participated in the pilot program regarding their sat-*
17 *isfaction with, and any benefits attained from, such*
18 *participation.”.*

19 **SEC. 706. MODIFICATION OF PILOT PROGRAM ON RECEIPT**
20 **OF NON-GENERIC PRESCRIPTION MAINTENANCE**
21 **MEDICATIONS UNDER TRICARE PHAR-**
22 **MACY BENEFITS PROGRAM.**

23 *Section 706 of the William M. (Mac) Thornberry Na-*
24 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
25 *lic Law 116–283) is amended—*

1 (1) *in subsection (a)(1), by striking “may carry*
2 *out” and inserting “shall carry out”;*

3 (2) *in subsection (b), by striking “March 1,*
4 *2021” and inserting “March 1, 2022”;*

5 (3) *by redesignating subsections (e), (f), and (g)*
6 *as subsections (f), (g), and (h), respectively;*

7 (4) *by inserting after subsection (d) the following*
8 *new subsection (e):*

9 “(e) *REIMBURSEMENT.—If the Secretary carries out*
10 *the pilot program under subsection (a)(1), reimbursement*
11 *of retail pharmacies for medication under the pilot program*
12 *may not exceed the amount of reimbursement paid to the*
13 *national mail-order pharmacy program under section*
14 *1074g of title 10, United States Code, for the same medica-*
15 *tion, after consideration of all manufacturer discounts, re-*
16 *unds, rebates, pharmacy transaction fees, and other costs.”;*
17 *and*

18 (5) *in subsection (f), as redesignated by para-*
19 *graph (3)—*

20 (A) *by striking paragraph (1) and inserting*
21 *the following new paragraph (1):*

22 “(1) *BRIEFING.—Not later than 90 days after*
23 *the date of the enactment of the National Defense Au-*
24 *thorization Act for Fiscal Year 2022, the Secretary*
25 *shall provide to the Committees on Armed Services of*

1 *the House of Representatives and the Senate a brief-*
2 *ing on the implementation of the pilot program under*
3 *subsection (a)(1) or on the determination of the Sec-*
4 *retary under subsection (a)(2) that the Secretary is*
5 *not permitted to carry out the pilot program.”; and*

6 *(B) in paragraph (3)(A), by striking*
7 *“March 1, 2024” and inserting “March 1, 2025”.*

8 **SEC. 707. IMPROVEMENT OF POSTPARTUM CARE FOR MEM-**
9 **BERS OF THE ARMED FORCES AND DEPEND-**
10 **ENTS.**

11 *(a) CLINICAL PRACTICE GUIDELINES FOR*
12 *POSTPARTUM CARE IN MILITARY MEDICAL TREATMENT*
13 *FACILITIES.—Not later than 180 days after the date of the*
14 *enactment of this Act, the Secretary of Defense shall estab-*
15 *lish clinical practice guidelines for the provision of*
16 *postpartum care in military medical treatment facilities.*
17 *Such guidelines shall take into account the recommenda-*
18 *tions of established professional medical associations and*
19 *address the following matters:*

20 *(1) Postpartum mental health assessments, in-*
21 *cluding the appropriate intervals for furnishing such*
22 *assessments and screening questions for such assess-*
23 *ments (including questions relating to postpartum*
24 *anxiety and postpartum depression).*

1 (2) *Pelvic health evaluation and treatment, in-*
2 *cluding the appropriate timing for furnishing a med-*
3 *ical evaluation for pelvic health, considerations for*
4 *providing consultations for physical therapy for pel-*
5 *vic health (including pelvic floor health), and the ap-*
6 *propriate use of telehealth services.*

7 (3) *Pelvic health rehabilitation services.*

8 (4) *Obstetric hemorrhage treatment, including*
9 *through the use of pathogen reduced resuscitative*
10 *products.*

11 ***(b) POLICY ON SCHEDULING OF APPOINTMENTS FOR***
12 ***POSTPARTUM HEALTH CARE SERVICES.—***

13 (1) ***POLICY REQUIRED.—****Not later than 180 days*
14 *after the date of the enactment of this Act, the Sec-*
15 *retary shall establish a policy for the scheduling of*
16 *appointments for postpartum health care services in*
17 *military medical treatment facilities. In developing*
18 *the policy, the Secretary shall consider the extent to*
19 *which it is appropriate to facilitate concurrent sched-*
20 *uling of appointments for postpartum care with ap-*
21 *pointments for well-baby care.*

22 (2) ***PILOT PROGRAM AUTHORIZED.—****The Sec-*
23 *retary may carry out a pilot program in one or more*
24 *military medical treatment facilities to evaluate the*
25 *effect of concurrent scheduling, to the degree clinically*

1 *appropriate, of the appointments specified in para-*
2 *graph (1).*

3 (c) *POLICY ON POSTPARTUM PHYSICAL FITNESS*
4 *TESTS AND BODY COMPOSITION ASSESSMENTS.—Not later*
5 *than 180 days after the date of enactment of this Act, the*
6 *Secretary shall establish a policy, which shall be standard-*
7 *ized across each Armed Force to the extent practicable, for*
8 *the time periods after giving birth that a member of the*
9 *Armed Forces (including the reserve components) may be*
10 *excused from, or provided an alternative to, a physical fit-*
11 *ness test or a body composition assessment.*

12 (d) *BRIEFING.—Not later than 270 days after the date*
13 *of enactment of this Act, the Secretary shall provide to the*
14 *Committees on Armed Services of the House of Representa-*
15 *tives and the Senate a briefing on the implementation of*
16 *the requirements under this section.*

17 ***Subtitle B—Health Care***
18 ***Administration***

19 ***SEC. 711. MODIFICATION OF CERTAIN DEFENSE HEALTH***
20 ***AGENCY ORGANIZATION REQUIREMENTS.***

21 *Section 1073c(c)(5) of title 10, United States Code, is*
22 *amended by striking “paragraphs (1) through (4)” and in-*
23 *serting “paragraph (3) or (4)”.*

1 **SEC. 712. REQUIREMENT FOR CONSULTATIONS RELATING**
2 **TO MILITARY MEDICAL RESEARCH AND DE-**
3 **FENSE HEALTH AGENCY RESEARCH AND DE-**
4 **VELOPMENT.**

5 (a) *CONSULTATIONS REQUIRED.*—Section 1073c of
6 title 10, United States Code, as amended by section 711,
7 is further amended—

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

10 (2) by inserting after subsection (e) the following
11 new subsection:

12 “(f) *CONSULTATIONS ON MEDICAL RESEARCH OF*
13 *MILITARY DEPARTMENTS.*—In establishing the Defense
14 Health Agency Research and Development pursuant to sub-
15 section (e)(1), and on a basis that is not less frequent than
16 semiannually thereafter, the Secretary of Defense shall
17 carry out recurring consultations with each military de-
18 partment regarding the plans and requirements for mili-
19 tary medical research organizations and activities of the
20 military department.”.

21 (b) *REQUIREMENTS FOR CONSULTATIONS.*—The Sec-
22 retary of Defense shall ensure that consultations are carried
23 out under section 1073c(f) of title 10, United States Code
24 (as added by subsection (a)), to include the plans of each
25 military department to ensure a comprehensive transition
26 of any military medical research organizations of the mili-

1 tary department with respect to the establishment of the De-
2 fense Health Agency Research and Development.

3 (c) *DEADLINE FOR INITIAL CONSULTATIONS.*—Initial
4 consultations shall be carried out under section 1073c(f) of
5 title 10, United States Code (as added by subsection (a)),
6 with each military department by not later than March 1,
7 2022.

8 **SEC. 713. AUTHORIZATION OF PROGRAM TO PREVENT**
9 **FRAUD AND ABUSE IN THE MILITARY HEALTH**
10 **SYSTEM.**

11 (a) *IN GENERAL.*—Chapter 55 of title 10, United
12 States Code, is amended by inserting after section 1073e
13 the following new section:

14 **“§ 1073f. Health care fraud and abuse prevention pro-**
15 **gram**

16 “(a) *PROGRAM AUTHORIZED.*—(1) The Secretary of
17 Defense may carry out a program under this section to pre-
18 vent and remedy fraud and abuse in the health care pro-
19 grams of the Department of Defense.

20 “(2) *At the discretion of the Secretary, such program*
21 *may be administered jointly by the Inspector General of*
22 *the Department of Defense and the Director of the Defense*
23 *Health Agency.*

24 “(3) *In carrying out such program, the authorities*
25 *granted to the Secretary of Defense and the Inspector Gen-*

1 *eral of the Department of Defense under section 1128A(m)*
2 *of the Social Security Act (42 U.S.C. 1320a-7a(m)) shall*
3 *be available to the Secretary and the Inspector General.*

4 “(b) *CIVIL MONETARY PENALTIES.—(1) Except as*
5 *provided in paragraph (2), the provisions of section 1128A*
6 *of the Social Security Act (42 U.S.C. 1320a-7a) shall apply*
7 *with respect to any civil monetary penalty imposed in car-*
8 *rying out the program authorized under subsection (a).*

9 “(2) *Consistent with section 1079a of this title,*
10 *amounts recovered in connection with any such civil mone-*
11 *tary penalty imposed—*

12 “(A) *shall be credited to appropriations avail-*
13 *able as of the time of the collection for expenses of the*
14 *health care program of the Department of Defense af-*
15 *ected by the fraud and abuse for which such penalty*
16 *was imposed; and*

17 “(B) *may be used to support the administration*
18 *of the program authorized under subsection (a), in-*
19 *cluding to support any interagency agreements en-*
20 *tered into under subsection (d).*

21 “(c) *INTERAGENCY AGREEMENTS.—The Secretary of*
22 *Defense may enter into agreements with the Secretary of*
23 *Health and Human Services, the Attorney General, or the*
24 *heads of other Federal agencies, for the effective and efficient*

1 *implementation of the program authorized under subsection*
 2 *(a).*

3 “(d) *RULE OF CONSTRUCTION.*—*Joint administration*
 4 *of the program authorized under subsection (a) may not*
 5 *be construed as limiting the authority of the Inspector Gen-*
 6 *eral of the Department of Defense under any other provision*
 7 *of law.*

8 “(e) *FRAUD AND ABUSE DEFINED.*—*In this section,*
 9 *the term ‘fraud and abuse’ means any conduct specified in*
 10 *subsection (a) or (b) of section 1128A of the Social Security*
 11 *Act (42 U.S.C. 1320a–7a).”*

12 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 13 *the beginning of such chapter is amended by inserting after*
 14 *the item relating to section 1073e the following new item:*
 “1073f. *Health care fraud and abuse prevention program.*”

15 **SEC. 714. AUTHORITY OF SECRETARY OF DEFENSE AND**
 16 **SECRETARY OF VETERANS AFFAIRS TO**
 17 **ENTER INTO AGREEMENTS FOR PLANNING,**
 18 **DESIGN, AND CONSTRUCTION OF FACILITIES**
 19 **TO BE OPERATED AS SHARED MEDICAL FA-**
 20 **CILITIES.**

21 (a) *AUTHORITY OF SECRETARY OF DEFENSE.*—

22 (1) *IN GENERAL.*—*Chapter 55 of title 10, United*
 23 *States Code, is amended by inserting after section*
 24 *1104 the following new section:*

1 **“§ 1104a. Shared medical facilities with Department**
2 **of Veterans Affairs**

3 “(a) *AGREEMENTS.*—Secretary of Defense may enter
4 into agreements with the Secretary of Veterans Affairs for
5 the planning, design, and construction of facilities to be op-
6 erated as shared medical facilities.

7 “(b) *TRANSFER OF FUNDS BY SECRETARY OF DE-*
8 *FENSE.*—(1) The Secretary of Defense may transfer to the
9 Secretary of Veterans Affairs amounts as follows:

10 “(A) For the construction of a shared medical fa-
11 cility, amounts not in excess of the amount authorized
12 under subsection (a)(2) of section 2805 of this title,
13 if—

14 “(i) the amount of the share of the Depart-
15 ment of Defense for the estimated cost of the
16 project does not exceed the amount authorized
17 under such subsection; and

18 “(ii) the other requirements of such section
19 have been met with respect to funds identified for
20 transfer.

21 “(B) For the planning, design, and construction
22 of space for a shared medical facility, amounts appro-
23 priated for the Defense Health Program.

24 “(2) The authority to transfer funds under this section
25 is in addition to any other authority to transfer funds
26 available to the Secretary of Defense.

1 “(3) Section 2215 of this title does not apply to a
2 transfer of funds under this subsection.

3 “(c) *TRANSFER OF FUNDS TO SECRETARY OF DE-*
4 *FENSE.—(1) Any amount transferred to the Secretary of*
5 *Defense by the Secretary of Veterans Affairs for necessary*
6 *expenses for the planning, design, and construction of a*
7 *shared medical facility, if the amount of the share of the*
8 *Department of Defense for the cost of such project does not*
9 *exceed the amount specified in section 2805(a)(2) of this*
10 *title, may be credited to accounts of the Department of De-*
11 *fense available for the construction of a shared medical fa-*
12 *cility.*

13 “(2) *Any amount transferred to the Secretary of De-*
14 *fense by the Secretary of Veterans Affairs for the purpose*
15 *of the planning and design of space for a shared medical*
16 *facility may be credited to accounts of the Department of*
17 *Defense available for such purposes, and may be used for*
18 *such purposes.*

19 “(3) *Using accounts credited with transfers from the*
20 *Secretary of Veterans Affairs under paragraph (1), the Sec-*
21 *retary of Defense may carry out unspecified minor military*
22 *construction projects, if the share of the Department of De-*
23 *fense for the cost of such project does not exceed the amount*
24 *specified in section 2805(a)(2) of this title.*

1 “(d) *MERGER OF AMOUNTS TRANSFERRED.*—Any
2 amount transferred to the Secretary of Veterans Affairs
3 under subsection (b) and any amount transferred to the
4 Secretary of Defense under subsection (c) shall be merged
5 with and available for the same purposes and the same pe-
6 riod as the appropriation or fund to which transferred.

7 “(e) *APPROPRIATION IN ADVANCE.*—Amounts may be
8 transferred pursuant to the authority under this section
9 only to the extent and in the amounts provided in advance
10 in appropriations Acts.

11 “(f) *SHARED MEDICAL FACILITY DEFINED.*—In this
12 section, the term ‘shared medical facility’—

13 “(1) means a building or buildings, or a cam-
14 pus, intended to be used by both the Department of
15 Veterans Affairs and the Department of Defense for
16 the provision of health care services, whether under
17 the jurisdiction of the Secretary of Veterans Affairs or
18 the Secretary of Defense, and whether or not located
19 on a military installation or on real property under
20 the jurisdiction of the Secretary of Veterans Affairs;
21 and

22 “(2) includes any necessary building and auxil-
23 iary structure, garage, parking facility, mechanical
24 equipment, abutting and covered sidewalks, and ac-
25 commodations for attending personnel.”.

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 55 of such title is*
 3 *amended by inserting after the item relating to sec-*
 4 *tion 1104 the following new item:*

“1104a. Shared medical facilities with Department of Veterans Affairs.”.

5 (b) *AUTHORITY OF SECRETARY OF VETERANS AF-*
 6 *FAIRS.*—

7 (1) *IN GENERAL.*—*Chapter 81 of title 38, United*
 8 *States Code, is amended by inserting after section*
 9 *8111A the following new section:*

10 **“§8111B. Shared medical facilities with Department**
 11 **of Defense**

12 “(a) *AGREEMENTS.*—*The Secretary of Veterans Affairs*
 13 *may enter into agreements with the Secretary of Defense*
 14 *for the planning, design, and construction of facilities to*
 15 *be operated as shared medical facilities.*

16 “(b) *TRANSFER OF FUNDS BY SECRETARY OF VET-*
 17 *ERANS AFFAIRS.*—(1) *The Secretary of Veterans Affairs*
 18 *may transfer to the Department of Defense amounts appro-*
 19 *priated to the Department of Veterans Affairs for ‘Construc-*
 20 *tion, minor projects’ for use for the planning, design, or*
 21 *construction of a shared medical facility if the estimated*
 22 *share of the project costs of the Department of Veterans Af-*
 23 *fairs does not exceed the amount specified in section*
 24 *8104(a)(3)(A) of this title.*

1 “(2) *The Secretary of Veterans Affairs may transfer*
2 *to the Department of Defense amounts appropriated to the*
3 *Department of Veterans Affairs for ‘Construction, major*
4 *projects’ for use for the planning, design, or construction*
5 *of a shared medical facility if—*

6 “(A) *the estimated share of the project costs of*
7 *the Department of Veterans Affairs exceeds the*
8 *amount specified in section 8104(a)(3)(A) of this title;*
9 *and*

10 “(B) *the other requirements of section 8104 of*
11 *this title have been met with respect to amounts iden-*
12 *tified for transfer.*

13 “(c) *TRANSFER OF FUNDS TO SECRETARY OF VET-*
14 *ERANS AFFAIRS.—(1) Any amount transferred to the Sec-*
15 *retary of Veterans Affairs by the Secretary of Defense for*
16 *necessary expenses for the planning, design, or construction*
17 *of a shared medical facility, if the estimated share of the*
18 *project costs of the Department of Veterans Affairs does not*
19 *exceed the amount specified in section 8104(a)(3)(A) of this*
20 *title, may be credited to the ‘Construction, minor projects’*
21 *account of the Department of Veterans Affairs and used for*
22 *the necessary expenses of constructing such shared medical*
23 *facility.*

24 “(2) *Any amount transferred to the Secretary of Vet-*
25 *erans Affairs by the Secretary of Defense for necessary ex-*

1 *penses for the planning, design, or construction of a shared*
2 *medical facility, if the estimated share of the project costs*
3 *of the Department of Veterans Affairs exceeds the amount*
4 *specified in section 8104(a)(3)(A) of this title, may be cred-*
5 *ited to the ‘Construction, major projects’ account of the De-*
6 *partment of Veterans Affairs and used for the necessary ex-*
7 *penses of constructing such shared medical facility if the*
8 *other requirements of section 8104 of this title have been*
9 *met with respect to amounts identified for transfer.*

10 “(d) *MERGER OF AMOUNTS TRANSFERRED.—Any*
11 *amount transferred to the Secretary of Defense under sub-*
12 *section (b) and any amount transferred to the Secretary*
13 *of Veterans Affairs under subsection (c) shall be merged*
14 *with and available for the same purposes and the same pe-*
15 *riod as the appropriation or fund to which transferred.*

16 “(e) *APPROPRIATION IN ADVANCE.—Amounts may be*
17 *transferred pursuant to the authority under this section*
18 *only to the extent and in the amounts provided in advance*
19 *in appropriations Acts.*

20 “(f) *SHARED MEDICAL FACILITY DEFINED.—In this*
21 *section, the term ‘shared medical facility’—*

22 “(1) *means a building or buildings, or a cam-*
23 *pus, intended to be used by both the Department of*
24 *Veterans Affairs and the Department of Defense for*
25 *the provision of health care services, whether under*

1 *the jurisdiction of the Secretary of Veterans Affairs or*
 2 *the Secretary of Defense, and whether or not located*
 3 *on a military installation or on real property under*
 4 *the jurisdiction of the Secretary of Veterans Affairs;*
 5 *and*

6 “(2) includes any necessary building and auxil-
 7 *iary structure, garage, parking facility, mechanical*
 8 *equipment, abutting and covered sidewalks, and ac-*
 9 *commodations for attending personnel.”.*

10 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 11 *tions at the beginning of subchapter I of chapter 81*
 12 *of such title is amended by inserting after the item*
 13 *relating to section 8111A the following new item:*

 “8111B. *Shared medical facilities with Department of Defense.*”.

14 **SEC. 715. EXTENSION OF AUTHORITY FOR JOINT DEPART-**
 15 **MENT OF DEFENSE-DEPARTMENT OF VET-**
 16 **ERANS AFFAIRS MEDICAL FACILITY DEM-**
 17 **ONSTRATION FUND.**

18 *Section 1704(e) of the National Defense Authorization*
 19 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
 20 *2567), as most recently amended by section 743 of the Wil-*
 21 *liam M. (Mac) Thornberry National Defense Authorization*
 22 *Act for Fiscal Year 2021 (Public Law 116–283), is amended*
 23 *by striking “September 30, 2022” and inserting “September*
 24 *30, 2023”.*

1 **SEC. 716. ESTABLISHMENT OF DEPARTMENT OF DEFENSE**
2 **SYSTEM TO TRACK AND RECORD INFORMA-**
3 **TION ON VACCINE ADMINISTRATION.**

4 (a) *ESTABLISHMENT OF SYSTEM.*—Section 1110 of
5 title 10, United States Code, is amended—

6 (1) *by redesignating subsections (a) and (b) as*
7 *subsections (b) and (c), respectively; and*

8 (2) *by inserting after the heading the following*
9 *new subsection:*

10 “(a) *OVERALL SYSTEM TO TRACK AND RECORD VAC-*
11 *CINE INFORMATION.*—(1) *The Secretary of Defense, in con-*
12 *sultation with the Director of the Defense Health Agency*
13 *and in coordination with the Secretaries of the military de-*
14 *partments, shall establish a system to track and record the*
15 *following information:*

16 “(A) *Each vaccine administered by a health care*
17 *provider of the Department of Defense to a member*
18 *of an armed force under the jurisdiction of the Sec-*
19 *retary of a military department.*

20 “(B) *Any adverse reaction of the member related*
21 *to such vaccine.*

22 “(C) *Each refusal by such a member of any vac-*
23 *cine that is being so administered, including vaccines*
24 *licensed by the Food and Drug Administration under*
25 *section 351 of the Public Health Service Act (42*

1 *U.S.C. 262) and vaccines otherwise approved or au-*
2 *thorized.*

3 “(D) *Each refusal by such a member of a vaccine*
4 *on the basis that the vaccine is being administered by*
5 *a health care provider of the Department pursuant to*
6 *an emergency use authorization granted by the Com-*
7 *missioner of Food and Drugs under section 564 of the*
8 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
9 *360bbb-3).*

10 “(E) *Each refusal by such a member of an inves-*
11 *tigational new drug or a drug unapproved for its ap-*
12 *plied use that is being administered pursuant to a re-*
13 *quest or requirement of the Secretary of Defense and*
14 *with respect to which the President has granted a*
15 *waiver of the prior consent requirement pursuant to*
16 *section 1107(f)(1) of this title.*

17 “(2) *In carrying out paragraph (1), the Secretary of*
18 *Defense shall ensure that—*

19 “(A) *any electronic health record maintained by*
20 *the Secretary for a member of an armed force under*
21 *the jurisdiction of the Secretary of a military depart-*
22 *ment is updated with the information specified in*
23 *such paragraph with respect to the member;*

24 “(B) *any collection, storage, or use of such infor-*
25 *mation is conducted through means involving such*

1 *cyber protections as the Secretary determines nec-*
2 *essary to safeguard the personal information of the*
3 *member; and*

4 *“(C) the system established under such para-*
5 *graph is interoperable and compatible with the elec-*
6 *tronic health record system known as ‘MHS GEN-*
7 *ESIS’, or such successor system.”.*

8 *(b) CONFORMING AMENDMENTS.—Such section is fur-*
9 *ther amended—*

10 *(1) in the heading, by striking “**Anthrax vac-***
11 ***cine immunization program; procedures***
12 ***for exemptions and monitoring reactions”***
13 *and inserting “**System for tracking and re-***
14 ***cording vaccine information; anthrax vac-***
15 ***cine immunization program”**;*

16 *(2) in subsection (b), as redesignated by sub-*
17 *section (a)(1)—*

18 *(A) in the heading, by inserting “FROM AN-*
19 *THRAX VACCINE IMMUNIZATION PROGRAM” after*
20 *“EXEMPTIONS” ; and*

21 *(B) by striking “Secretary of Defense” and*
22 *inserting “Secretary”; and*

23 *(3) in the heading of subsection (c), as redesi-*
24 *gnated by subsection (a)(1), by inserting “TO ANTHRAX*
25 *VACCINE” after “REACTIONS”.*

1 (c) *CLERICAL AMENDMENT.*—*The table of sections for*
2 *chapter 55 of title 10, United States Code, is amended by*
3 *striking the item relating to section 1110 and inserting the*
4 *following new item:*

“1110. System for tracking and recording vaccine information; anthrax vaccine immunization program.”.

5 (d) *DEADLINE FOR ESTABLISHMENT OF SYSTEM.*—
6 *The Secretary of Defense shall establish the system under*
7 *section 1110 of title 10, United States Code, as added by*
8 *subsection (a), by not later than January 1, 2023.*

9 (e) *REPORT.*—*Not later than 180 days after the date*
10 *of the enactment of this Act, the Secretary of Defense shall*
11 *submit to the Committees on Armed Services of the House*
12 *of Representatives and the Senate a report on the adminis-*
13 *tration of vaccines to members of the Armed Forces under*
14 *the jurisdiction of the Secretary of a military department*
15 *and on the status of establishing the system under section*
16 *1110(a) of title 10, United States Code (as added by sub-*
17 *section (a)). Such report shall include information on the*
18 *following:*

19 (1) *The process by which such members receive*
20 *vaccines, and the process by which the Secretary*
21 *tracks, records, and reports on, vaccines received by*
22 *such members (including with respect to any transfers*
23 *by a non-Department provider to the Department of*
24 *vaccination records or other medical information of*

1 *the member related to the administration of vaccines*
2 *by the non-Department provider).*

3 (2) *The storage of information related to the ad-*
4 *ministration of vaccines in the electronic health*
5 *records of such members, and the cyber protections in-*
6 *volved in such storage, as required under such section*
7 *1110(a)(2) of title 10, United States Code.*

8 (3) *The general process by which medical infor-*
9 *mation of beneficiaries under the TRICARE program*
10 *is collected, tracked, and recorded, including the proc-*
11 *ess by which medical information from providers con-*
12 *tracted by the Department or from a State or local*
13 *department of health is transferred to the Department*
14 *and associated with records maintained by the Sec-*
15 *retary.*

16 (4) *Any gaps or challenges relating to the vac-*
17 *cine administration process of the Department and*
18 *any legislative or budgetary recommendations to ad-*
19 *dress such gaps or challenges.*

20 (f) *DEFINITIONS.—In this section:*

21 (1) *The term “military departments” has the*
22 *meaning given such term in section 101 of title 10,*
23 *United States Code.*

24 (2) *The term “TRICARE program” has the*
25 *meaning given such term in section 1072 of such title.*

1 **SEC. 717. EXEMPTION FROM REQUIRED PHYSICAL EXAM-**
2 **INATION AND MENTAL HEALTH ASSESSMENT**
3 **FOR CERTAIN MEMBERS OF THE RESERVE**
4 **COMPONENTS.**

5 *Section 1145(a)(5) of title 10, United States Code is*
6 *amended—*

7 *(1) in subparagraph (A), by striking “The Sec-*
8 *retary” and inserting “Except as provided in sub-*
9 *paragraph (D), the Secretary”; and*

10 *(2) by adding at the end the following new sub-*
11 *paragraph:*

12 *“(D) The requirement for a physical examination and*
13 *mental health assessment under subparagraph (A) shall not*
14 *apply with respect to a member of a reserve component de-*
15 *scribed in paragraph (2)(B) unless the member is retiring,*
16 *or being discharged or dismissed, from the armed forces.”.*

17 **SEC. 718. AUTHORIZATION OF PROVISION OF INSTRUCTION**
18 **AT UNIFORMED SERVICES UNIVERSITY OF**
19 **THE HEALTH SCIENCES TO CERTAIN FED-**
20 **ERAL EMPLOYEES.**

21 *Section 2114(h) of title 10, United States Code, is*
22 *amended—*

23 *(1) by striking “The Secretary of Defense” and*
24 *inserting “(1) The Secretary of Defense, in coordina-*
25 *tion with the Secretary of Health and Human Serv-*
26 *ices and the Secretary of Veterans Affairs,”; and*

1 (2) *by adding at the end the following new para-*
2 *graph:*

3 “(2)(A) *A covered employee whose employment or serv-*
4 *ice with the Department of Veterans Affairs, Public Health*
5 *Service, or Coast Guard (as applicable) is in a position*
6 *relevant to national security or health sciences may receive*
7 *instruction at the University within the scope of such em-*
8 *ployment or service.*

9 “(B) *If a covered employee receives instruction at the*
10 *University pursuant to subparagraph (A), the head of the*
11 *Federal agency concerned shall reimburse the University for*
12 *the cost of providing such instruction to the covered em-*
13 *ployee. Amounts received by the University under this sub-*
14 *paragraph shall be retained by the University to defray the*
15 *costs of such instruction.*

16 “(C) *Notwithstanding subsections (b) through (e) and*
17 *subsection (i), the head of the Federal agency concerned*
18 *shall determine the service obligations of the covered em-*
19 *ployee receiving instruction at the University pursuant to*
20 *subparagraph (A) in accordance with applicable law.*

21 “(D) *In this paragraph—*

22 “(i) *the term ‘covered employee’ means an em-*
23 *ployee of the Department of Veterans Affairs, a civil-*
24 *ian employee of the Public Health Service, a member*
25 *of the commissioned corps of the Public Health Serv-*

1 *ice, a member of the Coast Guard, or a civilian em-*
2 *ployee of the Coast Guard; and*

3 *“(ii) the term ‘head of the Federal agency con-*
4 *cerned’ means the head of the Federal agency that em-*
5 *ployes, or has jurisdiction over the uniformed service*
6 *of, a covered employee permitted to receive instruction*
7 *at the University under subparagraph (A) in the rel-*
8 *evant position described in such subparagraph.”.*

9 **SEC. 719. REMOVAL OF REQUIREMENT FOR ONE YEAR OF**
10 **PARTICIPATION IN CERTAIN MEDICAL AND**
11 **LIFESTYLE INCENTIVE PROGRAMS OF THE**
12 **DEPARTMENT OF DEFENSE TO RECEIVE BEN-**
13 **EFITS UNDER SUCH PROGRAMS.**

14 *Section 729 of the National Defense Authorization Act*
15 *for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1073*
16 *note) is amended—*

17 *(1) in subsection (a)(1), by striking “in the pre-*
18 *vious year”;*

19 *(2) in subsection (b), by striking “in the pre-*
20 *vious year”; and*

21 *(3) in subsection (c), by striking “in the previous*
22 *year”.*

1 **SEC. 720. DEPARTMENT OF DEFENSE STANDARDS FOR EX-**
 2 **EMPTIONS FROM MANDATORY COVID-19 VAC-**
 3 **CINES.**

4 (a) *STANDARDS.*—*The Secretary of Defense shall estab-*
 5 *lish uniform standards under which covered members may*
 6 *be exempted from receiving an otherwise mandated*
 7 *COVID-19 vaccine for administrative, medical, or religious*
 8 *reasons.*

9 (b) *DEFINITIONS.*—*In this section:*

10 (1) *The term “covered member” means a member*
 11 *of an Armed Force under the jurisdiction of the Sec-*
 12 *retary of a military department.*

13 (2) *The term “COVID-19 vaccine” means any*
 14 *vaccine for the coronavirus disease 2019 (COVID-19),*
 15 *including any subsequent booster shot for COVID-19.*

16 **SEC. 721. ESTABLISHMENT OF CENTERS OF EXCELLENCE**
 17 **FOR ENHANCED TREATMENT OF OCULAR IN-**
 18 **JURIES.**

19 (a) *IN GENERAL.*—*Not later than October 1, 2023, the*
 20 *Secretary of Defense, acting through the Director of the De-*
 21 *fense Health Agency, shall establish within the Defense*
 22 *Health Agency not fewer than four regional centers of excel-*
 23 *lence for the enhanced treatment of—*

24 (1) *ocular wounds or injuries; and*

25 (2) *vision dysfunction related to traumatic brain*
 26 *injury.*

1 **(b) LOCATION OF CENTERS.**—*Each center of excellence*
2 *established under subsection (a) shall be located at a mili-*
3 *tary medical center that provides graduate medical edu-*
4 *cation in ophthalmology and related subspecialties and*
5 *shall be the primary center for providing specialized med-*
6 *ical services for vision for members of the Armed Forces*
7 *in the region in which the center of excellence is located.*

8 **(c) POLICIES FOR REFERRAL OF BENEFICIARIES.**—
9 *Not later than October 1, 2023, the Director of the Defense*
10 *Health Agency shall publish on a publicly available inter-*
11 *net website of the Department of Defense policies for the*
12 *referral of eligible beneficiaries of the Department to centers*
13 *of excellence established under subsection (a) for evaluation*
14 *and treatment.*

15 **(d) IDENTIFICATION OF MEDICAL PERSONNEL BIL-**
16 **LETS AND STAFFING.**—*The Secretary of each military de-*
17 *partment, in conjunction with the Joint Staff Surgeon and*
18 *the Director of the Defense Health Agency, shall identify*
19 *specific medical personnel billets essential for the evaluation*
20 *and treatment of ocular sensory injuries and ensure that*
21 *centers of excellence established under subsection (a) are*
22 *staffed with such personnel at the level required for the en-*
23 *during medical support of each such center.*

24 **(e) BRIEFING.**—*Not later than December 31, 2023, the*
25 *Secretary of Defense shall provide to the Committees on*

1 *Armed Services of the Senate and the House of Representa-*
2 *tives a briefing that—*

3 (1) *describes the establishment of each center of*
4 *excellence established under subsection (a), to include*
5 *the location, capability, and capacity of each such*
6 *center;*

7 (2) *describes the referral policy published by the*
8 *Defense Health Agency under subsection (c);*

9 (3) *identifies the medical personnel billets identi-*
10 *fied under subsection (d); and*

11 (4) *provides a plan for the staffing of personnel*
12 *at such centers to ensure the enduring medical sup-*
13 *port of each such center.*

14 (f) *MILITARY MEDICAL CENTER DEFINED.—In this*
15 *section, the term “military medical center” means a med-*
16 *ical center described in section 1073d(b) of title 10, United*
17 *States Code.*

18 **SEC. 722. IMPLEMENTATION OF INTEGRATED PRODUCT**
19 **FOR MANAGEMENT OF POPULATION HEALTH**
20 **ACROSS MILITARY HEALTH SYSTEM.**

21 (a) *INTEGRATED PRODUCT.—The Secretary of Defense*
22 *shall develop and implement an integrated product for the*
23 *management of population health across the military health*
24 *system. Such integrated product shall serve as a repository*
25 *for the health care, demographic, and other relevant data*

1 *of all covered beneficiaries, including with respect to data*
2 *on health care services furnished to such beneficiaries*
3 *through the purchased care and direct care components of*
4 *the TRICARE program, and shall—*

5 *(1) be compatible with the electronic health*
6 *record system maintained by the Secretary for mem-*
7 *bers of the Armed Forces;*

8 *(2) enable the collection and stratification of*
9 *data from multiple sources to measure population*
10 *health goals, facilitate disease management programs*
11 *of the Department, improve patient education, and*
12 *integrate wellness services across the military health*
13 *system; and*

14 *(3) enable predictive modeling to improve health*
15 *outcomes for patients and to facilitate the identifica-*
16 *tion and correction of medical errors in the treatment*
17 *of patients, issues regarding the quality of health care*
18 *services provided, and gaps in health care coverage.*

19 *(b) CONSIDERATIONS IN DEVELOPMENT.—In devel-*
20 *oping the integrated product under subsection (a), the Sec-*
21 *retary shall harmonize such development with any policies*
22 *of the Department relating to a digital health strategy (in-*
23 *cluding the digital health strategy under section 723), co-*
24 *ordinate with improvements to the electronic health record*
25 *system specified in subsection (a)(1) to ensure the compat-*

1 *ibility required under such subsection, and consider meth-*
2 *ods to improve beneficiary interface.*

3 *(c) DEFINITIONS.—In this section:*

4 *(1) The terms “covered beneficiary” and*
5 *“TRICARE program” have the meanings given such*
6 *terms in section 1072 of title 10, United States Code.*

7 *(2) The term “integrated product” means an*
8 *electronic system of systems (or solutions or products)*
9 *that provides for the integration and sharing of data*
10 *to meet the needs of an end user in a timely and cost-*
11 *effective manner.*

12 **SEC. 723. DIGITAL HEALTH STRATEGY OF DEPARTMENT OF**
13 **DEFENSE.**

14 *(a) DIGITAL HEALTH STRATEGY.—*

15 *(1) STRATEGY.—Not later than April 1, 2022,*
16 *the Secretary of Defense shall develop a digital health*
17 *strategy of the Department of Defense to incorporate*
18 *new and emerging technologies and methods (includ-*
19 *ing three-dimensional printing, virtual reality, wear-*
20 *able devices, big data and predictive analytics, dis-*
21 *tributed ledger technologies, and other innovative*
22 *methods that leverage new or emerging technologies)*
23 *in the provision of clinical care within the military*
24 *health system.*

1 (2) *ELEMENTS.*—*The strategy under paragraph*
2 *(1) shall address, with respect to future use within the*
3 *military health system, the following:*

4 (A) *Emerging technology to improve the de-*
5 *livery of clinical care and health services.*

6 (B) *Emerging technology to improve the pa-*
7 *tient experience in matters relating to medical*
8 *case management, appointing, and referrals in*
9 *both the direct care and purchased care compo-*
10 *nents of the TRICARE program, as such term is*
11 *defined in section 1072 of title 10, United States*
12 *Code.*

13 (C) *Design thinking to improve the delivery*
14 *of clinical care and health services.*

15 (D) *Advanced clinical decision support sys-*
16 *tems.*

17 (E) *Simulation technologies for clinical*
18 *training (including through simulation*
19 *immersive training) and clinical education, and*
20 *for the training of health care personnel in the*
21 *adoption of emerging technologies for clinical*
22 *care delivery.*

23 (F) *Wearable devices.*

24 (G) *Three-dimensional printing and related*
25 *technologies.*

1 (H) *Data-driven decision making, including*
2 *through the use of big data and predictive ana-*
3 *lytics, in the delivery of clinical care and health*
4 *services.*

5 (b) *BRIEFING.*—*Not later than July 1, 2022, the Sec-*
6 *retary shall provide to the Committees on Armed Services*
7 *of the House of Representatives and the Senate a briefing*
8 *setting forth—*

9 (1) *the strategy under subsection (a); and*

10 (2) *a plan to implement such strategy, including*
11 *the estimated timeline and cost for such implementa-*
12 *tion.*

13 **SEC. 724. DEVELOPMENT AND UPDATE OF CERTAIN POLI-**
14 **CIES RELATING TO MILITARY HEALTH SYS-**
15 **TEM AND INTEGRATED MEDICAL OPER-**
16 **ATIONS.**

17 (a) *IN GENERAL.*—*By not later than October 1, 2022,*
18 *the Secretary of Defense, in coordination with the Secre-*
19 *taries of the military departments and the Chairman of the*
20 *Joint Chiefs of Staff, shall develop and update certain poli-*
21 *cies relating to the military health system and integrated*
22 *medical operations of the Department of Defense as follows:*

23 (1) *UPDATED PLAN ON INTEGRATED MEDICAL*
24 *OPERATIONS IN CONTINENTAL UNITED STATES.*—*The*
25 *Secretary of Defense shall develop an updated plan on*

1 *integrated medical operations in the continental*
2 *United States and update the Department of Defense*
3 *Instruction 6010.22, titled “National Disaster Med-*
4 *ical System (NDMS)” (or such successor instruction)*
5 *accordingly. Such updated plan shall—*

6 *(A) be informed by the operational plans of*
7 *the combatant commands and by the joint med-*
8 *ical estimate under section 732 of the John S.*
9 *McCain National Defense Authorization Act for*
10 *Fiscal Year 2019 (Public Law 115–232; 132*
11 *Stat. 1817);*

12 *(B) include an updated bed plan, to include*
13 *bed space available through the military health*
14 *system and through hospitals participating in*
15 *the National Disaster Medical System established*
16 *pursuant to section 2812 of the Public Health*
17 *Service Act (42 U.S.C. 300hh–11);*

18 *(C) include a determination as to whether*
19 *combat casualties should receive medical care*
20 *under the direct care or purchased care compo-*
21 *nent of the military health system and a risk*
22 *analysis in support of such determination;*

23 *(D) identify the manning levels required to*
24 *furnish medical care under the updated plan, in-*
25 *cluding with respect to the levels of military per-*

1 *sonnel, civilian employees of the Department,*
2 *and contractors of the Department; and*

3 *(E) include a cost estimate for the*
4 *furnishment of such medical care.*

5 *(2) UPDATED PLAN ON GLOBAL PATIENT MOVE-*
6 *MENT.—The Secretary of Defense shall develop an up-*
7 *dated plan on global patient movement and update*
8 *the Department of Defense Instruction 5154.06, relat-*
9 *ing to medical military treatment facilities and pa-*
10 *tient movement (or such successor instruction) accord-*
11 *ingly. Such updated plan shall—*

12 *(A) be informed by the operational plans of*
13 *the combatant commands and by the joint med-*
14 *ical estimate under section 732 of the John S.*
15 *McCain National Defense Authorization Act for*
16 *Fiscal Year 2019 (Public Law 115–232; 132*
17 *Stat. 1817);*

18 *(B) include a risk assessment with respect*
19 *to patient movement compared against overall*
20 *operational plans;*

21 *(C) include a description of any capabili-*
22 *ties-based assessment of the Department that in-*
23 *formed the updated plan or that was in progress*
24 *during the time period in which the updated*
25 *plan was developed;*

1 (D) identify the manning levels, equipment
2 and consumables, and funding levels, required to
3 carry out the updated plan; and

4 (E) address airlift capability, medical evac-
5 uation capability, and access to ports of embar-
6 kation.

7 (3) *ASSESSMENT OF BIOSURVEILLANCE AND*
8 *MEDICAL RESEARCH CAPABILITIES.—The Secretary of*
9 *Defense shall conduct an assessment of the biosurveil-*
10 *lance and medical research capabilities of the Depart-*
11 *ment of Defense. Such assessment shall include the fol-*
12 *lowing:*

13 (A) *An identification of the location and*
14 *strategic value of the overseas medical labora-*
15 *tories and overseas medical research programs of*
16 *the Department.*

17 (B) *An assessment of the current capabili-*
18 *ties of such laboratories and programs with re-*
19 *spect to force health protection and evidence-*
20 *based medical research.*

21 (C) *A determination as to whether such lab-*
22 *oratories and programs have the capabilities, in-*
23 *cluding as a result of the geographic location of*
24 *such laboratories and programs, to provide force*
25 *health protection and evidence-based medical re-*

1 search, including by actively monitoring for fu-
2 ture pandemics, infectious diseases, and other
3 potential health threats to members of the Armed
4 Forces.

5 (D) The current biosurveillance and medical
6 research capabilities of the Department.

7 (E) The current manning levels of the bio-
8 surveillance and medical research entities of the
9 Department, including an assessment of whether
10 such entities are manned at a level necessary to
11 support the missions of the combatant commands
12 (including with respect to missions related to
13 pandemic influenza or homeland defense).

14 (F) The current funding levels of such enti-
15 ties, including a risk assessment as to whether
16 such funding is sufficient to sustain the manning
17 levels necessary to support missions as specified
18 in subparagraph (E).

19 (b) *INTERIM BRIEFING.*—Not later than April 1, 2022,
20 the Secretary of Defense, in coordination with the Secre-
21 taries of the military departments and the Chairman of the
22 Joint Chiefs of Staff, shall provide to the Committees on
23 Armed Services of the House of Representatives and the
24 Senate an interim briefing on the progress of implementa-

1 *tion of the plans and assessment required under subsection*
2 *(a).*

3 *(c) REPORT.—Not later than December 1, 2022, the*
4 *Secretary of Defense shall submit to the Committees on*
5 *Armed Services of the House of Representatives and the*
6 *Senate a report describing each updated plan and assess-*
7 *ment required under subsection (a).*

8 **SEC. 725. MANDATORY TRAINING ON HEALTH EFFECTS OF**
9 **BURN PITS.**

10 *The Secretary of Defense shall provide to each medical*
11 *provider of the Department of Defense mandatory training*
12 *with respect to the potential health effects of burn pits.*

13 **SEC. 726. STANDARDIZATION OF DEFINITIONS USED BY**
14 **THE DEPARTMENT OF DEFENSE FOR TERMS**
15 **RELATED TO SUICIDE.**

16 *(a) STANDARDIZATION OF DEFINITIONS.—Not later*
17 *than 120 days after the date of the enactment of this Act,*
18 *the Secretary of Defense, in coordination with the Secre-*
19 *taries of the military departments, shall develop standard-*
20 *ized definitions for the following terms:*

21 *(1) “Suicide”.*

22 *(2) “Suicide attempt”.*

23 *(3) “Suicidal ideation”.*

24 *(b) REQUIRED USE OF STANDARDIZED DEFINI-*
25 *TIONS.—Not later than 180 days after the date of the enact-*

1 *ment of this Act, the Secretary shall issue policy guidance*
2 *requiring the exclusive and uniform use across the Depart-*
3 *ment of Defense and within each military department of*
4 *the standardized definitions developed under subsection (a)*
5 *for the terms specified in such subsection.*

6 *(c) BRIEFING.—Not later than 180 days after the date*
7 *of the enactment of this Act, the Secretary shall provide to*
8 *the Committees on Armed Services of the House of Rep-*
9 *resentatives and the Senate a briefing that sets forth the*
10 *standardized definitions developed under subsection (a) and*
11 *includes—*

12 *(1) a description of the process that was used to*
13 *develop such definitions;*

14 *(2) a description of the methods by which data*
15 *shall be collected on suicide, suicide attempts, and su-*
16 *icidal ideations (as those terms are defined pursuant*
17 *to such definitions) in a standardized format across*
18 *the Department and within each military depart-*
19 *ment; and*

20 *(3) an implementation plan to ensure the use of*
21 *such definitions as required pursuant to subsection*
22 *(b).*

1 ***Subtitle C—Reports and Other***
2 ***Matters***

3 ***SEC. 731. MODIFICATIONS AND REPORTS RELATED TO MILI-***
4 ***TARY MEDICAL MANNING AND MEDICAL BIL-***
5 ***LETS.***

6 *(a) MILITARY MEDICAL MANNING AND MEDICAL BIL-*
7 *LETS.—*

8 *(1) MODIFICATIONS TO LIMITATION ON REDUC-*
9 *TION OR REALIGNMENT.—Section 719 of the National*
10 *Defense Authorization Act for Fiscal Year 2020 (Pub-*
11 *lic Law 116–92; 133 Stat. 1454), as amended by sec-*
12 *tion 717 of the William M. (Mac) Thornberry Na-*
13 *tional Defense Authorization Act for Fiscal Year 2021*
14 *(Public Law 116–283), is further amended—*

15 *(A) in subsection (a), by striking “180 days*
16 *following the date of the enactment of the Wil-*
17 *liam M. (Mac) Thornberry National Defense Au-*
18 *thorization Act for Fiscal Year 2021” and insert-*
19 *ing “the year following the date of the enactment*
20 *of the National Defense Authorization Act for*
21 *Fiscal Year 2022”; and*

22 *(B) in subsection (b)(1), by inserting “, in-*
23 *cluding any billet validation requirements deter-*
24 *mined pursuant to estimates provided in the*
25 *joint medical estimate under section 732 of the*

1 *John S. McCain National Defense Authorization*
2 *Act for Fiscal Year 2019 (Public Law 115–*
3 *232),” after “requirements of the military de-*
4 *partment of the Secretary”.*

5 (2) *GAO REPORT ON REDUCTION OR REALIGN-*
6 *MENT OF MILITARY MEDICAL MANNING AND MEDICAL*
7 *BILLETS.—*

8 (A) *REPORT.—Not later than one year after*
9 *the date of the enactment of this Act, the Comp-*
10 *troller General of the United States shall submit*
11 *to the Committees on Armed Services of the*
12 *House of Representatives and the Senate a report*
13 *on the analyses used to support any reduction or*
14 *realignment of military medical manning, in-*
15 *cluding any reduction or realignment of medical*
16 *billets of the military departments.*

17 (B) *ELEMENTS.—The report under sub-*
18 *paragraph (A) shall include the following:*

19 (i) *An analysis of the use of the joint*
20 *medical estimate under section 732 of the*
21 *John S. McCain National Defense Author-*
22 *ization Act for Fiscal Year 2019 (Public*
23 *Law 115–232; 132 Stat. 1817) and wartime*
24 *scenarios to determine military medical*
25 *manpower requirements, including with re-*

1 *spect to pandemic influenza and homeland*
2 *defense missions.*

3 *(ii) An assessment of whether the Sec-*
4 *retaries of the military departments have*
5 *used the processes under section 719(b) of*
6 *the National Defense Authorization Act for*
7 *Fiscal Year 2020 (Public Law 116–92; 133*
8 *Stat. 1454) to ensure that a sufficient com-*
9 *bination of skills, specialties, and occupa-*
10 *tions are validated and filled prior to the*
11 *transfer of any medical billets of a military*
12 *department to fill other military medical*
13 *manpower needs.*

14 *(iii) An assessment of the effect of the*
15 *reduction or realignment of such billets on*
16 *local health care networks and whether the*
17 *Director of the Defense Health Agency has*
18 *conducted such an assessment in coordina-*
19 *tion with the Secretaries of the military de-*
20 *partments.*

21 **(b) ASSIGNMENT OF MEDICAL AND DENTAL PER-**
22 **SONNEL OF THE MILITARY DEPARTMENTS TO MILITARY**
23 **MEDICAL TREATMENT FACILITIES.—**

24 **(1) DEADLINE FOR ASSIGNMENT.—***The Secre-*
25 *taries of the military departments shall ensure that*

1 *the Surgeons General of the Armed Forces carry out*
2 *fully the requirements of section 712(b)(3) of the John*
3 *S. McCain National Defense Authorization Act for*
4 *Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.*
5 *1073c note) by not later than September 30, 2022.*

6 (2) *ADDITIONAL REQUIREMENT FOR WALTER*
7 *REED NATIONAL MILITARY MEDICAL CENTER.—*

8 (A) *ASSIGNMENT OF MILITARY PER-*
9 *SONNEL.—For fiscal years 2023 through 2027,*
10 *except as provided in subparagraph (B), the Sec-*
11 *retary of Defense shall ensure that the Secre-*
12 *taries of the military departments assign to the*
13 *Walter Reed National Military Medical Center*
14 *sufficient military personnel to meet not less*
15 *than 85 percent of the joint table of distribution*
16 *in effect for such facility on December 23, 2016.*

17 (B) *EXCEPTION.—Subparagraph (A) shall*
18 *not apply to any fiscal year for which the Sec-*
19 *retary of Defense certifies at the beginning of*
20 *such fiscal year to the Committees on Armed*
21 *Services of the Senate and the House of Rep-*
22 *resentatives that notwithstanding the failure to*
23 *meet the requirement under such paragraph, the*
24 *Walter Reed National Military Medical Center is*
25 *fully capable of carrying out all significant ac-*

1 *tivities as the premier medical center of the mili-*
2 *tary health system.*

3 (3) *REPORTS.*—

4 (A) *IN GENERAL.*—*Not later than Sep-*
5 *tember 30, 2022, each Secretary of a military de-*
6 *partment shall submit to the Committees on*
7 *Armed Services of the Senate and the House of*
8 *Representatives a report on the compliance of the*
9 *military department concerned with this sub-*
10 *section. Each such report shall include—*

11 (i) *an accounting of the number of*
12 *uniformed personnel and civilian personnel*
13 *assigned to a military medical treatment*
14 *facility as of October 1, 2019; and*

15 (ii) *a comparable accounting as of*
16 *September 30, 2022.*

17 (B) *EXPLANATION.*—*If the number specified*
18 *in clause (ii) of subparagraph (A) is less than*
19 *the number specified in clause (i) of such sub-*
20 *paragraph, the Secretary concerned shall provide*
21 *a full explanation for the reduction.*

1 **SEC. 732. ACCESS BY UNITED STATES GOVERNMENT EM-**
2 **PLOYEES AND THEIR FAMILY MEMBERS TO**
3 **CERTAIN FACILITIES OF DEPARTMENT OF DE-**
4 **FENSE FOR ASSESSMENT AND TREATMENT**
5 **OF ANOMALOUS HEALTH CONDITIONS.**

6 (a) *ASSESSMENT.*—*The Secretary of Defense shall pro-*
7 *vide to employees of the United States Government and*
8 *their family members who the Secretary determines are ex-*
9 *periencing symptoms of certain anomalous health condi-*
10 *tions, as defined by the Secretary for purposes of this sec-*
11 *tion, timely access for medical assessment, subject to space*
12 *availability, to the National Intrepid Center of Excellence,*
13 *an Intrepid Spirit Center, or an appropriate military med-*
14 *ical treatment facility, as determined by the Secretary.*

15 (b) *TREATMENT.*—*With respect to an individual de-*
16 *scribed in subsection (a) diagnosed with an anomalous*
17 *health condition or a related affliction, whether diagnosed*
18 *under an assessment under subsection (a) or otherwise, the*
19 *Secretary of Defense shall furnish to the individual treat-*
20 *ment for the condition or affliction, subject to space avail-*
21 *ability, at the National Intrepid Center of Excellence, an*
22 *Intrepid Spirit Center, or an appropriate military medical*
23 *treatment facility, as determined by the Secretary.*

24 (c) *DEVELOPMENT OF PROCESS.*—*The Secretary of*
25 *Defense, in consultation with the heads of such Federal*
26 *agencies as the Secretary considers appropriate, shall de-*

1 *velop a process to ensure that employees from those agencies*
2 *and their family members are afforded timely access to the*
3 *National Intrepid Center of Excellence, an Intrepid Spirit*
4 *Center, or an appropriate military medical treatment facil-*
5 *ity pursuant to subsection (a) by not later than 60 days*
6 *after the date of the enactment of this Act.*

7 (d) *MODIFICATION OF DEPARTMENT OF DEFENSE*
8 *TRAUMA REGISTRY.*—*The Secretary of Defense shall modify*
9 *the Trauma Registry of the Department of Defense to in-*
10 *clude data on the demographics, condition-producing event,*
11 *diagnosis and treatment, and outcomes of anomalous health*
12 *conditions experienced by employees of the United States*
13 *Government and their family members assessed or treated*
14 *under this section, subject to an agreement by the employing*
15 *agency and the consent of the employee.*

16 **SEC. 733. PILOT PROGRAM ON CARDIAC SCREENING AT**
17 **CERTAIN MILITARY SERVICE ACADEMIES.**

18 (a) *PILOT PROGRAM.*—*The Secretary of Defense shall*
19 *establish a pilot program to furnish mandatory electro-*
20 *cardiograms to individuals who have been admitted to a*
21 *covered military service academy in connection with the*
22 *military accession screening process, at no cost to such can-*
23 *didates.*

24 (b) *SCOPE.*—*The scope of the pilot program under sub-*
25 *section (a) shall include at least 25 percent of the incoming*

1 *class of individuals who have been admitted to a covered*
2 *military service academy during the first fall semester that*
3 *follows the date of the enactment of this Act, and the pilot*
4 *program shall terminate on the date on which the Secretary*
5 *determines the military accession screening process for such*
6 *class has concluded.*

7 (c) *FURNISHING OF ELECTROCARDIOGRAMS.—In car-*
8 *rying out the pilot program under subsection (a), the Sec-*
9 *retary shall furnish each mandatory electrocardiogram*
10 *under the pilot program in a facility of the Department*
11 *of Defense or by medical personnel within the military*
12 *health system.*

13 (d) *BRIEFING.—Not later than 180 days after the date*
14 *on which the pilot program under subsection (a) terminates,*
15 *the Secretary shall provide to the Committees on Armed*
16 *Services of the Senate and the House of Representatives a*
17 *briefing on the pilot program. Such briefing shall include*
18 *the following:*

19 (1) *The results of all electrocardiograms fur-*
20 *nished to individuals under the pilot program,*
21 *disaggregated by military service academy, race, and*
22 *gender.*

23 (2) *The rate of significant cardiac issues detected*
24 *pursuant to electrocardiograms furnished under the*

1 *pilot program, disaggregated by military service*
 2 *academy, race, and gender.*

3 (3) *The cost of carrying out the pilot program.*

4 (4) *The number of individuals, if any, who were*
 5 *disqualified from admission based solely on the result*
 6 *of an electrocardiogram furnished under the pilot pro-*
 7 *gram.*

8 (e) *COVERED MILITARY SERVICE ACADEMY DE-*
 9 *FINED.—In this section, the term “covered military service*
 10 *academy” does not include the United States Coast Guard*
 11 *Academy or the United States Merchant Marine Academy.*

12 **SEC. 734. PILOT PROGRAM ON ASSISTANCE FOR MENTAL**
 13 **HEALTH APPOINTMENT SCHEDULING AT**
 14 **MILITARY MEDICAL TREATMENT FACILITIES.**

15 (a) *PILOT PROGRAM.—Not later than 180 days after*
 16 *the date of the enactment of this Act, the Secretary of De-*
 17 *fense shall commence a pilot program, to be carried out for*
 18 *at least a one-year period, to provide direct assistance for*
 19 *mental health appointment scheduling under the direct care*
 20 *and purchased care components of the TRICARE program,*
 21 *through facilities and clinics selected by the Secretary for*
 22 *participation in the pilot program in a number determined*
 23 *by the Secretary.*

24 (b) *BRIEFINGS.—*

1 (1) *FIRST BRIEFING.*—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall provide to the Committees on Armed
4 Services of the House of Representatives and the Sen-
5 ate a briefing on the nature of the pilot program
6 under subsection (a).

7 (2) *FINAL BRIEFING.*—Not later than 90 days
8 after the date on which the pilot program under sub-
9 section (a) terminates, the Secretary shall provide to
10 the Committees on Armed Services of the House of
11 Representatives and the Senate a briefing on the pilot
12 program. Such briefing shall include an assessment
13 of—

14 (A) the effectiveness of the pilot program
15 with respect to improved access to mental health
16 appointments; and

17 (B) any barriers to scheduling mental
18 health appointments under the pilot program ob-
19 served by health care professionals or other indi-
20 viduals involved in scheduling such appoint-
21 ments.

22 (c) *TRICARE PROGRAM DEFINED.*—In this section,
23 the term “*TRICARE program*” has the meaning given such
24 term in section 1072 of title 10, United States Code.

1 **SEC. 735. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **CERTAIN RESEARCH CONNECTED TO CHINA.**

3 (a) *PROHIBITION.*—None of the funds authorized to be
4 appropriated by this Act or otherwise made available for
5 fiscal year 2022 for the Department of Defense may be obli-
6 gated or expended to fund any work to be performed by
7 EcoHealth Alliance, Inc. in China on research supported
8 by the government of China.

9 (b) *WAIVER.*—The Secretary of Defense may waive the
10 prohibition under subsection (a) if the Secretary—

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

13 (2) not later than 14 days after granting the
14 waiver, submits to the congressional defense commit-
15 tees a detailed justification for the waiver, includ-
16 ing—

17 (A) an identification of the Department of
18 Defense entity obligating or expending the funds;

19 (B) an identification of the amount of such
20 funds;

21 (C) an identification of the intended pur-
22 pose of such funds;

23 (D) an identification of the recipient or
24 prospective recipient of such funds (including
25 any third-party entity recipient, as applicable);

1 (E) an explanation for how the waiver is in
2 the national security interests of the United
3 States; and

4 (F) any other information the Secretary de-
5 termines appropriate.

6 **SEC. 736. LIMITATION ON CERTAIN DISCHARGES SOLELY**
7 **ON THE BASIS OF FAILURE TO OBEY LAWFUL**
8 **ORDER TO RECEIVE COVID-19 VACCINE.**

9 (a) *LIMITATION.*—During the period of time beginning
10 on August 24, 2021, and ending on the date that is two
11 years after the date of the enactment of this Act, any admin-
12 istrative discharge of a covered member, on the sole basis
13 that the covered member failed to obey a lawful order to
14 receive a vaccine for COVID-19, shall be—

15 (1) an honorable discharge; or

16 (2) a general discharge under honorable condi-
17 tions.

18 (b) *DEFINITIONS.*—In this section:

19 (1) The terms “Armed Forces” and “military de-
20 partments” have the meanings given such terms in
21 section 101 of title 10, United States Code.

22 (2) The term “covered member” means a member
23 of an Armed Force under the jurisdiction of the Sec-
24 retary of a military department.

1 **SEC. 737. INDEPENDENT ANALYSIS OF DEPARTMENT OF DE-**
2 **FENSE COMPREHENSIVE AUTISM CARE DEM-**
3 **ONSTRATION PROGRAM.**

4 (a) *AGREEMENT.*—

5 (1) *IN GENERAL.*—*The Secretary of Defense shall*
6 *seek to enter into an agreement with the National*
7 *Academies of Sciences, Engineering, and Medicine (in*
8 *this section referred to as the “National Academies”)*
9 *for the National Academies to carry out the activities*
10 *described in subsections (b) and (c).*

11 (2) *TIMING.*—*The Secretary shall seek to enter*
12 *into the agreement described in paragraph (1) not*
13 *later than 60 days after the date of the enactment of*
14 *this Act.*

15 (b) *ANALYSIS BY THE NATIONAL ACADEMIES.*—

16 (1) *ANALYSIS.*—*Under an agreement between the*
17 *Secretary and the National Academies entered into*
18 *pursuant to subsection (a), the National Academies*
19 *shall conduct an analysis of the effectiveness of the*
20 *Department of Defense Comprehensive Autism Care*
21 *Demonstration program (in this section referred to as*
22 *the “demonstration program”) and develop rec-*
23 *ommendations for the Secretary based on such anal-*
24 *ysis.*

1 (2) *ELEMENTS.*—*The analysis conducted and*
2 *recommendations developed under paragraph (1) shall*
3 *include the following:*

4 (A) *An assessment of all methods used to as-*
5 *sist in the assessment of domains related to au-*
6 *tism spectrum disorder, including a determina-*
7 *tion as to whether the Secretary is applying such*
8 *methods appropriately under the demonstration*
9 *project.*

10 (B) *An assessment of the methods used*
11 *under the demonstration project to measure the*
12 *effectiveness of applied behavior analysis in the*
13 *treatment of autism spectrum disorder.*

14 (C) *A review of any guidelines or industry*
15 *standards of care adhered to in the provision of*
16 *applied behavior analysis services under the*
17 *demonstration program, including a review of*
18 *the effects of such adherence with respect to dose-*
19 *response or health outcomes for an individual*
20 *who has received such services.*

21 (D) *A review of the health outcomes for an*
22 *individual who has received applied behavior*
23 *analysis treatments over time.*

24 (E) *An analysis of the increased utilization*
25 *of the demonstration program by beneficiaries*

1 *under the TRICARE program, to improve un-*
2 *derstanding of such utilization.*

3 *(F) Such other analyses to measure the ef-*
4 *fectiveness of the demonstration program as may*
5 *be determined appropriate by the National Acad-*
6 *emies.*

7 *(G) An analysis on whether the incidence of*
8 *autism is higher among the children of military*
9 *families.*

10 *(H) The development of a list of rec-*
11 *ommendations related to the measurement, effec-*
12 *tiveness, and increased understanding of the*
13 *demonstration program and its effect on bene-*
14 *ficiaries under the TRICARE program.*

15 *(c) REPORT.—Under an agreement entered into be-*
16 *tween the Secretary and the National Academies under sub-*
17 *section (a), the National Academies, not later than nine*
18 *months after the date of the execution of the agreement,*
19 *shall—*

20 *(1) submit to the congressional defense commit-*
21 *tees a report on the findings of the National Acad-*
22 *emies with respect to the analysis conducted and rec-*
23 *ommendations developed under subsection (b); and*

24 *(2) make such report available on a public*
25 *website in unclassified form.*

1 **SEC. 738. INDEPENDENT REVIEW OF SUICIDE PREVENTION**
2 **AND RESPONSE AT MILITARY INSTALLA-**
3 **TIONS.**

4 (a) *ESTABLISHMENT OF COMMITTEE.*—Not later than
5 90 days after the date of the enactment of this Act, the Sec-
6 retary of Defense shall establish an independent suicide pre-
7 vention and response review committee.

8 (b) *MEMBERSHIP.*—The committee established under
9 subsection (a) shall be composed of not fewer than five indi-
10 viduals—

11 (1) *designated by the Secretary;*

12 (2) *with expertise determined to be relevant by*
13 *the Secretary, including at least one individual who*
14 *is an experienced provider of mental health services;*
15 *and*

16 (3) *none of whom may be a member of an Armed*
17 *Force or a civilian employee of the Department of De-*
18 *fense.*

19 (c) *SELECTION OF MILITARY INSTALLATIONS.*—

20 (1) *IN GENERAL.*—The Secretary shall select, for
21 review by the committee established under subsection
22 (a), at least one military installation under the juris-
23 diction of each military department.

24 (2) *INCLUSION OF REMOTE INSTALLATION.*—The
25 Secretary shall ensure that, of the total military in-
26 stallations selected for review under paragraph (1), at

1 *least one such installation is a remote installation of*
2 *the Department of Defense located outside the contig-*
3 *uous United States.*

4 *(d) DUTIES.—The committee established under sub-*
5 *section (a) shall review the suicide prevention and response*
6 *programs and other factors that may contribute to the inci-*
7 *dence or prevention of suicide at the military installations*
8 *selected for review pursuant to subsection (c). Such review*
9 *shall be conducted through means including—*

10 *(1) a confidential survey;*

11 *(2) focus groups; and*

12 *(3) individual interviews.*

13 *(e) COORDINATION.—In carrying out this section, the*
14 *Secretary shall ensure that the Director of the Office of Peo-*
15 *ple Analytics of the Department of Defense and the Director*
16 *of the Office of Force Resiliency of the Department of De-*
17 *fense coordinate and cooperate with the committee estab-*
18 *lished under subsection (a).*

19 *(f) REPORTS.—*

20 *(1) REPORT TO SECRETARY.—Not later than 270*
21 *days after the date of the establishment of the com-*
22 *mittee under subsection (a), the committee shall sub-*
23 *mit to the Secretary a report containing the results*
24 *of the reviews conducted by the committee and rec-*

1 *waii to support the aeromedical mission needs of the United*
2 *States Indo-Pacific Command.*

3 (b) *ELEMENTS.*—*The study under subsection (a) shall*
4 *assess the following:*

5 (1) *The manpower required for the establishment*
6 *of an aeromedical squadron of the Air National*
7 *Guard in Hawaii as specified in subsection (a).*

8 (2) *The overall cost of such establishment.*

9 (3) *The length of time required for such estab-*
10 *lishment.*

11 (4) *The mission requirements for such establish-*
12 *ment.*

13 (5) *Such other matters as may be determined rel-*
14 *evant by the Secretary.*

15 (c) *BRIEFING.*—*Not later than April 1, 2022, the Sec-*
16 *retary shall provide to the Committees on Armed Services*
17 *of the House of Representatives and the Senate a briefing*
18 *on the findings of the feasibility and advisability study*
19 *under subsection (a), including with respect to each element*
20 *specified in subsection (b).*

1 **SEC. 740. STUDY ON INCIDENCE OF BREAST CANCER**
2 **AMONG MEMBERS OF THE ARMED FORCES**
3 **SERVING ON ACTIVE DUTY.**

4 (a) *STUDY.*—*The Secretary of Defense shall conduct a*
5 *study on the incidence of breast cancer among members of*
6 *the Armed Forces serving on active duty.*

7 (b) *ELEMENTS.*—*The study under subsection (a) shall*
8 *include the following:*

9 (1) *A determination of the number of members of*
10 *the Armed Forces who served on active duty at any*
11 *time during the period beginning on January 1,*
12 *2011, and ending on the date of the enactment of this*
13 *Act who were diagnosed with breast cancer during*
14 *such period.*

15 (2) *A determination of demographic information*
16 *regarding such members, including race, ethnicity,*
17 *sex, age, military occupational specialty, and rank.*

18 (3) *A comparison of the rates of members of the*
19 *Armed Forces serving on active duty who have breast*
20 *cancer to civilian populations with comparable demo-*
21 *graphic characteristics.*

22 (4) *An identification of potential factors associ-*
23 *ated with service in the Armed Forces that could in-*
24 *crease the risk of breast cancer for members of the*
25 *Armed Forces serving on active duty.*

1 (5) *To the extent the data are available, an identification of overseas locations associated with airborne hazards, such as burn pits, and members of the Armed Forces diagnosed with breast cancer who served on active duty in such locations.*

6 (6) *An assessment of the effectiveness of outreach by the Department of Defense to members of the Armed Forces to identify risks of, prevent, detect, and treat breast cancer.*

10 (7) *An assessment of the feasibility and advisability of changing the current mammography screening policy of the Department to incorporate all members of the Armed Forces who deployed overseas to an area associated with airborne hazards, such as burn pits.*

16 (8) *An assessment of the feasibility and advisability of conducting digital breast tomosynthesis at facilities of the Department that provide mammography services.*

20 (9) *Such recommendations as the Secretary may have for changes to policy or law that could improve the prevention, early detection, awareness, and treatment of breast cancer among members of the Armed Forces serving on active duty, including any additional resources needed.*

1 (c) *REPORT.*—Not later than one year after the date
2 of the enactment of this Act, the Secretary shall submit to
3 the congressional defense committees a report on the find-
4 ings and recommendations of the study under subsection
5 (a), including a description of any further unique military
6 research needed with respect to breast cancer.

7 **SEC. 741. GAO BIENNIAL STUDY ON INDIVIDUAL LONGITU-**
8 **DINAL EXPOSURE RECORD PROGRAM.**

9 (a) *STUDIES AND REPORTS REQUIRED.*—Not later
10 than December 31, 2023, and once every two years there-
11 after until December 31, 2030, the Comptroller General of
12 the United States shall—

13 (1) *conduct a study on the implementation and*
14 *effectiveness of the Individual Longitudinal Exposure*
15 *Record program of the Department of Defense and the*
16 *Department of Veterans Affairs; and*

17 (2) *submit to the appropriate congressional com-*
18 *mittees a report containing the findings of the most*
19 *recently conducted study.*

20 (b) *ELEMENTS.*—The biennial studies under subsection
21 (a) shall include an assessment of elements as follows:

22 (1) *INITIAL STUDY.*—The initial study conducted
23 under subsection (a) shall assess, at a minimum, the
24 following:

1 (A) *Statistics relating to use of the Indi-*
2 *vidual Longitudinal Exposure Record program,*
3 *including the total number of individuals the*
4 *records of whom are contained therein and the*
5 *total number of records accessible under the pro-*
6 *gram.*

7 (B) *Costs associated with the program, in-*
8 *cluding any cost overruns associated with the*
9 *program.*

10 (C) *The capacity to expand the program to*
11 *include the medical records of veterans who*
12 *served prior to the establishment of the program.*

13 (D) *Any illness recently identified as relat-*
14 *ing to a toxic exposure (or any guidance relating*
15 *to such an illness recently issued) by either the*
16 *Secretary of Defense or the Secretary of Veterans*
17 *Affairs, including any such illness or guidance*
18 *that relates to open burn pit exposure.*

19 (E) *How the program has enabled (or failed*
20 *to enable) the discovery, notification, and med-*
21 *ical care of individuals affected by an illness de-*
22 *scribed in subparagraph (D).*

23 (F) *Physician and patient feedback on the*
24 *program, particularly feedback that relates to*
25 *ease of use.*

1 (G) *Cybersecurity and privacy protections*
2 *of patient data stored under the program, in-*
3 *cluding whether any classified or restricted data*
4 *has been stored under the program (such as data*
5 *relating to deployment locations or duty sta-*
6 *tions).*

7 (H) *Any technical or logistical impediments*
8 *to the implementation or expansion of the pro-*
9 *gram, including any impediments to the inclu-*
10 *sion in the program of databases or materials*
11 *originally intended to be included.*

12 (I) *Any issues relating to read-only access*
13 *to data under the program by veterans.*

14 (J) *Any issues relating to the interoper-*
15 *ability of the program between the Department*
16 *of Defense and the Department of Veterans Af-*
17 *fairs.*

18 (2) *SUBSEQUENT STUDIES.—Except as provided*
19 *in paragraph (3), each study conducted under sub-*
20 *section (a) following the initial study specified in*
21 *paragraph (1) shall assess—*

22 (A) *statistics relating to use of the Indi-*
23 *vidual Longitudinal Exposure Record program,*
24 *including the total number of individuals the*
25 *records of whom are contained therein and the*

1 *total number of records accessible under the pro-*
2 *gram; and*

3 *(B) such other elements as the Comptroller*
4 *General determines appropriate, which may in-*
5 *clude any other element specified in paragraph*
6 *(1).*

7 *(3) FINAL STUDY.—The final study conducted*
8 *under subsection (a) shall assess—*

9 *(A) the elements specified in subparagraphs*
10 *(A), (B), (D), (E), (F), and (H) of paragraph*
11 *(1); and*

12 *(B) such other elements as the Comptroller*
13 *General determines appropriate, which may in-*
14 *clude any other element specified in paragraph*
15 *(1).*

16 *(c) ACCESS BY COMPTROLLER GENERAL.—*

17 *(1) INFORMATION AND MATERIALS.—Upon re-*
18 *quest of the Comptroller General, the Secretary of De-*
19 *fense and the Secretary of Veterans Affairs shall make*
20 *available to the Comptroller General any information*
21 *or other materials necessary for the conduct of each*
22 *biennial study under subsection (a).*

23 *(2) INTERVIEWS.—In addition to such other au-*
24 *thorities as are available, the Comptroller General*
25 *shall have the right to interview officials and employ-*

1 ees of the Department of Defense and the Department
2 of Veterans Affairs (including clinicians, claims adju-
3 dicators, and researchers) as necessary for the conduct
4 of each biennial study under subsection (a).

5 (d) *DEFINITIONS.*—*In this section:*

6 (1) *The term “appropriate congressional com-*
7 *mittees” means—*

8 (A) *the Committee on Armed Services and*
9 *the Committee on Veterans’ Affairs of the House*
10 *of Representatives; and*

11 (B) *the Committee on Armed Services and*
12 *the Committee on Veterans’ Affairs of the Senate.*

13 (2) *The term “Secretary concerned” means—*

14 (A) *the Secretary of Defense, with respect to*
15 *matters concerning the Department of Defense;*
16 *and*

17 (B) *the Secretary of Veterans Affairs, with*
18 *respect to matters concerning the Department of*
19 *Veterans Affairs.*

20 **SEC. 742. COMPTROLLER GENERAL STUDY ON IMPLEMEN-**
21 **TATION BY DEPARTMENT OF DEFENSE OF RE-**
22 **CENT STATUTORY REQUIREMENTS TO RE-**
23 **FORM THE MILITARY HEALTH SYSTEM.**

24 (a) *STUDY.*—

1 (1) *IN GENERAL.*—*The Comptroller General of*
2 *the United States shall conduct a study on the imple-*
3 *mentation by the Department of Defense of statutory*
4 *requirements to reform the military health system*
5 *contained in a covered Act.*

6 (2) *ELEMENTS.*—*The study required by para-*
7 *graph (1) shall include the following elements:*

8 (A) *A compilation of a list of, and citation*
9 *for, each statutory requirement on reform of the*
10 *military health system contained in a covered*
11 *Act.*

12 (B) *An assessment of the extent to which*
13 *such requirement was implemented, or is cur-*
14 *rently being implemented.*

15 (C) *An evaluation of the actions taken by*
16 *the Department of Defense to assess and deter-*
17 *mine the effectiveness of actions taken pursuant*
18 *to such requirement.*

19 (D) *Such other matters in connection with*
20 *the implementation of such requirement as the*
21 *Comptroller General considers appropriate.*

22 (b) *BRIEFING AND REPORT.*—

23 (1) *BRIEFING.*—*Not later than May 1, 2022, the*
24 *Comptroller General shall brief the Committees on*
25 *Armed Services of the Senate and the House of Rep-*

1 *representatives on the status of the study conducted*
2 *under subsection (a).*

3 (2) *REPORT.—Not later than May 1, 2023, the*
4 *Comptroller General shall submit to the Committees*
5 *on Armed Services of the Senate and the House of*
6 *Representatives a report on the study conducted*
7 *under subsection (a) that includes the elements speci-*
8 *fied in paragraph (2) of such subsection.*

9 (c) *COVERED ACT DEFINED.—In this section, the term*
10 *“covered Act” means any of the following:*

11 (1) *The William M. (Mac) Thornberry National*
12 *Defense Authorization Act for Fiscal Year 2021 (Pub-*
13 *lic Law 116–283).*

14 (2) *The National Defense Authorization Act for*
15 *Fiscal Year 2020 (Public Law 116–92).*

16 (3) *The John S. McCain National Defense Au-*
17 *thorization Act for Fiscal Year 2019 (Public Law*
18 *115–232).*

19 (4) *The National Defense Authorization Act for*
20 *Fiscal Year 2018 (Public Law 115–91).*

21 (5) *The National Defense Authorization Act for*
22 *Fiscal Year 2017 (Public Law 114–328).*

23 (6) *The National Defense Authorization Act for*
24 *Fiscal Year 2016 (Public Law 114–92).*

1 (7) *The Carl Levin and Howard P. “Buck”*
2 *McKeon National Defense Authorization Act for Fis-*
3 *cal Year 2015 (Public Law 113–291).*

4 (8) *The National Defense Authorization Act for*
5 *Fiscal Year 2014 (Public Law 113–66).*

6 (9) *The National Defense Authorization Act for*
7 *Fiscal Year 2013 (Public Law 112–239).*

8 (10) *The National Defense Authorization Act for*
9 *Fiscal Year 2012 (Public Law 112–81).*

10 **SEC. 743. STUDY TO DETERMINE NEED FOR A JOINT FUND**

11 **FOR FEDERAL ELECTRONIC HEALTH RECORD**

12 **MODERNIZATION OFFICE.**

13 (a) *STUDY.*—*The Secretary of Defense, in coordination*
14 *with the Secretary of Veterans Affairs, shall conduct a study*
15 *to determine—*

16 (1) *whether there is a validated need or military*
17 *requirement for the development of a joint fund of the*
18 *Department of Defense and the Department of Vet-*
19 *erans Affairs for the Federal Electronic Health*
20 *Record Modernization Office; and*

21 (2) *whether the operations of the Federal Elec-*
22 *tronic Health Record Modernization Office since its*
23 *establishment, including how the Office has supported*
24 *the implementation of the Individual Longitudinal*
25 *Exposure Record program of the Department of De-*

1 *fense and the Department of Veterans Affairs, justify*
2 *the development of a potential joint fund.*

3 *(b) ELEMENTS.—The study under subsection (a) shall*
4 *assess the following:*

5 *(1) Justifications for the development of the joint*
6 *fund.*

7 *(2) The potential resource allocation and fund-*
8 *ing commitments for the Department of Defense and*
9 *Department of Veterans Affairs with respect to the*
10 *joint fund.*

11 *(3) Options for the governance structure of the*
12 *joint fund, including how accountability would be di-*
13 *vided between the Department of Defense and the De-*
14 *partment of Veterans Affairs.*

15 *(4) The anticipated contents of the joint fund,*
16 *including the anticipated process for annual transfers*
17 *to the joint fund from the Department of Defense and*
18 *the Department of Veterans Affairs, respectively.*

19 *(5) An estimated timeline for the potential estab-*
20 *lishment of the joint fund.*

21 *(6) The progress and accomplishments of the*
22 *Federal Electronic Health Record Modernization Of-*
23 *fice during fiscal year 2021 in fulfilling the purposes*
24 *specified in subparagraphs (C) through (R) of section*

1 1635(b)(2) of the Wounded Warrior Act (title XVI of
2 Public Law 110–181; 10 U.S.C. 1071 note).

3 (c) *REPORT.*—Not later than July 1, 2022, the Sec-
4 retary of Defense, in coordination with the Secretary of Vet-
5 erans Affairs, shall submit to the appropriate congressional
6 committees a report on the findings of the study under sub-
7 section (a), including recommendations on the development
8 of the joint fund specified in such subsection. Such rec-
9 ommendations shall address—

10 (1) the purpose of the joint fund; and

11 (2) requirements related to the joint fund.

12 (d) *DEFINITIONS.*—In this section:

13 (1) The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committees on Armed Services of
16 the House of Representatives and the Senate; and

17 (B) the Committees on Veterans’ Affairs of
18 the House of Representatives and the Senate.

19 (2) The term “Electronic Health Record Mod-
20 ernization Program” has the meaning given such
21 term in section 503(e) of the Veterans Benefits and
22 Transition Act of 2018 (Public Law 115–407; 132
23 Stat. 5376).

24 (3) The term “Federal Electronic Health Record
25 Modernization Office” means the Office established

1 *under section 1635(b) of the Wounded Warrior Act*
2 *(title XVI of Public Law 110–181; 10 U.S.C. 1071*
3 *note).*

4 **SEC. 744. BRIEFING ON DOMESTIC PRODUCTION OF CRIT-**
5 **ICAL ACTIVE PHARMACEUTICAL INGREDI-**
6 **ENTS FOR NATIONAL SECURITY PURPOSES.**

7 *Not later than April 1, 2022, the Secretary of Defense*
8 *shall provide to the Committees on Armed Services of the*
9 *House of Representatives and the Senate a briefing on the*
10 *development of a capability for the domestic production of*
11 *critical active pharmaceutical ingredients and drug prod-*
12 *ucts in finished dosage form for national security purposes.*
13 *Such briefing shall include a description of the following:*

14 (1) *The anticipated cost over the period covered*
15 *by the most recent future-years defense program sub-*
16 *mitted under section 221 of title 10, United States*
17 *Code (as of the date of the briefing), to develop such*
18 *a domestic production capability for critical active*
19 *pharmaceutical ingredients.*

20 (2) *The cost of producing critical active pharma-*
21 *ceutical ingredients through such a domestic produc-*
22 *tion capability, as compared with the cost of standard*
23 *manufacturing processes used by the pharmaceutical*
24 *industry.*

1 (3) *The average time to produce critical active*
2 *pharmaceutical ingredients through such a domestic*
3 *production capability, as compared with the average*
4 *time to produce such ingredients through standard*
5 *manufacturing processes used by the pharmaceutical*
6 *industry.*

7 (4) *Any intersections between the development of*
8 *such a domestic production capability, the military*
9 *health system, and defense-related medical research or*
10 *operational medical requirements.*

11 (5) *Lessons learned from the progress made in*
12 *developing such a domestic production capability as*
13 *of the date of the briefing, including from any con-*
14 *tracts entered into by the Secretary with respect to*
15 *such a domestic production capability.*

16 (6) *Any critical active pharmaceutical ingredi-*
17 *ents that are under consideration by the Secretary for*
18 *future domestic production as of the date of the brief-*
19 *ing.*

20 (7) *The plan of the Secretary regarding the fu-*
21 *ture use of such a domestic production capability for*
22 *critical active pharmaceutical ingredients.*

1 **SEC. 745. BRIEFING ON SUBSTANCE ABUSE IN THE ARMED**
2 **FORCES.**

3 (a) *BRIEFING.*—Not later than June 1, 2022, the
4 Under Secretary of Defense for Personnel and Readiness
5 shall provide to the Committees on Armed Services of the
6 Senate and the House of Representatives a briefing on sub-
7 stance abuse policy, strategy, and programs within the De-
8 partment of Defense.

9 (b) *ELEMENTS.*—The briefing required under sub-
10 section (a) shall include each of the following elements:

11 (1) *With respect to policy, an overview of the*
12 *policies of the Department of Defense and the mili-*
13 *tary departments with respect to substance abuse, in-*
14 *cluding for covered beneficiaries, and how each such*
15 *policy is synchronized, including any definitions of*
16 *the term “substance abuse”.*

17 (2) *With respect to background data—*

18 (A) *an analysis of the trends in substance*
19 *abuse across the active and reserve components of*
20 *the Armed Forces over the preceding 10-year pe-*
21 *riod, including the types of care (residential,*
22 *outpatient, or other), any variation in such*
23 *trends for demographics or geographic locations*
24 *of members who have been deployed, and any*
25 *other indicators that the Under Secretary deter-*

1 *mines may allow for further understanding of*
2 *substance abuse programs; and*

3 *(B) an analysis of trends in substance abuse*
4 *for covered beneficiaries over the preceding 10-*
5 *year period, including any variation in such*
6 *trends for demographics, geographic location, or*
7 *other indicators that the Under Secretary deter-*
8 *mines may allow for further understanding of*
9 *substance abuse programs.*

10 *(3) With respect to strategic communication, an*
11 *overview of the strategic communication plan on sub-*
12 *stance abuse, including different forms of media and*
13 *initiatives being undertaken.*

14 *(4) With respect to treatment—*

15 *(A) a description of the treatment options*
16 *available and prescribed for substance abuse for*
17 *members of the Armed Forces and covered bene-*
18 *ficiaries, including the different environments of*
19 *care, such as hospitals, residential treatment fa-*
20 *ilities, outpatient care, and other care as appro-*
21 *priate;*

22 *(B) a description of any non-catchment*
23 *area care which resulted in the nonavailability*
24 *of military medical treatment facility or mili-*
25 *tary installation capabilities for substance use*

1 *disorder treatment and the costs associated with*
2 *sending members of the Armed Forces and cov-*
3 *ered beneficiaries to non-catchment areas for*
4 *such treatment;*

5 *(C) a description of the synchronization be-*
6 *tween substance abuse programs, mental health*
7 *treatment, and case management, where appro-*
8 *priate;*

9 *(D) a description of how substance abuse*
10 *treatment clinical practice guidelines are used*
11 *and how frequently such guidelines are updated;*
12 *and*

13 *(E) the metrics and outcomes that are used*
14 *to determine whether substance abuse treatments*
15 *are effective.*

16 *(5) The funding lines and the amount of funding*
17 *the Secretary of Defense and the Secretary of each of*
18 *the military departments have obligated for substance*
19 *abuse programs for each of the preceding 10 fiscal*
20 *years.*

21 *(c) DEFINITIONS.—In this section:*

22 *(1) The term “catchment area” means the ap-*
23 *proximately 40-mile radius surrounding a military*
24 *medical treatment facility or military installation, as*
25 *the case may be.*

1 (2) *The term “covered beneficiary” has the*
 2 *meaning given such term in section 1072 of title 10,*
 3 *United States Code.*

4 **TITLE VIII—ACQUISITION POL-**
 5 **ICY, ACQUISITION MANAGE-**
 6 **MENT, AND RELATED MAT-**
 7 **TERS**

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

Subtitle A—Acquisition Policy and Management

- Sec. 801. Acquisition workforce educational partnerships.*
Sec. 802. Prohibition on acquisition of personal protective equipment from non-
allied foreign nations.
Sec. 803. Authority to acquire innovative commercial products and commercial
services using general solicitation competitive procedures.
Sec. 804. Modifications to contracts subject to cost or pricing data certification.
Sec. 805. Two-year extension of Selected Acquisition Report requirement.
Sec. 806. Annual report on highest and lowest performing acquisition programs
of the Department of Defense.
Sec. 807. Assessment of impediments and incentives to improving the acquisition
of commercial products and commercial services.
Sec. 808. Briefing on transparency for certain domestic procurement waivers.
Sec. 809. Report on violations of certain domestic preference laws.

*Subtitle B—Amendments to General Contracting Authorities, Procedures, and
 Limitations*

- Sec. 811. Certain multiyear contracts for acquisition of property: budget justifica-*
tion materials.
Sec. 812. Extension of demonstration project relating to certain acquisition per-
sonnel management policies and procedures.
Sec. 813. Office of Corrosion Policy and Oversight employee training require-
ments.
Sec. 814. Modified condition for prompt contract payment eligibility.
Sec. 815. Modification to procurement of services: data analysis and requirements
validation.
Sec. 816. Limitation on procurement of welded shipboard anchor and mooring
chain for naval vessels.
Sec. 817. Repeal of preference for fixed-price contracts.

Subtitle C—Provisions Relating to Other Transaction Authority

- Sec. 821. Modification of other transaction authority for research projects.*
Sec. 822. Modification of prize authority for advanced technology achievements.
Sec. 823. Pilot program on systems engineering determinations.
Sec. 824. Recommendations on the use of other transaction authority.

Sec. 825. Reporting requirement for certain defense acquisition activities.

Subtitle D—Provisions Relating to Software and Technology

Sec. 831. Technology protection features activities.

Sec. 832. Modification of enhanced transfer of technology developed at Department of Defense laboratories.

Sec. 833. Pilot program on acquisition practices for emerging technologies.

Sec. 834. Pilot program to accelerate the procurement and fielding of innovative technologies.

Sec. 835. Independent study on technical debt in software-intensive systems.

Sec. 836. Cadre of software development and acquisition experts.

Subtitle E—Provisions Relating to Supply Chain Security

Sec. 841. Modernization of acquisition processes to ensure integrity of industrial base.

Sec. 842. Modification to analyses of certain activities for action to address sourcing and industrial capacity.

Sec. 843. Assuring integrity of overseas fuel supplies.

Sec. 844. Assessment of requirements for certain items to address supply chain vulnerabilities.

Sec. 845. Department of Defense research and development priorities.

Sec. 846. Report on the Manufacturing Engineering Education Program.

Sec. 847. Plan and report on reduction of reliance on services, supplies, or materials from covered countries.

Sec. 848. Prohibition on certain procurements from the Xinjiang Uyghur Autonomous Region.

Subtitle F—Industrial Base Matters

Sec. 851. Modifications to printed circuit board acquisition restrictions.

Sec. 852. Modification of pilot program for development of technology-enhanced capabilities with partnership intermediaries.

Sec. 853. Additional testing of commercial e-commerce portal models.

Sec. 854. Requirement for industry days and requests for information to be open to allied defense contractors.

Sec. 855. Employment transparency regarding individuals who perform work in the People's Republic of China.

Sec. 856. Briefing on compliance with contractor lobbying restrictions.

Sec. 857. Congressional oversight of personnel and contracts of private security contractors.

Subtitle G—Small Business Matters

Sec. 861. Exemption of certain contracts from the periodic inflation adjustments to the acquisition-related dollar threshold.

Sec. 862. Modification to the pilot program for streamlining awards for innovative technology projects.

Sec. 863. Protests and appeals relating to eligibility of business concerns.

Sec. 864. Authority for the Office of Hearings and Appeals to decide appeals relating to qualified HUBZone small business concerns.

Sec. 865. Report on unfunded priorities of the Small Business Innovation Research and Small Business Technology Transfer program.

Sec. 866. Report on Cybersecurity Maturity Model Certification effects on small business.

Sec. 867. Data on Phase III Small Business Innovation Research and Small Business Technology Transfer program awards.

Subtitle H—Other Matters

Sec. 871. Mission management pilot program.

Sec. 872. Establishment of mission-oriented pilot programs to close significant capabilities gaps.

Sec. 873. Independent study on acquisition practices and policies.

Sec. 874. Pilot program to incentivize contracting with employee-owned businesses.

Sec. 875. Guidance, training, and report on place of performance contract requirements.

Sec. 876. Notification of certain intergovernmental support agreements.

Sec. 877. Report on requests for equitable adjustment in Department of the Navy.

Sec. 878. Military standards for armor materials in vehicle specifications.

1 ***Subtitle A—Acquisition Policy and***
 2 ***Management***

3 ***SEC. 801. ACQUISITION WORKFORCE EDUCATIONAL PART-***
 4 ***NERSHIPS.***

5 *(a) IN GENERAL.—Subchapter IV of chapter 87 of title*
 6 *10, United States Code, is amended by inserting after sec-*
 7 *tion 1746 the following new section:*

8 ***“§ 1746a. Acquisition workforce educational partner-***
 9 ***ships***

10 *“(a) ESTABLISHMENT.—The Secretary of Defense, act-*
 11 *ing through the Under Secretary of Defense for Acquisition*
 12 *and Sustainment, shall establish a program within Defense*
 13 *Acquisition University to—*

14 *“(1) facilitate the engagement of relevant experts,*
 15 *including with the acquisition research activities es-*
 16 *tablished under section 2361a of this title, with the*
 17 *faculty of the Defense Acquisition University to assess*
 18 *and modify the curriculum of the Defense Acquisition*

1 *University, as appropriate, to enhance the capabilities*
2 *of the Defense Acquisition University to support*
3 *educational, training, and research activities in sup-*
4 *port of acquisition missions of the Department of De-*
5 *fense;*

6 *“(2) establish a cross-discipline, peer mentoring*
7 *program for academic advising and to address crit-*
8 *ical retention concerns with respect to the acquisition*
9 *workforce;*

10 *“(3) partner with extramural institutions and*
11 *military department functional leadership to offer*
12 *training and on-the-job learning support to all mem-*
13 *bers of the acquisition workforce addressing oper-*
14 *ational challenges that affect procurement decision-*
15 *making;*

16 *“(4) support the partnerships between the De-*
17 *partment of Defense and extramural institutions with*
18 *missions relating to the training and continuous de-*
19 *velopment of members of the acquisition workforce;*

20 *“(5) accelerate the adoption, appropriate design*
21 *and customization, and use of flexible acquisition*
22 *practices by the acquisition workforce by expanding*
23 *the availability of training and on-the-job learning*
24 *and guidance on such practices and incorporating*

1 *such training into the curriculum of the Defense Ac-*
2 *quisition University; and*

3 “(6) *support and enhance the capabilities of the*
4 *faculty of the Defense Acquisition University, and the*
5 *currency and applicability of the knowledge possessed*
6 *by such faculty, by—*

7 “(A) *building partnerships between the fac-*
8 *ulty of the Defense Acquisition University and*
9 *the director of, and individuals involved with,*
10 *the activities established under section 2361a of*
11 *this title;*

12 “(B) *supporting the preparation and draft-*
13 *ing of the reports required under subsection*
14 *(f)(2); and*

15 “(C) *instituting a program under which*
16 *each member of the faculty of the Defense Acqui-*
17 *sition University shall be detailed to an oper-*
18 *ational acquisition position in a military de-*
19 *partment or Defense Agency, or to an extra-*
20 *mural institution, for not less than six months*
21 *out of every five year period.*

22 “(b) *SENIOR OFFICIAL.—Not later than 180 days after*
23 *the enactment of this section, the President of the Defense*
24 *Acquisition University shall designate a senior official to*
25 *execute activities under this section.*

1 “(c) *SUPPORT FROM OTHER DEPARTMENT OF DE-*
2 *FENSE ORGANIZATIONS.*—*The Secretary of Defense may di-*
3 *rect other elements of the Department of Defense to provide*
4 *personnel, resources, and other support to the program es-*
5 *tablished under this section, as the Secretary determines ap-*
6 *propriate.*

7 “(d) *FUNDING.*—*Subject to the availability of appro-*
8 *priations, the Under Secretary of Defense for Acquisition*
9 *and Sustainment may use amounts available in the Defense*
10 *Acquisition Workforce and Development Account (as estab-*
11 *lished under section 1705 of this title) to carry out the re-*
12 *quirements of this section.*

13 “(e) *ANNUAL REPORTS.*—*Not later than September 30,*
14 *2022, and annually thereafter, the President of the Defense*
15 *Acquisition University shall submit to the Secretary of De-*
16 *fense and the congressional defense committees a report de-*
17 *scribing the activities conducted under this section during*
18 *the one-year period ending on the date on which such report*
19 *is submitted.*

20 “(f) *EXEMPTION TO REPORT TERMINATION REQUIRE-*
21 *MENTS.*—*Section 1080(a) of the National Defense Author-*
22 *ization Act for Fiscal Year 2016 (Public Law 114–92; 129*
23 *Stat. 1000; 10 U.S.C. 111 note), as amended by section*
24 *1061(j) of the National Defense Authorization Act for Fiscal*
25 *Year 2017 (Public Law 114–328; 130 Stat. 2405; 10 U.S.C.*

1 111 note), does not apply with respect to the reports re-
 2 quired to be submitted to Congress under this section.

3 “(g) *DEFINITIONS.*—*In this section:*

4 “(1) *ACQUISITION WORKFORCE.*—*The term ‘ac-*
 5 *quisition workforce’ has the meaning given such term*
 6 *in section 1705(g) of this title.*

7 “(2) *EXTRAMURAL INSTITUTIONS.*—*The term ‘ex-*
 8 *tramural institutions’ means participants in an ac-*
 9 *tivity established under section 2361a of this title,*
 10 *public sector organizations, and nonprofit*
 11 *credentialing organizations.”.*

12 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
 13 *subchapter IV of chapter 87 of title 10, United States Code,*
 14 *is amended by inserting after the item relating to section*
 15 *1746 the following new item:*

“1746a. *Acquisition workforce educational partnerships.*”.

16 **SEC. 802. PROHIBITION ON ACQUISITION OF PERSONAL**
 17 **PROTECTIVE EQUIPMENT FROM NON-ALLIED**
 18 **FOREIGN NATIONS.**

19 (a) *PROHIBITION.*—

20 (1) *IN GENERAL.*—*Chapter 148 of title 10,*
 21 *United States Code, is amended by inserting after sec-*
 22 *tion 2533d the following new section:*

1 “(1) *COVERED ITEM.*—The term ‘covered item’
2 *means an article or item of—*

3 “(A) *personal protective equipment for use*
4 *in preventing spread of disease, such as by expo-*
5 *sure to infected individuals or contamination or*
6 *infection by infectious material (including*
7 *nitrile and vinyl gloves, surgical masks, res-*
8 *pirator masks and powered air purifying res-*
9 *pirators and required filters, face shields and*
10 *protective eyewear, surgical and isolation gowns,*
11 *and head and foot coverings) or clothing, and the*
12 *materials and components thereof, other than*
13 *sensors, electronics, or other items added to and*
14 *not normally associated with such personal pro-*
15 *ductive equipment or clothing; or*

16 “(B) *sanitizing and disinfecting wipes, test-*
17 *ing swabs, gauze, and bandages.*

18 “(2) *COVERED NATION.*—The term ‘covered na-
19 *tion’ means—*

20 “(A) *the Democratic People’s Republic of*
21 *North Korea;*

22 “(B) *the People’s Republic of China;*

23 “(C) *the Russian Federation; and*

24 “(D) *the Islamic Republic of Iran.”*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of such chapter is amended by*
 3 *inserting after the item relating to section 2533d the*
 4 *following:*

“2533e. Prohibition on acquisition of personal protective equipment and certain other items from non-allied foreign nations.”.

5 (b) *FUTURE TRANSFER.*—

6 (1) *TRANSFER AND REDESIGNATION.*—*Section*
 7 *2533e of title 10, United States Code, as added by*
 8 *subsection (a), is transferred to the end of subchapter*
 9 *III of chapter 385 of such title, as added by section*
 10 *1870(d) of the William M. (Mac) Thornberry Na-*
 11 *tional Defense Authorization Act for Fiscal Year 2021*
 12 *(Public Law 116–283) and amended by this Act, and*
 13 *redesignated as section 4875.*

14 (2) *CLERICAL AMENDMENTS.*—

15 (A) *TARGET CHAPTER TABLE OF SEC-*
 16 *TIONS.*—*The table of sections for subchapter III*
 17 *of chapter 385 of title 10, United States Code, as*
 18 *added by section 1870(d) of the William M.*
 19 *(Mac) Thornberry National Defense Authoriza-*
 20 *tion Act for Fiscal Year 2021 (Public Law 116–*
 21 *283), is amended by adding at the end the fol-*
 22 *lowing new item:*

“4875. Prohibition on acquisition of personal protective equipment and certain other items from non-allied foreign nations.”.

1 (B) *ORIGIN CHAPTER TABLE OF SEC-*
 2 *TIONS.—The table of sections at the beginning of*
 3 *chapter 148 of title 10, United States Code, as*
 4 *amended by subsection (a), is further amended*
 5 *by striking the item relating to section 2533e.*

6 (3) *EFFECTIVE DATE.—The transfer, redesigna-*
 7 *tion, and amendments made by this subsection shall*
 8 *take effect immediately after the amendments made*
 9 *by title XVIII of the William M. (Mac) Thornberry*
 10 *National Defense Authorization Act for Fiscal Year*
 11 *2021 take effect.*

12 (4) *REFERENCES; SAVINGS PROVISION; RULE OF*
 13 *CONSTRUCTION.—Sections 1883 through 1885 of the*
 14 *William M. (Mac) Thornberry National Defense Au-*
 15 *thorization Act for Fiscal Year 2021 (Public Law*
 16 *116–283) shall apply with respect to the transfers, re-*
 17 *designations, and amendments made under this sub-*
 18 *section as if such transfers, redesignations, and*
 19 *amendments were made under title XVIII of such Act.*

20 **SEC. 803. AUTHORITY TO ACQUIRE INNOVATIVE COMMER-**
 21 ****CIAL PRODUCTS AND COMMERCIAL SERVICES****
 22 ****USING GENERAL SOLICITATION COMPETI-****
 23 ****TIVE PROCEDURES.****

24 (a) *AUTHORITY.—*

1 (1) *IN GENERAL.*—Chapter 140 of title 10,
2 *United States Code*, is amended by adding at the end
3 *the following new section:*

4 “§2380c. ***Authority to acquire innovative commercial***
5 ***products and commercial services using***
6 ***general solicitation competitive proce-***
7 ***dures***

8 “(a) *AUTHORITY.*—*The Secretary of Defense and the*
9 *Secretaries of the military departments may acquire inno-*
10 *vative commercial products and commercial services*
11 *through a competitive selection of proposals resulting from*
12 *a general solicitation and the peer review of such proposals.*

13 “(b) *TREATMENT AS COMPETITIVE PROCEDURES.*—
14 *Use of general solicitation competitive procedures under*
15 *subsection (a) shall be considered to be use of competitive*
16 *procedures for purposes of chapter 137 of this title.*

17 “(c) *LIMITATIONS.*—(1) *The Secretary may not enter*
18 *into a contract or agreement in excess of \$100,000,000 using*
19 *the authority under subsection (a) without a written deter-*
20 *mination from the Under Secretary of Defense for Acquisi-*
21 *tion and Sustainment or the relevant service acquisition ex-*
22 *ecutive of the efficacy of the effort to meet mission needs*
23 *of the Department of Defense or the relevant military de-*
24 *partment.*

1 “(2) *Contracts or agreements entered into using the*
2 *authority under subsection (a) shall be fixed-price, includ-*
3 *ing fixed-price incentive fee contracts.*

4 “(3) *Notwithstanding section 2376(1) of this title,*
5 *products and services acquired using the authority under*
6 *subsection (a) shall be treated as commercial products and*
7 *commercial services.*

8 “(d) *CONGRESSIONAL NOTIFICATION REQUIRED.—(1)*
9 *Not later than 45 days after the award of a contract for*
10 *an amount exceeding \$100,000,000 using the authority in*
11 *subsection (a), the Secretary shall notify the congressional*
12 *defense committees of such award.*

13 “(2) *Notice of an award under paragraph (1) shall in-*
14 *clude the following:*

15 “(A) *Description of the innovative commercial*
16 *product or commercial service acquired.*

17 “(B) *Description of the requirement, capability*
18 *gap, or potential technological advancement with re-*
19 *spect to which the innovative commercial product or*
20 *commercial service acquired provides a solution or a*
21 *potential new capability.*

22 “(C) *Amount of the contract awarded.*

23 “(D) *Identification of the contractor awarded the*
24 *contract.*

1 “(e) *INNOVATIVE DEFINED.*—*In this section, the term*
2 *‘innovative’ means—*

3 “(1) *any technology, process, or method, includ-*
4 *ing research and development, that is new as of the*
5 *date of submission of a proposal; or*

6 “(2) *any application that is new as of the date*
7 *of submission of a proposal of a technology, process,*
8 *or method existing as of such date.”.*

9 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
10 *tions at the beginning of chapter 140 of title 10,*
11 *United States Code, is amended by inserting after the*
12 *item relating to section 2380b the following new item:*

“2380c. Authority to acquire innovative commercial products and commercial services using general solicitation competitive procedures.”.

13 (3) *DATA COLLECTION.*—

14 (A) *IN GENERAL.*—*The Secretary of Defense*
15 *and each Secretary of a military department*
16 *shall collect and analyze data on the use of the*
17 *authority under section 2380c of title 10, United*
18 *States Code, as added by paragraph (1), for the*
19 *purposes of—*

20 (i) *developing and sharing best prac-*
21 *tices for achieving the objectives of the au-*
22 *thority;*

1 (ii) gathering information on the im-
2 plementation of the authority and related
3 policy issues; and

4 (iii) informing the congressional de-
5 fense committees on the use of the authority.

6 (B) *PLAN REQUIRED.*—The authority under
7 section 2380c of title 10, United States Code, as
8 added by paragraph (1), may not be exercised by
9 the Secretary of Defense or any Secretary of a
10 military department during the period begin-
11 ning on October 1, 2022, and ending on the date
12 on which the Secretary of Defense submits to the
13 congressional defense committees a completed
14 plan for carrying out the data collection required
15 under paragraph (1).

16 (C) *CONGRESSIONAL DEFENSE COMMIT-*
17 *TEES; MILITARY DEPARTMENT DEFINED.*—In this
18 paragraph, the terms “congressional defense com-
19 mittees” and “military department” have the
20 meanings given such terms in section 101(a) of
21 title 10, United States Code.

22 (b) *FUTURE TRANSFER.*—

23 (1) *TRANSFER AND REDESIGNATION.*—Section
24 2380c of title 10, United States Code, as added by
25 subsection (a), is transferred to chapter 247 of such

1 *title, added after section 3457, as transferred and re-*
 2 *designated by section 1821(a) of the William M.*
 3 *(Mac) Thornberry National Defense Authorization Act*
 4 *for Fiscal Year 2021 (Public Law 116–283), and re-*
 5 *designated as section 3458.*

6 (2) *CLERICAL AMENDMENT.—The table of sec-*
 7 *tions at the beginning of chapter 247 of title 10,*
 8 *United States Code, as added by section 1821(a) of*
 9 *the William M. (Mac) Thornberry National Defense*
 10 *Authorization Act for Fiscal Year 2021 (Public Law*
 11 *116–283), is amended by inserting after the item re-*
 12 *lated to section 3457 the following new item:*

“3458. Authority to acquire innovative commercial products and commercial serv-
ices using general solicitation competitive procedures.”.

13 (3) *CONFORMING AMENDMENTS TO INTERNAL*
 14 *CROSS-REFERENCES.—Section 3458 of title 10,*
 15 *United States Code, as redesignated by paragraph*
 16 *(1), is amended—*

17 (A) *in subsection (b), by striking “chapter*
 18 *137” and inserting “chapter 221”; and*

19 (B) *in subsection (c)(3), by striking “section*
 20 *2376(1)” and inserting “section 3451(1)”.*

21 (4) *EFFECTIVE DATE.—The transfer, redesigna-*
 22 *tion, and amendments made by this subsection shall*
 23 *take as if included in title XVIII of the William M.*

1 *(Mac) Thornberry National Defense Authorization Act*
2 *for Fiscal Year 2021 (Public Law 116–283).*

3 (5) *REFERENCES; SAVINGS PROVISION; RULE OF*
4 *CONSTRUCTION.—Sections 1883 through 1885 of the*
5 *William M. (Mac) Thornberry National Defense Au-*
6 *thorization Act for Fiscal Year 2021 (Public Law*
7 *116–283) shall apply with respect to the transfers, re-*
8 *designations, and amendments made under this sub-*
9 *section as if such transfers, redesignations, and*
10 *amendments were made under title XVIII of such Act.*

11 (c) *REPEAL OF OBSOLETE AUTHORITY.—Section 879*
12 *of the National Defense Authorization Act for Fiscal Year*
13 *2017 (Public Law 114–328; 10 U.S.C. 2302 note) is hereby*
14 *repealed.*

15 **SEC. 804. MODIFICATIONS TO CONTRACTS SUBJECT TO**
16 **COST OR PRICING DATA CERTIFICATION.**

17 (a) *IN GENERAL.—Section 2306a(a)(6) of title 10,*
18 *United States Code, is amended—*

19 (1) *by striking “Upon the request” and all that*
20 *follows through “paragraph (1)” and inserting*
21 *“Under paragraph (1),”; and*

22 (2) *by striking “modify the contract” and all*
23 *that follows through “consideration.” and inserting*
24 *“modify the contract as soon as practicable to reflect*

1 subparagraphs (B) and (C) of such paragraph, with-
2 out requiring consideration.”.

3 (b) *TECHNICAL AMENDMENT.*—Section 1831(c)(8)(A)
4 of the William M. (Mac) Thornberry National Defense Au-
5 thorization Act for Fiscal Year 2021 (Public Law 116–283;
6 134 Stat. 4211) is amended by striking “before” and all
7 that follows through the semicolon at the end and inserting
8 “after the subsection designation;”.

9 **SEC. 805. TWO-YEAR EXTENSION OF SELECTED ACQUISI-**
10 **TION REPORT REQUIREMENT.**

11 (a) *EXTENSION.*—Section 2432(j) of title 10, United
12 States Code, is amended by striking “fiscal year 2021” and
13 inserting “fiscal year 2023”.

14 (b) *DEMONSTRATION REQUIRED.*—

15 (1) *IN GENERAL.*—Not later than March 1, 2022,
16 and every six months thereafter, the Secretary of De-
17 fense shall provide to the congressional defense com-
18 mittees a demonstration of the capability improve-
19 ments necessary to achieve the full operational capa-
20 bility of the reporting system that will replace the Se-
21 lected Acquisition Report requirements under section
22 2432 of title 10, United States Code, as amended by
23 subsection (a).

24 (2) *ELEMENTS.*—

1 (A) *IN GENERAL.*—*The demonstration re-*
2 *quired under paragraph (1) shall incorporate the*
3 *following elements:*

4 (i) *A demonstration of the full suite of*
5 *data sharing capabilities of the reporting*
6 *system referred to in paragraph (1) that*
7 *can be accessed by authorized external users,*
8 *including the congressional defense commit-*
9 *tees, for a range of covered programs across*
10 *acquisition categories, including those se-*
11 *lected under section 831 of the National De-*
12 *fense Authorization Act for Fiscal Year*
13 *2020 (Public Law 116–92; 133 Stat. 1492).*

14 (ii) *The plans required under sub-*
15 *section (c), as available.*

16 (B) *INITIAL REPORT.*—*In addition to the*
17 *elements described in subparagraph (A), the first*
18 *demonstration provided under paragraph (1)*
19 *shall incorporate the findings of the report re-*
20 *quired under section 830(b) of the National De-*
21 *fense Authorization Act for Fiscal Year 2020*
22 *(Public Law 116–92; 133 Stat. 1492).*

23 (3) *TERMINATION.*—*The requirements under this*
24 *subsection shall terminate upon the date on which the*
25 *Secretary of Defense submits to the congressional de-*

1 *fense committees a written certification of the deter-*
2 *mination of the Secretary that the reporting system*
3 *referred to in paragraph (1) has achieved full oper-*
4 *ational capability.*

5 *(c) PLANS REQUIRED FOR DATA GATHERING AND*
6 *SHARING.—*

7 *(1) DATA REQUIRED FOR IMPROVED DECISION*
8 *MAKING.—*

9 *(A) IN GENERAL.—Not later than March 1,*
10 *2022, the Director of Cost Assessment and Pro-*
11 *gram Evaluation shall prepare a plan for identi-*
12 *fying and gathering the data required for effec-*
13 *tive decision making by program managers and*
14 *Department of Defense leadership regarding cov-*
15 *ered programs.*

16 *(B) CONTENTS.—The plan required under*
17 *subparagraph (A) shall include—*

18 *(i) data that—*

19 *(I) address covered program*
20 *progress compared to covered program*
21 *cost, schedule, and performance goals;*

22 *(II) provide an assessment of cov-*
23 *ered program risks; and*

- 1 (III) can be collected throughout
2 the fiscal year without significant ad-
3 ditional burden;
- 4 (ii) the data, information, and analyt-
5 ical capabilities supported by the reporting
6 system referred to in subsection (b)(1);
- 7 (iii) the specific data elements needed
8 to assess covered program performance and
9 associated risks, including software develop-
10 ment and cybersecurity risks, and an iden-
11 tification of any data elements that cannot
12 be publicly released;
- 13 (iv) the types of covered programs to be
14 included in the reporting system referred to
15 in subsection (b)(1), including the dollar
16 value threshold for inclusion, and the acqui-
17 sition methodologies and pathways that are
18 to be included;
- 19 (v) the criteria for initiating, modi-
20 fying, and terminating reporting for cov-
21 ered programs in the reporting system re-
22 ferred to in subsection (b)(1), including pro-
23 gram characteristics, acquisition method-
24 ology or pathway being used, cost growth or

1 *changes, and covered program performance;*
2 *and*

3 *(vi) the planned reporting schedule for*
4 *the reporting system referred to in sub-*
5 *section (b)(1), including when reports will*
6 *be available to authorized external users*
7 *and the intervals at which data will be up-*
8 *dated.*

9 *(2) IMPROVED DATA SHARING WITHIN THE DE-*
10 *PARTMENT OF DEFENSE AND WITH OUTSIDE STAKE-*
11 *HOLDERS.—*

12 *(A) IN GENERAL.—Not later than July 1,*
13 *2022, the Under Secretary of Defense for Acqui-*
14 *sition and Sustainment shall submit to the con-*
15 *gressional defense committees the plan of the De-*
16 *partment of Defense for the reporting system re-*
17 *ferred to in subsection (b)(1) to report to the con-*
18 *gressional defense committees and effectively*
19 *share information related to covered programs.*

20 *(B) CONTENTS.—The plan required under*
21 *subparagraph (A) shall—*

22 *(i) incorporate the plan required under*
23 *paragraph (1);*

24 *(ii) provide for reporting not less fre-*
25 *quently than once per year and continuous*

1 or periodic updates for authorized external
2 users, as appropriate, to increase the effi-
3 ciency of, and reduce the bureaucratic bur-
4 dens for, reporting data and information on
5 acquisition programs;

6 (iii) identify the organizations respon-
7 sible for implementation and overall oper-
8 ation of the reporting system referred to in
9 subsection (b)(1);

10 (iv) identify the organizations respon-
11 sible for providing data for inclusion in
12 such reporting system and ensuring that
13 data is provided in a timely fashion;

14 (v) include the schedule and milestones
15 for implementing such reporting system;

16 (vi) identify, for such implementa-
17 tion—

18 (I) the resources required, includ-
19 ing personnel and funding; and

20 (II) the implementation risks and
21 how such risks will be mitigated;

22 (vii) identify the mechanisms by which
23 reporting will be provided to the congres-
24 sional defense committees and other author-
25 ized external users, including—

1 nization of the Department of Defense shall rank each cov-
2 ered acquisition program based on the criteria selected
3 under subsection (b)(1) and submit to the congressional de-
4 fense committees a report that contains a ranking of the
5 five highest performing and five lowest performing covered
6 acquisition programs for such element or organization
7 based on such criteria.

8 (b) *RANKING CRITERIA.*—

9 (1) *IN GENERAL.*—In completing the report re-
10 quired under subsection (a), each Component Acquisi-
11 tion Executive, in consultation with other officials of
12 the Department of Defense as determined appropriate
13 by the Component Acquisition Executive, shall select
14 the criteria for ranking each covered acquisition pro-
15 gram.

16 (2) *INCLUSION IN REPORT.*—Each Component
17 Acquisition Executive shall include in the report sub-
18 mitted under subsection (a) an identification of the
19 specific ranking criteria selected under paragraph (1),
20 including a description of how those criteria are con-
21 sistent with best acquisition practices.

22 (c) *ADDITIONAL REPORT ELEMENTS.*—Each Compo-
23 nent Acquisition Executive shall include in the report re-
24 quired under subsection (a) for each of the five acquisition
25 programs ranked as the lowest performing the following:

1 (1) *A description of the factors that contributed*
2 *to the ranking of the program as low performing.*

3 (2) *An assessment of the underlying causes of the*
4 *poor performance of the program.*

5 (3) *A plan for addressing the challenges of the*
6 *program and improving performance, including spe-*
7 *cific actions that will be taken and proposed timelines*
8 *for completing such actions.*

9 (d) *DEFINITIONS.—In this section:*

10 (1) *COMPONENT ACQUISITION EXECUTIVE.—The*
11 *term “Component Acquisition Executive” means—*

12 (A) *a service acquisition executive; or*

13 (B) *an individual designated by the head of*
14 *an element or organization of the Department of*
15 *Defense, other than a military department, as*
16 *the Component Acquisition Executive for that*
17 *element or organization.*

18 (2) *COVERED ACQUISITION PROGRAM.—In this*
19 *section the term “covered acquisition program”*
20 *means—*

21 (A) *a major defense acquisition program as*
22 *defined in section 2430 of title 10, United States*
23 *Code; or*

24 (B) *an acquisition program that is esti-*
25 *mated by the Component Acquisition Executive*

1 to require an eventual total expenditure de-
 2 scribed in section 2430(a)(1)(B) of title 10,
 3 United States Code.

4 (3) *MILITARY DEPARTMENT; SERVICE ACQUI-
 5 SION EXECUTIVE.*—The terms “military department”
 6 and “service acquisition executive” have the meanings
 7 given such terms in section 101(a) of title 10, United
 8 States Code.

9 **SEC. 807. ASSESSMENT OF IMPEDIMENTS AND INCENTIVES**
 10 **TO IMPROVING THE ACQUISITION OF COM-**
 11 **MERCIAL PRODUCTS AND COMMERCIAL**
 12 **SERVICES.**

13 (a) *ASSESSMENT REQUIRED.*—The Under Secretary of
 14 *Defense for Acquisition and Sustainment and the Chair-*
 15 *man of the Joint Requirements Oversight Council shall*
 16 *jointly assess impediments and incentives to fulfilling the*
 17 *goals of section 3307 of title 41, United States Code, and*
 18 *section 2377 of title 10, United States Code, regarding pref-*
 19 *erences for commercial products and commercial services*
 20 *to—*

21 (1) *enhance the innovation strategy of the De-*
 22 *partment of Defense to compete effectively against*
 23 *peer adversaries; and*

24 (2) *encourage the rapid adoption of commercial*
 25 *advances in technology.*

1 (b) *ELEMENTS OF ASSESSMENT.*—*The assessment*
2 *shall include a review of the use of preferences for commer-*
3 *cial products and commercial services in procurement, in-*
4 *cluding an analysis of—*

5 (1) *relevant policies, regulations, and oversight*
6 *processes;*

7 (2) *relevant acquisition workforce training and*
8 *education;*

9 (3) *the role of requirements in the adaptive ac-*
10 *quisition framework (as described in Department of*
11 *Defense Instruction 5000.02, “Operation of the*
12 *Adaptive Acquisition Framework”), including—*

13 (A) *the ability to accommodate evolving*
14 *commercial functionality and new opportunities*
15 *identified during market research; and*

16 (B) *how phasing and uncertainty in re-*
17 *quirements are treated;*

18 (4) *the role of competitive procedures and source*
19 *selection procedures, including the ability to structure*
20 *acquisition processes to accommodate—*

21 (A) *multiple or unequal solutions; and*

22 (B) *emerging solutions that could fulfill*
23 *program requirements;*

1 (5) *the role of planning, programming, and*
2 *budgeting structures and processes, including appro-*
3 *priations categories;*

4 (6) *systemic biases in favor of custom solutions;*

5 (7) *allocation of technical data rights;*

6 (8) *strategies to control modernization and*
7 *sustainment costs;*

8 (9) *the risk to contracting officers and other*
9 *members of the acquisition workforce of acquiring*
10 *commercial products and commercial services, and*
11 *incentives and disincentives for taking such risks; and*

12 (10) *potential reforms that do not impose addi-*
13 *tional burdensome and time-consuming constraints on*
14 *the acquisition process.*

15 (c) *BRIEFING.*—*Not later than 120 days after the date*
16 *of the enactment of this Act, the Under Secretary of Defense*
17 *for Acquisition and Sustainment and the Chairman of the*
18 *Joint Requirements Oversight Council shall brief the con-*
19 *gressional defense committees on the results of the required*
20 *assessment and any actions undertaken to improve compli-*
21 *ance with the statutory preference for commercial products*
22 *and commercial services, including any recommendations*
23 *to Congress for legislative action.*

1 **SEC. 808. BRIEFING ON TRANSPARENCY FOR CERTAIN DO-**
2 **MESTIC PROCUREMENT WAIVERS.**

3 *Not later than 180 days after the date of the enactment*
4 *of this Act, the Secretary of Defense shall brief the congres-*
5 *sional defense committees on the extent to which informa-*
6 *tion relating to the use of domestic procurement waivers*
7 *by the Department of Defense is publicly available.*

8 **SEC. 809. REPORT ON VIOLATIONS OF CERTAIN DOMESTIC**
9 **PREFERENCE LAWS.**

10 *(a) REPORT REQUIRED.—Not later than February 1*
11 *of each of 2023, 2024, and 2025, the Secretary of Defense,*
12 *in coordination with each Secretary of a military depart-*
13 *ment, shall submit to the congressional defense committees*
14 *a report on violations of certain domestic preference laws*
15 *reported to the Department of Defense and the military de-*
16 *partments. Each report shall include such violations that*
17 *occurred during the previous fiscal year covered by the re-*
18 *port.*

19 *(b) ELEMENTS.—Each report required under sub-*
20 *section (a) shall include the following for each reported vio-*
21 *lation:*

22 *(1) The name of the contractor.*

23 *(2) The contract number.*

24 *(3) The nature of the violation, including which*
25 *of the certain domestic preference laws was violated.*

26 *(4) The origin of the report of the violation.*

1 (5) *Actions taken or pending by the Secretary*
2 *concerned in response to the violation.*

3 (6) *Other related matters deemed appropriate by*
4 *the Secretary concerned.*

5 (c) *CERTAIN DOMESTIC PREFERENCE LAWS DE-*
6 *FINED.—In this section, the term “certain domestic pref-*
7 *erence laws” means any provision of section 2533a or 2533b*
8 *of title 10, United States Code, or chapter 83 of title 41*
9 *of such Code, that requires or creates a preference for the*
10 *procurement of goods, articles, materials, or supplies, that*
11 *are grown, mined, reprocessed, reused, manufactured, or*
12 *produced in the United States.*

13 ***Subtitle B—Amendments to General***
14 ***Contracting Authorities, Proce-***
15 ***dures, and Limitations***

16 ***SEC. 811. CERTAIN MULTIYEAR CONTRACTS FOR ACQUISI-***
17 ***TION OF PROPERTY: BUDGET JUSTIFICATION***
18 ***MATERIALS.***

19 (a) *IN GENERAL.—Chapter 9 of title 10, United States*
20 *Code, is amended by adding at the end the following new*
21 *section:*

22 ***“§ 239c. Certain multiyear contracts for acquisition of***
23 ***property: budget justification materials***

24 “(a) *IN GENERAL.—In the budget justification mate-*
25 *rials submitted to Congress in support of the Department*

1 *of Defense budget for fiscal year 2023 and each fiscal year*
2 *thereafter (as submitted with the budget of the President*
3 *under section 1105(a) of title 31), the Secretary of Defense*
4 *shall include a proposal for any multiyear contract of the*
5 *Department entered into under section 2306b of this title*
6 *that—*

7 “(1) *the head of an agency intends to cancel dur-*
8 *ing the fiscal year; or*

9 “(2) *with respect to which the head of an agency*
10 *intends to effect a covered modification during the fis-*
11 *cal year.*

12 “(b) *ELEMENTS.—Each proposal required by sub-*
13 *section (a) shall include the following:*

14 “(1) *A detailed assessment of any expected termi-*
15 *nation costs associated with the proposed cancellation*
16 *or covered modification of the multiyear contract.*

17 “(2) *An updated assessment of estimated savings*
18 *of such cancellation or carrying out the multiyear*
19 *contract as modified by such covered modification.*

20 “(3) *An explanation of the proposed use of pre-*
21 *viously appropriated funds for advance procurement*
22 *or procurement of property planned under the*
23 *multiyear contract before such cancellation or covered*
24 *modification.*

1 “(4) *An assessment of expected impacts of the*
 2 *proposed cancellation or covered modification on the*
 3 *defense industrial base, including workload stability,*
 4 *loss of skilled labor, and reduced efficiencies.*

5 “(c) *DEFINITIONS.—In this section:*

6 “(1) *The term ‘covered modification’ means a*
 7 *modification that will result in a reduction in the*
 8 *quantity of end items to be procured.*

9 “(2) *The term ‘head of an agency’ means—*

10 “(A) *the Secretary of Defense;*

11 “(B) *the Secretary of the Army;*

12 “(C) *the Secretary of the Navy; or*

13 “(D) *the Secretary of the Air Force.”.*

14 “(b) *CLERICAL AMENDMENT.—The table of sections at*
 15 *the beginning of chapter 9 of such title is amended by add-*
 16 *ing at the end the following new item:*

“239c. Certain multiyear contracts for acquisition of property: budget justification materials.”.

17 **SEC. 812. EXTENSION OF DEMONSTRATION PROJECT RE-**
 18 **LATING TO CERTAIN ACQUISITION PER-**
 19 **SONNEL MANAGEMENT POLICIES AND PRO-**
 20 **CEDURES.**

21 *Section 1762(g) of title 10, United States Code, is*
 22 *amended by striking “December 31, 2023” and inserting*
 23 *“December 31, 2026”.*

1 **SEC. 813. OFFICE OF CORROSION POLICY AND OVERSIGHT**
2 **EMPLOYEE TRAINING REQUIREMENTS.**

3 *Section 2228 of title 10, United States Code, is amend-*
4 *ed—*

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

7 *“(6) The Director shall ensure that contractors of*
8 *the Department of Defense carrying out activities for*
9 *the prevention and mitigation of corrosion of the*
10 *military equipment and infrastructure of the Depart-*
11 *ment of Defense employ for such activities a substan-*
12 *tial number of individuals who have completed, or*
13 *who are currently enrolled in, a qualified training*
14 *program.”;*

15 *(2) in subsection (c)—*

16 *(A) in paragraph (2), by striking “and” at*
17 *the end and inserting a semicolon;*

18 *(B) in paragraph (3), by striking the period*
19 *at the end and inserting “; and”; and*

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

22 *“(4) require that any training or professional*
23 *development activities for military personnel or civil-*
24 *ian employees of the Department of Defense for the*
25 *prevention and mitigation of corrosion of the military*
26 *equipment and infrastructure of the Department of*

1 *Defense are conducted under a qualified training pro-*
2 *gram that trains and certifies individuals in meeting*
3 *corrosion control standards that are recognized indus-*
4 *try-wide.”; and*

5 *(3) in subparagraph (f), by adding at the end*
6 *the following new paragraph:*

7 *“(6) The term ‘qualified training program’*
8 *means a training program in corrosion control, miti-*
9 *gation, and prevention that is—*

10 *“(A) offered or accredited by an organiza-*
11 *tion that sets industry corrosion standards; or*

12 *“(B) an industrial coatings applicator*
13 *training program registered under the Act of Au-*
14 *gust 16, 1937 (popularly known as the ‘National*
15 *Apprenticeship Act’; 29 U.S.C. 50 et seq.).”.*

16 **SEC. 814. MODIFIED CONDITION FOR PROMPT CONTRACT**
17 **PAYMENT ELIGIBILITY.**

18 *Section 2307(a)(2)(B) of title 10, United States Code,*
19 *is amended by striking “if the prime contractor agrees or*
20 *proposes to make payments to the subcontractor” and in-*
21 *serting “if the prime contractor agrees to make payments*
22 *to the subcontractor”.*

1 **SEC. 815. MODIFICATION TO PROCUREMENT OF SERVICES:**
2 **DATA ANALYSIS AND REQUIREMENTS VALI-**
3 **DATION.**

4 (a) *IN GENERAL.*—Section 2329 of title 10, United
5 States Code, is amended—

6 (1) *in subsection (b)*—

7 (A) *in the matter preceding paragraph (1),*
8 *by striking “October 1, 2021” and inserting*
9 *“February 1, 2023”; and*

10 (B) *by striking paragraphs (4) and (5) and*
11 *inserting the following new paragraphs:*

12 “(4) *be informed by the review of the inventory*
13 *required by section 2330a(c) using standard guide-*
14 *lines developed under subsection (d); and*

15 “(5) *clearly and separately identify the amount*
16 *requested and projected for the procurement of con-*
17 *tract services for each Defense Agency, Department of*
18 *Defense Field Activity, command, or military instal-*
19 *lation for the budget year and the subsequent four fis-*
20 *cal years in the future-years defense program sub-*
21 *mitted to Congress under section 221.”;*

22 (2) *by amending subsection (d) to read as fol-*
23 *lows:*

24 “(d) **REQUIREMENTS EVALUATION.**—(1) *Each Services*
25 *Requirements Review Board shall evaluate each require-*
26 *ment for a services contract, taking into consideration total*

1 *force management policies and procedures, available re-*
2 *sources, the analyses conducted under subsection (c), and*
3 *contracting efficacy and efficiency. An evaluation of a serv-*
4 *ices contract for compliance with contracting policies and*
5 *procedures may not be considered to be an evaluation of*
6 *a requirement for such services contract.*

7 “(2) *The Secretary of Defense shall establish and issue*
8 *standard guidelines within the Department of Defense for*
9 *the evaluation of requirements for services contracts. Any*
10 *such guidelines issued—*

11 “(A) *shall be consistent with the ‘Handbook of*
12 *Contract Function Checklists for Services Acquisition’*
13 *issued by the Department of Defense in May 2018, or*
14 *a successor or other appropriate policy; and*

15 “(B) *shall be updated as necessary to incorporate*
16 *applicable statutory changes to total force manage-*
17 *ment policies and procedures and any other guide-*
18 *lines or procedures relating to the use of Department*
19 *of Defense civilian employees to perform new func-*
20 *tions and functions that are performed by contractors.*

21 “(3) *The acquisition decision authority for each serv-*
22 *ices contract shall certify—*

23 “(A) *that a task order or statement of work being*
24 *submitted to a contracting office is in compliance*
25 *with the standard guidelines;*

1 “(B) that all appropriate statutory risk mitiga-
2 tion efforts have been made; and

3 “(C) that such task order or statement of work
4 does not include requirements formerly performed by
5 Department of Defense civilian employees.

6 “(4) The Inspector General of the Department of De-
7 fense may conduct annual audits to ensure compliance with
8 this subsection.”;

9 (3) by striking subsection (f) and redesignating
10 the subsequent subsections accordingly; and

11 (4) in subsection (f), as so redesignated—

12 (A) in paragraph (3), by striking “January
13 5, 2016” and inserting “January 10, 2020”; and

14 (B) by adding at the end the following new
15 paragraph:

16 “(4) The term ‘acquisition decision authority’
17 means the designated decision authority for each des-
18 ignated special interest services acquisition category,
19 described in such Department of Defense Instruc-
20 tion.”.

21 (b) REPEALS.—

22 (1) Section 235 of title 10, United States Code,
23 is repealed.

1 (2) *Section 852 of the National Defense Author-*
2 *ization Act for Fiscal Year 2018 (Public Law 115–*
3 *91; 131 Stat. 1492; 10 U.S.C. 2329 note) is repealed.*

4 **SEC. 816. LIMITATION ON PROCUREMENT OF WELDED SHIP-**
5 **BOARD ANCHOR AND MOORING CHAIN FOR**
6 **NAVAL VESSELS.**

7 *Section 2534 of title 10, United States Code, is amend-*
8 *ed—*

9 (1) *in subsection (a)(2), by adding at the end the*
10 *following new subparagraph:*

11 *“(F) Welded shipboard anchor and mooring*
12 *chain.”; and*

13 (2) *in subsection (b)—*

14 (A) *by striking “A manufacturer” and in-*
15 *serting “(1) Except as provided in paragraph*
16 *(2), a manufacturer”;* and

17 (B) *by adding at the end the following new*
18 *paragraph:*

19 *“(2) A manufacturer of welded shipboard anchor and*
20 *mooring chain for naval vessels meets the requirements of*
21 *this subsection if the manufacturer is part of the national*
22 *technology and industrial base.”.*

1 **SEC. 817. REPEAL OF PREFERENCE FOR FIXED-PRICE CON-**
2 **TRACTS.**

3 *Section 829 of the National Defense Authorization Act*
4 *for Fiscal Year 2017 (10 U.S.C. 2306 note) is repealed.*

5 **Subtitle C—Provisions Relating to**
6 **Other Transaction Authority**

7 **SEC. 821. MODIFICATION OF OTHER TRANSACTION AU-**
8 **THORITY FOR RESEARCH PROJECTS.**

9 *(a) IN GENERAL.—Section 2371 of title 10, United*
10 *States Code, is amended—*

11 *(1) in subsection (e)—*

12 *(A) by striking paragraph (2);*

13 *(B) in paragraph (1), in the matter pre-*
14 *ceding subparagraph (A), by striking “(1)”;* and

15 *(C) by redesignating subparagraphs (A)*
16 *and (B) as paragraphs (1) and (2), respectively;*
17 *and*

18 *(2) by amending subsection (h) to read as fol-*
19 *lows:*

20 *“(h) GUIDANCE.—The Secretary of Defense shall issue*
21 *guidance to carry out this section.”.*

22 *(b) CONFORMING AMENDMENT.—Section 2371b(b)(1)*
23 *of title 10, United States Code, is amended by striking*
24 *“Subsections (e)(1)(B) and (e)(2)” and inserting “Sub-*
25 *section (e)(2)”.*

1 **SEC. 822. MODIFICATION OF PRIZE AUTHORITY FOR AD-**
2 **VANCED TECHNOLOGY ACHIEVEMENTS.**

3 *Section 2374a of title 10, United States Code, is*
4 *amended—*

5 *(1) in subsection (a), by inserting “, including*
6 *procurement contracts and other agreements,” after*
7 *“other types of prizes”;*

8 *(2) in subsection (b), in the first sentence, by in-*
9 *serting “and for the selection of recipients of procure-*
10 *ment contracts and other agreements” after “cash*
11 *prizes”;*

12 *(3) in subsection (c)(1), by inserting “without*
13 *the approval of the Under Secretary of Defense for*
14 *Research and Engineering” before the period at the*
15 *end; and*

16 *(4) by adding at the end the following new sub-*
17 *section:*

18 *“(g) CONGRESSIONAL NOTICE.—*

19 *“(1) IN GENERAL.—Not later than 15 days after*
20 *a procurement contract or other agreement that ex-*
21 *ceeds a fair market value of \$10,000,000 is awarded*
22 *under the authority under a program under sub-*
23 *section (a), the Secretary of Defense shall submit to*
24 *the congressional defense committees written notice of*
25 *such award.*

1 “(2) *CONTENTS.*—Each notice submitted under
2 *paragraph (1) shall include—*

3 “(A) *the value of the relevant procurement*
4 *contract or other agreement, as applicable, in-*
5 *cluding all options;*

6 “(B) *a brief description of the research re-*
7 *sult, technology development, or prototype for*
8 *which such procurement contract or other agree-*
9 *ment, as applicable, was awarded; and*

10 “(C) *an explanation of the benefit to the*
11 *performance of the military mission of the De-*
12 *partment of Defense resulting from the award.”.*

13 **SEC. 823. PILOT PROGRAM ON SYSTEMS ENGINEERING DE-**
14 **TERMINATIONS.**

15 (a) *REQUIREMENT.*—As soon as practicable but not
16 *later than September 30, 2023, the Secretary of Defense*
17 *shall ensure that each covered entity enters into at least two*
18 *covered transactions under an authority described in sub-*
19 *section (b), where each such covered transaction includes the*
20 *system engineering determinations described under sub-*
21 *section (c).*

22 (b) *COVERED AUTHORITIES.*—The authorities de-
23 *scribed under this subsection are as follows:*

1 (1) *Section 2371 of title 10, United States Code,*
2 *with respect to applied and advanced research project*
3 *transactions relating to weapons systems.*

4 (2) *Section 2371b of such title, with respect to*
5 *transactions relating to weapons systems.*

6 (3) *Section 2373 of such title.*

7 (4) *Section 2358 of such title, with respect to*
8 *transactions relating to weapons systems.*

9 (c) *SYSTEMS ENGINEERING DETERMINATIONS.—*

10 (1) *FIRST DETERMINATION.—*

11 (A) *SUCCESS CRITERIA.—The head of a cov-*
12 *ered entity that enters into a covered transaction*
13 *under this section shall identify, in writing, not*
14 *later than 30 days after entering into such cov-*
15 *ered transaction, measurable success criteria re-*
16 *lated to potential military applications of such*
17 *covered transaction, to be demonstrated not later*
18 *than the last day of the period of performance*
19 *for such covered transaction.*

20 (B) *TYPES OF DETERMINATIONS.—Not later*
21 *than 30 days after the end of such period of per-*
22 *formance, the head of the covered entity shall*
23 *make one of the following determinations:*

24 (i) *A “Discontinue” determination,*
25 *under which such head discontinues support*

1 of the covered transaction and provides a
2 rationale for such determination.

3 (ii) A “Retain and Extend” deter-
4 mination, under which such head ensures
5 continued performance of such covered
6 transaction and extends the period of per-
7 formance for a specified period of time in
8 order to achieve the success criteria de-
9 scribed under subparagraph (A).

10 (iii) An “Endorse and Refer” deter-
11 mination, under which such head endorses
12 the covered transaction and refers it to the
13 most appropriate Service Systems Engi-
14 neering Command, based on the technical
15 attributes of the covered transaction and the
16 associated potential military applications,
17 based on meeting or exceeding the success
18 criteria.

19 (C) WRITTEN NOTICE.—A determination
20 made pursuant to subparagraph (B) shall be
21 documented in writing and provided to the per-
22 son performing the covered transaction to which
23 the determination relates.

24 (D) FURTHER DETERMINATION.—If the
25 head of a covered entity issued a “Retain and

1 *Extend*” determination described in subpara-
2 graph (B)(ii), such head shall, at the end of the
3 extension period—

4 (i) issue an “*Endorse and Refer*” de-
5 termination described in subparagraph
6 (B)(iii) if the success criteria are met; or

7 (ii) issue a “*Discontinue*” determina-
8 tion described in subparagraph (B)(i) if the
9 success criteria are not met.

10 (2) *SECOND DETERMINATION.*—

11 (A) *SYSTEMS ENGINEERING PLAN.*—*The*
12 *head of the Service Systems Engineering Com-*
13 *mand that receives a referral from an “Endorse*
14 *and Refer” determination described in para-*
15 *graph (1)(B)(iii) shall, not later than 30 days*
16 *after receipt of such referral, formulate a systems*
17 *engineering plan with the person performing the*
18 *referred covered transaction, technical experts of*
19 *the Department of Defense, and any prospective*
20 *program executive officers.*

21 (B) *ELEMENTS.*—*The systems engineering*
22 *plan required under subparagraph (A) shall in-*
23 *clude the following:*

1 (i) *Measurable baseline technical capa-*
2 *bility, based on meeting the success criteria*
3 *described in paragraph (1)(A).*

4 (ii) *Measurable transition technical ca-*
5 *pability, based on the technical needs of the*
6 *prospective program executive officers to*
7 *support a current or future program of*
8 *record.*

9 (iii) *Discrete technical development ac-*
10 *tivities necessary to progress from the base-*
11 *line technical capability to the transition*
12 *technical capability, including an approxi-*
13 *mate cost and schedule, including activities*
14 *that provide resolution to issues relating*
15 *to—*

- 16 (I) *interfaces;*
17 (II) *data rights;*
18 (III) *Federal Government tech-*
19 *nical requirements;*
20 (IV) *specific platform technical*
21 *integration;*
22 (V) *software development;*
23 (VI) *component, subsystem, or*
24 *system prototyping;*
25 (VII) *scale models;*

- 1 (VIII) *technical manuals;*
2 (IX) *lifecycle sustainment needs;*
3 *and*
4 (X) *other needs identified by the*
5 *relevant program executive officer.*

6 (iv) *Identification and commitment of*
7 *funding sources to complete the activities*
8 *under clause (iii).*

9 (C) *TYPES OF DETERMINATIONS.—Not later*
10 *than 30 days after the end of the schedule re-*
11 *quired by subparagraph (B)(iii), the head of the*
12 *Service Systems Engineering Command shall*
13 *make one of the following determinations:*

14 (i) *A “Discontinue” determination,*
15 *under which such head discontinues support*
16 *of the covered transaction and provides a*
17 *rationale for such determination.*

18 (ii) *A “Retain and Extend” deter-*
19 *mination, under which such head ensures*
20 *continued performance of such covered*
21 *transaction within the Service Systems En-*
22 *gineering Command and extends the period*
23 *of performance for a specified period of time*
24 *in order to—*

1 (I) *successfully complete the sys-*
2 *tems engineering plan required under*
3 *subparagraph (A); and*

4 (II) *issue specific remedial or ad-*
5 *ditional activities to the person per-*
6 *forming the covered transaction.*

7 (iii) *An “Endorse and Refer” deter-*
8 *mination, under which such head endorses*
9 *the covered transaction and refers it to a*
10 *program executive officer, based on success-*
11 *ful completion of the systems engineering*
12 *plan required under subparagraph (A).*

13 (D) *WRITTEN NOTICE.—A determination*
14 *made pursuant to subparagraph (C) shall be*
15 *documented in writing and provided to the per-*
16 *son performing the covered transaction to which*
17 *the determination relates and any prospective*
18 *program executive officers for such covered trans-*
19 *action.*

20 (E) *FURTHER DETERMINATION.—If the*
21 *head of the Service Systems Engineering Com-*
22 *mand issued a “Retain and Extend” determina-*
23 *tion described in subparagraph (C)(ii), such*
24 *head shall, at the end of the extension period—*

1 (i) issue an “Endorse and Refer” de-
2 termination described in subparagraph
3 (C)(iii) if the transition technical capa-
4 bility criteria are met; or

5 (ii) issue a “Discontinue” determina-
6 tion described in subparagraph (B)(i) if the
7 success criteria are not met.

8 (d) *PRIORITY FOR COVERED TRANSACTION SELEC-*
9 *TION.*—In selecting a covered transaction under this sec-
10 tion, the Secretary shall prioritize those covered trans-
11 actions that—

12 (1) are being initially demonstrated at a covered
13 entity;

14 (2) demonstrate a high potential to be further de-
15 veloped by a Service Systems Engineering Command;
16 and

17 (3) demonstrate a high potential to be used in a
18 program of the Department of Defense.

19 (e) *NOTIFICATIONS.*—

20 (1) *IN GENERAL.*—Not later than 30 days after
21 a covered transaction is entered into pursuant to sub-
22 section (a), the Secretary of Defense shall notify the
23 congressional defense committees of such covered
24 transaction.

1 (2) *UPDATES.*—Not later than 120 days after
2 such a covered transaction is entered into, and every
3 120 days thereafter until the action specified in sub-
4 section (c)(1)(B)(i), (c)(2)(C)(i), or (c)(2)(C)(iii) oc-
5 curs, the Secretary of Defense shall provide written
6 updates to the congressional defense committees on the
7 actions being taken by the Department to comply
8 with the requirements of this section.

9 (f) *BRIEFING REQUIRED.*—Not later than 60 days
10 after the date of the enactment of this Act, the Secretary
11 of Defense shall provide a briefing to the Committees on
12 Armed Services of the Senate and the House of Representa-
13 tives with a detailed plan to implement the requirements
14 of this section.

15 (g) *DEFINITIONS.*—In this section:

16 (1) The term “covered entity” means—
17 (A) the Defense Innovation Unit;
18 (B) the Strategic Capabilities Office; or
19 (C) the Defense Advanced Research Projects
20 Agency.

21 (2) The term “covered transaction” means a
22 transaction, procurement, or project conducted pursu-
23 ant to an authority listed in subsection (b).

24 (3) The term “Service Systems Engineering
25 Command” means the specific Department of Defense

1 *command that reports through a chain of command*
2 *to the head of a military department that specializes*
3 *in the systems engineering of a system, subsystem,*
4 *component, or capability area.*

5 **SEC. 824. RECOMMENDATIONS ON THE USE OF OTHER**
6 **TRANSACTION AUTHORITY.**

7 *(a) REVIEW AND RECOMMENDATIONS REQUIRED.—*

8 *(1) IN GENERAL.—The Secretary of Defense shall*
9 *review the current use, and the authorities, regula-*
10 *tions, and policies related to the use, of other trans-*
11 *action authority under sections 2371 and 2371b of*
12 *title 10, United States Code, and assess the merits of*
13 *modifying or expanding such authorities with respect*
14 *to—*

15 *(A) the inclusion in such transactions for*
16 *the Government and contractors to include force*
17 *majeure provisions to deal with unforeseen cir-*
18 *cumstances in execution of the transaction;*

19 *(B) the determination of the traditional or*
20 *nontraditional status of an entity based on the*
21 *parent company or majority owner of the entity;*

22 *(C) the determination of the traditional or*
23 *nontraditional status of an entity based on the*
24 *status of an entity as a qualified businesses*

1 *wholly-owned through an Employee Stock Own-*
2 *ership Plan;*

3 *(D) the ability of the Department of Defense*
4 *to award agreements for prototypes with all of*
5 *the costs of the prototype project provided by pri-*
6 *vate sector partners of the participant to the*
7 *transaction for such prototype project, to allow*
8 *for expedited transition into follow-on produc-*
9 *tion agreements for appropriate technologies;*

10 *(E) the ability of the Department of Defense*
11 *to award agreements for procurement, including*
12 *without the need for prototyping;*

13 *(F) the ability of the Department of Defense*
14 *to award agreements for sustainment of capabili-*
15 *ties, including without the need for prototyping;*

16 *(G) the ability of the Department of Defense*
17 *to award agreements to support the organic in-*
18 *dustrial base;*

19 *(H) the ability of the Department of Defense*
20 *to award agreements for prototyping of services*
21 *or acquisition of services;*

22 *(I) the need for alternative authorities or*
23 *policies to more effectively and efficiently execute*
24 *agreements with private sector consortia;*

1 *(J) the ability of the Department of Defense*
2 *to monitor and report on individual awards*
3 *made under consortium-based other transactions;*
4 *and*

5 *(K) other issues as identified by the Sec-*
6 *retary.*

7 (2) *QUALIFIED BUSINESSES WHOLLY-OWNED*
8 *THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN*
9 *DEFINED.—The term “qualified businesses wholly-*
10 *owned through an Employee Stock Ownership Plan”*
11 *means an S corporation (as defined in section*
12 *1361(a)(1) of the Internal Revenue Code of 1986) for*
13 *which 100 percent of the outstanding stock is held*
14 *through an employee stock ownership plan (as defined*
15 *in section 4975(e)(7) of the Internal Revenue Code).*

16 (b) *ISSUES IDENTIFIED AND RECOMMENDATIONS FOR*
17 *CHANGES TO POLICIES OR AUTHORITIES.—In carrying out*
18 *the review under paragraph (1) of subsection (a), with re-*
19 *spect to each issue described in subparagraphs (A) through*
20 *(K) of such paragraph, the Secretary of Defense shall—*

21 (1) *identify relevant issues and challenges with*
22 *the use of the authority under section 2371 or 2371b*
23 *of title 10, United States Code;*

24 (2) *discuss the advantages and disadvantages of*
25 *modifying or expanding the authority under section*

1 (1) *Other transaction agreements pursuant to the*
2 *authorities under section 2371 and 2371b of title 10,*
3 *United States Code.*

4 (2) *Individual task orders awarded under a task*
5 *order contract (as defined in section 2304d of title 10,*
6 *United States Code), including individual task orders*
7 *issued to a federally funded research and development*
8 *center.*

9 (b) *For initial agreements covered under subsection*
10 *(a), the procedures required under subsection (a) shall in-*
11 *clude, but not be limited to—*

12 (1) *the participants to the transaction (other*
13 *than the Federal Government);*

14 (2) *each business selected to perform work under*
15 *the transaction by a participant to the transaction*
16 *that is a consortium of private entities;*

17 (3) *the date on which each participant entered*
18 *into the transaction;*

19 (4) *the amount of the transaction; and*

20 (5) *other related matters the Secretary deems ap-*
21 *propriate.*

22 (c) *For follow-on contracts, agreements, or trans-*
23 *actions covered under subsection (a), the procedures re-*
24 *quired under subsection (a) shall include, but not be limited*
25 *to—*

1 (1) *identification of the initial covered contract*
2 *or transaction and each subsequent follow-on contract*
3 *or transaction;*

4 (2) *the awardee;*

5 (3) *the amount;*

6 (4) *the date awarded; and*

7 (5) *other related matters the Secretary deems ap-*
8 *propriate.*

9 (d) *The Administrator of the General Services Admin-*
10 *istration shall update the Federal Procurement Data Sys-*
11 *tem (FPDS) within 180 days to collect the data required*
12 *under this section.*

13 (e) *REPORTING.—Not later than one year after the*
14 *date of the enactment of this Act, and not less than annually*
15 *thereafter, the Secretary of Defense shall submit to the con-*
16 *gressional defense committees a report on the use of agree-*
17 *ments and activities described in subsection (a) and associ-*
18 *ated funding.*

19 (f) *PUBLICATION OF INFORMATION.—Not later than*
20 *one year after the date of enactment of this Act, the Sec-*
21 *retary of Defense shall establish procedures to collect infor-*
22 *mation on individual agreements and activities described*
23 *in this section and associated funding in an online, public,*
24 *searchable database, unless the Secretary deems such dislo-*

1 *sure inappropriate for individual agreements based on na-*
 2 *tional security concerns.*

3 ***Subtitle D—Provisions Relating to***
 4 ***Software and Technology***

5 ***SEC. 831. TECHNOLOGY PROTECTION FEATURES ACTIVI-***
 6 ***TIES.***

7 *(a) IN GENERAL.—Section 2357 of title 10, United*
 8 *States Code, is amended—*

9 *(1) in subsection (b)—*

10 *(A) by inserting “(1)” before “Any”;*

11 *(B) by adding at the end the following new*
 12 *paragraph:*

13 *“(2) The Secretary may deem the portion of the costs*
 14 *of the contractor described in paragraph (1) with respect*
 15 *to a designated system as allowable independent research*
 16 *and development costs under the regulations issued under*
 17 *section 2372 of this title if—*

18 *“(A) the designated system receives Milestone B*
 19 *approval; and*

20 *“(B) the Secretary determines that doing so*
 21 *would further the purposes of this section.”; and*

22 *(2) in subsection (c)—*

23 *(A) by redesignating paragraph (2) as*
 24 *paragraph (4); and*

1 “(d) *DATA COLLECTION.*—*The Secretary of Defense*
2 *shall develop and implement a plan to collect and analyze*
3 *data on the use of authority under this section for the pur-*
4 *poses of—*

5 “(1) *developing and sharing best practices; and*

6 “(2) *providing information to the Secretary of*
7 *Defense and Congress on the use of authority under*
8 *this section and related policy issues.*

9 “(e) *REPORT.*—*The Secretary of Defense shall submit*
10 *a report to the congressional defense committees on the ac-*
11 *tivities carried out under this section not later than Decem-*
12 *ber 31, 2025.”; and*

13 (3) *in subsection (f) (as so redesignated), by*
14 *striking “December 31, 2021” and inserting “Decem-*
15 *ber 31, 2026”.*

16 **SEC. 833. PILOT PROGRAM ON ACQUISITION PRACTICES**
17 **FOR EMERGING TECHNOLOGIES.**

18 (a) *IN GENERAL.*—*Not later than 180 days after the*
19 *date of the enactment of this Act, the Secretary of Defense,*
20 *acting through the Under Secretary of Defense for Acquisi-*
21 *tion and Sustainment or the Under Secretary’s designee,*
22 *shall establish a pilot program (in this section referred to*
23 *as the “Pilot Program”) to develop and implement unique*
24 *acquisition mechanisms for emerging technologies in order*

1 *to increase the speed of transition of emerging technologies*
2 *into acquisition programs or into operational use.*

3 (b) *ELEMENTS.—In carrying out the Pilot Program,*
4 *the Under Secretary of Defense for Acquisition and*
5 *Sustainment shall—*

6 (1) *identify, and award agreements to, not less*
7 *than four new projects supporting high-priority de-*
8 *fense modernization activities, consistent with the Na-*
9 *tional Defense Strategy, with consideration given*
10 *to—*

11 (A) *offensive missile capabilities;*

12 (B) *space-based assets;*

13 (C) *personnel and quality of life improve-*
14 *ment;*

15 (D) *energy generation and storage; and*

16 (E) *any other area activities the Under Sec-*
17 *retary determines appropriate;*

18 (2) *develop a unique acquisition plan for each*
19 *project identified pursuant to paragraph (1) that is*
20 *significantly novel from standard Department of De-*
21 *fense acquisition practices, including the use of—*

22 (A) *alternative price evaluation models;*

23 (B) *alternative independent cost estimation*
24 *methodologies;*

25 (C) *alternative market research methods;*

1 (D) continuous assessment of performance
2 metrics to measure project value for use in pro-
3 gram management and oversight;

4 (E) alternative intellectual property strate-
5 gies, including activities to support modular
6 open system approaches (as defined in section
7 2446a(b) of title 10, United States Code) and re-
8 duce life-cycle and sustainment costs; and

9 (F) other alternative practices identified by
10 the Under Secretary;

11 (3) execute the acquisition plans described in
12 paragraph (2) and award agreements in an expedited
13 manner; and

14 (4) determine if existing authorities are suffi-
15 cient to carry out the activities described in this sub-
16 section and, if not, submit to the congressional defense
17 committees recommendations for statutory reforms
18 that will provide sufficient authority.

19 (c) *REGULATION WAIVER.*—The Under Secretary of
20 Defense for Acquisition and Sustainment shall establish
21 mechanisms for the Under Secretary to waive, upon request,
22 regulations, directives, or policies of the Department of De-
23 fense, a military service, or a Defense Agency with respect
24 to a project awarded an agreement under the Pilot Program
25 if the Under Secretary determines that such a waiver fur-

1 *thers the purposes of the Pilot Program, unless such waiver*
2 *would be prohibited by a provision of a Federal statute or*
3 *common law.*

4 *(d) AGREEMENT TERMINATION.—*

5 *(1) IN GENERAL.—The Secretary of Defense may*
6 *establish procedures to terminate agreements awarded*
7 *under the Pilot Program.*

8 *(2) NOTIFICATION REQUIRED.—Any procedure*
9 *established under paragraph (1) shall require that,*
10 *not later than 30 days prior to the termination of*
11 *any agreement under such procedure, notice of such*
12 *termination shall be provided to the congressional de-*
13 *fense committees.*

14 *(e) PILOT PROGRAM ADVISORY GROUP.—*

15 *(1) IN GENERAL.—The Under Secretary of De-*
16 *fense for Acquisition and Sustainment shall establish*
17 *a Pilot Program advisory group to advise the Under*
18 *Secretary on—*

19 *(A) the selection, management and elements*
20 *of projects under the Pilot Program;*

21 *(B) the collection of data regarding the use*
22 *of the Pilot Program; and*

23 *(C) the termination of agreements under the*
24 *Pilot Program.*

25 *(2) MEMBERSHIP.—*

1 (A) *IN GENERAL.*—*The members of the ad-*
2 *visory group established under paragraph (1)*
3 *shall be appointed as follows:*

4 (i) *One member from each military de-*
5 *partment (as defined under section 101(a)*
6 *of title 10, United States Code), appointed*
7 *by the Secretary of the military department*
8 *concerned.*

9 (ii) *One member appointed by the*
10 *Under Secretary of Defense for Research*
11 *and Engineering.*

12 (iii) *One member appointed by the*
13 *Under Secretary of Defense for Acquisition*
14 *and Sustainment.*

15 (iv) *One member appointed by the Di-*
16 *rector of the Strategic Capabilities Office of*
17 *the Department of Defense.*

18 (v) *One member appointed by the Di-*
19 *rector of the Defense Advanced Research*
20 *Projects Agency.*

21 (vi) *One member appointed by the Di-*
22 *rector of Cost Assessment and Program*
23 *Evaluation.*

24 (vii) *One member appointed by the Di-*
25 *rector of Operational Test and Evaluation.*

1 (B) *DEADLINE FOR APPOINTMENT.*—*Mem-*
2 *bers of the advisory group shall be appointed not*
3 *later than 30 days after the date of the establish-*
4 *ment of the pilot program under subsection (a).*

5 (3) *FACA NON-APPLICABILITY.*—*The Federal Ad-*
6 *visory Committee Act (5 U.S.C. App.) shall not apply*
7 *to the advisory group established under paragraph*
8 *(1).*

9 (f) *INFORMATION TO CONGRESS.*—

10 (1) *BRIEFING REQUIREMENT.*—*Not later than*
11 *180 days after the date of the enactment of this Act,*
12 *and not less than annually thereafter, the Secretary*
13 *of Defense shall provide to the congressional defense*
14 *committees a briefing on activities performed under*
15 *this section.*

16 (2) *BUDGET JUSTIFICATION MATERIALS.*—*The*
17 *Secretary shall establish procedures to clearly identify*
18 *all projects under the Pilot Program in budget jus-*
19 *tification materials submitted to Congress.*

20 (g) *DATA REQUIREMENTS.*—

21 (1) *COLLECTION AND ANALYSIS OF DATA.*—*The*
22 *Secretary shall establish mechanisms to collect and*
23 *analyze data on the execution of the Pilot Program*
24 *for the purpose of—*

1 (A) *developing and sharing best practices*
2 *for achieving goals established for the Pilot Pro-*
3 *gram;*

4 (B) *providing information to the Secretary*
5 *and the congressional defense committees on the*
6 *execution of the Pilot Program; and*

7 (C) *providing information to the Secretary*
8 *and the congressional defense committees on re-*
9 *lated policy issues.*

10 (2) *DATA STRATEGY REQUIRED.—The Secretary*
11 *may not establish the Pilot Program prior to comple-*
12 *tion of a plan for—*

13 (A) *meeting the requirements of this sub-*
14 *section;*

15 (B) *collecting the data required to carry out*
16 *an evaluation of the lessons learned from the*
17 *Pilot Program; and*

18 (C) *conducting such evaluation.*

19 (h) *TERMINATION.—The Pilot Program shall termi-*
20 *nate on the earlier of—*

21 (1) *the date on which each project identified*
22 *under subsection (b)(1) has either been completed or*
23 *has had all agreements awarded to such project under*
24 *the Pilot Program terminated; or*

1 (2) *the date that is five years after the date of*
2 *the enactment of this Act.*

3 **SEC. 834. PILOT PROGRAM TO ACCELERATE THE PROCURE-**
4 **MENT AND FIELDING OF INNOVATIVE TECH-**
5 **NOLOGIES.**

6 (a) *PILOT PROGRAM.*—*Subject to availability of ap-*
7 *propriations, the Secretary of Defense shall establish a com-*
8 *petitive, merit-based pilot program to accelerate the pro-*
9 *curement and fielding of innovative technologies by, with*
10 *respect to such technologies—*

11 (1) *reducing acquisition or life-cycle costs;*

12 (2) *addressing technical risks;*

13 (3) *improving the timeliness and thoroughness of*
14 *test and evaluation outcomes; and*

15 (4) *rapidly implementing such technologies to*
16 *directly support defense missions.*

17 (b) *GUIDELINES.*—*Not later than one year after the*
18 *date of the enactment of this Act, the Secretary shall issue*
19 *guidelines for the operation of the pilot program established*
20 *under this section. At a minimum such guidelines shall pro-*
21 *vide for the following:*

22 (1) *The issuance of one or more solicitations for*
23 *proposals by the Department of Defense in support of*
24 *the pilot program, with a priority established for*
25 *technologies developed by small business concerns (as*

1 *defined under section 3 of the Small Business Act (15*
2 *U.S.C. 632)) or nontraditional defense contractors (as*
3 *defined under section 2302 of title 10, United States*
4 *Code).*

5 *(2) A process for—*

6 *(A) the review of proposals received in re-*
7 *sponse to a solicitation issued under paragraph*
8 *(1) by the Secretary of Defense and by each Sec-*
9 *retary of a military department;*

10 *(B) the merit-based selection of the most*
11 *promising cost-effective proposals; and*

12 *(C) the procurement of goods or services of-*
13 *fered by such a proposal through contracts, coop-*
14 *erative agreements, other transaction authority,*
15 *or by another appropriate process.*

16 *(c) MAXIMUM AMOUNT.—The total amount of funding*
17 *provided for any proposal selected for an award under the*
18 *pilot program established under this section shall not exceed*
19 *\$50,000,000, unless the Secretary (or designee of the Sec-*
20 *retary) approves a greater amount of funding.*

21 *(d) DATA COLLECTION.—*

22 *(1) PLAN REQUIRED BEFORE IMPLEMENTA-*
23 *TION.—The Secretary of Defense may not provide*
24 *funding under this section until the date on which the*
25 *Secretary—*

1 (A) completes a plan for carrying out the
2 data collection required under paragraph (2);
3 and

4 (B) submits the plan to the congressional
5 defense committees.

6 (2) *DATA COLLECTION REQUIRED.*—The Sec-
7 retary of Defense shall collect and analyze data on the
8 pilot program established under this section for the
9 purposes of—

10 (A) developing and sharing best practices
11 for achieving the objectives of the pilot program;

12 (B) providing information on the imple-
13 mentation of the pilot program and related pol-
14 icy issues; and

15 (C) reporting to the congressional defense
16 committees as required under subsection (e).

17 (e) *BIANNUAL REPORTS.*—Not later than March 1 and
18 September 1 of each year beginning after the date of the
19 enactment of this Act until the termination of the pilot pro-
20 gram established under this section, the Secretary of Defense
21 shall submit to the congressional defense committees a re-
22 port on the pilot program.

23 (f) *TERMINATION.*—The authority to carry out a pilot
24 program under this section shall terminate on September
25 30, 2027.

1 **SEC. 835. INDEPENDENT STUDY ON TECHNICAL DEBT IN**
2 **SOFTWARE-INTENSIVE SYSTEMS.**

3 (a) *STUDY REQUIRED.*—Not later than May 1, 2022,
4 the Secretary of Defense shall enter into an agreement with
5 a federally funded research and development center to study
6 technical debt in software-intensive systems, as determined
7 by the Under Secretary of Defense for Acquisition and
8 Sustainment.

9 (b) *STUDY ELEMENTS.*—The study required under
10 subsection (a) shall include analyses and recommendations,
11 including actionable and specific guidance and any rec-
12 ommendations for statutory or regulatory modifications, on
13 the following:

14 (1) *Qualitative and quantitative measures which*
15 *can be used to identify a desired future state for soft-*
16 *ware-intensive systems.*

17 (2) *Qualitative and quantitative measures that*
18 *can be used to assess technical debt.*

19 (3) *Policies for data access to identify and assess*
20 *technical debt and best practices for software-intensive*
21 *systems to make such data appropriately available for*
22 *use.*

23 (4) *Forms of technical debt which are suitable*
24 *for objective or subjective analysis.*

1 (5) *Current practices of Department of Defense*
2 *software-intensive systems to track and use data re-*
3 *lated to technical debt.*

4 (6) *Appropriate individuals or organizations*
5 *that should be responsible for the identification and*
6 *assessment of technical debt, including the organiza-*
7 *tion responsible for independent assessments.*

8 (7) *Scenarios, frequency, or program phases dur-*
9 *ing which technical debt should be assessed.*

10 (8) *Best practices to identify, assess, and mon-*
11 *itor the accumulating costs technical debt.*

12 (9) *Criteria to support decisions by appropriate*
13 *officials on whether to incur, carry, or reduce tech-*
14 *nical debt.*

15 (10) *Practices for the Department of Defense to*
16 *incrementally adopt to initiate practices for man-*
17 *aging or reducing technical debt.*

18 (c) *ACCESS TO DATA AND RECORDS.—The Secretary*
19 *of Defense shall ensure that the federally funded research*
20 *and development center selected under subsection (a) has*
21 *sufficient resources and access to technical data, individ-*
22 *uals, organizations, and records necessary to complete the*
23 *study required under this section.*

24 (d) *REPORT REQUIRED.—Not later than 18 months*
25 *after entering the agreement described in subsection (a), the*

1 *Secretary shall submit to the congressional defense commit-*
2 *tees a report on the study required under subsection (b),*
3 *along with any additional information and views as de-*
4 *sired in publicly releasable and unclassified forms. The Sec-*
5 *retary may also include a classified annex to the study as*
6 *necessary.*

7 *(e) BRIEFINGS REQUIRED.—*

8 *(1) INITIAL BRIEFING.—Not later than March 1,*
9 *2022, the Secretary of Defense shall provide a briefing*
10 *to the congressional defense committees on activities*
11 *undertaken and planned to conduct the study re-*
12 *quired by subsection (a), including any barriers to*
13 *conducting such activities and the resources to be pro-*
14 *vided to conduct such activities.*

15 *(2) INTERIM BRIEFING REQUIRED.—Not later*
16 *than 12 months after entering into the agreement*
17 *under subsection (a), the Secretary of Defense shall*
18 *provide a briefing to the congressional defense com-*
19 *mittees on interim analyses and recommendations de-*
20 *scribed in subsection (b) including those that could re-*
21 *quire modifications to guidance, regulations, or stat-*
22 *ute.*

23 *(3) FINAL BRIEFING REQUIRED.—Not later than*
24 *60 days after the date on which the report required*
25 *by subsection (d) is submitted, the Secretary of De-*

1 *fense shall brief the congressional defense committees*
2 *on a plan and schedule for implementing the rec-*
3 *ommendations provided in the report.*

4 *(f) TECHNICAL DEBT DEFINED.—In this section, the*
5 *term “technical debt” means an element of design or imple-*
6 *mentation that is expedient in the short term, but that*
7 *would result in a technical context that can make a future*
8 *change costlier or impossible.*

9 **SEC. 836. CADRE OF SOFTWARE DEVELOPMENT AND ACQUI-**
10 **SITION EXPERTS.**

11 *(a) IN GENERAL.—Not later than January 1, 2023,*
12 *the Secretary of Defense, acting through the Under Sec-*
13 *retary of Defense for Acquisition and Sustainment, shall*
14 *establish a cadre of personnel who are experts in software*
15 *development, acquisition, and sustainment to improve the*
16 *effectiveness of software development, acquisition, and*
17 *sustainment programs or activities of the Department of*
18 *Defense.*

19 *(b) STRUCTURE.—The Under Secretary of Defense for*
20 *Acquisition and Sustainment—*

21 *(1) shall ensure the cadre has the appropriate*
22 *number of members;*

23 *(2) shall establish an appropriate leadership*
24 *structure and office within which the cadre shall be*
25 *managed; and*

1 (3) shall determine the appropriate officials to
2 whom members of the cadre shall report.

3 (c) *ASSIGNMENT.*—The Under Secretary of Defense for
4 *Acquisition and Sustainment* shall establish processes to as-
5 sign members of the cadre to provide—

6 (1) expertise on matters relating to software de-
7 velopment, acquisition, and sustainment; and

8 (2) support for appropriate programs or activi-
9 ties of the Department of Defense.

10 (d) *ADMINISTRATION.*—

11 (1) *IN GENERAL.*—The Under Secretary of De-
12 fense for Acquisition and Sustainment, in coordina-
13 tion with the President of the Defense Acquisition
14 University and in consultation with academia and
15 industry, shall develop a career path, including devel-
16 opment opportunities, exchanges, talent management
17 programs, and training, for the cadre. The Under
18 Secretary may use existing personnel and acquisition
19 authorities to establish the cadre, as appropriate, in-
20 cluding—

21 (A) section 9903 of title 5, United States
22 Code;

23 (B) authorities relating to services con-
24 tracting;

1 (C) *the Intergovernmental Personnel Act of*
2 *1970 (42 U.S.C. 4701 et seq.); and*

3 (D) *authorities relating to exchange pro-*
4 *grams with industry.*

5 (2) *ASSIGNMENTS.—Civilian personnel from*
6 *within the Office of the Secretary of Defense, Joint*
7 *Staff, military departments, Defense Agencies, and*
8 *combatant commands may be assigned to serve as*
9 *members of the cadre.*

10 (3) *PREFERENCE.—In establishing the cadre, the*
11 *Under Secretary shall give preference to civilian em-*
12 *ployees of the Department of Defense.*

13 (e) *SUPPORT OF MEMBERS OF THE ARMED FORCES.—*
14 *The Under Secretary of Defense for Acquisition and*
15 *Sustainment shall continue to support efforts of the Secre-*
16 *taries concerned to place members of the Armed Forces in*
17 *software development, acquisition, and sustainment posi-*
18 *tions and develop software competence in members of the*
19 *Armed Forces, including those members with significant*
20 *technical skill sets and experience but who lack formal edu-*
21 *cation, training, or a technology-focused military occupa-*
22 *tion specialty.*

23 (f) *FUNDING.—The Under Secretary of Defense for Ac-*
24 *quisition and Sustainment is authorized to use amounts in*
25 *the Defense Acquisition Workforce Development Account (es-*

1 *established under section 1705 of title 10, United States Code)*
 2 *for the purpose of recruitment, training, and retention of*
 3 *members of the cadre, including by using such amounts to*
 4 *pay salaries of newly hired members of the cadre for up*
 5 *to three years.*

6 *(g) COMPLIANCE.—In carrying out this section, the*
 7 *Under Secretary of Defense for Acquisition and*
 8 *Sustainment shall ensure compliance with applicable total*
 9 *force management policies, requirements, and restrictions*
 10 *provided in sections 129a, 2329, and 2461 of title 10,*
 11 *United States Code.*

12 ***Subtitle E—Provisions Relating to***
 13 ***Supply Chain Security***

14 ***SEC. 841. MODERNIZATION OF ACQUISITION PROCESSES TO***
 15 ***ENSURE INTEGRITY OF INDUSTRIAL BASE.***

16 *Section 2509 of title 10, United States Code is amend-*
 17 *ed—*

18 *(1) in subsection (a)—*

19 *(A) by striking “existing”; and*

20 *(B) by striking “across the acquisition proc-*
 21 *ess” and all that follows through “in the Depart-*
 22 *ment”;*

23 *(2) by striking subsections (f) and (g);*

24 *(3) by redesignating subsections (b) through (e)*
 25 *as subsections (c) through (f), respectively;*

1 (4) by inserting after subsection (a) the following
2 new subsection:

3 “(b) *OBJECTIVE.*—*The objective of subsection (a) shall*
4 *be to employ digital tools, technologies, and approaches to*
5 *ensure the accessibility of relevant defense industrial base*
6 *data to key decision-makers in the Department.*”;

7 (5) in subsection (c), as so redesignated—

8 (A) in paragraph (1), by adding “in imple-
9 menting subsections (a) and (b)” before the pe-
10 riod at the end; and

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)(viii), by in-
13 serting “by the Secretary of Defense” before
14 the period at the end; and

15 (ii) in subparagraph (B)—

16 (I) in the text preceding clause
17 (i), by striking “constitute” and insert-
18 ing “constitutes or may constitute” ;
19 and

20 (II) in clause (vii), by inserting
21 “by the Secretary of Defense” before the
22 period at the end;

23 (6) in subsection (d)(11), as so redesignated, by
24 adding “as deemed appropriate by the Secretary” be-
25 fore the period at the end; and

1 (7) *in subsection (e), as so redesignated—*

2 (A) *in paragraph (1)—*

3 (i) *in subparagraph (A), by striking*

4 *“timely”; and*

5 (ii) *in subparagraph (B)—*

6 (I) *by striking clause (ii) and in-*

7 *serting the following new clause:*

8 *“(ii) A description of modern data infrastruc-*
9 *ture, tools, and applications and an assessment of the*
10 *extent to which new capabilities would improve the*
11 *effectiveness and efficiency of mitigating the risks de-*
12 *scribed in subsection (c)(2).”;* and

13 (II) *in clause (iii), by inserting “,*

14 *including the following” after “pro-*

15 *vides data”; and*

16 (B) *by striking paragraph (2) and inserting*

17 *the following new paragraph:*

18 *“(2)(A) Based on the findings pursuant to para-*

19 *graph (1), the Secretary of Defense shall develop a*

20 *unified set of activities to modernize the systems of*

21 *record, data sources and collection methods, and data*

22 *exposure mechanisms. The unified set of activities*

23 *should include—*

24 (i) *the ability to continuously collect data*

25 *on, assess, and mitigate risks;*

1 “(ii) data analytics and business intel-
2 ligence tools and methods; and

3 “(iii) continuous development and contin-
4 uous delivery of secure software to implement the
5 activities.

6 “(B) In connection with the assessments de-
7 scribed in this section, the Secretary shall develop ca-
8 pabilities to map supply chains and to assess risks to
9 the supply chain for major end items by business sec-
10 tor, vendor, program, part, and other metrics as de-
11 termined by the Secretary.”.

12 **SEC. 842. MODIFICATION TO ANALYSES OF CERTAIN ACTIVI-**
13 **TIES FOR ACTION TO ADDRESS SOURCING**
14 **AND INDUSTRIAL CAPACITY.**

15 Section 849 of the William M. (Mac) Thornberry Na-
16 tional Defense Authorization Act for Fiscal Year 2021 (Pub-
17 lic Law 116–283) is amended—

18 (1) in subsection (b)—

19 (A) in paragraph (1), by striking “Not later
20 than January 15, 2022,” and inserting “With
21 respect to items listed in paragraphs (1) through
22 (13) of subsection (c), not later than January 15,
23 2022, and with respect to items listed in para-
24 graphs (14) through (19) of such subsection, not
25 later than January 15, 2023,”; and

1 (B) in paragraph (2)—

2 (i) by striking “The Secretary of De-
3 fense” and inserting “With respect to items
4 listed in paragraphs (1) through (13) of
5 subsection (c), during the 2022 calendar
6 year, and with respect to items listed in
7 paragraphs (14) through (19) of such sub-
8 section, during the 2023 calendar year”;
9 and

10 (ii) by striking “submitted during the
11 2022 calendar year”; and

12 (2) in subsection (c), by adding at the end the
13 following new paragraphs:

14 “(14) Beef products.

15 “(15) Molybdenum and molybdenum alloys.

16 “(16) Optical transmission equipment, including
17 optical fiber and cable equipment.

18 “(17) Armor on tactical ground vehicles.

19 “(18) Graphite processing.

20 “(19) Advanced AC–DC power converters.”.

21 **SEC. 843. ASSURING INTEGRITY OF OVERSEAS FUEL SUP-**
22 **PLIES.**

23 (a) *IN GENERAL.*—Before awarding a contract to an
24 offeror for the supply of fuel for any overseas contingency
25 operation, the Secretary of Defense shall—

1 (1) *ensure, to the maximum extent practicable,*
2 *that no otherwise responsible offeror is disqualified for*
3 *such award on the basis of an unsupported denial of*
4 *access to a facility or equipment by the host nation*
5 *government; and*

6 (2) *require assurances that the offeror will com-*
7 *ply with the requirements of subsections (b) and (c).*

8 (b) *REQUIREMENT.—An offeror for the supply of fuel*
9 *for any overseas contingency operation shall—*

10 (1) *certify that the provided fuel, in whole or in*
11 *part, or derivatives of such fuel, is not sourced from*
12 *a nation or region prohibited from selling petroleum*
13 *to the United States; and*

14 (2) *furnish such records as are necessary to*
15 *verify compliance with such anticorruption statutes*
16 *and regulations as the Secretary determines nec-*
17 *essary, including—*

18 (A) *the Foreign Corrupt Practices Act (15*
19 *U.S.C. 78dd-1 et seq.);*

20 (B) *the regulations contained in parts 120*
21 *through 130 of title 22, Code of Federal Regula-*
22 *tions, or successor regulations (commonly known*
23 *as the “International Traffic in Arms Regula-*
24 *tions”);*

1 (C) the regulations contained in parts 730
2 through 774 of title 15, Code of Federal Regula-
3 tions, or successor regulations (commonly known
4 as the “Export Administration Regulations”);
5 and

6 (D) such regulations as may be promul-
7 gated by the Office of Foreign Assets Control of
8 the Department of the Treasury.

9 (c) *APPLICABILITY.*—Subsections (a) and (b) of this
10 section shall apply with respect to contracts entered into
11 on or after the date of the enactment of this Act.

12 (d) *CONSIDERATION OF TRADEOFF PROCESSES.*—If
13 the Secretary of Defense awards a contract for fuel procure-
14 ment for an overseas contingency operation, the contracting
15 officer for such contract shall consider tradeoff processes (as
16 described in subpart 15 of the Federal Acquisition Regula-
17 tion, or any successor regulation), including consideration
18 of past performance evaluation, cost, anticorruption train-
19 ing, and compliance. With respect to any such contract
20 awarded for which the contracting officer does not consider
21 tradeoff processes, the contracting officer shall, before
22 issuing a solicitation for such contract, submit to the Sec-
23 retary a written justification for not considering tradeoff
24 processes in awarding such contract.

1 **SEC. 844. ASSESSMENT OF REQUIREMENTS FOR CERTAIN**
2 **ITEMS TO ADDRESS SUPPLY CHAIN**
3 **VULNERABILITIES.**

4 (a) *DEFINITIONS.*—*In this section, the term “dual-*
5 *use” has the meaning given in section 2500 of title 10,*
6 *United States Code.*

7 (b) *ASSESSMENT.*—*The Secretary of Defense shall as-*
8 *sess the requirements of the Department of Defense for dual-*
9 *use items covered by section 2533a of title 10, United States*
10 *Code.*

11 (c) *POLICIES.*—*The Secretary of Defense shall develop*
12 *or revise and implement relevant policies to track and re-*
13 *duce fluctuations in supply chain forecasting and encourage*
14 *predictable demand requirements for annual procurements*
15 *of such dual-use items by the Office the Secretary of Defense,*
16 *each military department, and the Defense Logistics Agen-*
17 *cy.*

18 (d) *REPORT AND BRIEFINGS.*—

19 (1) *ASSESSMENT REPORT.*—

20 (A) *IN GENERAL.*—*Not later than December*
21 *31, 2022, the Secretary of Defense shall submit*
22 *to the congressional defense committees a report*
23 *on the findings of the assessment conducted*
24 *under subsection (b).*

25 (B) *FORM.*—*The report required by sub-*
26 *paragraph (A) shall be submitted in an unclassi-*

1 *fied form, but may include a classified annex to*
2 *the extent required to protect the national secu-*
3 *rity of the United States.*

4 (2) *QUARTERLY BRIEFINGS.*—

5 (A) *IN GENERAL.*—*Not later than March 1,*
6 *2023, and quarterly thereafter until March 1,*
7 *2026, each Secretary of a military department*
8 *and the Director of the Defense Logistics Agency*
9 *shall brief the Under Secretary of Defense for Ac-*
10 *quisition and Sustainment on the fluctuations in*
11 *supply chain forecasting and demand require-*
12 *ments for each dual-use item covered by section*
13 *2533a of title 10, United States Code.*

14 (B) *DOCUMENTATION.*—*Each briefing under*
15 *subparagraph (A) shall be accompanied by docu-*
16 *mentation regarding the particular points of dis-*
17 *cussion for that briefing, including the fluctua-*
18 *tions described in such subparagraph, expressed*
19 *as a percentage.*

20 **SEC. 845. DEPARTMENT OF DEFENSE RESEARCH AND DE-**
21 **VELOPMENT PRIORITIES.**

22 *The Secretary of Defense shall cooperate with the Sec-*
23 *retary of Energy to ensure that the priorities of the Depart-*
24 *ment of Defense with respect to the research and develop-*
25 *ment of alternative technologies to, and methods for the ex-*

1 *traction, processing, and recycling of, critical minerals (as*
2 *defined in section 2(b) of the National Materials and Min-*
3 *erals Policy, Research, and Development Act of 1980 (30*
4 *U.S.C. 1601(b))) are considered and included where feasible*
5 *in the associated research and development activities funded*
6 *by the Secretary of Energy pursuant to the program estab-*
7 *lished under paragraph (g) of section 7002 of division Z*
8 *of the Consolidated Appropriations Act, 2021 (Public Law*
9 *116–260).*

10 **SEC. 846. REPORT ON THE MANUFACTURING ENGINEERING**
11 **EDUCATION PROGRAM.**

12 (a) *REPORT REQUIRED.*—*Not later than March 1,*
13 *2023, the Under Secretary of Defense for Acquisition and*
14 *Sustainment, in coordination with the Under Secretary of*
15 *Defense for Research and Engineering, shall submit to the*
16 *congressional defense committees a report on the Manufac-*
17 *turing Engineering Education Program established under*
18 *section 2196 of title 10, United States Code (referred to in*
19 *this section as the “Program”).*

20 (b) *ELEMENTS.*—*The report required under subsection*
21 *(a) shall include the following elements for the Program:*
22 (1) *A summary of activities conducted, and*
23 *grants or awards made, during the previous fiscal*
24 *year.*

1 (2) *The extent to which the Program can be*
2 *modified to improve collaboration among institutions*
3 *of higher education, career and technical education*
4 *programs, workforce development boards, labor orga-*
5 *nizations, and organizations representing defense in-*
6 *dustrial base contractors to focus on career pathways*
7 *for individuals seeking careers in manufacturing.*

8 (3) *An assessment of the benefits and costs of en-*
9 *hancing or expanding the Program to include indi-*
10 *viduals attending secondary schools and career and*
11 *technical education programs not considered institu-*
12 *tions of higher education.*

13 (4) *Recommendations for legislative changes or*
14 *other incentives that could improve career pathways*
15 *for individuals seeking careers in manufacturing,*
16 *particularly in support of the defense industrial base.*

17 (5) *Other related matters the Secretary deems*
18 *appropriate.*

19 (c) *DEFINITIONS.—In this section:*

20 (1) *The term “career and technical education”*
21 *has the meaning given such term in section 3 of the*
22 *Carl D. Perkins Career and Technical Education Act*
23 *of 2006 (20 U.S.C. 2302).*

1 (2) *The term “defense industrial base contractor”*
2 *means a prime contractor or subcontractor (at any*
3 *tier) in the defense industrial base.*

4 (3) *The term “institution of higher education”*
5 *has the meaning given such term in section 1001 of*
6 *title 20, United States Code.*

7 (4) *The term “labor organization” has the mean-*
8 *ing given such term in section 2 of the National*
9 *Labor Relations Act (29 14 U.S.C. 152).*

10 (5) *The term “workforce development board”*
11 *means a State board or a local board, as such terms*
12 *are defined in section 3 of the Workforce Innovation*
13 *and Opportunity Act (29 U.S.C. 3102).*

14 **SEC. 847. PLAN AND REPORT ON REDUCTION OF RELIANCE**
15 **ON SERVICES, SUPPLIES, OR MATERIALS**
16 **FROM COVERED COUNTRIES.**

17 (a) *PLAN.—The Secretary of Defense, in consultation*
18 *with the Secretary of State, shall develop and implement*
19 *a plan to—*

20 (1) *reduce the reliance of the United States on*
21 *services, supplies, or materials obtained from sources*
22 *located in geographic areas controlled by covered*
23 *countries; and*

24 (2) *mitigate the risks to national security and*
25 *the defense supply chain arising from the reliance of*

1 *shall issue rules to require a certification from offerors for*
2 *contracts with the Department of Defense stating the offeror*
3 *has made a good faith effort to determine that forced labor*
4 *from XUAR, as described in subsection (a), was not or will*
5 *not be used in the performance of such contract.*

6 (c) *DEFINITIONS.—In this section:*

7 (1) *The term “forced labor” means all work or*
8 *service which is exacted from any person under the*
9 *menace of any penalty for its nonperformance and for*
10 *which the worker does not offer himself voluntarily.*

11 (2) *The term “person” means—*

12 (A) *a natural person, corporation, com-*
13 *pany, business association, partnership, society,*
14 *trust, or any other nongovernmental entity, or-*
15 *ganization, or group; or*

16 (B) *any successor, subunit, parent entity, or*
17 *subsidiary of, or any entity under common own-*
18 *ership or control with, any entity described in*
19 *subparagraph (A).*

20 (3) *The term “XUAR” means the Xinjiang*
21 *Uyghur Autonomous Region of the People’s Republic*
22 *of China.*

1 ***Subtitle F—Industrial Base Matters***

2 ***SEC. 851. MODIFICATIONS TO PRINTED CIRCUIT BOARD AC-***
3 ***QUISITION RESTRICTIONS.***

4 *(a) IN GENERAL.—Section 2533d of title 10, United*
5 *States Code, is amended—*

6 *(1) in subsection (a)—*

7 *(A) in paragraph (1), by striking “January*
8 *1, 2023” and inserting “the date determined*
9 *under paragraph (3)”; and*

10 *(B) by adding at the end the following new*
11 *paragraph:*

12 *“(3) Paragraph (1) shall take effect on January*
13 *1, 2027.”;*

14 *(2) in subsection (c)—*

15 *(A) in paragraph (2)—*

16 *(i) in the matter preceding subpara-*
17 *graph (A), by inserting “specified type of”*
18 *after “means any”;*

19 *(ii) in subparagraph (A), by striking*
20 *“(as such terms are defined under sections*
21 *103 and 103a of title 41, respectively)”;* and

22 *(iii) by amending subparagraph (B) to*
23 *read as follows:*

24 *“(B) is a component of—*

25 *“(i) a defense security system; or*

1 “(ii) a system, other than a defense se-
2 curity system, that transmits or stores in-
3 formation and which the Secretary identi-
4 fies as national security sensitive in the
5 contract under which such printed circuit
6 board is acquired.”; and

7 (B) by adding at the end the following new
8 paragraphs:

9 “(4) *COMMERCIAL PRODUCT; COMMERCIAL SERV-*
10 *ICE; COMMERCIALLY AVAILABLE OFF-THE SHELF*
11 *ITEM.—The terms ‘commercial product’, ‘commercial*
12 *service’, and ‘commercially available off-the-shelf*
13 *item’ have the meanings given such terms in sections*
14 *103, 103a, and 104 of title 41, respectively.*

15 “(5) *DEFENSE SECURITY SYSTEM.—*

16 “(A) *The term ‘defense security system’*
17 *means an information system (including a tele-*
18 *communications system) used or operated by the*
19 *Department of Defense, by a contractor of the*
20 *Department, or by another organization on be-*
21 *half of the Department, the function, operation,*
22 *or use of which—*

23 “(i) *involves command and control of*
24 *an armed force;*

1 “(ii) involves equipment that is an in-
2 tegral part of a weapon or weapon system;
3 or

4 “(iii) subject to subparagraph (B), is
5 critical to the direct fulfillment of military
6 missions.

7 “(B) Subparagraph (A)(iii) does not in-
8 clude a system that is to be used for routine ad-
9 ministrative and business applications (includ-
10 ing payroll, finance, logistics, and personnel
11 management applications).

12 “(6) SPECIFIED TYPE.—The term ‘specified type’
13 means a printed circuit board that is—

14 “(A) a component of an electronic device
15 that facilitates the routing, connecting, transmit-
16 ting or securing of data and is commonly con-
17 nected to a network, and

18 “(B) any other end item, good, or product
19 specified by the Secretary in accordance with
20 subsection (d)(2).”; and

21 (3) by amending subsection (d) to read as fol-
22 lows:

23 “(d) RULEMAKING.—

24 “(1) The Secretary may issue rules providing
25 that subsection (a) may not apply with respect to an

1 *acquisition of commercial products, commercial serv-*
2 *ices, and commercially available off-the-shelf items*
3 *if—*

4 *“(A) the contractor is capable of meeting*
5 *minimum requirements that the Secretary deems*
6 *necessary to provide for the security of national*
7 *security networks and weapon systems; includ-*
8 *ing, at a minimum, compliance with section 224*
9 *of the National Defense Authorization Act for*
10 *Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.*
11 *2302 note); and*

12 *“(B) either—*

13 *“(i) the Government and the contractor*
14 *have agreed to a contract requiring the con-*
15 *tractor to take certain actions to ensure the*
16 *integrity and security of the item, including*
17 *protecting the item from unauthorized ac-*
18 *cess, use, disclosure, disruption, modifica-*
19 *tion, or destruction; or*

20 *“(ii) the Secretary has determined that*
21 *the contractor has adopted such procedures,*
22 *tools, and methods for identifying the*
23 *sources of components of such item, based on*
24 *commercial best practices, that meet or ex-*
25 *ceed the applicable trusted supply chain*

1 and operational security standards of the
2 Department of Defense.

3 “(2) The Secretary may issue rules specifying
4 end items, goods, and products for which a printed
5 circuit board that is a component thereof shall be a
6 specified type if the Secretary has promulgated final
7 regulations, after an opportunity for notice and com-
8 ment that is not less than 12 months, implementing
9 this section.

10 “(3) In carrying out this section, the Secretary
11 shall, to the maximum extent practicable, avoid im-
12 posing contractual certification requirements with re-
13 spect to the acquisition of commercial products, com-
14 mercial services, or commercially available off-the-
15 shelf items.”.

16 (b) MODIFICATION OF INDEPENDENT ASSESSMENT OF
17 PRINTED CIRCUIT BOARDS.—Section 841(d) of the William
18 M. (Mac) Thornberry National Defense Authorization Act
19 for Fiscal Year 2021 (Public Law 116–283) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “the date of enactment of
22 this Act” and inserting “the date of the enact-
23 ment of the National Defense Authorization Act
24 for Fiscal Year 2022”;

1 (B) by striking “shall seek to enter” and in-
2 serting “shall enter”;

3 (C) by striking “to include printed circuit
4 boards in commercial products or services, or in”
5 and inserting “to include printed circuit boards
6 in other commercial or”; and

7 (D) by striking “the scope of mission crit-
8 ical” and all that follows through the period at
9 the end and inserting “types of systems, other
10 than defense security systems (as defined in sec-
11 tion 2533d(c) of title 10, United States Code),
12 that should be subject to the prohibition in sec-
13 tion 2533d(a) of title 10, United States Code.”;

14 (2) in the heading for paragraph (2), by striking
15 “DEPARTMENT OF DEFENSE” and inserting “DEPART-
16 MENT OF DEFENSE”;

17 (3) in paragraph (2), by striking “one year after
18 entering into the contract described in paragraph
19 (1)” and inserting “January 1, 2023”;

20 (4) in the heading for paragraph (3), by striking
21 “CONGRESS” and inserting “CONGRESS”; and

22 (5) in paragraph (3), by inserting after “the rec-
23 ommendations of the report.” the following: “The Sec-
24 retary shall use the report to determine whether any
25 systems, other than defense security systems (as de-

1 *carry out the pilot program established under this*
2 *section from funds available to be expended by each*
3 *covered entity pursuant to section 9(f) of the Small*
4 *Business Act (15 U.S.C. 638(f)).*

5 “(2) *LIMITATIONS.*—

6 “(A) *FISCAL YEAR.*—*A covered entity may*
7 *not transfer to the Commander an amount great-*
8 *er than 10 percent of the funds available to be*
9 *expended by such covered entity pursuant to such*
10 *section 9(f) for a fiscal year.*

11 “(B) *AGGREGATE AMOUNT.*—*The aggregate*
12 *amount of funds to be transferred to the Com-*
13 *mander may not exceed \$20,000,000.*

14 “(c) *PARTNERSHIP INTERMEDIARIES.*—

15 “(1) *AUTHORIZATION.*—*The Commander may*
16 *modify an existing agreement with a partnership*
17 *intermediary to assist the Commander in carrying*
18 *out the pilot program under this section, including*
19 *with respect to the award of contracts and agreements*
20 *to small business concerns.*

21 “(2) *LIMITATION.*—*None of the funds described*
22 *in subsection (b) may be used to pay a partnership*
23 *intermediary for any costs associated with the pilot*
24 *program.*

1 “(3) *DATA.*—*With respect to a covered award*
2 *made under this section, the Commander shall gather*
3 *data on the role of the partnership intermediary to*
4 *include the—*

5 “(A) *staffing structure;*

6 “(B) *funding sources; and*

7 “(C) *methods for identifying and evaluating*
8 *small business concerns eligible for a covered*
9 *award.*

10 “(d) *REPORT.*—

11 “(1) *ANNUAL REPORT.*—*Not later than October 1*
12 *of each year until October 1, 2026, the Commander*
13 *of the United States Special Operations Command, in*
14 *coordination with the Under Secretary of Defense for*
15 *Research and Engineering, shall submit to the con-*
16 *gressional defense committees, the Committee on*
17 *Small Business of the House of Representatives, and*
18 *the Committee on Small Business and Entrepreneur-*
19 *ship of the Senate a report including—*

20 “(A) *a description of each agreement with a*
21 *partnership intermediary entered into pursuant*
22 *to this section;*

23 “(B) *for each covered award made under*
24 *this section—*

1 “(i) a description of the role served by
2 the partnership intermediary;

3 “(ii) the amount of funds obligated;

4 “(iii) an identification of the small
5 business concern that received such covered
6 award;

7 “(iv) a description of the use of such
8 covered award;

9 “(v) a description of the role served by
10 the program manager (as defined in section
11 1737 of title 10, United States Code) of the
12 covered entity with respect to the small
13 business concern that received such covered
14 award, including a description of inter-
15 actions and the process of the program
16 manager in producing a past performance
17 evaluation of such concern; and

18 “(vi) the benefits achieved as a result
19 of the use of a partnership intermediary for
20 the pilot program established under this sec-
21 tion as compared to previous efforts of the
22 Commander to increase participation by
23 small business concerns in the development
24 of technology-enhanced capabilities for spe-
25 cial operations forces; and

1 “(C) a plan detailing how each covered en-
2 tity will apply lessons learned from the pilot
3 program to improve processes for directly work-
4 ing with and supporting small business concerns
5 to develop technology-enhanced capabilities for
6 special operations forces.

7 “(2) *FINAL REPORT*.—The final report required
8 under this subsection shall include, along with the re-
9 quirements of paragraph (1), a recommendation re-
10 garding—

11 “(A) whether and for how long the pilot
12 program established under this section should be
13 extended; and

14 “(B) whether to increase funding for the
15 pilot program, including a justification for such
16 an increase.

17 “(e) *TERMINATION*.—The authority to carry out a
18 pilot program under this section shall terminate on Sep-
19 tember 30, 2025.

20 “(f) *DEFINITIONS*.—In this section:

21 “(1) The term ‘covered award’ means an award
22 made under the Small Business Innovation Research
23 Program.

24 “(2) The term ‘covered entity’ means—

25 “(A) the Army;

1 “(B) the Navy;

2 “(C) the Air Force;

3 “(D) the Marine Corps;

4 “(E) the Space Force; and

5 “(F) any element of the Department of De-
6 fense that makes awards under the Small Busi-
7 ness Innovation Research Program.

8 “(3) The term ‘partnership intermediary’ has the
9 meaning given the term in section 23(c) of the Steven-
10 son-Wylder Technology Innovation Act of 1980 (15
11 U.S.C. 3715(c)).

12 “(4) The term ‘small business concern’ has the
13 meaning given the term under section 3 of the Small
14 Business Act (15 U.S.C. 632).

15 “(5) The term ‘Small Business Innovation Re-
16 search Program’ has the meaning given the term in
17 section 9(e) of the Small Business Act (15 U.S.C.
18 638(e)).

19 “(6) The term ‘technology-enhanced capability’
20 means a product, concept, or process that improves
21 the ability of a member of the Armed Forces to
22 achieve an assigned mission.”.

1 **SEC. 853. ADDITIONAL TESTING OF COMMERCIAL E-COM-**
2 **MERCE PORTAL MODELS.**

3 *Section 846(c) of the National Defense Authorization*
4 *Act for Fiscal Year 2018 (41 U.S.C. 1901 note) is amended*
5 *by adding at the end the following new paragraphs:*

6 “(5) *ADDITIONAL TESTING.*—*Not later than 180*
7 *days after the date of the enactment of this para-*
8 *graph, the Administrator shall—*

9 “(A) *begin testing commercial e-commerce*
10 *portal models (other than any such model se-*
11 *lected for the initial proof of concept) identified*
12 *pursuant to paragraph (2); and*

13 “(B) *submit to the congressional defense*
14 *committees, the Committee on Oversight and Re-*
15 *form of the House of Representatives, and the*
16 *Committee on Homeland Security and Govern-*
17 *mental Affairs of the Senate a report that in-*
18 *cludes—*

19 “(i) *a summary of the assessments con-*
20 *ducted under paragraph (2) with respect to*
21 *a commercial e-commerce portal model*
22 *identified pursuant to such paragraph;*

23 “(ii) *a list of the types of commercial*
24 *products that could be procured using mod-*
25 *els tested pursuant to subparagraph (A);*

1 “(iii) an estimate of the amount that
2 could be spent by the head of a department
3 or agency under the program, disaggregated
4 by type of commercial e-commerce portal
5 model; and

6 “(iv) an update on the models tested
7 pursuant to subparagraph (A) and a
8 timeline for completion of such testing.

9 “(6) REPORT.—Upon completion of testing con-
10 ducted under paragraph (5) and before taking any
11 action with respect to the commercial e-commerce por-
12 tal models tested, the Administrator of General Serv-
13 ices shall submit to the congressional defense commit-
14 tees, the Committee on Oversight and Reform of the
15 House of Representatives, and the Committee on
16 Homeland Security and Governmental Affairs of the
17 Senate, a report on the results of such testing that in-
18 cludes—

19 “(A) an assessment and comparison of com-
20 mercial e-commerce portal models with respect
21 to—

22 “(i) price and quality of the commer-
23 cial products supplied by each commercial
24 e-commerce portal model;

25 “(ii) supplier reliability and service;

1 “(iii) safeguards for the security of
2 Government information and third-party
3 supplier proprietary information;

4 “(iv) protections against counterfeit
5 commercial products;

6 “(v) supply chain risks, particularly
7 with respect to complex commercial prod-
8 ucts; and

9 “(vi) overall adherence to Federal pro-
10 curement rules and policies; and

11 “(B) an analysis of the costs and benefits of
12 the convenience to the Federal Government of
13 procuring commercial products from each such
14 commercial e-commerce portal model.”.

15 **SEC. 854. REQUIREMENT FOR INDUSTRY DAYS AND RE-**
16 **QUESTS FOR INFORMATION TO BE OPEN TO**
17 **ALLIED DEFENSE CONTRACTORS.**

18 (a) *IN GENERAL.*—Not later than 90 days after the
19 date of the enactment of this Act, each service acquisition
20 executive shall implement a requirement that industry days
21 and requests for information regarding acquisition pro-
22 grams and research and development efforts of the Depart-
23 ment of Defense shall, to the maximum extent practicable,
24 be open to defense contractors of the national technology and
25 industrial base, including when such contractors are acting

1 *as subcontractors in partnership with a United States con-*
2 *tractor, provided such access is granted only if the Sec-*
3 *retary of Defense or the relevant Secretary concerned deter-*
4 *mines that there is reciprocal access for United States com-*
5 *panies to equivalent information related to contracting op-*
6 *portunities in the associated country that is part of the na-*
7 *tional technology and industrial base.*

8 (b) *DEFINITIONS.—In this section:*

9 (1) *NATIONAL TECHNOLOGY AND INDUSTRIAL*
10 *BASE.—The term “national technology and industrial*
11 *base” has the meaning given the term in section 2500*
12 *of title 10, United States Code.*

13 (2) *SECRETARY CONCERNED; SERVICE ACQUI-*
14 *SITION EXECUTIVE.—The terms “Secretary concerned”*
15 *and “service acquisition executive” have the meanings*
16 *given such terms in section 101(a) of title 10, United*
17 *States Code.*

18 **SEC. 855. EMPLOYMENT TRANSPARENCY REGARDING INDI-**
19 **VIDUALS WHO PERFORM WORK IN THE PEOP-**
20 **LE’S REPUBLIC OF CHINA.**

21 (a) *DISCLOSURE REQUIREMENTS.—*

22 (1) *INITIAL DISCLOSURES.—The Secretary of De-*
23 *fense shall require each covered entity to disclose to*
24 *the Secretary of Defense if the entity employs one or*
25 *more individuals who will perform work in the Peo-*

1 *ple's Republic of China on a covered contract when*
2 *the entity submits a bid or proposal for such covered*
3 *contract, except that such disclosure shall not be re-*
4 *quired to the extent that the Secretary determines that*
5 *such disclosure would not be in the interest of na-*
6 *tional security.*

7 (2) *RECURRING DISCLOSURES.—For each of fis-*
8 *cal years 2023 and 2024, the Secretary of Defense*
9 *shall require each covered entity that is a party to*
10 *one or more covered contracts in the fiscal year to dis-*
11 *close to the Secretary if the entity employs one or*
12 *more individuals who perform work in the People's*
13 *Republic of China on any such contract.*

14 (3) *MATTERS TO BE INCLUDED.—If a covered*
15 *entity required to make a disclosure under paragraph*
16 *(1) or (2) employs any individual who will perform*
17 *work in the People's Republic of China on a covered*
18 *contract, such disclosure shall include—*

19 (A) *the total number of such individuals*
20 *who will perform work in the People's Republic*
21 *of China on the covered contracts funded by the*
22 *Department of Defense; and*

23 (B) *a description of the physical presence in*
24 *the People's Republic of China where work on the*
25 *covered contract will be performed.*

1 (b) *FUNDING FOR COVERED ENTITIES.*—*The Secretary*
2 *of Defense may not award a covered contract to, or renew*
3 *a covered contract with, a covered entity unless such covered*
4 *entity has submitted each disclosure such covered entity is*
5 *required to submit under subsection (a).*

6 (c) *SEMI-ANNUAL BRIEFING.*—*Beginning on January*
7 *1, 2023, the Secretary of Defense shall provide to the con-*
8 *gressional defense committees semi-annual briefings that*
9 *summarize the disclosures received by the Department over*
10 *the previous 180 days pursuant to this section, and such*
11 *briefings may be classified.*

12 (d) *DEFINITIONS.*—*In this section:*

13 (1) *COVERED CONTRACT.*—*The term “covered*
14 *contract” means any Department of Defense contract*
15 *or subcontract with a value in excess of \$5,000,000,*
16 *excluding contracts for commercial products or serv-*
17 *ices.*

18 (2) *COVERED ENTITY.*—*The term “covered enti-*
19 *ty” means any corporation, company, limited liabil-*
20 *ity company, limited partnership, business trust,*
21 *business association, or other similar entity, includ-*
22 *ing any subsidiary thereof, performing work on a cov-*
23 *ered contract in the People’s Republic of China, in-*
24 *cluding by leasing or owning real property used in*

1 **SEC. 857. CONGRESSIONAL OVERSIGHT OF PERSONNEL**
2 **AND CONTRACTS OF PRIVATE SECURITY CON-**
3 **TRACTORS.**

4 (a) *REPORT ON ACTIONS TAKEN TO IMPLEMENT GOV-*
5 *ERNMENT ACCOUNTABILITY OFFICE RECOMMENDATIONS.—*
6 *Not later than October 1, 2022, the Secretary of Defense,*
7 *in consultation with each Secretary of a military depart-*
8 *ment (as defined in section 101 of title 10, United States*
9 *Code), shall submit to the congressional defense committees*
10 *a report on the efforts and plans of the Department of De-*
11 *fense to implement the recommendations contained in the*
12 *report of the Government Accountability Office titled “Pri-*
13 *vate Security Contractors: DOD Needs to Better Identify*
14 *and Monitor Personnel and Contracts” (GAO–21–255),*
15 *dated July 29, 2021.*

16 (b) *CONTENTS.—The report required by subsection (a)*
17 *shall include—*

18 (1) *a summary of the actions planned or taken*
19 *by the Secretary of Defense to implement the rec-*
20 *ommendations in the report of the Government Ac-*
21 *countability Office described in such subsection; and*

22 (2) *a schedule for completing the implementation*
23 *of each such recommendation, including specific mile-*
24 *stones for such implementation.*

1 (c) *FORM.*—The report required by subsection (a) shall
2 be submitted in unclassified form but may include a classi-
3 fied annex.

4 **Subtitle G—Small Business Matters**

5 **SEC. 861. EXEMPTION OF CERTAIN CONTRACTS FROM THE** 6 **PERIODIC INFLATION ADJUSTMENTS TO THE** 7 **ACQUISITION-RELATED DOLLAR THRESHOLD.**

8 (a) *IN GENERAL.*—Section 1908(b)(2) of title 41,
9 United States Code, is amended—

10 (1) in subparagraph (B), by striking “or” at the
11 end;

12 (2) in subparagraph (C), by striking the period
13 at the end and inserting “; or”; and

14 (3) by adding at the end the following new sub-
15 paragraph:

16 “(D) in sections 3131 through 3134 of title
17 40, except any modification of any such dollar
18 threshold made by regulation in effect on the
19 date of the enactment of this subparagraph shall
20 remain in effect.”.

21 (b) *TECHNICAL AMENDMENT.*—Section 1908(d) of such
22 title is amended by striking the period at the end.

1 **SEC. 862. MODIFICATION TO THE PILOT PROGRAM FOR**
2 **STREAMLINING AWARDS FOR INNOVATIVE**
3 **TECHNOLOGY PROJECTS.**

4 (a) *EXTENSION.*—Subsection (f) of section 873 of the
5 *National Defense Authorization Act for Fiscal Year 2016*
6 *(Public Law 114–92; 10 U.S.C. 2306a note)* is amended
7 by striking “October 1, 2022” and inserting “October 1,
8 2024”.

9 (b) *DATA COLLECTION.*—The Secretary of Defense
10 shall develop and implement a plan to collect and analyze
11 data on the use of authority under such section 873 for the
12 purposes of—

13 (1) *developing and sharing best practices; and*

14 (2) *providing information to the Secretary of*
15 *Defense and Congress on the use of authority under*
16 *such section 873 and related policy issues.*

17 (c) *RECOMMENDATION ON EXTENSION.*—Not later
18 than April 1, 2023, the Secretary of Defense shall submit
19 to the congressional defense committees a recommendation
20 regarding a further extension of the pilot program for
21 streamlining awards for innovative technology projects es-
22 tablished under such section 873, and if applicable, the du-
23 ration of any such extension.

1 **SEC. 863. PROTESTS AND APPEALS RELATING TO ELIGI-**
2 **BILITY OF BUSINESS CONCERNS.**

3 *Section 5(i) of the Small Business Act (15 U.S.C.*
4 *634(i)) is amended—*

5 *(1) by redesignating paragraph (4) as para-*
6 *graph (5); and*

7 *(2) by inserting after paragraph (3) the fol-*
8 *lowing new paragraph:*

9 *“(4) DETERMINATIONS REGARDING STATUS OF*
10 *CONCERNS.—*

11 *“(A) IN GENERAL.—Not later than 2 days*
12 *after the date on which a final determination*
13 *that a business concern does not meet the re-*
14 *quirements of the status such concern claims to*
15 *hold is made, such concern or the Administrator,*
16 *as applicable, shall update the status of such*
17 *concern in the System for Award Management*
18 *(or any successor system).*

19 *“(B) ADMINISTRATOR UPDATES.—If such*
20 *concern fails to update the status of such concern*
21 *as described in subparagraph (A), not later than*
22 *2 days after such failure the Administrator shall*
23 *make such update.*

24 *“(C) NOTIFICATION.—A concern required to*
25 *make an update described under subparagraph*
26 *(A) shall notify a contracting officer for each*

1 *contract with respect to which such concern has*
 2 *an offer or bid pending of the determination*
 3 *made under subparagraph (A), if the concern*
 4 *finds, in good faith, that such determination af-*
 5 *fects the eligibility of the concern to perform such*
 6 *a contract.”.*

7 **SEC. 864. AUTHORITY FOR THE OFFICE OF HEARINGS AND**
 8 **APPEALS TO DECIDE APPEALS RELATING TO**
 9 **QUALIFIED HUBZONE SMALL BUSINESS CON-**
 10 **CERNS.**

11 *Not later than 1 year after the date of the enactment*
 12 *of this Act, the Administrator of the Small Business Admin-*
 13 *istration shall issue a rule authorizing the Office of Hear-*
 14 *ings and Appeals of the Administration to decide all ap-*
 15 *peals from formal protest determinations in connection*
 16 *with the status of a concern as a qualified HUBZone small*
 17 *business concern (as such term is defined in section 31(b)*
 18 *of the Small Business Act (15 U.S.C. 657a(b)).*

19 **SEC. 865. REPORT ON UNFUNDED PRIORITIES OF THE**
 20 **SMALL BUSINESS INNOVATION RESEARCH**
 21 **AND SMALL BUSINESS TECHNOLOGY TRANS-**
 22 **FER PROGRAM.**

23 *(a) IN GENERAL.—Not later than 10 days after the*
 24 *date on which the budget of the President for fiscal years*
 25 *2022 through 2032 is submitted to Congress pursuant to*

1 *section 1105 of title 31, United States Code, each Secretary*
2 *of a military department and the Under Secretary of De-*
3 *fense for Research and Engineering shall submit to the Sec-*
4 *retary of Defense, the Chairman of the Joint Chiefs of Staff,*
5 *and the congressional defense committees a report on un-*
6 *funded priorities of the Department of Defense related to*
7 *high-priority Small Business Innovation Research and*
8 *Small Business Technology Transfer projects.*

9 (b) *ELEMENTS.—*

10 (1) *IN GENERAL.—Each report under subsection*
11 *(a) shall include identification of not more than five*
12 *unfunded priority projects and the following informa-*
13 *tion for each such unfunded priority project:*

14 (A) *A summary description of the unfunded*
15 *priority project, including the objectives to be*
16 *achieved if such project were to be funded (either*
17 *in whole or in part).*

18 (B) *The additional amount of funds rec-*
19 *ommended to achieve the objectives identified*
20 *under subparagraph (A).*

21 (C) *Account information with respect to*
22 *such unfunded priority project, including, as ap-*
23 *plicable, the following:*

24 (i) *Line item number, in the case of*
25 *applicable procurement accounts.*

1 (ii) *Program element number, in the*
2 *case of applicable research, development,*
3 *test, and evaluation accounts.*

4 (iii) *Subactivity group, in the case of*
5 *applicable operation and maintenance ac-*
6 *counts.*

7 (2) *PRIORITY.—Each Secretary of a military de-*
8 *partment and the Under Secretary of Defense for Re-*
9 *search and Engineering shall ensure that the un-*
10 *funded priorities covered by a report submitted under*
11 *subsection (a) are listed in the order of urgency of*
12 *priority.*

13 (c) *DEFINITIONS.—In this section:*

14 (1) *UNFUNDED PRIORITY.—The term “unfunded*
15 *priority”, with respect to a fiscal year, means a spe-*
16 *cific project related to a project successfully funded*
17 *under Phase II of the Small Business Innovation Re-*
18 *search or Small Business Technology Transfer pro-*
19 *gram that—*

20 (A) *is not funded in the budget of the Presi-*
21 *dent for that fiscal year, as submitted to Con-*
22 *gress pursuant to section 1105 of title 31, United*
23 *States Code;*

24 (B) *has the potential to—*

1 (i) advance the national security capa-
2 bilities of the United States;

3 (ii) provide new technologies or proc-
4 esses, or new applications of existing tech-
5 nologies or processes, that will enable new
6 alternatives to existing programs; and

7 (iii) provide future cost savings; and

8 (C) would have been recommended for fund-
9 ing through the budget referred to in subpara-
10 graph (A) if—

11 (i) additional resources had been avail-
12 able to fund the program, activity, or mis-
13 sion requirement to which the specific
14 project relates; or

15 (ii) the program, activity, or mission
16 requirement for such specific project had
17 emerged before the budget was formulated.

18 (2) *PHASE II; SMALL BUSINESS INNOVATION RE-*
19 *SEARCH; SMALL BUSINESS TECHNOLOGY TRANSFER.—*
20 *The terms “Phase II”, “Small Business Innovation*
21 *Research”, and “Small Business Technology Trans-*
22 *fer” have the meanings given such terms, respectively,*
23 *in section 9(e) of the Small Business Act (15 U.S.C.*
24 *638(e)).*

1 **SEC. 866. REPORT ON CYBERSECURITY MATURITY MODEL**
2 **CERTIFICATION EFFECTS ON SMALL BUSI-**
3 **NESS.**

4 *Not later than 180 days after the date of the enactment*
5 *of this Act, the Secretary of Defense shall submit to the con-*
6 *gressional defense committees, the Committee on Small*
7 *Business and Entrepreneurship of the Senate, and the Com-*
8 *mittee on Small Business of the House of Representatives*
9 *a report on the effects of the Cybersecurity Maturity Model*
10 *Certification framework of the Department of Defense on*
11 *small business concerns (as defined under section 3 of the*
12 *Small Business Act (15 U.S.C. 632), including—*

13 *(1) the estimated costs of complying with each*
14 *level of the framework based on verified representative*
15 *samples of actual costs of compliance small business*
16 *concerns and an explanation of how these costs will*
17 *be recoverable by such small business concerns;*

18 *(2) the estimated change in the number of small*
19 *business concerns that are part of the defense indus-*
20 *trial base resulting from the implementation and use*
21 *of the framework;*

22 *(3) explanations of how the Department of De-*
23 *fense will—*

24 *(A) mitigate negative effects to such small*
25 *business concerns resulting from the implementa-*
26 *tion and use of the framework;*

1 (B) ensure small business concerns are
 2 trained on the requirements for passing a third-
 3 party assessment, self-assessment, or Govern-
 4 ment-assessment, as applicable, for compliance
 5 with the relevant level of the framework; and

6 (C) work with small business concerns and
 7 nontraditional defense contractors (as defined
 8 under section 2302 of title 10, United States
 9 Code) to enable such concerns and contractors to
 10 bid on and win contracts with the Department
 11 without first having to risk funds on costly secu-
 12 rity certifications; and

13 (4) the plan of the Department for conducting
 14 oversight of third parties conducting assessments of
 15 compliance with the applicable protocols under the
 16 framework.

17 **SEC. 867. DATA ON PHASE III SMALL BUSINESS INNOVA-**
 18 **TION RESEARCH AND SMALL BUSINESS TECH-**
 19 **NOLOGY TRANSFER PROGRAM AWARDS.**

20 (a) *DEFINITIONS.*—In this section, the terms “Phase
 21 I”, “Phase II”, “Phase III”, “SBIR”, and “STTR” have
 22 the meanings given those terms in section 9(e) of the Small
 23 Business Act (15 U.S.C. 638(e)).

24 (b) *DATA ON PHASE III AWARDS.*—Each Secretary of
 25 a military department (as defined in section 101 of title

1 10, United States Code) shall collect and submit to the
2 President for inclusion in each budget submitted to Con-
3 gress under section 1105 of title 31, United States Code,
4 data on the Phase III awards under the SBIR and STTR
5 programs of the military department of the Secretary for
6 the immediately preceding fiscal year, including—

7 (1) the cumulative funding amount for Phase III
8 awards;

9 (2) the number of Phase III award topics;

10 (3) the total funding obligated for Phase III
11 awards by State;

12 (4) the original Phase I or Phase II award top-
13 ics and the associated Phase III contracts awarded;

14 (5) where possible, an identification of the spe-
15 cific program executive office involved in each Phase
16 III transition; and

17 (6) a list of the five highest performing projects,
18 as determined by the Secretary.

19 **Subtitle H—Other Matters**

20 **SEC. 871. MISSION MANAGEMENT PILOT PROGRAM.**

21 (a) *IN GENERAL.*—Subject to the availability of appro-
22 priations, the Secretary of Defense shall establish a pilot
23 program to identify lessons learned and improved mission
24 outcomes achieved by quickly delivering solutions that fulfill
25 critical operational needs arising from cross-service mis-

1 *sions undertaken by combatant commands through the use*
2 *of a coordinated and iterative approach to develop, evalu-*
3 *ate, and transition such solutions.*

4 *(b) MISSIONS SELECTION.—*

5 *(1) IN GENERAL.—Except as provided in para-*
6 *graph (3), the Deputy Secretary of Defense shall select*
7 *missions with respect to which to carry out the pilot*
8 *program.*

9 *(2) SELECTION CRITERIA.—When selecting mis-*
10 *sions under paragraph (1), the Deputy Secretary of*
11 *Defense shall—*

12 *(A) select missions with critical cross-service*
13 *operational needs; and*

14 *(B) consider—*

15 *(i) the strategic importance of the crit-*
16 *ical cross-service operational needs to the*
17 *operational plans of the relevant combatant*
18 *commands; and*

19 *(ii) the advice of key stakeholders, in-*
20 *cluding the Joint Staff, regarding mission*
21 *selection.*

22 *(3) INITIAL MISSION.—*

23 *(A) IN GENERAL.—Not later than four*
24 *months after the date of the enactment of this*
25 *section, the Director of the Strategic Capabilities*

1 Office shall select the initial mission under the
2 pilot program that has critical cross-service oper-
3 ational needs and which is of strategic impor-
4 tance to the operational plans of the United
5 States Indo-Pacific Command.

6 (B) *RESPONSIBILITY.*—The mission selected
7 under subparagraph (A) shall be established
8 within the Strategic Capabilities Office of the
9 Department of Defense, in coordination with the
10 Office of the Under Secretary of Defense for Re-
11 search and Engineering.

12 (C) *MISSION SELECTION APPROVAL.*—The
13 mission selected by the Director of the Strategic
14 Capabilities Office under subparagraph (A) shall
15 be subject to the approval of the Technology
16 Cross-Functional Team of the Strategic Capa-
17 bilities Office that is chaired by the Under Sec-
18 retary of Defense for Research and Engineering.

19 (c) *MISSION MANAGERS.*—

20 (1) *IN GENERAL.*—A mission manager shall
21 carry out the pilot program with respect to each mis-
22 sion.

23 (2) *RESPONSIBILITIES.*—With respect to each
24 mission, the relevant mission manager shall—

1 (A) identify critical cross-service, cross-pro-
2 gram, and cross-domain operational needs by
3 enumerating the options available to the combat-
4 ant command responsible for carrying out such
5 mission and determining the resiliency of such
6 options to threats from adversaries;

7 (B) in coordination with the military serv-
8 ices and appropriate Defense Agencies and Field
9 Activities, develop and deliver solutions, includ-
10 ing software and information technology solu-
11 tions and other functionalities unaligned with
12 any one weapon system of a covered Armed
13 Service, to—

14 (i) fulfill critical cross-service, cross-
15 program, and cross-domain operational
16 needs; and

17 (ii) address future changes to existing
18 critical cross-service, cross-program, and
19 cross-domain operational needs by pro-
20 viding additional capabilities;

21 (C) work with the combatant command re-
22 sponsible for such mission and the related plan-
23 ning organizers, program managers of a covered
24 Armed Force, and defense research and develop-
25 ment activities to carry out iterative testing and

1 support to initial operational fielding of the so-
2 lutions described in subparagraph (B);

3 (D) conduct research, development, test,
4 evaluation, and transition support activities
5 with respect to the delivery of the solutions de-
6 scribed in subparagraph (B);

7 (E) seek to integrate existing, emerging, and
8 new capabilities available to the Department of
9 Defense in the development of the solutions de-
10 scribed in subparagraph (B), including by
11 incenting and working with program managers
12 of a covered Armed Force; and

13 (F) provide to the Deputy Secretary of De-
14 fense mission management activity updates and
15 reporting on the use of funds under the pilot pro-
16 gram with respect to such mission.

17 (3) APPOINTMENT.—Each mission selected under
18 subsection (b) shall have a mission manager—

19 (A) appointed at the time of mission ap-
20 proval; and

21 (B) who may be from any suitable organi-
22 zation, except that the mission manager with re-
23 spect the initial mission under (b)(3) shall be the
24 Director of the Strategic Capabilities Office.

1 (4) *ITERATIVE APPROACH.*—*The mission man-*
2 *ager shall, to the extent practicable, carry out the*
3 *pilot program with respect to each mission selected*
4 *under subsection (b) by integrating existing, emerg-*
5 *ing, and new military capabilities, and managing a*
6 *portfolio of small, iterative development and support*
7 *to initial operational fielding efforts.*

8 (5) *OTHER PROGRAM MANAGEMENT RESPON-*
9 *SIBILITIES.*—*The activities undertaken by the mission*
10 *manager with respect to a mission, including mission*
11 *management, do not supersede or replace the program*
12 *management responsibilities of any other individual*
13 *that are related to such missions.*

14 (d) *DATA COLLECTION REQUIREMENT.*—*The Deputy*
15 *Secretary of Defense shall develop and implement a plan*
16 *to collect and analyze data on the pilot program for the*
17 *purposes of—*

18 (1) *developing and sharing best practices for ap-*
19 *plying emerging technology and supporting new oper-*
20 *ational concepts to improve outcomes on key military*
21 *missions and operational challenges; and*

22 (2) *providing information to the leadership of*
23 *the Department on the implementation of the pilot*
24 *program and related policy issues.*

1 (e) *ASSESSMENTS.*—*During the five-year period begin-*
2 *ning on the date of the enactment of this Act, the Deputy*
3 *Secretary of Defense shall regularly assess—*

4 (1) *the authorities required by the mission man-*
5 *agers to effectively and efficiently carry out the pilot*
6 *program with respect to the missions selected under*
7 *subsection (b); and*

8 (2) *whether the mission managers have access to*
9 *sufficient funding to carry out the research, develop-*
10 *ment, test, evaluation, and support to initial oper-*
11 *ational fielding activities required to deliver solutions*
12 *fulfilling the critical cross-service, cross-program, and*
13 *cross-domain operational needs of the missions.*

14 (f) *BRIEFINGS.*—

15 (1) *SEMIANNUAL BRIEFING.*—

16 (A) *IN GENERAL.*—*Not later than July 1,*
17 *2022, and every six months thereafter until the*
18 *date that is five years after the date of the enact-*
19 *ment of this Act, the mission manager shall pro-*
20 *vide to the congressional defense committees a*
21 *briefing on the progress of the pilot program*
22 *with respect to each mission selected under sub-*
23 *section (b), the anticipated mission outcomes,*
24 *and the funds used to carry out the pilot pro-*
25 *gram with respect to such mission.*

1 (B) *INITIAL BRIEFING.*—*The Deputy Sec-*
2 *retary of Defense shall include in the first brief-*
3 *ing submitted under subparagraph (A) a briefing*
4 *on the implementation of the pilot program, in-*
5 *cluding—*

6 (i) *the actions taken to implement the*
7 *pilot program;*

8 (ii) *an assessment of the pilot pro-*
9 *gram;*

10 (iii) *requests for Congress to provide*
11 *authorities required to successfully carry*
12 *out the pilot program; and*

13 (iv) *a description of the data plan re-*
14 *quired under subsection (d).*

15 (2) *ANNUAL BRIEFING.*—*Not later than one year*
16 *after the date on which the pilot program is estab-*
17 *lished, and annually thereafter until the date that is*
18 *five years after the date of the enactment of this Act,*
19 *the Deputy Secretary of Defense shall submit to the*
20 *congressional defense committees a briefing on the*
21 *pilot program, including—*

22 (A) *the data collected and analysis per-*
23 *formed under subsection (d);*

24 (B) *lessons learned;*

1 (C) the priorities for future activities of the
2 pilot program; and

3 (D) such other information as the Deputy
4 Secretary determines appropriate.

5 (3) *RECOMMENDATION.*—Not later than two
6 years after the date of the enactment of this Act, the
7 Deputy Secretary of Defense shall submit to Congress
8 a briefing on the recommendations of the Deputy Sec-
9 retary with respect to the pilot program and shall
10 concurrently submit to Congress—

11 (A) a written assessment of the pilot pro-
12 gram;

13 (B) a written recommendation on con-
14 tinuing or expanding the mission integration
15 pilot program;

16 (C) requests for Congress to provide authori-
17 ties required to successfully carry out the pilot
18 program; and

19 (D) the data collected and analysis per-
20 formed under subsection (d).

21 (g) *TRANSITION.*—Beginning in fiscal year 2025, the
22 Deputy Secretary of Defense may transition responsibilities
23 for research, development, test, evaluation, and support to
24 initial operational fielding activities started under the pilot
25 program to other elements of the Department for purposes

1 *of delivering solutions fulfilling critical cross-service, cross-*
2 *program, and cross-domain operational needs.*

3 (h) *TERMINATION DATE.*—*The pilot program shall ter-*
4 *minate on the date that is five years after the date of the*
5 *enactment of this Act.*

6 (i) *RULE OF CONSTRUCTION.*—*Nothing in this section*
7 *shall be construed as providing any authority not otherwise*
8 *provided by law to procure, or enter agreements to procure,*
9 *any goods, materials, or services.*

10 (j) *DEFINITIONS.*—*In this section:*

11 (1) *COVERED ARMED FORCE.*—*The term “covered*
12 *Armed Force” means—*

13 (A) *the Army;*

14 (B) *the Navy;*

15 (C) *the Air Force;*

16 (D) *the Marine Corps; or*

17 (E) *the Space Force.*

18 (2) *CROSS-FUNCTIONAL TEAMS OF THE STRA-*
19 *TEGIC CAPABILITIES OFFICE.*—*The term “Cross-Func-*
20 *tional Teams of the Strategic Capabilities Office”*
21 *means the teams established in the Strategic Capa-*
22 *bilities Office of the Department of Defense pursuant*
23 *to section 233(b) of the National Defense Authoriza-*
24 *tion Act for Fiscal Year 2020 (Public Law 116–92;*
25 *133 Stat. 1277; 10 U.S.C. 132 note).*

1 (3) *CROSS-SERVICE.*—*The term “cross-service”*
2 *means pertaining to multiple covered Armed Forces.*

3 (4) *CROSS-DOMAIN.*—*The term “cross-domain”*
4 *means pertaining to multiple operational domains of*
5 *land, maritime, air, space, and cyberspace.*

6 (4) *CROSS-SERVICE OPERATIONAL NEED.*—*The*
7 *term “cross-service operational need” means an oper-*
8 *ational need arising from a mission undertaken by a*
9 *combatant command which involves multiple covered*
10 *Armed Forces.*

11 (5) *DEFENSE AGENCY; MILITARY DEPART-*
12 *MENT.*—*The terms “Defense Agency” and “military*
13 *department” have the meanings given such terms in*
14 *section 101(a) of title 10, United States Code.*

15 (6) *FIELD ACTIVITY.*—*The term “Field Activity”*
16 *has the meaning given the term “Department of De-*
17 *fense Field Activity” in section 101(a) of title 10,*
18 *United States Code.*

19 (7) *MISSION MANAGEMENT.*—*The term “mission*
20 *management” means the integration of materiel, dig-*
21 *ital, and operational elements to improve defensive*
22 *and offensive options and outcomes for a specific mis-*
23 *sion or operational challenge.*

1 (8) *PILOT PROGRAM.*—*The term “pilot program”*
2 *means the pilot program established under subsection*
3 *(a).*

4 **SEC. 872. ESTABLISHMENT OF MISSION-ORIENTED PILOT**
5 **PROGRAMS TO CLOSE SIGNIFICANT CAPA-**
6 **BILITIES GAPS.**

7 (a) *IN GENERAL.*—*The Secretary of Defense shall es-*
8 *tablish, within the Strategic Capabilities Office of the Office*
9 *of the Secretary of Defense, not fewer than two mission-*
10 *oriented integration pilot programs with the objective of*
11 *closing significant capabilities gaps by developing and im-*
12 *plementing capabilities and by synchronizing and inte-*
13 *grating missions across covered Armed Forces and Defense*
14 *Agencies.*

15 (b) *ELEMENTS.*—*The pilot programs established under*
16 *subsection (a) shall—*

17 (1) *seek to address specific outstanding oper-*
18 *ational challenges of high importance to the oper-*
19 *ational plans of the United States Indo-Pacific Com-*
20 *mand and the United States European Command;*

21 (2) *be designed to leverage industry cost sharing*
22 *by using sources such as private equity and venture*
23 *capital funding to develop technologies and overall ca-*
24 *pabilities that resolve significant capability gaps for*

1 *delivery to the Department of Defense, as a product*
2 *or as a service;*

3 *(3) not later than three years after the date on*
4 *which the pilot program commences, demonstrate the*
5 *efficacy of the solutions being developed under the*
6 *pilot program;*

7 *(4) deliver an operational capability not later*
8 *than five years after the pilot program commences;*

9 *(5) provide an operationally relevant solution*
10 *for—*

11 *(A)(i) maintaining resilient aircraft oper-*
12 *ations in and around Guam in the face of evol-*
13 *ving regional threats, including large salvo super-*
14 *sonic and hypersonic missile threats; or*

15 *(ii) an operational challenge of similar*
16 *strategic importance and relevance to the respon-*
17 *sibilities and plans of the United States Indo-*
18 *Pacific Command or the United States Euro-*
19 *pean Command; and*

20 *(B)(i) providing a resilient logistic and re-*
21 *supply capability in the face of evolving regional*
22 *threats, including operations within an anti-ac-*
23 *cess-area denial environment; or*

24 *(ii) an operational challenge of similar*
25 *strategic importance and relevance to the respon-*

1 *sibilities and plans of the United States Indo-*
2 *Pacific Command; and*

3 (6) *incorporate—*

4 (A) *existing and planned Department of*
5 *Defense systems and capabilities to achieve mis-*
6 *sion objectives; and*

7 (B) *to the extent practicable, technologies*
8 *that have military applications and the poten-*
9 *tial for nonmilitary applications.*

10 (c) *ROLE OF STRATEGIC CAPABILITIES OFFICE.—*

11 (1) *IN GENERAL.—With respect to the pilot pro-*
12 *grams established under subsection (a), the Director of*
13 *the Strategic Capabilities Office, in consultation with*
14 *the Under Secretary of Defense for Research and En-*
15 *gineering, shall—*

16 (A) *assign mission managers or program*
17 *managers—*

18 (i) *to coordinate and collaborate with*
19 *entities awarded contracts or agreements*
20 *under the pilot program, parties to cost*
21 *sharing agreements for such awarded con-*
22 *tracts or agreements, combatant commands,*
23 *and military departments to define mission*
24 *requirements and solutions; and*

1 (ii) to coordinate and monitor pilot
2 program implementation;

3 (B) provide technical assistance for pilot
4 program activities, including developing and im-
5 plementing metrics, which shall be used—

6 (i) to assess each operational challenge
7 such pilot programs are addressing; and

8 (ii) to characterize the resilience of so-
9 lutions being developed under the pilot pro-
10 grams to known threats and single points of
11 failure;

12 (C) provide operational use case expertise to
13 the entities awarded contracts or agreements
14 under the pilot program and parties to cost shar-
15 ing agreements for such awarded contracts or
16 agreements;

17 (D) serve as the liaison between the Armed
18 Forces, the combatant commanders, and the par-
19 ticipants in the pilot programs; and

20 (E) use flexible acquisition practices and
21 authorities, including—

22 (i) the authorities under section 2371
23 and 2371b of title 10, United States Code;

24 (ii) payments for demonstrated
25 progress;

1 (iii) *authorities under the Defense Pro-*
2 *duction Act of 1950 (50 U.S.C. 4501 et*
3 *seq.); and*

4 (iv) *other acquisition practices that*
5 *support efficient and effective access to*
6 *emerging technologies and capabilities, in-*
7 *cluding technologies and capabilities from*
8 *companies funded with private investment.*

9 (2) *REPORTS TO CONGRESS.*—*Not later than 180*
10 *days after the date of the enactment of this Act, and*
11 *every 180 days thereafter, the Director of the Stra-*
12 *tegic Capabilities Office shall submit to the congres-*
13 *sional defense committees a report on the pilot pro-*
14 *grams.*

15 (d) *ADDITIONAL AUTHORITIES.*—*The Secretary of De-*
16 *fense shall assess authorities required for such mission man-*
17 *agers and program managers to effectively and efficiently*
18 *fulfill their responsibilities under the pilot programs, in-*
19 *cluding the delegation of personnel hiring and contracting*
20 *authorities.*

21 (e) *DATA.*—*The Secretary of Defense shall establish*
22 *mechanisms to collect and analyze data on the implementa-*
23 *tion of the pilot programs for the purposes of—*

1 (1) *developing and sharing best practices for*
2 *achieving goals established for the pilot programs;*
3 *and*

4 (2) *providing information to the Secretary and*
5 *the congressional defense committees on—*

6 (A) *the implementation of the pilot pro-*
7 *grams; and*

8 (B) *related policy issues.*

9 (f) *RECOMMENDATIONS.—Not later than two years*
10 *after the date of the enactment of this Act, the Secretary*
11 *of Defense shall submit to the congressional defense commit-*
12 *tees a recommendation with respect to continuing or ex-*
13 *panding the pilot program.*

14 (g) *TRANSITION OF PILOT PROGRAM RESPONSIBIL-*
15 *ITIES.—Beginning in fiscal year 2025, the Secretary may*
16 *transition the responsibility for the pilot programs to an-*
17 *other organization.*

18 (h) *DEFINITIONS.—In this section:*

19 (1) *COVERED ARMED FORCE.—The term “covered*
20 *Armed Force” means—*

21 (A) *the Army;*

22 (B) *the Navy;*

23 (C) *the Air Force;*

24 (D) *the Marine Corps; or*

25 (E) *the Space Force.*

1 (2) *DEFENSE AGENCY.*—*The term “Defense*
2 *Agency” has the meaning given such term in section*
3 *101(a) of title 10, United States Code.*

4 (3) *MISSION MANAGER.*—*The term “mission*
5 *manager” means an individual that, with respect to*
6 *a mission under a pilot program established under*
7 *subsection (a), shall have the responsibilities described*
8 *in subparagraphs (B) through (F) of section 871(c)(2)*
9 *of this Act.*

10 **SEC. 873. INDEPENDENT STUDY ON ACQUISITION PRAC-**
11 **TICES AND POLICIES.**

12 (a) *STUDY REQUIRED.*—*Not later than March 30,*
13 *2022, the Secretary of Defense shall enter into an agreement*
14 *with a federally funded research and development center*
15 *under which such center shall conduct a study on the acqui-*
16 *sition practices and policies described in subsection (b).*

17 (b) *STUDY ELEMENTS.*—*The study required under*
18 *subsection (a) shall identify the knowledge and tools needed*
19 *for the acquisition workforce of the Department of Defense*
20 *to—*

21 (1) *engage in acquisition planning practices that*
22 *assess the cost, resource, and energy preservation dif-*
23 *ferences resulting from selecting environmentally pref-*
24 *erable goods or services when identifying requirements*
25 *or drafting statements of work;*

1 (2) *engage in acquisition planning practices that*
2 *promote the acquisition of resilient and resource-effi-*
3 *cient goods and services and that support innovation*
4 *in environmental technologies, including—*

5 (A) *technical specifications that establish*
6 *performance levels for goods and services to di-*
7 *minish greenhouse gas emissions;*

8 (B) *statements of work or specifications re-*
9 *stricted to environmentally preferable goods or*
10 *services where the quality, availability, and price*
11 *is comparable to traditional goods or services;*

12 (C) *engaging in public-private partnerships*
13 *to design, build, and fund resilient, low-carbon*
14 *infrastructure;*

15 (D) *collaborating with local jurisdictions*
16 *surrounding military installations, with a focus*
17 *on reducing environmental costs; and*

18 (E) *technical specifications that consider*
19 *risk to supply chains from extreme weather and*
20 *changes in environmental conditions;*

21 (3) *employ source selection practices that pro-*
22 *mote the acquisition of resilient and resource-efficient*
23 *goods and services and that support innovation in en-*
24 *vironmental technologies, including—*

1 (A) *considering resilience, low-carbon, or*
2 *low-toxicity criteria as competition factors on*
3 *the basis of which the award is made in addition*
4 *to cost, past performance, and quality factors;*

5 (B) *using accepted standards, emissions*
6 *data, certifications, and labels to verify the envi-*
7 *ronmental impact of a good or service and en-*
8 *hance procurement efficiency;*

9 (C) *evaluating the veracity of certifications*
10 *and labels purporting to convey information*
11 *about the environmental impact of a good or*
12 *service; and*

13 (D) *considering the costs of a good or serv-*
14 *ice that will be incurred throughout its lifetime,*
15 *including operating costs, maintenance, end of*
16 *life costs, and residual value, including costs re-*
17 *sulting from the carbon dioxide and other green-*
18 *house gas emissions associated with the good or*
19 *service; and*

20 (4) *consider external effects, including economic,*
21 *environmental, and social, arising over the entire life*
22 *cycle of an acquisition when making acquisition*
23 *planning and source selection decisions.*

24 (c) *SUBMISSION TO DEPARTMENT OF DEFENSE.—Not*
25 *later than one year after the date of the enactment of this*

1 *Act, the federally funded research and development center*
2 *that conducts the study under subsection (a) shall submit*
3 *to the Secretary of Defense a report on the results of the*
4 *study in an unclassified form but may include a classified*
5 *annex.*

6 (d) *SUBMISSION TO CONGRESS.*—*Not later than 30*
7 *days after the date on which the Secretary of Defense re-*
8 *ceives the report under subsection (c), the Secretary shall*
9 *submit to the congressional defense committees an unaltered*
10 *copy along with any comments the Secretary may have*
11 *with respect to the report.*

12 (e) *DEFINITIONS.*—*In this section:*

13 (1) *The term “environmentally preferable”, with*
14 *respect to a good or service, means that the good or*
15 *service has a lesser or reduced effect on human health*
16 *and the environment when compared with competing*
17 *goods or services that serve the same purpose or*
18 *achieve the same or substantially similar result. The*
19 *comparison may consider raw materials acquisition,*
20 *production, manufacturing, packaging, distribution,*
21 *reuse, operation, maintenance, or disposal of the good*
22 *or service.*

23 (2) *The term “resource-efficient goods and serv-*
24 *ices” means goods and services—*

1 (A) that use fewer resources than competing
 2 goods and services to serve the same purposes or
 3 achieve the same or substantially similar result
 4 as such competing goods and services; and

5 (B) for which the negative environmental
 6 impacts across the full life cycle of such goods
 7 and services are minimized.

8 **SEC. 874. PILOT PROGRAM TO INCENTIVIZE CONTRACTING**
 9 **WITH EMPLOYEE-OWNED BUSINESSES.**

10 (a) *QUALIFIED BUSINESS WHOLLY-OWNED THROUGH*
 11 *AN EMPLOYEE STOCK OWNERSHIP PLAN DEFINED.*—The
 12 term “qualified businesses wholly-owned through an Em-
 13 ployee Stock Ownership Plan” means an S corporation (as
 14 defined in section 1361(a)(1) of the Internal Revenue Code
 15 of 1986) for which 100 percent of the outstanding stock is
 16 held through an employee stock ownership plan (as defined
 17 in section 4975(e)(7) of such Code).

18 (b) *PILOT PROGRAM TO USE NONCOMPETITIVE PRO-*
 19 *CEDURES FOR CERTAIN FOLLOW-ON CONTRACTS TO QUALI-*
 20 *FIED BUSINESSES WHOLLY-OWNED THROUGH AN EM-*
 21 *PLOYEE STOCK OWNERSHIP PLAN.*—

22 (1) *ESTABLISHMENT.*—The Secretary of Defense
 23 may establish a pilot program to carry out the re-
 24 quirements of this section.

1 (2) *FOLLOW-ON CONTRACTS.*—*Notwithstanding*
2 *the requirements of section 2304 of title 10, United*
3 *States Code, and with respect to a follow-on contract*
4 *for the continued development, production, or provi-*
5 *sion of products or services that are the same as or*
6 *substantially similar to the products or services pro-*
7 *cured by the Department of Defense under a prior*
8 *contract held by a qualified business wholly-owned*
9 *through an Employee Stock Ownership Plan, the*
10 *products or services to be procured under the follow-*
11 *on contract may be procured by the Department of*
12 *Defense through procedures other than competitive*
13 *procedures if the performance of the qualified business*
14 *wholly-owned through an Employee Stock Ownership*
15 *Plan on the prior contract was rated as satisfactory*
16 *(or the equivalent) or better in the applicable past*
17 *performance database.*

18 (3) *LIMITATION.*—*A qualified business wholly-*
19 *owned through an Employee Stock Ownership Plan*
20 *may have a single opportunity for award of a sole-*
21 *source follow-on contract under this section, unless a*
22 *senior contracting official (as defined in section 1737*
23 *of title 10, United States Code) approves a waiver of*
24 *the requirements of this section.*

1 (c) *VERIFICATION AND REPORTING OF QUALIFIED*
2 *BUSINESSES WHOLLY-OWNED THROUGH AN EMPLOYEE*
3 *STOCK OWNERSHIP PLAN.*—*Under a pilot program estab-*
4 *lished under this section, the Secretary of Defense shall es-*
5 *tablish procedures—*

6 (1) *for businesses to verify status as a qualified*
7 *businesses wholly-owned through an Employee Stock*
8 *Ownership Plan for the purposes of this section by*
9 *using existing Federal reporting mechanisms;*

10 (2) *for a qualified businesses wholly-owned*
11 *through an Employee Stock Ownership Plan to cer-*
12 *tify that not more than 50 percent of the amount*
13 *paid under the contract will be expended on sub-*
14 *contracts, subject to such necessary and reasonable*
15 *waivers as the Secretary may prescribe; and*

16 (3) *to record information on each follow-on con-*
17 *tract awarded under subsection (b), including details*
18 *relevant to the nature of such contract and the quali-*
19 *fied business wholly-owned through an Employee*
20 *Stock Ownership Plan that received such contract,*
21 *and to provide such information to the Comptroller*
22 *General of the United States.*

23 (d) *DATA.*—

24 (1) *IN GENERAL.*—*If the Secretary of Defense es-*
25 *tablishes a pilot program under this section, the Sec-*

1 *retary shall establish mechanisms to collect and ana-*
2 *lyze data on the pilot program for the purposes of—*

3 *(A) developing and sharing best practices*
4 *relating to the pilot program;*

5 *(B) providing information to leadership*
6 *and the congressional defense committees on the*
7 *pilot program, including with respect to each*
8 *qualified business wholly-owned through an Em-*
9 *ployee Stock Ownership Plan that received a fol-*
10 *low-on contract under this section—*

11 *(i) the size of such business;*

12 *(ii) performance of the follow-on con-*
13 *tract; and*

14 *(iii) other information as determined*
15 *necessary; and*

16 *(C) providing information to leadership*
17 *and the congressional defense committees on pol-*
18 *icy issues related to the pilot program.*

19 *(2) LIMITATION.—The Secretary of Defense may*
20 *not carry out the pilot program under this section be-*
21 *fore—*

22 *(A) completing a data collection and report-*
23 *ing strategy and plan to meet the requirements*
24 *of this subsection; and*

1 (B) submitting the strategy and plan to the
2 congressional defense committees.

3 (e) *SUNSET.*—Any pilot program established under
4 this section shall expire on the date that is five years after
5 the date of the enactment of this Act.

6 (f) *COMPTROLLER GENERAL REPORT.*—

7 (1) *IN GENERAL.*—Not later than three years
8 after the date of the enactment of this Act, the Comp-
9 troller General of the United States shall submit to
10 Congress a report on any individual and aggregate
11 uses of the authority under a pilot program estab-
12 lished under this section.

13 (2) *ELEMENTS.*—The report under paragraph
14 (1) shall include the following elements:

15 (A) An assessment of the frequency and na-
16 ture of the use of the authority under the pilot
17 program.

18 (B) An assessment of the impact of the pilot
19 program in supporting the national defense
20 strategy required under section 113(g) of title 10,
21 United States Code.

22 (C) The number of businesses that became
23 qualified businesses wholly-owned through an
24 Employee Stock Ownership Plan in order to ben-

1 *efit from the pilot program and the factors that*
2 *influenced that decision.*

3 *(D) Acquisition authorities that could*
4 *incentivize businesses to become qualified busi-*
5 *nesses wholly-owned through an Employee Stock*
6 *Ownership Plan, including an extension of the*
7 *pilot program.*

8 *(E) Any related matters the Comptroller*
9 *General considers appropriate.*

10 **SEC. 875. GUIDANCE, TRAINING, AND REPORT ON PLACE OF**
11 **PERFORMANCE CONTRACT REQUIREMENTS.**

12 *(a) GUIDANCE AND TRAINING.—Not later than July*
13 *1, 2022, the Secretary of Defense shall—*

14 *(1) issue guidance on covered contracts to ensure*
15 *that, to the maximum extent practicable, the terms of*
16 *such covered contract avoid specifying an unneces-*
17 *sarily restrictive place of performance for such cov-*
18 *ered contract; and*

19 *(2) implement any necessary training for appro-*
20 *priate individuals relating to the guidance required*
21 *under paragraph (1).*

22 *(b) REPORT.—*

23 *(1) IN GENERAL.—Not later than July 1, 2022,*
24 *the Secretary of Defense shall submit to the congres-*

1 sional defense committees a report on covered con-
2 tracts.

3 (2) *ELEMENTS.*—*The report required under*
4 *paragraph (1) shall include the following elements:*

5 (A) *A description of the criteria that is con-*
6 *sidered when the Secretary specifies a particular*
7 *place of performance in a covered contract.*

8 (B) *The number of covered contracts award-*
9 *ed during each of fiscal years 2016 through*
10 *2020.*

11 (C) *An assessment of the extent to which re-*
12 *visions to guidance or regulations related to the*
13 *use of covered contracts could improve the effec-*
14 *tiveness and efficiency of the Department of De-*
15 *fense, including a description of such revisions.*

16 (c) *COVERED CONTRACT DEFINED.*—*In this section,*
17 *the term “covered contract” means a contract for which the*
18 *Secretary of Defense specifies the place of performance for*
19 *such contract.*

20 **SEC. 876. NOTIFICATION OF CERTAIN INTERGOVERN-**
21 **MENTAL SUPPORT AGREEMENTS.**

22 (a) *NOTIFICATION REQUIRED.*—*During fiscal years*
23 *2022 and 2023, not less than 60 days before entering into*
24 *an intergovernmental support agreement under section*
25 *2679 of title 10, United States Code, that is an exception*

1 *to the requirements of chapter 85 of title 41, United States*
2 *Code, the Secretary concerned shall submit, in writing, to*
3 *the congressional defense committees a report including the*
4 *following relating to such agreement:*

5 (1) *The circumstances that resulted in the need*
6 *to enter into an intergovernmental support agreement*
7 *that included such exception.*

8 (2) *The anticipated benefits of entering into such*
9 *agreement that included such exception.*

10 (3) *The anticipated impact on persons covered*
11 *under such chapter 85 because of such exception.*

12 (4) *The extent to which such agreement complies*
13 *with applicable policies, directives, or other guidance*
14 *of the Department of Defense.*

15 (b) *RECOMMENDATIONS.—*

16 (1) *IN GENERAL.—The Secretary of Defense shall*
17 *submit to the congressional defense committees, along*
18 *with the budget request materials for fiscal year 2023,*
19 *specific recommendations for modifications to the leg-*
20 *islative text of subsection (a)(1) of section 2679 of*
21 *title 10, United States Code, along with a rationale*
22 *for any such modifications, to identify specific provi-*
23 *sions of Federal contracting law appropriate for*
24 *waiver or exemption to ensure effective use of inter-*
25 *governmental support agreements under such section.*

1 (2) *BUDGET REQUEST MATERIALS DEFINED.*—*In*
2 *this subsection, the term “budget request materials”*
3 *means the materials submitted to Congress by the*
4 *President under section 1105(a) of title 31, United*
5 *States Code.*

6 (c) *BRIEFING REQUIRED.*—*Not later than 6 months*
7 *after the date of enactment of this Act the Secretary of De-*
8 *fense shall provide to the congressional defense committees*
9 *a briefing on activities taken to carry out the requirements*
10 *of this section.*

11 (d) *POLICY REQUIRED.*—*Not later than one year after*
12 *the date of the enactment of this Act, the Secretary of De-*
13 *fense shall issue guidance to clarify the use of the authority*
14 *under section 2679 of title 10, United States Code, includ-*
15 *ing with respect to—*

16 (1) *the application of other requirements of ac-*
17 *quisition law and policy; and*

18 (2) *chapter 85 of title 41, United States Code.*

19 (e) *SECRETARY CONCERNED DEFINED.*—*In this sec-*
20 *tion, the term “Secretary concerned” means—*

21 (1) *the Secretary of the Army, with respect to*
22 *matters concerning the Army;*

23 (2) *the Secretary of the Navy, with respect to*
24 *matters concerning the Navy and the Marine Corps;*
25 *and*

1 (3) *the Secretary of the Air Force, with respect*
2 *to matters concerning the Air Force and the Space*
3 *Force.*

4 **SEC. 877. REPORT ON REQUESTS FOR EQUITABLE ADJUST-**
5 **MENT IN DEPARTMENT OF THE NAVY.**

6 (a) *REPORT REQUIRED.*—*Not later than 60 days after*
7 *the date of the enactment of this Act, the Secretary of the*
8 *Navy shall submit to the congressional defense committees*
9 *a report describing in detail the processing of requests for*
10 *equitable adjustment by the Department of the Navy be-*
11 *tween October 1, 2011, and the date of the enactment of*
12 *this Act, including progress by components within the De-*
13 *partment of the Navy in complying with the covered direc-*
14 *tive.*

15 (b) *CONTENTS.*—*The report required under subsection*
16 *(a) shall include, at a minimum, the following:*

17 (1) *The number of requests for equitable adjust-*
18 *ment submitted between October 1, 2011, and the date*
19 *of the enactment of this Act.*

20 (2) *The components within the Department of*
21 *the Navy to which each such request was submitted.*

22 (3) *The number of requests for equitable adjust-*
23 *ment outstanding as of the date of the enactment of*
24 *this Act.*

1 (4) *The number of requests for equitable adjust-*
 2 *ment settled but not paid as of the date of the enact-*
 3 *ment of this Act, including a description of why each*
 4 *such request has not been paid.*

5 (5) *A detailed explanation of the efforts by the*
 6 *Secretary of the Navy to ensure compliance of compo-*
 7 *nents within the Department of the Navy with the*
 8 *covered directive.*

9 (c) *COVERED DIRECTIVE DEFINED.*—*In this section,*
 10 *the term “covered directive” means the directive of the As-*
 11 *sistant Secretary of the Navy for Research, Development,*
 12 *and Acquisition, dated March 20, 2020, and titled “(Intent*
 13 *and Direction) Withholds and Retentions During COVID-*
 14 *19” requiring—*

15 (1) *payment to contractors of all settled requests*
 16 *for equitable adjustment; and*

17 (2) *the expeditious resolution of all outstanding*
 18 *requests for equitable adjustment.*

19 **SEC. 878. MILITARY STANDARDS FOR ARMOR MATERIALS IN**
 20 **VEHICLE SPECIFICATIONS.**

21 (a) *IN GENERAL.*—*Not later than June 30, 2022, the*
 22 *Secretary of the Army shall establish technical specification*
 23 *standards for all metal and non-metal armor for incorpora-*
 24 *tion into specifications for current and future armored ve-*

1 *hicles developed or procured by the Department of the*
 2 *Army.*

3 *(b) REPORT REQUIRED.—*

4 *(1) IN GENERAL.—On the date on which the*
 5 *standards described in subsection (a) are established*
 6 *under such subsection, the Secretary of the Army shall*
 7 *submit to the congressional defense committees a re-*
 8 *port describing—*

9 *(A) the establishment of such standards; and*

10 *(B) the strategy for incorporating such*
 11 *standards as requirements for armored vehicles*
 12 *developed and procured by the Department of the*
 13 *Army.*

14 *(2) FORM.—The report required by paragraph*
 15 *(1) shall be in an unclassified form, but may include*
 16 *a classified annex.*

17 *(c) ARMORED VEHICLE DEFINED.—For purposes of*
 18 *this section, the term “armored vehicle” means a tracked*
 19 *or wheeled tactical vehicle incorporating armor in its man-*
 20 *ufacture.*

21 **TITLE IX—DEPARTMENT OF DE-**
 22 **FENSE ORGANIZATION AND**
 23 **MANAGEMENT**

Sec. 901. Change in eligibility requirements for appointment to certain Department of Defense leadership positions.

Sec. 902. Clarification of treatment of Office of Local Defense Community Cooperation as a Department of Defense Field Activity.

- Sec. 903. Enhanced role of the Under Secretary of Defense for Research and Engineering on the Joint Requirements Oversight Council.*
- Sec. 904. Implementation of repeal of Chief Management Officer of the Department of Defense.*
- Sec. 905. Space Force organizational matters and modification of certain space-related acquisition authorities.*
- Sec. 906. Assignments for participants in the John S. McCain Strategic Defense Fellows Program.*
- Sec. 907. Designation of senior official for implementation of Electromagnetic Spectrum Superiority Strategy.*
- Sec. 908. Management innovation activities.*
- Sec. 909. Digital talent recruiting officer.*
- Sec. 910. Cross-functional team for emerging threat relating to anomalous health incidents.*
- Sec. 911. Alignment of Close Combat Lethality Task Force.*
- Sec. 912. Independent review of and report on the Unified Command Plan.*
- Sec. 913. Study and report on the role and organization of space assets in the reserve components.*

1 SEC. 901. CHANGE IN ELIGIBILITY REQUIREMENTS FOR AP-
2 POINTMENT TO CERTAIN DEPARTMENT OF
3 DEFENSE LEADERSHIP POSITIONS.

4 (a) *SECRETARY OF DEFENSE.*—Subsection (a) of sec-
 5 tion 113 of title 10, United States Code, is amended to read
 6 as follows:

7 “(a)(1) *There is a Secretary of Defense, who is the head*
 8 *of the Department of Defense, appointed from civilian life*
 9 *by the President, by and with the advice and consent of*
 10 *the Senate.*

11 “(2) *A person may not be appointed as Secretary of*
 12 *Defense—*

13 “(A) *within seven years after relief from active*
 14 *duty as a commissioned officer of a regular compo-*
 15 *nent of an armed force in a grade below O–7; or*

16 “(B) *within 10 years after relief from active*
 17 *duty as a commissioned officer of a regular compo-*

1 *ment of an armed force in the grade of O-7 or*
2 *above.”.*

3 *(b) ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL*
4 *OPERATIONS AND LOW INTENSITY CONFLICT.—Section*
5 *138(b)(2)(A) of title 10, United States Code, is amended*
6 *by inserting after the third sentence the following: “A per-*
7 *son may not be appointed as Assistant Secretary within*
8 *seven years after relief from active duty as a commissioned*
9 *officer of a regular component of an armed force.”.*

10 *(c) SECRETARY OF THE ARMY.—Section 7013(a)(2) of*
11 *title 10, United States Code, is amended by striking “five”*
12 *and inserting “seven”.*

13 *(d) SECRETARY OF THE NAVY.—Section 8013(a)(2) of*
14 *title 10, United States Code, is amended by striking “five”*
15 *and inserting “seven”.*

16 *(e) SECRETARY OF THE AIR FORCE.—Section*
17 *9013(a)(2) of title 10, United States Code, is amended by*
18 *striking “five” and inserting “seven”.*

19 *(f) TECHNICAL CORRECTIONS RELATING TO OTHER*
20 *POSITIONS.—*

21 *(1) UNDER SECRETARY OF DEFENSE (COMP-*
22 *TROLLER).—Section 135(a)(1) of title 10, United*
23 *States Code, is amended by striking “the armed*
24 *forces” and inserting “an armed force”.*

1 *transferred and redesignated by subsection (a) of this*
2 *subsection, is amended—*

3 *(A) by striking “in the Office of the Sec-*
4 *retary of Defense an office to be known as the”*
5 *and inserting “in the Department of Defense*
6 *an”;* and

7 *(B) by adding at the end the following:*
8 *“The Secretary shall designate the Office as a*
9 *Department of Defense Field Activity pursuant*
10 *to section 191, effective as of the date of the en-*
11 *actment of the William M. (Mac) Thornberry*
12 *National Defense Authorization Act for Fiscal*
13 *Year 2021 (Public Law 116–283).”.*

14 (3) *APPOINTMENT OF DIRECTOR.—Such section*
15 *198 is further amended—*

16 *(A) in subsection (b) in the matter pre-*
17 *ceding paragraph (1), by striking “Under Sec-*
18 *retary of Defense for Acquisition and*
19 *Sustainment” and inserting “Secretary of De-*
20 *fense”;* and

21 *(B) in subsection (c)(4), by striking “Under*
22 *Secretary of Defense for Acquisition and*
23 *Sustainment” and inserting “Secretary”.*

24 (4) *CLERICAL AMENDMENTS.—*

1 (A) *CHAPTER 4.*—*The table of sections at*
2 *the beginning of chapter 4 of title 10, United*
3 *States Code, is amended by striking the item re-*
4 *lating to section 146.*

5 (B) *CHAPTER 8.*—*The table of sections at*
6 *the beginning of subtitle I of chapter 8 of such*
7 *title is amended by inserting after the item relat-*
8 *ing to section 197 the following new item:*

 “198. *Office of Local Defense Community Cooperation.*”.

9 (b) *LIMITATION ON INVOLUNTARY SEPARATION OF*
10 *PERSONNEL.*—*No personnel of the Office of Local Defense*
11 *Community Cooperation under section 198 of title 10,*
12 *United States Code (as added by subsection (a)), may be*
13 *involuntarily separated from service with that Office dur-*
14 *ing the one-year period beginning on the date of the enact-*
15 *ment of this Act, except for cause.*

16 (c) *ADMINISTRATION OF PROGRAMS.*—*Any program,*
17 *project, or other activity administered by the Office of Eco-*
18 *nomics Adjustment of the Department of Defense as of the*
19 *date of the enactment of the William M. (Mac) Thornberry*
20 *National Defense Authorization Act for Fiscal Year 2021*
21 *(Public Law 116–283) shall be administered by the Office*
22 *of Local Defense Community Cooperation under section 198*
23 *of title 10, United States Code (as added by subsection (a)).*

1 (d) *CONFORMING REPEAL.*—Section 905 of the Wil-
2 *liam M. (Mac) Thornberry National Defense Authorization*
3 *Act for Fiscal Year 2021 (Public Law 116–283) is repealed.*

4 **SEC. 903. ENHANCED ROLE OF THE UNDER SECRETARY OF**
5 **DEFENSE FOR RESEARCH AND ENGINEERING**
6 **ON THE JOINT REQUIREMENTS OVERSIGHT**
7 **COUNCIL.**

8 (a) *IN GENERAL.*—Section 181 of title 10, *United*
9 *States Code, is amended—*

10 (1) *in subsection (b)—*

11 (A) *by redesignating paragraphs (2)*
12 *through (6) as paragraphs (3) through (7), re-*
13 *spectively; and*

14 (B) *by inserting after paragraph (1) the fol-*
15 *lowing new paragraph:*

16 “(2) *increasing awareness of global trends,*
17 *threats, and adversary capabilities to address gaps in*
18 *joint military capabilities and validate joint require-*
19 *ments developed by the military departments;”;*

20 (2) *in subsection (d)(1)(D), by striking the pe-*
21 *riod at the end and inserting the following: “who*
22 *shall serve as the Chief Technical Advisor to the*
23 *Council and—*

1 “(i) shall provide assistance in evalu-
2 ating the technical feasibility of require-
3 ments under development; and

4 “(ii) shall identify options for expand-
5 ing or generating new requirements based
6 on opportunities provided by new or emerg-
7 ing technologies.”.

8 (b) *INDEPENDENT STUDY.*—

9 (1) *STUDY REQUIRED.*—*The Secretary of Defense*
10 *shall enter into an agreement with a covered entity*
11 *to conduct an independent study assessing the role of*
12 *the Under Secretary of Defense for Research and En-*
13 *gineering on the Joint Requirements Oversight Coun-*
14 *cil.*

15 (2) *ELEMENTS.*—*The study required by para-*
16 *graph (1) shall include the following:*

17 (A) *The current role and contribution of the*
18 *Under Secretary of Defense for Research and En-*
19 *gineering to the Joint Requirements Oversight*
20 *Council.*

21 (B) *The extent to which the role of the*
22 *Under Secretary on the Joint Requirements*
23 *Oversight Council should be adjusted to further*
24 *maximize Council outcomes as well as the addi-*

1 *tional resources, if any, such adjustments would*
2 *require.*

3 *(C) The extent to which the Under Sec-*
4 *retary of Defense should provide additional views*
5 *and recommendations on Joint Requirements*
6 *Oversight Council preparations, deliberations,*
7 *and outcomes.*

8 *(D) Such other matters as the Secretary of*
9 *Defense determines to be appropriate*

10 *(3) SUBMISSION TO CONGRESS.—Not later than*
11 *December 31, 2022, the Secretary shall submit to the*
12 *congressional defense committees the results of the*
13 *study required by paragraph (1).*

14 *(4) FORM.—The study required by paragraph*
15 *(1) shall be submitted in unclassified form but may*
16 *include a classified annex.*

17 *(5) COVERED ENTITY DEFINED.—In this sub-*
18 *section, the term “covered entity” means—*

19 *(A) a federally funded research and develop-*
20 *ment center; or*

21 *(B) an independent, nongovernmental orga-*
22 *nization, described under section 501(c)(3) of the*
23 *Internal Revenue Code of 1986 and which is ex-*
24 *empt from taxation under section 501(a) of such*

1 Code, which has recognized credentials and ex-
2 pertise in national security and military affairs.

3 (c) *REPORT ON THE ROLE OF THE UNDER SECRETARY*
4 *OF DEFENSE FOR RESEARCH AND ENGINEERING IN THE*
5 *JOINT REQUIREMENTS OVERSIGHT COUNCIL.*—

6 (1) *IN GENERAL.*—Not later than March 1, 2023,
7 the Secretary of Defense, in consultation with the
8 Chairman of the Joint Chiefs of Staff and the Under
9 Secretary of Defense for Research and Engineering,
10 shall submit to the congressional defense committees a
11 report on the recommendations of the Secretary of De-
12 fense on the extent to which adjustments to the role
13 of the Under Secretary of Defense for Research and
14 Engineering on the Joint Requirements Oversight
15 Council are warranted. The report shall include—

16 (A) consideration of the findings of the
17 study required by subsection (b);

18 (B) the rationale for recommendations of
19 the Secretary of Defense; and

20 (C) a description of additional resources
21 that may be required to support those rec-
22 ommendations.

23 (2) *ADDITIONAL INPUT.*—The report may also
24 include input from each member or advisor of the
25 Joint Requirements Oversight Council.

1 **SEC. 904. IMPLEMENTATION OF REPEAL OF CHIEF MANAGE-**
2 **MENT OFFICER OF THE DEPARTMENT OF DE-**
3 **FENSE.**

4 *Section 901(b)(1) of the William M. (Mac) Thornberry*
5 *National Defense Authorization Act for Fiscal Year 2021*
6 *(Public Law 116–283) is amended by striking “, except that*
7 *any officer or employee so designated may not be an indi-*
8 *vidual who served as the Chief Management Officer before*
9 *the date of the enactment of this Act”.*

10 **SEC. 905. SPACE FORCE ORGANIZATIONAL MATTERS AND**
11 **MODIFICATION OF CERTAIN SPACE-RELATED**
12 **ACQUISITION AUTHORITIES.**

13 *(a) IMPLEMENTATION DATE FOR SERVICE ACQUI-*
14 *SION EXECUTIVE OF THE DEPARTMENT OF THE AIR FORCE*
15 *FOR SPACE SYSTEMS AND PROGRAMS.—*

16 *(1) IMPLEMENTATION DATE.—Section 957 of the*
17 *National Defense Authorization Act for Fiscal Year*
18 *2020 (Public Law 116–92; 10 U.S.C. 9016 note) is*
19 *amended—*

20 *(A) in subsection (a), by striking “Effective*
21 *October 1, 2022, there shall be” and inserting*
22 *“Effective on the date specified in subsection (d),*
23 *there shall be”;*

24 *(B) in subsection (b)—*

25 *(i) in paragraph (1), by striking “Ef-*
26 *fective as of October 1, 2022,” and inserting*

1 “Effective as of the date specified in sub-
2 section (d)”; and

3 (ii) in paragraph (2), by striking “as
4 of October 1, 2022,” and inserting “as of
5 the date specified in subsection (d)”; and

6 (C) in subsection (c)(3), by striking “Octo-
7 ber 1, 2022” and inserting “the date specified in
8 subsection (d)”; and

9 (D) by adding at the end the following new
10 subsection:

11 “(d) *DATE SPECIFIED*.—The date specified in this sub-
12 section is a date determined by the Secretary of the Air
13 Force that is not later than October 1, 2022.”.

14 (2) *CONFORMING AMENDMENTS*.—

15 (A) *TRANSFER OF ACQUISITION PROJECTS*
16 *FOR SPACE SYSTEMS AND PROGRAMS*.—Section
17 956(b)(3) of the National Defense Authorization
18 Act for Fiscal Year 2020 (Public Law 116–92;
19 10 U.S.C. 9016 note) is amended—

20 (i) by striking “Effective October 1,
21 2022,” and inserting “Effective on the date
22 specified in section 957(d),”; and

23 (ii) by striking “as of September 30,
24 2022” and inserting “as of the day before
25 the date specified in section 957(d)”.

1 (B) *RESPONSIBILITIES OF ASSISTANT SEC-*
2 *RETARY OF THE AIR FORCE FOR SPACE ACQUI-*
3 *SION AND INTEGRATION.*—Section
4 9016(b)(6)(B)(vi) of title 10, United States Code,
5 is amended by striking “Effective as of October
6 1, 2022, in accordance with section 957 of that
7 Act,” and inserting “Effective as of the date
8 specified in section 957(d) of such Act, and in
9 accordance with such section 957.”.

10 (b) *SENIOR PROCUREMENT EXECUTIVE AUTHORI-*
11 *TIES.*—

12 (1) *OFFICE OF THE SECRETARY OF THE AIR*
13 *FORCE.*—Section 9014(c) of title 10, United States
14 Code, is amended—

15 (A) in paragraph (2), by striking “The Sec-
16 retary of the Air Force shall” and inserting
17 “Subject to paragraph (6), the Secretary of the
18 Air Force shall”; and

19 (B) by inserting after paragraph (5) the fol-
20 lowing new paragraph:

21 “(6) Notwithstanding section 1702 of title 41, the Sec-
22 retary of the Air Force may assign to the Assistant Sec-
23 retary of the Air Force for Space Acquisition and Integra-
24 tion duties and authorities of the senior procurement execu-
25 tive that pertain to space systems and programs.”.

1 (2) *ASSISTANT SECRETARIES OF THE AIR*
2 *FORCE.*—*Section 9016(b)(6)(B)(vi) of title 10, United*
3 *States Code, as amended by subsection (a)(2)(B) of*
4 *this section, is further amended by inserting “and*
5 *discharge any senior procurement executive duties*
6 *and authorities assigned by the Secretary of the Air*
7 *Force pursuant to section 9014(c)(6) of this title”*
8 *after “Space Systems and Programs”.*

9 **SEC. 906. ASSIGNMENTS FOR PARTICIPANTS IN THE JOHN**
10 **S. MCCAIN STRATEGIC DEFENSE FELLOWS**
11 **PROGRAM.**

12 *Section 932(e) of the John S. McCain National Defense*
13 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
14 *232; 10 U.S.C. 1580 note prec.) is amended—*

15 (1) *in paragraph (2)—*

16 (A) *by striking “and each Under Secretary*
17 *of Defense and Director of a Defense Agency who*
18 *reports directly to the Secretary of Defense,” and*
19 *inserting “, each Under Secretary of Defense,*
20 *and other officials, as designated by the Sec-*
21 *retary of Defense, within the Office of the Sec-*
22 *retary of Defense (as defined in section 131 of*
23 *title 10, United States Code) who report directly*
24 *to the Secretary of Defense”; and*

1 (B) by striking “or Director” and inserting
 2 “or official within the Office of the Secretary of
 3 Defense”;

4 (2) in paragraph (3)—

5 (A) by striking “Under Secretaries and Di-
 6 rectors” and inserting “Under Secretaries of De-
 7 fense and other officials within the Office of the
 8 Secretary of Defense”; and

9 (B) by striking “Under Secretary, or Direc-
 10 tor” and inserting “Under Secretary of Defense,
 11 or other official within the Office of the Sec-
 12 retary of Defense”; and

13 (3) in paragraph (7), by striking “shall be on a
 14 first-come, first-served basis” and inserting “may re-
 15 quire a minimum service agreement, as determined
 16 by the Secretary”.

17 **SEC. 907. DESIGNATION OF SENIOR OFFICIAL FOR IMPLE-**
 18 **MENTATION OF ELECTROMAGNETIC SPEC-**
 19 **TRUM SUPERIORITY STRATEGY.**

20 (a) *REQUIREMENTS.*—Section 1053 of the John S.
 21 McCain National Defense Authorization Act for Fiscal Year
 22 2019 (Public Law 116–283; 10 U.S.C. 113 note) is amended
 23 by adding at the end the following new subsection:

24 “(f) *ELECTROMAGNETIC SPECTRUM SUPERIORITY*
 25 *STRATEGY.*—

1 “(1) *DESIGNATION.*—

2 “(A) *REQUIREMENT.*—*Not later than 60*
3 *days after the date of the enactment of the Na-*
4 *tional Defense Authorization Act for Fiscal Year*
5 *2022, the Secretary of Defense shall designate a*
6 *senior official of the Department of Defense to be*
7 *responsible for, and accountable to the Secretary*
8 *with respect to, the implementation of the elec-*
9 *tromagnetic spectrum superiority strategy. The*
10 *Secretary shall designate the senior official from*
11 *among individuals who are appointed to a posi-*
12 *tion in the Department by the President, by and*
13 *with the advice and consent of the Senate.*

14 “(B) *CONDITIONS RELATING TO DESIGNA-*
15 *TION OF CHIEF INFORMATION OFFICER.*—

16 “(i) *CERTIFICATION.*—*The Secretary*
17 *may not designate the Chief Information*
18 *Officer of the Department of Defense as the*
19 *senior official under subparagraph (A) un-*
20 *less the Secretary has first included in the*
21 *report under paragraph (3)(A) a certifi-*
22 *cation that the Chief Information Officer*
23 *has the expertise, authority, funding, and*
24 *personnel to ensure the successful implemen-*

1 *tation of the electromagnetic spectrum supe-*
2 *riority strategy.*

3 “(ii) *CAPE ASSESSMENT.*—*If the Sec-*
4 *retary designates the Chief Information Of-*
5 *ficer of the Department of Defense as the*
6 *senior official under subparagraph (A), not*
7 *later than 180 days after the date of the en-*
8 *actment of the National Defense Authoriza-*
9 *tion Act for Fiscal Year 2022, the Director*
10 *of Cost Assessment and Program Evalua-*
11 *tion shall submit to the congressional de-*
12 *fense committees an evaluation of the abil-*
13 *ity of the Chief Information Officer to en-*
14 *sure the successful implementation of the*
15 *electromagnetic spectrum superiority strat-*
16 *egy, including, at a minimum, an evalua-*
17 *tion of the expertise, authority, funding,*
18 *and personnel of the Chief Information Offi-*
19 *cer.*

20 “(2) *RESPONSIBILITIES.*—*The senior official des-*
21 *ignated under paragraph (1)(A) shall be responsible*
22 *for the following:*

23 “(A) *Oversight of policy, strategy, planning,*
24 *resource management, operational consider-*
25 *ations, personnel, and technology development*

1 *necessary to implement the electromagnetic spec-*
2 *trum superiority strategy.*

3 “(B) *Evaluating whether the amount that*
4 *the Department of Defense expends on electro-*
5 *magnetic warfare and electromagnetic spectrum*
6 *operations capabilities is properly aligned.*

7 “(C) *Evaluating whether the Department is*
8 *effectively incorporating electromagnetic spec-*
9 *trum operations capabilities and considerations*
10 *into current and future operational plans and*
11 *concepts.*

12 “(D) *Such other matters relating to electro-*
13 *magnetic spectrum operations as the Secretary*
14 *specifies for purposes of this paragraph.*

15 “(3) *REPORTS.—*

16 “(A) *IMPLEMENTATION REPORT.—Not later*
17 *than 60 days after the date of the enactment of*
18 *the National Defense Authorization Act for Fis-*
19 *cal Year 2022, the Secretary shall submit to the*
20 *congressional defense committees a report on the*
21 *implementation of the Electromagnetic Spectrum*
22 *Superiority Strategy published in October 2020,*
23 *including—*

24 “(i) *an evaluation of the additional*
25 *personnel, resources, and authorities the*

1 *Secretary determines will be needed by the*
2 *senior official designated under paragraph*
3 *(1)(A) who is responsible for implementing*
4 *the electromagnetic spectrum superiority*
5 *strategy; and*

6 *“(ii) a description of how the Secretary*
7 *will ensure that such implementation will*
8 *be successful.*

9 *“(B) RULES OF ENGAGEMENT REPORT.—*
10 *Not later than 270 days after the date of the Na-*
11 *tional Defense Authorization Act for Fiscal Year*
12 *2022, the Secretary shall submit to the congres-*
13 *sional defense committees a report that includes*
14 *the following:*

15 *“(i) A review of the sufficiency of the*
16 *authorities and rules of engagement of the*
17 *Department of Defense relating to electro-*
18 *magnetic spectrum operations, in particular*
19 *with respect to operating below the level of*
20 *armed conflict short of or in advance of ki-*
21 *netic activity and to protect the Department*
22 *from electronic attack and disruption.*

23 *“(ii) Recommended changes to the au-*
24 *thorities or rules of engagement to ensure*
25 *the Department can effectively compete,*

1 *deter conflict, and maintain protection from*
2 *electronic attack and disruption.*

3 “(iii) *Any other matters the Secretary*
4 *determines relevant.*

5 “(4) *SEMIANNUAL BRIEFINGS.—On a semi-*
6 *annual basis during the five-year period beginning on*
7 *the date of the enactment of the National Defense Au-*
8 *thorization Act for Fiscal Year 2022, the Secretary*
9 *shall provide to the congressional defense committees*
10 *a briefing on the status of the implementation of the*
11 *electromagnetic spectrum superiority strategy. Each*
12 *briefing shall include, at a minimum, the following:*

13 “(A) *An update on the efforts of the Depart-*
14 *ment of Defense to—*

15 “(i) *achieve the strategic goals set out*
16 *in the electromagnetic spectrum superiority*
17 *strategy; and*

18 “(ii) *implement such strategy through*
19 *various elements of the Department.*

20 “(B) *An identification of any additional*
21 *authorities or resources relating to electro-*
22 *magnetic spectrum operations that the Secretary*
23 *determines is necessary to implement the strat-*
24 *egy.*

1 “(5) *ELECTROMAGNETIC SPECTRUM SUPERI-*
2 *ORITY STRATEGY DEFINED.*—*In this subsection, the*
3 *term ‘electromagnetic spectrum superiority strategy’*
4 *means the Electromagnetic Spectrum Superiority*
5 *Strategy of the Department of Defense published in*
6 *October 2020, and any such successor strategy.”.*

7 (b) *CLARIFICATION OF CROSS-FUNCTIONAL TEAM*
8 *PLANS.*—*Subsection (d)(2) of such section is amended by*
9 *striking “biennially thereafter” and inserting “biennially*
10 *thereafter during the life of the cross-functional team estab-*
11 *lished pursuant to subsection (c)”.*

12 (c) *TRANSFER OF CERTAIN PROVISION.*—*Section 152*
13 *of the William M. (Mac) Thornberry National Defense Au-*
14 *thorization Act for Fiscal Year 2021 (Public Law 116–283)*
15 *is—*

16 (1) *amended—*

17 (A) *in subsection (a), by striking “two*
18 *years after the date of the enactment of this Act*
19 *and in accordance with the plan developed pur-*
20 *suant to subsection (b)” and inserting “January*
21 *1, 2023, and in accordance with the plan devel-*
22 *oped pursuant to paragraph (2)”;*

23 (B) *by striking “paragraph (1)” each place*
24 *it appears and inserting “subparagraph (A)”;*

1 (C) by striking “subsection (a)” each place
2 it appears and inserting “paragraph (1)”;

3 (D) in subsection (b)(2)(D), by striking
4 “subsections (c) and (d)” and inserting “para-
5 graphs (3) and (4)”;

6 (E) in subsection (e), by striking “this sec-
7 tion” and inserting “this subsection”;

8 (2) transferred to such section 1053, redesignated
9 as subsection (g) (including by redesignating its sub-
10 sections as paragraphs, paragraphs as subparagraphs,
11 and clauses as subclauses, respectively, and indenting
12 such provisions accordingly) and added so as to ap-
13 pear after subsection (f), as added by subsection (a)
14 of this section.

15 **SEC. 908. MANAGEMENT INNOVATION ACTIVITIES.**

16 (a) *IN GENERAL.*—The Secretary of Defense shall
17 carry out a set of activities to improve the effectiveness of
18 management activities within the Department of Defense,
19 with the goals of incorporating appropriate private sector
20 management practices and technologies and enhancing the
21 capabilities of the defense management workforce.

22 (b) *MANAGEMENT ACTIVITIES.*—Subject to the total
23 force management requirements under section 129a of title
24 10, United States Code, the activities carried out under sub-
25 section (a) may include the following:

1 (1) *Public-private partnerships with appropriate*
2 *private sector and government organizations.*

3 (2) *Personnel exchange programs with appro-*
4 *prate industry, academic, and government organiza-*
5 *tions to enhance the capabilities of the defense man-*
6 *agement workforce.*

7 (3) *Research, development, and technology and*
8 *business process prototyping activities to create new*
9 *technological capabilities to support management*
10 *missions, or development and testing of new manage-*
11 *ment concepts and business transformation activities.*

12 (4) *The designation of appropriate organizations*
13 *to lead management innovation activities.*

14 (5) *A process by which defense business process*
15 *owners and other personnel of the Department of De-*
16 *fense can identify management and business process*
17 *challenges and opportunities that could be addressed*
18 *by activities carried out under this section.*

19 (6) *Processes to develop, prototype, test, and field*
20 *new business processes and practices to improve de-*
21 *fense management capabilities.*

22 (7) *Academic research and educational activities*
23 *related to defense management missions to promote—*

24 (A) *development of innovative management*
25 *concepts;*

1 (B) analyses and addressing of appropriate
2 management challenges; and

3 (C) development of programs and activities
4 to develop the defense management workforce.

5 (8) Academic research and independent studies
6 from federally funded research and development cen-
7 ters assessing lessons learned from previous Depart-
8 mental management reform initiatives and whether
9 legacy organizations exist and should be consolidated.

10 (c) *PLAN REQUIRED.*—Not later than February 1,
11 2023, the Secretary of Defense shall submit to the congres-
12 sional defense committees a plan for carrying out the activi-
13 ties under this section.

14 (d) *BRIEFINGS.*—

15 (1) *INITIAL BRIEFING.*—Not later than July 1,
16 2022, the Secretary of Defense shall provide to the
17 congressional defense committees an initial briefing
18 on the activities carried out and plans developed
19 under this section.

20 (2) *SUBSEQUENT BRIEFING.*—On a date occur-
21 ring after the briefing under paragraph (1), but not
22 later than July 1, 2023, the Secretary of Defense shall
23 provide to the congressional defense committees a
24 briefing on the activities carried out and plans devel-
25 oped under this section.

1 **SEC. 909. DIGITAL TALENT RECRUITING OFFICER.**

2 (a) *DIGITAL TALENT RECRUITING FOR THE DEPART-*
3 *MENT OF DEFENSE.—*

4 (1) *IN GENERAL.—Not later than 270 days after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense shall designate a chief digital recruiting offi-*
7 *cer within the office of the Under Secretary of Defense*
8 *for Personnel and Readiness to carry out the respon-*
9 *sibilities set forth in paragraph (2).*

10 (2) *RESPONSIBILITIES.—The chief digital re-*
11 *cruiting officer shall be responsible for—*

12 (A) *identifying Department of Defense*
13 *needs for, and skills gaps in, specific types of ci-*
14 *vilian digital talent;*

15 (B) *recruiting individuals with the skills*
16 *that meet the needs and skills gaps identified*
17 *under subparagraph (A), in partnership with the*
18 *military departments and other organizations*
19 *and elements of the Department;*

20 (C) *ensuring Federal scholarship for service*
21 *programs are incorporated into civilian recruit-*
22 *ing strategies;*

23 (D) *when appropriate and within authority*
24 *granted under other Federal law, offering re-*
25 *ruitment and referral bonuses; and*

1 *(E) partnering with human resource teams*
2 *in the military departments and other organiza-*
3 *tions and elements of the Department to help*
4 *train all Department of Defense human resources*
5 *staff on the available hiring flexibilities to accel-*
6 *erate the hiring of individuals with the skills*
7 *that fill the needs and skills gaps identified*
8 *under subparagraph (A).*

9 *(3) RESOURCES.—The Secretary of Defense shall*
10 *ensure that the chief digital recruiting officer is pro-*
11 *vided with personnel and resources sufficient to carry*
12 *out the duties set forth in paragraph (2).*

13 *(4) ROLE OF CHIEF HUMAN CAPITAL OFFICER.—*

14 *(A) IN GENERAL.—The chief digital recruit-*
15 *ing officer shall report directly to the Chief*
16 *Human Capital Officer of the Department of De-*
17 *fense.*

18 *(B) INCORPORATION.—The Chief Human*
19 *Capital Officer shall ensure that the chief digital*
20 *recruiting officer is incorporated into the agency*
21 *human capital operating plan and recruitment*
22 *strategy. In carrying out this paragraph, the*
23 *Chief Human Capital Officer shall ensure that*
24 *the chief digital recruiting officer's responsibil-*

1 *ities are deconflicted with any other recruitment*
2 *initiatives and programs.*

3 *(b) DIGITAL TALENT DEFINED.—For the purposes of*
4 *this section, the term “digital talent” includes positions and*
5 *capabilities in, or related to, software development, engi-*
6 *neering, and product management; data science; artificial*
7 *intelligence; distributed ledger technologies; autonomy; data*
8 *management; product and user experience design; and cy-*
9 *bersecurity.*

10 *(c) ANNUAL BRIEFING REQUIREMENT.—Not later than*
11 *one year after the date of the enactment of this Act, and*
12 *on an annual basis thereafter, the chief digital recruiting*
13 *officer shall provide to the congressional defense committees*
14 *a briefing on—*

15 *(1) the efforts of the Department of Defense to re-*
16 *cruit digital talent to positions in the Department;*
17 *and*

18 *(2) a summary of any accomplishments and*
19 *challenges with respect to such recruiting.*

20 *(d) SUNSET.—The requirements under subsection (a)*
21 *shall expire on September 30, 2025.*

1 **SEC. 910. CROSS-FUNCTIONAL TEAM FOR EMERGING**
2 **THREAT RELATING TO ANOMALOUS HEALTH**
3 **INCIDENTS.**

4 (a) *ESTABLISHMENT.*—Using the authority provided
5 pursuant to section 911(c) of the National Defense Author-
6 ization Act for Fiscal Year 2017 (Public Law 114–328; 10
7 U.S.C. 111 note), the Secretary of Defense shall establish
8 a cross-functional team to address national security chal-
9 lenges posed by anomalous health incidents (as defined by
10 the Secretary) and ensure that individuals affected by
11 anomalous health incidents receive timely and comprehen-
12 sive health care and treatment pursuant to title 10, United
13 States Code, for symptoms consistent with an anomalous
14 health incident.

15 (b) *DUTIES.*—The duties of the cross-functional team
16 established under subsection (a) shall be—

17 (1) to assist the Secretary of Defense with ad-
18 dressing the challenges posed by anomalous health in-
19 cidents and any other efforts regarding such incidents
20 that the Secretary determines necessary; and

21 (2) to integrate the efforts of the Department of
22 Defense regarding anomalous health incidents with
23 the efforts of other departments or agency of the Fed-
24 eral Government regarding such incidents.

25 (c) *TEAM LEADERSHIP.*—The Secretary shall select an
26 Under Secretary of Defense to lead the cross-functional team

1 *and a senior military officer to serve as the deputy to the*
2 *Under Secretary so selected.*

3 (d) *DETERMINATION OF ORGANIZATIONAL ROLES AND*
4 *RESPONSIBILITIES.—The Secretary, in consultation with*
5 *the Director of National Intelligence and acting through the*
6 *cross-functional team established under subsection (a), shall*
7 *determine the roles and responsibilities of the organizations*
8 *and elements of the Department of Defense with respect to*
9 *addressing anomalous health incidents, including the roles*
10 *and responsibilities of the Office of the Secretary of Defense,*
11 *the intelligence components of the Department, Defense*
12 *agencies, Department of Defense field activities, the mili-*
13 *tary departments, combatant commands, and the Joint*
14 *Staff.*

15 (e) *BRIEFINGS.—*

16 (1) *INITIAL BRIEFING.—Not later than 45 days*
17 *after the date of the enactment of this Act, the Sec-*
18 *retary shall provide to the appropriate congressional*
19 *committees a briefing on—*

20 (A) *the progress of the Secretary in estab-*
21 *lishing the cross-functional team; and*

22 (B) *the progress the team has made in—*

23 (i) *determining the roles and respon-*
24 *sibilities of the organizations and elements*

1 of the Department of Defense with respect
2 the cross-functional team; and

3 (ii) carrying out the duties under sub-
4 section (b).

5 (2) *UPDATES.*—Not later than 90 days after the
6 date of the enactment of this Act, and once every 60
7 days thereafter during the one-year period following
8 such date of enactment, the Secretary shall provide to
9 the appropriate congressional committees a briefing
10 containing updates with respect to the efforts of the
11 Department regarding anomalous health incidents.

12 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
13 *FINED.*—In this section, the term “appropriate congres-
14 *sional committees” means—*

15 (1) the congressional defense committees; and

16 (2) the Permanent Select Committee on Intel-
17 ligence of the House of Representatives and the Select
18 Committee on Intelligence of the Senate.

19 **SEC. 911. ALIGNMENT OF CLOSE COMBAT LETHALITY TASK**
20 **FORCE.**

21 (a) *IN GENERAL.*—Beginning not later than 60 days
22 after the date of the enactment of this Act, and continuing
23 until the date on which the Secretary of Defense submits
24 to the congressional defense committees the report described
25 in subsection (b), the Secretary shall reinstate—

1 (1) *the initial alignment of the Close Combat*
2 *Lethality Task Force so that the Task Force reports*
3 *directly to the Secretary; and*

4 (2) *the designation of the Task Force as a cross-*
5 *functional team under section 911 of the National De-*
6 *fense Authorization Act for Fiscal Year 2017 (Public*
7 *Law 114–328; 10 U.S.C. 111 note).*

8 (b) *REPORT DESCRIBED.—The report described in this*
9 *subsection is a report on a proposed alternative alignment*
10 *for the Close Combat Lethality Task Force that includes—*

11 (1) *a description of—*

12 (A) *how the proposed alternative alignment*
13 *of the Task Force would—*

14 (i) *facilitate the effective pursuit of,*
15 *and support for, both materiel and non-ma-*
16 *teriel initiatives by the Task Force;*

17 (ii) *maintain benefits for the Task*
18 *Force similar to the benefits associated with*
19 *reporting directly to the Secretary of De-*
20 *fense and designation as a cross-functional*
21 *team; and*

22 (iii) *ensure collaboration and support*
23 *from the primary stakeholders in the Task*
24 *Force, including the Army, the Marine*

1 *Corps, and the United States Special Oper-*
2 *ations Command; and*

3 *(B) how the Task Force would be funded*
4 *and gain appropriate resourcing for cross-func-*
5 *tional team initiatives supported by the Sec-*
6 *retary; and*

7 *(2) supporting analysis for the matters described*
8 *in paragraph (1).*

9 *(c) EXCEPTION.—Subsection (a) does not apply if the*
10 *President submits to the congressional defense committees—*

11 *(1) a certification that implementing that sub-*
12 *section would be detrimental to the defense interests*
13 *of the United States; and*

14 *(2) a justification for the certification.*

15 **SEC. 912. INDEPENDENT REVIEW OF AND REPORT ON THE**
16 **UNIFIED COMMAND PLAN.**

17 *(a) REVIEW REQUIRED.—*

18 *(1) IN GENERAL.—The Secretary of Defense shall*
19 *provide for an independent review of the current Uni-*
20 *fied Command Plan.*

21 *(2) ELEMENTS.—The review required by para-*
22 *graph (1) shall include the following:*

23 *(A) An assessment of the most recent Uni-*
24 *fied Command Plan with respect to—*

25 *(i) current and anticipated threats;*

1 (ii) deployment and mobilization of the
2 Armed Forces; and

3 (iii) the most current versions of the
4 National Defense Strategy and Joint
5 Warfighting Concept.

6 (B) An evaluation of the missions, respon-
7 sibilities, and associated force structure of each
8 geographic and functional combatant command.

9 (C) An assessment of the feasibility of alter-
10 native Unified Command Plan structures.

11 (D) Recommendations, if any, for alter-
12 native Unified Command Plan structures.

13 (E) Recommendations, if any, on refining
14 the manner by which combatant commanders
15 identify priority capabilities, gaps, and oper-
16 ational requirements and how the Department of
17 Defense incorporates those identified elements
18 into planning, programming, budgeting, execu-
19 tion, and modernization processes.

20 (F) Recommendations, if any, for modifica-
21 tions to sections 161 through 169 of title 10,
22 United States Code.

23 (G) Any other matter the Secretary of De-
24 fense determines appropriate.

1 (3) *CONDUCT OF REVIEW BY INDEPENDENT ENTI-*
2 *TY.*—

3 (A) *IN GENERAL.*—*The Secretary of Defense*
4 *shall—*

5 (i) *seek to enter into an agreement*
6 *with an entity described in subparagraph*
7 *(B) to conduct the review required by para-*
8 *graph (1); and*

9 (ii) *ensure that the review is conducted*
10 *independently of the Department of Defense.*

11 (B) *ENTITY DESCRIBED.*—*An entity de-*
12 *scribed in this subparagraph is—*

13 (i) *a federally funded research and de-*
14 *velopment center; or*

15 (ii) *an independent, nongovernmental*
16 *institute that—*

17 (I) *is described in section*
18 *501(c)(3) of the Internal Revenue Code*
19 *of 1986;*

20 (II) *is exempt from tax under sec-*
21 *tion 501(a) of that Code; and*

22 (III) *has recognized credentials*
23 *and expertise in national security and*
24 *military affairs.*

25 (b) *REPORT TO CONGRESS.*—

1 (1) *IN GENERAL.*—Not later than October 1,
2 2022, the Secretary of Defense shall submit to the
3 Committees on Armed Services of the Senate and the
4 House of Representatives a report that includes the
5 results of the review conducted under subsection (a).

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

9 **SEC. 913. STUDY AND REPORT ON THE ROLE AND ORGANI-**
10 **ZATION OF SPACE ASSETS IN THE RESERVE**
11 **COMPONENTS.**

12 (a) *STUDY.*—The Secretary of Defense shall conduct a
13 study to determine the appropriate role and organization
14 of space-related assets within the reserve components of the
15 Armed Forces.

16 (b) *REPORT.*—Not later than March 31, 2022, the Sec-
17 retary of Defense shall submit to the Committees on Armed
18 Services of the Senate and the House of Representatives a
19 report on the results of the study conducted under subsection
20 (a).

21 (c) *ELEMENTS.*—The report under subsection (b) shall
22 include the following:

23 (1) *The determinations of the Secretary of De-*
24 *fense with respect to the—*

1 (A) *the organization and integration of*
2 *space-related units within the reserve components*
3 *of the Armed Forces;*

4 (B) *the staffing of such units, including the*
5 *recruitment and retention of personnel for such*
6 *units (including any reserve units of the Space*
7 *force);*

8 (C) *the missions of such units; and*

9 (D) *the operational requirements applicable*
10 *to such units.*

11 (2) *An analysis of—*

12 (A) *the costs of establishing a Space Na-*
13 *tional Guard in accordance with subtitle C of*
14 *title IX of H.R. 4350, One Hundred Seventeenth*
15 *Congress, as passed by the House of Representa-*
16 *tives on September 23, 2021; and*

17 (B) *how a Space National Guard estab-*
18 *lished in accordance with such subtitle would op-*
19 *erate as part of the reserve components.*

20 (3) *Based on the analysis under paragraph (2),*
21 *the recommendations of the Secretary with respect to*
22 *the potential establishment of a Space National*
23 *Guard.*

24 (4) *If applicable, any savings or costs that may*
25 *result from the preservation of the space-related force*

1 *structures of the Air National Guard, as such force*
 2 *structures are in effect on the date of the enactment*
 3 *of this Act.*

4 **TITLE X—GENERAL PROVISIONS**

Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.*
Sec. 1002. Revision of limitation on funding for combatant commands through Combatant Commander Initiative Fund.
Sec. 1003. Plan for consolidation of information technology systems used in Department of Defense planning, programming, budgeting, and execution process.
Sec. 1004. Commission on Planning, Programming, Budgeting, and Execution Reform.

Subtitle B—Counterdrug Activities

- Sec. 1007. Extension of authority to support a unified counterdrug and counterterrorism campaign in Colombia.*
Sec. 1008. Authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.

Subtitle C—Naval Vessels and Shipyards

- Sec. 1011. Modification to annual naval vessel construction plan.*
Sec. 1012. Improving oversight of Navy contracts for shipbuilding, conversion, and repair.
Sec. 1013. Codification of requirement for assessments prior to start of construction on first ship of a shipbuilding program.
Sec. 1014. Limitation on decommissioning or inactivating a battle force ship before the end of expected service life.
Sec. 1015. Biennial report on shipbuilder training and the defense industrial base.
Sec. 1016. Annual report on ship maintenance.
Sec. 1017. Navy battle force ship assessment and requirement reporting.
Sec. 1018. Prohibition on use of funds for retirement of Mark VI patrol boats.
Sec. 1019. Availability of funds for retirement or inactivation of guided missile cruisers.
Sec. 1020. Review of sustainment key performance parameters for shipbuilding programs.
Sec. 1021. Assessment of security of global maritime chokepoints.
Sec. 1022. Report on acquisition, delivery, and use of mobility assets that enable implementation of expeditionary advanced base operations.

Subtitle D—Counterterrorism

- Sec. 1031. Inclusion in counterterrorism briefings of information on use of military force in collective self-defense.*
Sec. 1032. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.

- Sec. 1033. *Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.*
- Sec. 1034. *Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1035. *Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1036. *Report on medical care provided to detainees at United States Naval Station, Guantanamo Bay, Cuba.*

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. *Congressional oversight of alternative compensatory control measures.*
- Sec. 1042. *Modification of notification requirements for sensitive military operations.*
- Sec. 1043. *Authority to provide space and services to military welfare societies.*
- Sec. 1044. *Congressional notification of significant Army force structure changes.*
- Sec. 1045. *Prohibition on use of Navy, Marine Corps, and Space Force as posse comitatus.*
- Sec. 1046. *Comparative testing reports for certain aircraft.*
- Sec. 1047. *Special operations forces joint operating concept for competition and conflict.*
- Sec. 1048. *Limitation on availability of certain funding for operation and maintenance.*
- Sec. 1049. *Limitation on use of certain funds pending submission of report, strategy, and posture review relating to information environment.*
- Sec. 1050. *Briefing by Comptroller General and limitation on use of funds pending compliance with requirement for independent studies regarding potential cost savings.*
- Sec. 1051. *Survey on relations between members of the Armed Forces and military communities.*
- Sec. 1052. *Limitation on use of funds pending compliance with certain statutory reporting requirements.*
- Sec. 1053. *Navy coordination with Coast Guard and Space Force on aircraft, weapons, tactics, technique, organization, and equipment of joint concern.*

Subtitle F—Studies and Reports

- Sec. 1061. *Inclusion of support services for Gold Star families in quadrennial quality of life review.*
- Sec. 1062. *Public availability of semi-annual summaries of reports.*
- Sec. 1063. *Extension of reporting requirement regarding enhancement of information sharing and coordination of military training between Department Of Homeland Security and Department Of Defense.*
- Sec. 1064. *Continuation of certain Department of Defense reporting requirements.*
- Sec. 1065. *Updated review and enhancement of existing authorities for using Air Force and Air National Guard modular airborne fire-fighting systems and other Department of Defense assets to fight wildfires.*
- Sec. 1066. *Geographic combatant command risk assessment of Air Force airborne intelligence, surveillance, and reconnaissance modernization plan.*
- Sec. 1067. *Biennial assessments of Air Force Test Center.*
- Sec. 1068. *Report on 2019 World Military Games.*

- Sec. 1069. Reports on oversight of Afghanistan.*
- Sec. 1070. Study and report on Department of Defense excess personal property program.*
- Sec. 1071. Optimization of Irregular Warfare Technical Support Directorate.*
- Sec. 1072. Assessment of requirements for and management of Army three-dimensional geospatial data.*
- Sec. 1073. Required review of Department of Defense unmanned aircraft systems categorization.*
- Sec. 1074. Annual report and briefing on Global Force Management Allocation Plan.*
- Sec. 1075. Report on World War I and Korean War era Superfund facilities.*
- Sec. 1076. Report on implementation of irregular warfare strategy.*
- Sec. 1077. Study on providing end-to-end electronic voting services for absent uniformed services voters in locations with limited or immature postal service.*
- Sec. 1078. Report on Air Force strategy for acquisition of combat rescue aircraft and equipment.*

Subtitle G—Other Matters

- Sec. 1081. Technical, conforming, and clerical amendments.*
- Sec. 1082. Modification to Regional Centers for Security Studies.*
- Sec. 1083. Improvement of transparency and congressional oversight of civil reserve air fleet.*
- Sec. 1084. Observance of National Atomic Veterans Day.*
- Sec. 1085. Update of Joint Publication 3-68: Noncombatant Evacuation Operations.*
- Sec. 1086. National Museum of the Surface Navy.*
- Sec. 1087. Authorization for memorial for members of the Armed Forces killed in attack on Hamid Karzai International Airport.*
- Sec. 1088. Treatment of operational data from Afghanistan.*
- Sec. 1089. Responsibilities for national mobilization; personnel requirements.*
- Sec. 1090. Independent assessment with respect to Arctic region.*
- Sec. 1091. National Security Commission on Emerging Biotechnology.*
- Sec. 1092. Quarterly security briefings on Afghanistan.*
- Sec. 1093. Transition of funding for non-conventional assisted recovery capabilities.*
- Sec. 1094. Afghanistan War Commission Act of 2021.*
- Sec. 1095. Commission on the National Defense Strategy.*

1 *Subtitle A—Financial Matters*

2 *SEC. 1001. GENERAL TRANSFER AUTHORITY.*

3 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

4 *(1) AUTHORITY.—**Upon determination by the*

5 *Secretary of Defense that such action is necessary in*

6 *the national interest, the Secretary may transfer*

7 *amounts of authorizations made available to the De-*

1 *partment of Defense in this division for fiscal year*
2 *2022 between any such authorizations for that fiscal*
3 *year (or any subdivisions thereof). Amounts of au-*
4 *thorizations so transferred shall be merged with and*
5 *be available for the same purposes as the authoriza-*
6 *tion to which transferred.*

7 (2) *LIMITATION.—Except as provided in para-*
8 *graph (3), the total amount of authorizations that the*
9 *Secretary may transfer under the authority of this*
10 *section may not exceed \$6,000,000,000.*

11 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
12 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
13 *funds between military personnel authorizations*
14 *under title IV shall not be counted toward the dollar*
15 *limitation in paragraph (2).*

16 (b) *LIMITATIONS.—The authority provided by sub-*
17 *section (a) to transfer authorizations—*

18 (1) *may only be used to provide authority for*
19 *items that have a higher priority than the items from*
20 *which authority is transferred; and*

21 (2) *may not be used to provide authority for an*
22 *item that has been denied authorization by Congress.*

23 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
24 *fer made from one account to another under the authority*
25 *of this section shall be deemed to increase the amount au-*

1 *thorized for the account to which the amount is transferred*
2 *by an amount equal to the amount transferred.*

3 (d) *NOTICE TO CONGRESS.—The Secretary shall*
4 *promptly notify Congress of each transfer made under sub-*
5 *section (a).*

6 **SEC. 1002. REVISION OF LIMITATION ON FUNDING FOR**
7 **COMBATANT COMMANDS THROUGH COMBAT-**
8 **ANT COMMANDER INITIATIVE FUND.**

9 *Section 166a(e)(1) of title 10, United States Code, is*
10 *amended—*

11 (1) *in subparagraph (A)—*

12 (A) *by striking “\$20,000,000” and inserting*
13 *“\$25,000,000”; and*

14 (B) *by striking “\$250,000” and inserting*
15 *“\$300,000”;*

16 (2) *in subparagraph (B), by striking*
17 *“\$10,000,000” and inserting “\$15,000,000”; and*

18 (3) *in subparagraph (C), by striking*
19 *“\$5,000,000” and inserting “\$10,000,000”.*

1 **SEC. 1003. PLAN FOR CONSOLIDATION OF INFORMATION**
2 **TECHNOLOGY SYSTEMS USED IN DEPART-**
3 **MENT OF DEFENSE PLANNING, PROGRAM-**
4 **MING, BUDGETING, AND EXECUTION PROC-**
5 **ESS.**

6 *Not later than 180 days after the date of the enactment*
7 *of this Act, the Under Secretary of Defense (Comptroller),*
8 *in consultation with the Chief Information Officer and the*
9 *Chief Data Officer of the Department of Defense, shall sub-*
10 *mit to the congressional defense committees a plan to con-*
11 *solidate the information technology systems used to manage*
12 *data and support the planning, programming, budgeting,*
13 *and execution process of the Department of Defense. The*
14 *plan shall include the consolidation of such systems used*
15 *by each of the military departments and such systems used*
16 *by the Defense Agencies, and shall address the retirement*
17 *or elimination of such systems.*

18 **SEC. 1004. COMMISSION ON PLANNING, PROGRAMMING,**
19 **BUDGETING, AND EXECUTION REFORM.**

20 (a) *ESTABLISHMENT.*—

21 (1) *IN GENERAL.*—*There is hereby established an*
22 *independent commission in the legislative branch to*
23 *be known as the “Commission on Planning, Program-*
24 *ming, Budgeting, and Execution Reform” (in this*
25 *section referred to as the “Commission”).*

1 (2) *DATE OF ESTABLISHMENT.*—*The Commis-*
2 *sion shall be established not later 30 days after the*
3 *date of the enactment of this Act.*

4 **(b) MEMBERSHIP.**—

5 (1) *NUMBER AND APPOINTMENT.*—*The Commis-*
6 *sion shall be composed of 14 civilian individuals not*
7 *employed by the Federal Government who are recog-*
8 *nized experts and have relevant professional experi-*
9 *ence one or more of the following:*

10 (A) *Matters relating to the planning, pro-*
11 *gramming, budgeting, and execution process of*
12 *the Department of Defense.*

13 (B) *Innovative budgeting and resource allo-*
14 *cation methods of the private sector.*

15 (C) *Iterative design and acquisition process.*

16 (D) *Budget or program execution data*
17 *analysis.*

18 (2) *MEMBERS.*—*The members shall be appointed*
19 *as follows:*

20 (A) *The Secretary of Defense shall appoint*
21 *two members.*

22 (B) *The Majority Leader and the Minority*
23 *Leader of the Senate shall each appoint one*
24 *member.*

1 (C) *The Speaker of the House of Represent-*
2 *atives and the Minority Leader shall each ap-*
3 *point one member.*

4 (D) *The Chair and the Ranking Member of*
5 *the Committee on Armed Services of the Senate*
6 *shall each appoint one member.*

7 (E) *The Chair and the Ranking Member of*
8 *the Committee on Armed Services of the House*
9 *of Representatives shall each appoint one mem-*
10 *ber.*

11 (F) *The Chair and the Ranking Member of*
12 *the Committee on Appropriations of the Senate*
13 *shall each appoint one member.*

14 (G) *The Chair and the Ranking Member of*
15 *the Committee on Appropriations of the House of*
16 *Representatives shall each appoint one member.*

17 (3) *DEADLINE FOR APPOINTMENT.—Not later*
18 *than 30 days after the date described in subsection*
19 *(a)(2), members shall be appointed to the Commis-*
20 *sion.*

21 (4) *EXPIRATION OF APPOINTMENT AUTHORITY.—*
22 *The authority to make appointments under this sub-*
23 *section shall expire on the date described in subsection*
24 *(a)(2), and the number of members of the Commission*

1 *shall be reduced by the number equal to the number*
2 *of appointments so not made.*

3 (c) *CHAIR AND VICE CHAIR.*—*The Commission shall*
4 *elect a Chair and Vice Chair from among its members.*

5 (d) *PERIOD OF APPOINTMENT AND VACANCIES.*—*Mem-*
6 *bers shall be appointed for the term of the Commission. A*
7 *vacancy in the Commission shall not affect its powers and*
8 *shall be filled in the same manner as the original appoint-*
9 *ment was made.*

10 (e) *PURPOSE.*—*The purpose of the Commission is to—*

11 (1) *examine the effectiveness of the planning,*
12 *programming, budgeting, and execution process and*
13 *adjacent practices of the Department of Defense, par-*
14 *ticularly with respect to facilitating defense mod-*
15 *ernization;*

16 (2) *consider potential alternatives to such process*
17 *and practices to maximize the ability of the Depart-*
18 *ment of Defense to respond in a timely manner to*
19 *current and future threats; and*

20 (3) *make legislative and policy recommendations*
21 *to improve such process and practices in order to field*
22 *the operational capabilities necessary to outpace near-*
23 *peer competitors, provide data and analytical insight,*
24 *and support an integrated budget that is aligned with*
25 *strategic defense objectives.*

1 (f) *SCOPE AND DUTIES.*—*The Commission shall per-*
2 *form the following duties:*

3 (1) *Compare the planning, programming, budg-*
4 *eting, and execution process of the Department of De-*
5 *fense, including the development and production of*
6 *documents including the Defense Planning Guidance*
7 *(described in section 113(g) of title 10, United States*
8 *Code), the Program Objective Memorandum, and the*
9 *Budget Estimate Submission, with similar processes*
10 *of private industry, other Federal agencies, and other*
11 *countries.*

12 (2) *Conduct a comprehensive assessment of the*
13 *efficacy and efficiency of all phases and aspects of the*
14 *planning, programming, budgeting, and execution*
15 *process, which shall include an assessment of—*

16 (A) *the roles of Department officials and the*
17 *timelines to complete each such phase or aspect;*

18 (B) *the structure of the budget of Depart-*
19 *ment of Defense, including the effectiveness of*
20 *categorizing the budget by program, appropria-*
21 *tions account, major force program, budget activ-*
22 *ity, and line item, and whether this structure*
23 *supports modern warfighting requirements for*
24 *speed, agility, iterative development, testing, and*
25 *fielding;*

1 (C) a review of how the process supports
2 joint efforts, capability and platform lifecycles,
3 and transitioning technologies to production;

4 (D) the timelines, mechanisms, and systems
5 for presenting and justifying the budget of De-
6 partment of Defense, monitoring program execu-
7 tion and Department of Defense budget execu-
8 tion, and developing requirements and perform-
9 ance metrics;

10 (E) a review of the financial management
11 systems of the Department of Defense, including
12 policies, procedures, past and planned invest-
13 ments, and recommendations related to replac-
14 ing, modifying, and improving such systems to
15 ensure that such systems and related processes of
16 the Department result in—

17 (i) effective internal controls;

18 (ii) the ability to achieve auditable fi-
19 nancial statements; and

20 (iii) the ability to meet other financial
21 management and operational needs; and

22 (F) a review of budgeting methodologies and
23 strategies of near-peer competitors to understand
24 if and how such competitors can address current

1 *and future threats more or less successfully than*
2 *the United States.*

3 (3) *Develop and propose recommendations to im-*
4 *prove the effectiveness of the planning, programming,*
5 *budgeting, and execution process.*

6 (g) *COMMISSION REPORT AND RECOMMENDATIONS.—*

7 (1) *INTERIM REPORT.—Not later than February*
8 *6, 2023, the Commission shall submit to the Secretary*
9 *of Defense and the congressional defense committees*
10 *an interim report including the following:*

11 (A) *An examination of the development of*
12 *the documents described in subsection (f)(1).*

13 (B) *An analysis of the timelines involved in*
14 *developing an annual budget request and the fu-*
15 *ture-years defense program (as described in sec-*
16 *tion 221 of title 10, United States Code), includ-*
17 *ing the ability to make changes to such request*
18 *or such program within those timelines.*

19 (C) *A review of the sufficiency of the civil-*
20 *ian personnel workforce in the Office of the Sec-*
21 *retary of Defense and the Office of Cost Assess-*
22 *ment and Program Evaluation to conduct budg-*
23 *etary and program evaluation analysis.*

24 (D) *An examination of efforts by the De-*
25 *partment of Defense to develop new and agile*

1 *programming and budgeting to enable the*
2 *United States to more effectively counter near-*
3 *peer competitors.*

4 *(E) A review of the frequency and suffi-*
5 *ciency of budget and program execution analysis,*
6 *to include any existing data analytics tools and*
7 *any suggested improvements.*

8 *(F) Recommendations for internal reform to*
9 *the Department relating to the planning, pro-*
10 *gramming, budgeting, and execution process for*
11 *the Department of Defense to make internally.*

12 *(G) Recommendations for reform to the*
13 *planning, programming, budgeting, and execu-*
14 *tion process that require statutory changes.*

15 *(H) Any other matters the Commission con-*
16 *siders appropriate.*

17 *(2) FINAL REPORT.—Not later than September 1,*
18 *2023, the Commission shall submit to the Secretary of*
19 *Defense and the congressional defense committees a*
20 *final report that includes the elements required under*
21 *paragraph (1).*

22 *(3) BRIEFINGS.—Not later than 180 days after*
23 *the date specified in subsection (a)(2), and not later*
24 *than 30 days after each of the interim and final re-*
25 *ports are submitted, the Commission shall provide to*

1 *the congressional defense committees a briefing on the*
2 *status of the review and assessment conducted under*
3 *subsection (f) and include a discussion of any interim*
4 *or final recommendations.*

5 (4) *FORM.*—*The reports submitted to Congress*
6 *under paragraphs (1) and (2) shall be submitted in*
7 *unclassified form but may include a classified annex.*

8 (h) *GOVERNMENT COOPERATION.*—

9 (1) *COOPERATION.*—*In carrying out its duties,*
10 *the Commission shall receive the full and timely co-*
11 *operation of the Secretary of Defense in providing the*
12 *Commission with analysis, briefings, and other infor-*
13 *mation necessary for the fulfillment of its responsibil-*
14 *ities.*

15 (2) *LIAISON.*—*The Secretary shall designate at*
16 *least one officer or employee of the Department of De-*
17 *fense to serve as a liaison between the Department*
18 *and the Commission.*

19 (3) *DETAILEES AUTHORIZED.*—*The Secretary*
20 *may provide, and the Commission may accept and*
21 *employ, personnel detailed from the Department of*
22 *Defense, without reimbursement.*

23 (4) *FACILITATION.*—

24 (A) *INDEPENDENT, NON-GOVERNMENT IN-*
25 *STITUTE.*—*Not later than 45 days after the date*

1 *specified in subsection (a)(2), the Secretary of*
2 *Defense shall make available to the Commission*
3 *the services of an independent, nongovernmental*
4 *organization, described under section 501(c)(3)*
5 *of the Internal Revenue Code of 1986 and which*
6 *is exempt from taxation under section 501(a) of*
7 *such Code, which has recognized credentials and*
8 *expertise in national security and military af-*
9 *airs, in order to facilitate the discharge of the*
10 *duties of the Commission under this section.*

11 *(B) FEDERALLY FUNDED RESEARCH AND*
12 *DEVELOPMENT CENTER.—On request of the Com-*
13 *mission, the Secretary of Defense shall make*
14 *available the services of a federally funded re-*
15 *search and development center in order to en-*
16 *hance the discharge of the duties of the Commis-*
17 *sion under this section.*

18 *(i) STAFF.—*

19 *(1) STATUS AS FEDERAL EMPLOYEES.—Notwith-*
20 *standing the requirements of section 2105 of title 5,*
21 *United States Code, including the required super-*
22 *vision under subsection (a)(3) of such section, the*
23 *members of the commission shall be deemed to be Fed-*
24 *eral employees.*

1 (2) *EXECUTIVE DIRECTOR.*—*The Commission*
2 *shall appoint and fix the rate of basic pay for an Ex-*
3 *ecutive Director in accordance with section 3161(d) of*
4 *title 5, United States Code.*

5 (3) *PAY.*—*The Executive Director, with the ap-*
6 *proval of the Commission, may appoint and fix the*
7 *rate of basic pay for additional personnel as staff of*
8 *the Commission in accordance with section 3161(d) of*
9 *title 5, United States Code.*

10 (j) *PERSONAL SERVICES.*—

11 (1) *AUTHORITY TO PROCURE.*—*The Commission*
12 *may—*

13 (A) *procure the services of experts or con-*
14 *sultants (or of organizations of experts or con-*
15 *sultants) in accordance with the provisions of*
16 *section 3109 of title 5, United States Code; and*

17 (B) *pay in connection with such services the*
18 *travel expenses of experts or consultants, includ-*
19 *ing transportation and per diem in lieu of sub-*
20 *sistence, while such experts or consultants are*
21 *traveling from their homes or places of business*
22 *to duty stations.*

23 (2) *MAXIMUM DAILY PAY RATES.*—*The daily rate*
24 *paid an expert or consultant procured pursuant to*
25 *paragraph (1) may not exceed the daily rate paid a*

1 *person occupying a position at level IV of the Execu-*
2 *tive Schedule under section 5315 of title 5, United*
3 *States Code.*

4 *(k) AUTHORITY TO ACCEPT GIFTS.—The Commission*
5 *may accept, use, and dispose of gifts or donations of serv-*
6 *ices, goods, and property from non-Federal entities for the*
7 *purposes of aiding and facilitating the work of the Commis-*
8 *sion. The authority in this subsection does not extend to*
9 *gifts of money. Gifts accepted under this authority shall be*
10 *documented, and conflicts of interest or the appearance of*
11 *conflicts of interest shall be avoided. Subject to the authority*
12 *in this section, commissioners shall otherwise comply with*
13 *rules set forth by the Select Committee on Ethics of the Sen-*
14 *ate and the Committee on Ethics of the House of Represent-*
15 *atives governing Senate and House employees.*

16 *(l) LEGISLATIVE ADVISORY COMMITTEE.—The Com-*
17 *mission shall operate as a legislative advisory committee*
18 *and shall not be subject to the provisions of the Federal Ad-*
19 *visory Committee Act (Public Law 92–463; 5 U.S.C. App)*
20 *or section 552b, United States Code (commonly known as*
21 *the Government in the Sunshine Act).*

22 *(m) CONTRACTING AUTHORITY.—The Commission*
23 *may acquire administrative supplies and equipment for*
24 *Commission use to the extent funds are available.*

1 (n) *USE OF GOVERNMENT INFORMATION.*—*The Com-*
2 *mission may secure directly from any department or agen-*
3 *cy of the Federal Government such information as the Com-*
4 *mission considers necessary to carry out its duties. Upon*
5 *such request of the chair of the Commission, the head of*
6 *such department or agency shall furnish such information*
7 *to the Commission.*

8 (o) *POSTAL SERVICES.*—*The Commission may use the*
9 *United States mail in the same manner and under the same*
10 *conditions as departments and agencies of the United*
11 *States.*

12 (p) *SPACE FOR USE OF COMMISSION.*—*Not later than*
13 *30 days after the establishment date of the Commission, the*
14 *Administrator of General Services, in consultation with the*
15 *Commission, shall identify and make available suitable ex-*
16 *cess space within the Federal space inventory to house the*
17 *operations of the Commission. If the Administrator is not*
18 *able to make such suitable excess space available within*
19 *such 30-day period, the Commission may lease space to the*
20 *extent the funds are available.*

21 (q) *REMOVAL OF MEMBERS.*—*A member may be re-*
22 *moved from the Commission for cause by the individual*
23 *serving in the position responsible for the original appoint-*
24 *ment of such member under subsection (b)(1), provided that*
25 *notice has first been provided to such member of the cause*

1 *for removal and voted and agreed upon by three quarters*
 2 *of the members serving. A vacancy created by the removal*
 3 *of a member under this subsection shall not affect the pow-*
 4 *ers of the Commission, and shall be filled in the same man-*
 5 *ner as the original appointment was made.*

6 (r) *TERMINATION.—The Commission shall terminate*
 7 *180 days after the date on which it submits the final report*
 8 *required by subsection (g)(2).*

9 ***Subtitle B—Counterdrug Activities***

10 ***SEC. 1007. EXTENSION OF AUTHORITY TO SUPPORT A UNI-*** 11 ***FIED COUNTERDRUG AND COUNTERTER-*** 12 ***RORISM CAMPAIGN IN COLOMBIA.***

13 *Section 1021 of the Ronald W. Reagan National De-*
 14 *fense Authorization Act for Fiscal Year 2005 (Public Law*
 15 *108–375; 118 Stat. 2042), as most recently amended by sec-*
 16 *tion 1021 of the National Defense Authorization Act for Fis-*
 17 *cal Year 2020 (Public Law 116–92; 133 Stat. 1577), is fur-*
 18 *ther amended—*

19 (1) *in subsection (a)(1), by striking “2022” and*
 20 *inserting “2023”; and*

21 (2) *in subsection (c), by striking “2022” and in-*
 22 *serting “2023”.*

1 **SEC. 1008. AUTHORITY FOR JOINT TASK FORCES TO PRO-**
2 **VIDE SUPPORT TO LAW ENFORCEMENT AGEN-**
3 **CIES CONDUCTING COUNTER-TERRORISM AC-**
4 **TIVITIES.**

5 (a) *EXTENSION.*—Subsection (b) of section 1022 of the
6 *National Defense Authorization Act for Fiscal Year 2004*
7 (*Public Law 108–136; 10 U.S.C. 271 note*) is amended by
8 striking “2022” and inserting “2027”.

9 (b) *CONDITIONS.*—Subsection (d) of such section is
10 amended—

11 (1) by striking paragraph (1);

12 (2) by striking (2);

13 (3) by redesignating subparagraphs (A) and (B)
14 as paragraphs (1) and (2), respectively, and adjust-
15 ing the margins accordingly; and

16 (4) in paragraph (2), as so redesignated, by
17 striking “subparagraph (A)” and inserting “para-
18 graph (1)”.

19 **Subtitle C—Naval Vessels and**
20 **Shipyards**

21 **SEC. 1011. MODIFICATION TO ANNUAL NAVAL VESSEL CON-**
22 **STRUCTION PLAN.**

23 (a) *IN GENERAL.*—Section 231 of title 10, *United*
24 *States Code*, is amended—

25 (1) in subsection (b)(2), by adding at the end the
26 following new subparagraphs:

1 “(G) *The expected service life of each vessel in*
2 *the naval vessel force provided for under the naval*
3 *vessel construction plan, disaggregated by ship class,*
4 *and the rationale for any changes to such expectations*
5 *from the previous year’s plan.*

6 “(H) *A certification by the appropriate Senior*
7 *Technical Authority designated under section 8669b*
8 *of this title of the expected service life of each vessel*
9 *in the naval vessel force provided for under the naval*
10 *vessel construction plan, disaggregated by ship class,*
11 *and the rationale for any changes to such expectations*
12 *from the previous year’s plan.*

13 “(I) *For each battle force ship planned to be in-*
14 *activated during the five-year period beginning on the*
15 *date of the submittal of the report, a description of the*
16 *planned disposition of each such ship following such*
17 *inactivation and the potential gaps in warfighting*
18 *capability that will result from such ship being re-*
19 *moved from service.”; and*

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

22 “(6) *The term ‘expected service life’ means the*
23 *number of years a naval vessel is expected to be in*
24 *service.”.*

1 (b) *REPEAL OF TERMINATION OF ANNUAL NAVAL VES-*
2 *SEL CONSTRUCTION PLAN.*—Section 1061(c) of the Na-
3 *tional Defense Authorization Act for Fiscal Year 2017 (Pub-*
4 *lic Law 114–328; 10 U.S.C. 111 note) is amended by strik-*
5 *ing paragraph (15).*

6 **SEC. 1012. IMPROVING OVERSIGHT OF NAVY CONTRACTS**
7 **FOR SHIPBUILDING, CONVERSION, AND RE-**
8 **PAIR.**

9 (a) *IN GENERAL.*—Chapter 805 title 10, United States
10 *Code, is amended by adding at the end the following new*
11 *section:*

12 **“§ 8039. Deputy Commander of the Naval Sea Systems**
13 **Command for the Supervision of Ship-**
14 **building, Conversion, and Repair**

15 “(a) *IN GENERAL.*—The Secretary of the Navy shall
16 *establish and appoint an individual to the position of Dep-*
17 *uty Commander of the Naval Sea Systems Command for*
18 *the Supervision of Shipbuilding, Conversion, and Repair*
19 *(in this section referred to as the ‘Deputy Commander’).*

20 “(b) *QUALIFICATIONS.*—The Deputy Commander shall
21 *be a flag officer of the Navy or an employee of the Navy*
22 *in a Senior Executive Service position who possesses the*
23 *expertise required to carry out the responsibilities specified*
24 *in this section.*

1 “(c) *REPORTING.*—*The Deputy Commander shall re-*
2 *port directly to the Commander of the Naval Sea Systems*
3 *Command.*

4 “(d) *GENERAL RESPONSIBILITIES.*—*The Deputy Com-*
5 *mander shall oversee—*

6 “(1) *the independent administration and man-*
7 *agement of the execution of Department of Defense*
8 *contracts awarded to commercial entities for ship-*
9 *building, conversion, and repair at the facilities of*
10 *such entities;*

11 “(2) *the designated contract administration of-*
12 *fice of the Department responsible for performing con-*
13 *tract administration services for such contracts;*

14 “(3) *enforcement of requirements of such con-*
15 *tracts to ensure satisfaction of all contractual obliga-*
16 *tions;*

17 “(4) *the work performed on such contracts to fa-*
18 *cilitate greater quality and economy in the products*
19 *and services being procured; and*

20 “(5) *on-site quality assurance by the Government*
21 *for such contracts, including inspections.*

22 “(e) *NON-CONTRACT ADMINISTRATION SERVICES*
23 *FUNCTIONS.*—*The Deputy Commander shall manage the*
24 *complexities and unique demands of shipbuilding, conver-*
25 *sion, and repair by overseeing the performance of the fol-*

1 *lowing non-contract administration services functions for*
2 *Navy Program Executives Offices, fleet commanders, and*
3 *the Naval Sea Systems Command headquarters:*

4 “(1) *Project oversight, including the following:*

5 “(A) *Coordinating responses to non-contrac-*
6 *tual emergent problems, as assigned by the Com-*
7 *mander of Naval Sea Systems Command.*

8 “(B) *Jointly coordinating activities of*
9 *precommissioning crews and ship’s force, and*
10 *other Government activities.*

11 “(C) *Communicating with customers and*
12 *higher authority regarding matters that may af-*
13 *fect project execution.*

14 “(D) *Contract planning and procurement,*
15 *including participation in acquisition planning*
16 *and pre-award activities, including assessment*
17 *of contractor qualifications.*

18 “(2) *Technical authority, including the fol-*
19 *lowing:*

20 “(A) *Execution of the technical authority*
21 *responsibilities by the Waterfront Chief Engi-*
22 *neer.*

23 “(B) *Execution of the waterfront technical*
24 *authority responsibilities of the Naval Sea Sys-*
25 *tems Command for providing Government direc-*

1 *tion and coordination in the resolution of tech-*
2 *nical issues.*

3 “(f) *COMPREHENSIVE CONTRACT MANAGEMENT.*—*The*
4 *Deputy Commander shall maintain direct relationships*
5 *with the Director of the Defense Contract Management*
6 *Agency and the Director of the Defense Contract Audit*
7 *Agency to facilitate comprehensive contract management*
8 *and oversight of commercial entities awarded a contract de-*
9 *scribed in subsection (d)(1) and subcontractors (at any*
10 *tier).*

11 “(g) *SUBCONTRACTOR AUDITS.*—*The Deputy Com-*
12 *mander shall request that the Director of the Defense Con-*
13 *tract Audit Agency perform periodic audits of subcontrac-*
14 *tors that perform cost-type subcontracts or incentive sub-*
15 *contracts—*

16 “(1) *that are valued at \$50,000,000 or more; and*

17 “(2) *for which the Deputy Commander oversees*
18 *the designated contract administration office of the*
19 *Department pursuant to subsection (d)(2).*

20 “(h) *ANNUAL WRITTEN ASSESSMENT.*—(1) *Not later*
21 *than March 1 of each year, the Deputy Commander shall*
22 *submit to the congressional defense committees a written as-*
23 *essment summarizing the activities and results associated*
24 *with the contracts for which the Deputy Commander over-*

1 *sees the designated contract administration office of the De-*
2 *partment.*

3 “(2) *Each written assessment required by paragraph*
4 *(1) shall include the following:*

5 “(A) *A summary of shipbuilding performance*
6 *that—*

7 “(i) *includes common critical process*
8 *metrics documented by the appropriate Navy su-*
9 *pervisor of shipbuilding, conversion, and repair*
10 *for each commercial entity described in sub-*
11 *section (d)(1);*

12 “(ii) *outlines corrective action requests for*
13 *critical defects and any actions planned or taken*
14 *to address them;*

15 “(iii) *indicates waivers approved to support*
16 *acceptance trials, combined trials, and Navy ac-*
17 *ceptance of ship delivery from the commercial*
18 *entity described in subsection (d)(1), to include*
19 *the conditions requiring the approval of each*
20 *waiver; and*

21 “(iv) *includes information on the extent to*
22 *which letters of delegation are used for each ship-*
23 *building program to provide for quality assur-*
24 *ance oversight of subcontractors (at any tier) by*
25 *the Defense Contract Management Agency.*

1 “(B) A summary of any significant deficiencies
2 in contractor business systems or other significant
3 contract discrepancies documented by the appropriate
4 Navy supervisor of shipbuilding, conversion, and re-
5 pair, the Defense Contract Management Agency, or
6 the Defense Contract Audit Agency for such contracts,
7 and any actions planned or taken in response.

8 “(C) A summary of the results from audits and
9 inspections completed by Naval Sea Systems Com-
10 mand that evaluate the performance of the appro-
11 priate Navy supervisor of shipbuilding, conversion,
12 and repair in executing their quality assurance and
13 contract administration responsibilities.

14 “(D) A summary of any dedicated evaluation,
15 such as a review by a task force or working group,
16 of the organizational structure and resourcing plans
17 and requirements that support the supervision of
18 shipbuilding, conversion, and repair, that—

19 “(i) includes key findings, recommenda-
20 tions, and implementation plans; and

21 “(ii) indicates any additional support need-
22 ed from other organizations of the Department,
23 such as the Defense Contract Audit Agency and
24 the Defense Contract Management Agency, for
25 implementation.”.

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
2 *the beginning of chapter 805 of such title is amended by*
3 *adding at the end the following new item:*

“8039. Deputy Commander of the Naval Sea Systems Command for the Supervision of Shipbuilding, Conversion, and Repair.”.

4 (c) *EFFECTIVE DATE.*—*On the date that is 30 days*
5 *after the date of enactment of the National Defense Author-*
6 *ization Act for Fiscal Year 2023—*

7 (1) *this section and the amendments made by*
8 *this section shall take effect; and*

9 (2) *the Secretary of the Navy shall appoint an*
10 *individual to the position of Deputy Commander of*
11 *the Naval Sea Systems Command for the Supervision*
12 *of Shipbuilding, Conversion, and Repair and notify*
13 *the congressional defense committees of such appoint-*
14 *ment.*

15 **SEC. 1013. CODIFICATION OF REQUIREMENT FOR ASSESS-**
16 **MENTS PRIOR TO START OF CONSTRUCTION**
17 **ON FIRST SHIP OF A SHIPBUILDING PRO-**
18 **GRAM.**

19 (a) *IN GENERAL.*—*Chapter 863 of title 10, United*
20 *States Code, is amended by inserting after section 8669b*
21 *the following new section:*

1 **“§ 8669c. Assessments required prior to start of con-**
2 **struction on first ship of a shipbuilding**
3 **program**

4 “(a) *IN GENERAL.*—*The Secretary of the Navy may*
5 *not approve the start of construction of the first ship for*
6 *any major shipbuilding program until a period of 30 days*
7 *has elapsed following the date on which the Secretary—*

8 “(1) *submits a report to the congressional defense*
9 *committees on the results of any production readiness*
10 *review;*

11 “(2) *certifies to the congressional defense com-*
12 *mittees that the findings of any such review support*
13 *commencement of construction; and*

14 “(3) *certifies to the congressional defense com-*
15 *mittees that the basic and functional design of the*
16 *vessel is complete.*

17 “(b) *REPORT.*—*The report required by subsection*
18 *(a)(1) shall include, at a minimum, an assessment of each*
19 *of the following:*

20 “(1) *The maturity of the ship’s design, as meas-*
21 *ured by stability of the ship contract specifications*
22 *and the degree of completion of detail design and pro-*
23 *duction design drawings.*

24 “(2) *The maturity of developmental command*
25 *and control systems, weapon and sensor systems, and*
26 *hull, mechanical and electrical systems.*

1 “(3) *The readiness of the shipyard facilities and*
2 *workforce to begin construction.*

3 “(4) *The Navy’s estimated cost at completion*
4 *and the adequacy of the budget to support the esti-*
5 *mate.*

6 “(5) *The Navy’s estimated delivery date and de-*
7 *scription of any variance to the contract delivery*
8 *date.*

9 “(6) *The extent to which adequate processes and*
10 *metrics are in place to measure and manage program*
11 *risks.*

12 “(c) *DEFINITIONS.—For the purposes of subsection (a):*

13 “(1) *BASIC AND FUNCTIONAL DESIGN.—The term*
14 *‘basic and functional design’, when used with respect*
15 *to a vessel, means design through computer aided*
16 *models, that—*

17 “(A) *fixes the major hull structure of the*
18 *vessel;*

19 “(B) *sets the hydrodynamics of the vessel;*
20 *and*

21 “(C) *routes major portions of all distribu-*
22 *tive systems of the vessel, including electricity,*
23 *water, and other utilities.*

24 “(2) *FIRST SHIP.—The term ‘first ship’ applies*
25 *to a ship if—*

1 “(A) *the ship is the first ship to be con-*
2 *structed under that shipbuilding program; or*

3 “(B) *the shipyard at which the ship is to be*
4 *constructed has not previously started construc-*
5 *tion on a ship under that shipbuilding program.*

6 “(3) *MAJOR SHIPBUILDING PROGRAM.—The term*
7 *‘major shipbuilding program’ means a program for*
8 *the construction of combatant and support vessels re-*
9 *quired for the naval vessel force, as reported within*
10 *the annual naval vessel construction plan required by*
11 *section 231 of this title.*

12 “(4) *PRODUCTION READINESS REVIEW.—The*
13 *term ‘production readiness review’ means a formal*
14 *examination of a program prior to the start of con-*
15 *struction to determine if the design is ready for pro-*
16 *duction, production engineering problems have been*
17 *resolved, and the producer has accomplished adequate*
18 *planning for the production phase.*

19 “(5) *START OF CONSTRUCTION.—The term ‘start*
20 *of construction’ means the beginning of fabrication of*
21 *the hull and superstructure of the ship.”.*

22 “(b) *CLERICAL AMENDMENT.—The table of sections at*
23 *the beginning of such chapter is amended by inserting after*
24 *the item relating to section 8669b the following new item:*

 “8669c. *Assessments required prior to start of construction on first ship of a ship-*
 building program.”.

1 (c) *CONFORMING REPEAL.*—Section 124 of the Na-
 2 tional Defense Authorization Act for Fiscal Year 2008 (Pub-
 3 lic Law 110–181; 122 Stat. 28; 10 U.S.C. 8661 note) is
 4 repealed.

5 **SEC. 1014. LIMITATION ON DECOMMISSIONING OR INAC-**
 6 **TIVATING A BATTLE FORCE SHIP BEFORE**
 7 **THE END OF EXPECTED SERVICE LIFE.**

8 (a) *IN GENERAL.*—Chapter 863 of title 10, United
 9 States Code, is amended by inserting after section 8678 the
 10 following new section:

11 **“§8678a. Limitation on decommissioning or inac-**
 12 **tivating a battle force ship before the end**
 13 **of expected service life**

14 “(a) *LIMITATION.*—The Secretary of the Navy may not
 15 decommission or inactivate a battle force ship before the end
 16 of the expected service life of the ship.

17 “(b) *WAIVER.*—The Secretary of the Navy may waive
 18 the limitation under subsection (a) with respect to a battle
 19 force ship if—

20 “(1) the Secretary submits to the congressional
 21 defense committees the certification described in sub-
 22 section (c) with respect to such ship; and

23 “(2) a period of 30 days has elapsed following
 24 the date on which such certification was submitted.

1 “(c) *CERTIFICATION DESCRIBED.*—A certification de-
2 scribed in this subsection is a certification that—

3 “(1)(A) *maintaining the battle force ship in a*
4 *reduced operating status is not feasible;*

5 “(B) *maintaining the ship with reduced capa-*
6 *bility is not feasible;*

7 “(C) *maintaining the ship as a Navy Reserve*
8 *unit is not feasible;*

9 “(D) *transferring the ship to the Coast Guard is*
10 *not feasible; and*

11 “(E) *maintaining the ship is not required to*
12 *support the most recent national defense strategy re-*
13 *quired by section 113(g) of this title; and*

14 “(2) *includes an explanation of—*

15 “(A) *the options assessed and the rationale*
16 *for the determinations under subparagraphs (A)*
17 *through (D) of paragraph (1); and*

18 “(B) *the rationale for the determination*
19 *under subparagraph (E) of such paragraph.*

20 “(d) *FORM.*—A certification submitted under sub-
21 section (b) shall be submitted in unclassified form, but may
22 include a classified annex.

23 “(e) *DEFINITIONS.*—In this section:

24 “(1) *The term ‘battle force ship’ means the fol-*
25 *lowing:*

1 (1) by striking “Not later” and inserting “(a) IN
2 GENERAL.—Not later”;

3 (2) in subsection (a), as so redesignated, by add-
4 ing at the end the following new paragraph:

5 “(7) An analysis of the potential benefits of
6 multi-year procurement contracting for the stability
7 of the shipbuilding defense industrial base.”; and

8 (3) by adding at the end the following new sub-
9 section:

10 “(b) SOLICITATION AND ANALYSIS OF INFORMATION.—
11 In order to carry out subsection (a)(2), the Secretary of the
12 Navy and Secretary of Labor shall—

13 “(1) solicit information regarding the age demo-
14 graphics and occupational experience level from the
15 private shipyards of the shipbuilding defense indus-
16 trial base; and

17 “(2) analyze such information for findings rel-
18 evant to carrying out subsection (a)(2), including
19 findings related to the current and projected defense
20 shipbuilding workforce, current and projected labor
21 needs, and the readiness of the current and projected
22 workforce to supply the proficiencies analyzed in sub-
23 section (a)(1).”.

1 **SEC. 1016. ANNUAL REPORT ON SHIP MAINTENANCE.**

2 (a) *IN GENERAL.*—Chapter 863 of title 10, United
3 States Code, is amended by adding at the end the following
4 new section:

5 **“§ 8694. Annual report on ship maintenance**

6 “(a) *REPORT REQUIRED.*—Not later than October 15
7 of each year, the Secretary of the Navy shall submit to the
8 Committees on Armed Services of the Senate and House of
9 Representatives a report setting forth each of the following:

10 “(1) A description of all ship maintenance
11 planned for the fiscal year during which the report is
12 submitted, by hull.

13 “(2) The estimated cost of the maintenance de-
14 scribed pursuant to paragraph (1).

15 “(3) A summary of all ship maintenance con-
16 ducted by the Secretary during the previous fiscal
17 year.

18 “(4) A detailed description of any ship mainte-
19 nance that was deferred during the previous fiscal
20 year, including specific reasons for the delay or can-
21 cellation of any availability.

22 “(5) A detailed description of the effect of each
23 of the planned ship maintenance actions that were de-
24 layed or cancelled during the previous fiscal year, in-
25 cluding—

1 “(A) a summary of the effects on the costs
2 and schedule for each delay or cancellation; and

3 “(B) the accrued operational and fiscal cost
4 of all the deferments over the fiscal year.

5 “(b) *FORM OF REPORT.*— Each report submitted
6 under subsection (a) shall be submitted in unclassified form
7 and made publicly available on an appropriate internet
8 website in a searchable format, but may contain a classified
9 annex.”.

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

“8694. Annual report on ship maintenance.”.

13 **SEC. 1017. NAVY BATTLE FORCE SHIP ASSESSMENT AND RE-**
14 **QUIREMENT REPORTING.**

15 (a) *IN GENERAL.*—Chapter 863 of title 10, United
16 States Code, as amended by section 1023, is further amend-
17 ed by adding at the end the following new section:

18 **“SEC. 8695. NAVY BATTLE FORCE SHIP ASSESSMENT AND**
19 **REQUIREMENT REPORTING.**

20 “(a) *IN GENERAL.*—Not later than 180 days after the
21 date on which a covered event occurs, the Chief of Naval
22 Operations shall submit to the congressional defense com-
23 mittees a battle force ship assessment and requirement.

24 “(b) *ASSESSMENT.*—Each assessment required by sub-
25 section (a) shall include the following:

1 “(1) *A review of the strategic guidance of the*
2 *Federal Government, the Department of Defense, and*
3 *the Navy for identifying priorities, missions, objec-*
4 *tives, and principles, in effect as of the date on which*
5 *the assessment is submitted, that the force structure of*
6 *the Navy must follow.*

7 “(2) *An identification of the steady-state demand*
8 *for maritime security and security force assistance*
9 *activities.*

10 “(3) *An identification of the force options that*
11 *can satisfy the steady-state demands for activities re-*
12 *quired by theater campaign plans of combatant com-*
13 *manders.*

14 “(4) *A force optimization analysis that produces*
15 *a day-to-day global posture required to accomplish*
16 *peacetime and steady-state tasks assigned by combat-*
17 *ant commanders.*

18 “(5) *A modeling of the ability of the force to*
19 *fight and win scenarios approved by the Department*
20 *of Defense.*

21 “(6) *A calculation of the number and global pos-*
22 *ture of each force element required to meet steady-*
23 *state presence demands and warfighting response*
24 *timelines.*

1 “(c) *REQUIREMENT.—(1) Each requirement required*
2 *by subsection (a) shall—*

3 “(A) *be based on the assessment required by sub-*
4 *section (b); and*

5 “(B) *identify, for each of the fiscal years that are*
6 *five, 10, 15, 20, 25, and 30 years from the date of the*
7 *covered event—*

8 “(i) *the total number of battle force ships*
9 *required;*

10 “(ii) *the number of battle force ships re-*
11 *quired in each of the categories described in*
12 *paragraph (2);*

13 “(iii) *the classes of battle force ships in-*
14 *cluded in each of the categories described in*
15 *paragraph (2); and*

16 “(iv) *the number of battle force ships re-*
17 *quired in each class.*

18 “(2) *The categories described in this paragraph are the*
19 *following:*

20 “(A) *Aircraft carriers.*

21 “(B) *Large surface combatants.*

22 “(C) *Small surface combatants.*

23 “(D) *Amphibious warfare ships.*

24 “(E) *Attack submarines.*

25 “(F) *Ballistic missile submarines.*

1 “(G) *Combat logistics force.*

2 “(H) *Expeditionary fast transport.*

3 “(I) *Expeditionary support base.*

4 “(J) *Command and support.*

5 “(K) *Other.*

6 “(d) *DEFINITIONS.—In this section:*

7 “(1) *The term ‘battle force ship’ means the fol-*
8 *lowing:*

9 “(A) *A commissioned United States Ship*
10 *warship capable of contributing to combat oper-*
11 *ations.*

12 “(B) *A United States Naval Ship that con-*
13 *tributes directly to Navy warfighting or support*
14 *missions.*

15 “(2) *The term ‘covered event’ means a significant*
16 *change to any of the following:*

17 “(A) *Strategic guidance that results in*
18 *changes to theater campaign plans or*
19 *warfighting scenarios.*

20 “(B) *Strategic laydown of vessels or aircraft*
21 *that affects sustainable peacetime presence or*
22 *warfighting response timelines.*

23 “(C) *Operating concepts, including employ-*
24 *ment cycles, crewing constructs, or operational*

1 *tempo limits, that affect peacetime presence or*
2 *warfighting response timelines.*

3 “(D) *Assigned missions that affect the type*
4 *or quantity of force elements.*”.

5 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
6 *the beginning of chapter 863 of such title is further amended*
7 *by adding at the end the following new item:*

 “8695. *Navy battle force ship assessment and requirement reporting.*”.

8 (c) *BASELINE ASSESSMENT AND REQUIREMENT RE-*
9 *QUIRED.*—*The date of the enactment of this Act is deemed*
10 *to be a covered event for the purposes of establishing a base-*
11 *line battle force ship assessment and requirement under sec-*
12 *tion 8695 of title 10, United States Code, as added by sub-*
13 *section (a).*

14 **SEC. 1018. PROHIBITION ON USE OF FUNDS FOR RETIRE-**
15 **MENT OF MARK VI PATROL BOATS.**

16 (a) *PROHIBITION.*—*None of the funds authorized to be*
17 *appropriated by this Act or otherwise made available for*
18 *fiscal year 2022 for the Navy may be obligated or expended*
19 *to retire, prepare to retire, or place in storage any Mark*
20 *VI patrol boat.*

21 (b) *REPORT.*—*Not later than February 15, 2022, the*
22 *Secretary of the Navy, in consultation with the Com-*
23 *mandant of the Marine Corps, shall submit to the congres-*
24 *sional defense committees a report that includes each of the*
25 *following:*

1 (1) *The rationale for the retirement of existing*
2 *Mark VI patrol boats, including an operational anal-*
3 *ysis of the effect of such retirements on the*
4 *warfighting requirements of the commanders of each*
5 *of the combatant commands.*

6 (2) *A review of how the Fifth Fleet requirements,*
7 *which are currently being met by Mark VI patrol*
8 *boats, will continue to be met without such boats, in-*
9 *cluding an evaluation of the cumulative effect of*
10 *eliminating Mark VI patrol boats in addition to other*
11 *recent reductions in Navy riverine force structure,*
12 *such as riverine command boats, in the theater.*

13 (3) *An update on the implementation of the cor-*
14 *rective actions and lessons learned from the Navy's*
15 *investigation of the January 12, 2016, incident in*
16 *which 10 United States sailors were detained by Ira-*
17 *nian forces near Farsi Island, the extent to which re-*
18 *tiring existing Mark VI patrol boats will affect such*
19 *implementation, and how such implementation will*
20 *be sustained in the absence of Mark VI patrol boats.*

21 (4) *A review of operating concepts for escorting*
22 *high value units without Mark VI patrol boats.*

23 (5) *A description of the manner and concept of*
24 *operations in which the Marine Corps could use Mark*
25 *VI patrol boats to support distributed maritime oper-*

1 *Department of Defense may be obligated or expended to re-*
2 *tire, prepare to retire, inactivate, or place in storage more*
3 *than 5 guided missile cruisers.*

4 **SEC. 1020. REVIEW OF SUSTAINMENT KEY PERFORMANCE**
5 **PARAMETERS FOR SHIPBUILDING PRO-**
6 **GRAMS.**

7 *(a) IN GENERAL.—Not later than 90 days after the*
8 *date of the enactment of this Act, the Chairman of the Joint*
9 *Chiefs of Staff shall initiate a review of the Joint Capabili-*
10 *ties Integration and Development System policy related to*
11 *the setting of sustainment key performance parameters and*
12 *key system attributes for shipbuilding programs to ensure*
13 *such parameters and attributes account for a comprehensive*
14 *range of factors that could affect the operational avail-*
15 *ability and materiel availability of a ship. Such review*
16 *shall include the extent to which—*

17 *(1) the term “operational availability” should be*
18 *redefined by mission area and to include equipment*
19 *failures that affect the ability of a ship to perform*
20 *primary missions; and*

21 *(2) the term “materiel availability” should be re-*
22 *defined to take into account factors that could result*
23 *in a ship being unavailable for operations, including*
24 *unplanned maintenance, unplanned losses, and train-*
25 *ing.*

1 (b) *REPORT REQUIRED.*—Not later than 180 days
2 after the date of the enactment of this Act, the Chairman
3 of the Joint Chiefs of Staff shall submit to congressional
4 defense committees a report on the findings and rec-
5 ommendations of the review required under paragraph (a).

6 **SEC. 1021. ASSESSMENT OF SECURITY OF GLOBAL MARI-**
7 **TIME CHOKEPOINTS.**

8 (a) *IN GENERAL.*—Not later than 180 days after the
9 date of the enactment of this Act, the Secretary of Defense
10 shall submit to the congressional defense committees a re-
11 port on the security of global maritime chokepoints from
12 the threat of hostile kinetic attacks, cyber disruptions, and
13 other form of sabotage. The report shall include an assess-
14 ment of each of the following with respect to each global
15 maritime chokepoint covered by the report:

16 (1) *The expected length of time and resources re-*
17 *quired for operations to resume at the chokepoint in*
18 *the event of attack, sabotage, or other disruption of*
19 *regular maritime operations.*

20 (2) *The security of any secondary chokepoint*
21 *that could be affected by a disruption at the global*
22 *maritime chokepoint.*

23 (3) *Options to mitigate any vulnerabilities re-*
24 *sulting from a hostile kinetic attack, cyber disruption,*
25 *or other form of sabotage at the chokepoint.*

1 (b) *FORM OF REPORT.*—The report required by sub-
2 section (a) shall be submitted in unclassified form, but may
3 contain a classified annex.

4 (c) *GLOBAL MARITIME CHOKEPOINT.*—In this section,
5 the term “global maritime chokepoint” means any of the
6 following:

7 (1) *The Panama Canal.*

8 (2) *The Suez Canal.*

9 (3) *The Strait of Malacca.*

10 (4) *The Strait of Hormuz.*

11 (5) *The Bab el-Mandeb Strait.*

12 (6) *Any other chokepoint determined appropriate*
13 *by the Secretary.*

14 **SEC. 1022. REPORT ON ACQUISITION, DELIVERY, AND USE**
15 **OF MOBILITY ASSETS THAT ENABLE IMPLE-**
16 **MENTATION OF EXPEDITIONARY ADVANCED**
17 **BASE OPERATIONS.**

18 (a) *REPORT REQUIRED.*—Not later than 180 days
19 after the date of the enactment of this Act, the Secretary
20 of the Navy shall submit to the congressional defense com-
21 mittees a report that includes a detailed description of each
22 of the following:

23 (1) *The doctrine, organization, training, mate-*
24 *riel, leadership and education, personnel, and facili-*

1 *ties required to operate and maintain a force of 24*
2 *to 35 Light Amphibious Warships, including—*

3 *(A) the estimated timeline for procuring*
4 *and delivering such warships;*

5 *(B) the estimated cost to procure, man,*
6 *train, operate, maintain, and modernize such*
7 *warships for each of the 10 years following the*
8 *year in which the report is submitted, together*
9 *with the notional Department of Defense appro-*
10 *priations account associated with each such cost;*
11 *and*

12 *(C) the feasibility of accelerating the cur-*
13 *rent Light Amphibious Warship procurement*
14 *plan and delivery schedule.*

15 *(2) The specific number, type, and mix of*
16 *manned and unmanned platforms required to support*
17 *distributed maritime operations and expeditionary*
18 *advanced base operations.*

19 *(3) The feasibility of Marine Littoral Regiments*
20 *using other joint and interagency mobility platforms*
21 *prior to, in addition to, or in lieu of the operational*
22 *availability of Light Amphibious Warships, includ-*
23 *ing—*

1 (A) Army LCU-2000, Runnymede-class and
2 General Frank S. Besson-class logistics support
3 vessels;

4 (B) Navy LCU-1610 or LCU-1700, Landing
5 Craft Air Cushioned, and Ship-to-Shore Con-
6 nector vessels;

7 (C) commercial vessel options that—

8 (i) are available as of the date of the
9 enactment of this Act; and

10 (ii) meet Marine Littoral Regiment re-
11 quirements for movement, maneuver,
12 sustainment, training, interoperability, and
13 cargo capacity and delivery;

14 (D) maritime prepositioning force vessels;
15 and

16 (E) Coast Guard vessels.

17 (4) The specific number, type, and mix of long
18 range unmanned surface vessel platforms required to
19 support distributed maritime operations, expedi-
20 tionary advanced base operations, along with their
21 operational interaction with the warfighting capabili-
22 ties of the fleet, including—

23 (A) the estimated timeline for procuring
24 and delivering such platforms; and

1 (B) the estimated cost to procure, man,
2 train, operate, maintain, and modernize such
3 platforms for each of the 10 years following the
4 year in which the report is submitted, together
5 with the notional Department of Defense appro-
6 priations account associated with each such cost.

7 (5) The feasibility of integrating Marine Littoral
8 Regiments with—

9 (A) special operations activities;

10 (B) joint and interagency planning;

11 (C) information warfare operations; and

12 (D) command, control, communications,
13 computer, intelligence, surveillance and recon-
14 naissance, and security cooperation activities.

15 (6) The projected cost and timeline for deploying
16 Marine Littoral Regiments, including—

17 (A) the extent to which such regiments will
18 deploy with the capabilities listed in paragraphs
19 (1) through (5) during each of the 10 years fol-
20 lowing the year in which the report is submitted;
21 and

22 (B) options to accelerate such deployments
23 or increase the capabilities of such regiments if
24 additional resources are available, together with
25 a description of such resources.

1 (b) *FORM OF REPORT.*—The report required by sub-
 2 section (a) shall be submitted in a publicly accessible, un-
 3 classified form, but may contain a classified annex.

4 ***Subtitle D—Counterterrorism***

5 ***SEC. 1031. INCLUSION IN COUNTERTERRORISM BRIEFINGS***
 6 ***OF INFORMATION ON USE OF MILITARY***
 7 ***FORCE IN COLLECTIVE SELF-DEFENSE.***

8 Section 485(a) of title 10, United States Code, is
 9 amended by inserting after “activities” the following: “, in-
 10 cluding the use of military force under the notion of collec-
 11 tive self-defense of foreign partners”.

12 ***SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS***
 13 ***FOR TRANSFER OR RELEASE OF INDIVIDUALS***
 14 ***DETAINED AT UNITED STATES NAVAL STA-***
 15 ***TION, GUANTANAMO BAY, CUBA, TO CERTAIN***
 16 ***COUNTRIES.***

17 Section 1035 of the John S. McCain National Defense
 18 Authorization Act for Fiscal Year 2019 (Public Law 115–
 19 232; 132 Stat. 1954), as most recently amended by section
 20 1043 of the William M. (Mac) Thornberry National Defense
 21 Authorization Act for Fiscal Year 2021 (Public Law 116–
 22 283), is further amended by striking “December 31, 2021”
 23 and inserting “December 31, 2022”.

1 **SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVIDUALS**
3 **DETAINED AT UNITED STATES NAVAL STA-**
4 **TION, GUANTANAMO BAY, CUBA, TO THE**
5 **UNITED STATES.**

6 *Section 1033 of the John S. McCain National Defense*
7 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
8 *232; 132 Stat. 1953), as most recently amended by section*
9 *1041 of the William M. (Mac) Thornberry National Defense*
10 *Authorization Act for Fiscal Year 2021 (Public Law 116–*
11 *283), is further amended by striking “December 31, 2021”*
12 *and inserting “December 31, 2022”.*

13 **SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS**
14 **TO CONSTRUCT OR MODIFY FACILITIES IN**
15 **THE UNITED STATES TO HOUSE DETAINEES**
16 **TRANSFERRED FROM UNITED STATES NAVAL**
17 **STATION, GUANTANAMO BAY, CUBA.**

18 *Section 1034(a) of the John S. McCain National De-*
19 *fense Authorization Act for Fiscal Year 2019 (Public Law*
20 *115–232; 132 Stat. 1954), as most recently amended by sec-*
21 *tion 1042 of the William M. (Mac) Thornberry National*
22 *Defense Authorization Act for Fiscal Year 2021 (Public*
23 *Law 116–283), is further amended by striking “December*
24 *31, 2021” and inserting “December 31, 2022”.*

1 **SEC. 1035. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **TO CLOSE OR RELINQUISH CONTROL OF**
3 **UNITED STATES NAVAL STATION, GUANTA-**
4 **NAMO BAY, CUBA.**

5 *Section 1036 of the National Defense Authorization*
6 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
7 *1551), as most recently amended by section 1044 of the Wil-*
8 *liam M. (Mac) Thornberry National Defense Authorization*
9 *Act for Fiscal Year 2021 (Public Law 116–283), is further*
10 *amended by striking “fiscal years 2018 through 2021” and*
11 *inserting “any of fiscal years 2018 through 2022”.*

12 **SEC. 1036. REPORT ON MEDICAL CARE PROVIDED TO DE-**
13 **TAINÉES AT UNITED STATES NAVAL STATION,**
14 **GUANTANAMO BAY, CUBA.**

15 *(a) REPORT.—Not later than 120 days after the date*
16 *of the enactment of this Act, the Chief Medical Officer of*
17 *United States Naval Station, Guantanamo Bay (in this*
18 *section referred to as the “Chief Medical Officer”), shall sub-*
19 *mit to the Committees on Armed Services of the Senate and*
20 *the House of Representatives a report on the provision of*
21 *medical care to individuals detained at Guantanamo.*

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

24 *(1) An assessment of the quality of medical care*
25 *provided to individuals detained at Guantanamo, in-*

1 cluding whether such care meets applicable standards
2 of care.

3 (2) *A description of the medical facilities and re-*
4 *sources at United States Naval Station, Guantanamo*
5 *Bay, Cuba, available to individuals detained at*
6 *Guantanamo.*

7 (3) *A description of the medical facilities and re-*
8 *sources not at United States Naval Station, Guanta-*
9 *namo Bay, that would be made available to individ-*
10 *uals detained at Guantanamo as necessary to meet*
11 *applicable standards of care.*

12 (4) *A description of the range of medical condi-*
13 *tions experienced by individuals detained at Guanta-*
14 *namo as of the date on which the report is submitted.*

15 (5) *A description of the range of medical condi-*
16 *tions likely to be experienced by individuals detained*
17 *at Guantanamo, given the medical conditions of such*
18 *individuals as of the date on which the report is sub-*
19 *mitted and the likely effects of aging.*

20 (6) *An assessment of any gaps between—*

21 (A) *the medical facilities and resources de-*
22 *scribed in paragraphs (2) and (3); and*

23 (B) *the medical facilities and resources re-*
24 *quired to provide medical care necessary to meet*

1 *applicable standards of care for the medical con-*
2 *ditions described in paragraphs (4) and (5).*

3 *(7) The plan of the Chief Medical Officer to ad-*
4 *dress the gaps described in paragraph (6), including*
5 *the estimated costs associated with addressing such*
6 *gaps.*

7 *(8) An assessment of whether the Chief Medical*
8 *Officer has secured from the Department of Defense*
9 *access to individuals, information, or other assistance*
10 *that the Chief Medical Officer considers necessary to*
11 *enable the Chief Medical Officer to carry out the Chief*
12 *Medical Officer's duties, including full and expedi-*
13 *tious access to the following:*

14 *(A) Any individual detained at Guanta-*
15 *namo.*

16 *(B) Any medical records of any individual*
17 *detained at Guantanamo.*

18 *(C) Medical professionals of the Department*
19 *who are working, or have worked, at United*
20 *States Naval Station, Guantanamo Bay.*

21 *(c) FORM OF REPORT.—The report required by sub-*
22 *section (a) shall be submitted in classified form.*

23 *(d) DEFINITIONS.—In this section, the terms “indi-*
24 *vidual detained at Guantanamo”, “medical care”, and*
25 *“standard of care” have the meanings given those terms in*

1 *section 1046(e) of the National Defense Authorization Act*
2 *for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1586;*
3 *10 U.S.C. 801 note).*

4 ***Subtitle E—Miscellaneous***
5 ***Authorities and Limitations***

6 **SEC. 1041. CONGRESSIONAL OVERSIGHT OF ALTERNATIVE**
7 **COMPENSATORY CONTROL MEASURES.**

8 (a) *LIMITATION ON AVAILABILITY OF FUNDS PENDING*
9 *SUBMISSION OF REPORT.*—*Of the funds authorized to be*
10 *appropriated by this Act or otherwise made available for*
11 *fiscal year 2022 for the Department of Defense for the Office*
12 *of the Under Secretary of Defense for Policy, not more than*
13 *75 percent may be obligated or expended until the date on*
14 *which the Secretary of Defense submits to the congressional*
15 *defense committees the report required under section*
16 *119a(a) for 2021.*

17 (b) *CONGRESSIONAL OVERSIGHT.*—*Section 119a of*
18 *title 10, United States Code, is amended by adding at the*
19 *end the following new subsection:*

20 “(g) *CONGRESSIONAL OVERSIGHT.*—(1) *Neither the*
21 *Secretary of Defense nor the Director of National Intel-*
22 *ligence may take any action that would have the effect of*
23 *limiting the access of the congressional defense committees*
24 *to—*

1 “(A) any classified program, or any information
2 about any classified program, to which such commit-
3 tees have access as of the date of the enactment of the
4 National Defense Authorization Act for Fiscal Year
5 2022; or

6 “(B) any classified program established, or any
7 information about any classified program that be-
8 comes available, after the date of the enactment of
9 such Act that is within the jurisdiction of such com-
10 mittees.

11 “(2) In this subsection, the term ‘classified program’
12 includes any special access program, alternative compen-
13 satory control measure, or any other controlled access pro-
14 gram.”.

15 **SEC. 1042. MODIFICATION OF NOTIFICATION REQUIRE-**
16 **MENTS FOR SENSITIVE MILITARY OPER-**
17 **ATIONS.**

18 Section 130f(d) of title 10, United States Code, is
19 amended—

20 (1) by striking “(1) Except as provided in para-
21 graph (2), in” and inserting “In”;

22 (2) by striking paragraph (2);

23 (3) by redesignating subparagraphs (A) and (B)
24 as paragraphs (1) and (2), respectively;

1 (4) in paragraph (1), as so redesignated, by
2 striking “; or” and inserting a semicolon;

3 (5) in paragraph (2), as so redesignated, by
4 striking the period at the end and inserting “; or”;
5 and

6 (6) by adding at the end the following new para-
7 graph:

8 “(3) an operation conducted by the armed forces
9 to free an individual from the control of hostile for-
10 eign forces.”.

11 **SEC. 1043. AUTHORITY TO PROVIDE SPACE AND SERVICES**
12 **TO MILITARY WELFARE SOCIETIES.**

13 Section 2566 of title 10, United States Code is amend-
14 ed—

15 (1) in subsection (a), by striking “of a military
16 department” and inserting “concerned”; and

17 (2) in subsection (b)(1), by adding at the end the
18 following new subparagraph:

19 “(D) The Coast Guard Mutual Assistance.”.

20 **SEC. 1044. CONGRESSIONAL NOTIFICATION OF SIGNIFI-**
21 **CANT ARMY FORCE STRUCTURE CHANGES.**

22 (a) NOTIFICATION REQUIREMENT.—

23 (1) IN GENERAL.—Chapter 711 of title 10,
24 United States Code, is amended by inserting after sec-
25 tion 7101 the following new section:

1 **“§ 7102. Congressional notification of significant**
2 **Army force structure changes**

3 “(a) *NOTIFICATION REQUIRED.*—*Except as provided*
4 *in subsection (c), the Secretary of the Army shall submit*
5 *to the congressional defense committees written notification*
6 *of any decision to make a significant change to Army force*
7 *structure prior to implementing or announcing such*
8 *change.*

9 “(b) *CONTENTS.*—*A notification required under sub-*
10 *section (a) shall include each of the following:*

11 “(1) *The justification for the planned change.*

12 “(2) *A description of the details of the planned*
13 *change and timing for implementation.*

14 “(3) *A description of the operational implica-*
15 *tions of the planned change.*

16 “(4) *The estimated costs of such change.*

17 “(c) *EXCEPTION.*—*The notification requirement under*
18 *subsection (a) shall not apply if the Secretary of Defense*
19 *certifies to the congressional defense committees in advance*
20 *that the planned Army force structure change must be im-*
21 *plemented immediately for reasons of military urgency.*

22 “(d) *DEFINITION OF SIGNIFICANT CHANGE TO ARMY*
23 *FORCE STRUCTURE.*—*In this section, the term ‘significant*
24 *change to Army force structure’ means—*

1 “(1) a change in the number, type, or component
2 of brigade-level organizations or higher-echelon head-
3 quarters;

4 “(2) a change in the number or component of
5 theater-level capabilities, such as a multi-domain task
6 force, Terminal High Altitude Area Defense, long
7 range fires unit, or headquarters; or

8 “(3) a permanent or temporary activation or in-
9 activation of an experimental unit or brigade-size or
10 higher task force.”.

11 (2) *CLERICAL AMENDMENT.*—The table of sec-
12 tions at the beginning of such chapter is amended by
13 inserting after the item relating to section 7101 the
14 following new item:

 “7102. Congressional notification of significant Army force structure changes.”.

15 (b) *BRIEFING ON ARMY STRUCTURE MEMORANDUM.*—
16 Prior to issuing the Army Structure Memorandum derived
17 from the Total Army Analysis, the Secretary of the Army
18 shall provide to the congressional defense committees a
19 briefing on the memorandum. The briefing shall include a
20 description of each of the following:

21 (1) The guidance and direction provided to the
22 Army by the Secretary of Defense in the Defense
23 Planning Guidance or other directives.

24 (2) Any scenarios and assumptions used to con-
25 duct the analysis.

1 (3) *Any significant force design updates incor-*
2 *porated in the analysis.*

3 (4) *Any significant Army force structure changes*
4 *directed in the Army Structure Memorandum.*

5 (5) *Any substantive changes of assessed risk asso-*
6 *ciated with changes directed in the memorandum.*

7 **SEC. 1045. PROHIBITION ON USE OF NAVY, MARINE CORPS,**
8 **AND SPACE FORCE AS POSSE COMITATUS.**

9 (a) *IN GENERAL.*—Section 1385 of title 18, United
10 *States Code, is amended—*

11 (1) *by striking “or” after “Army” and inserting*
12 *“; the Navy, the Marine Corps,”;*

13 (2) *by inserting “; or the Space Force” after*
14 *“Air Force”; and*

15 (3) *in the section heading, by striking “**Army***
16 ***and Air Force**” and inserting “**Army, Navy,***
17 ***Marine Corps, Air Force, and Space***
18 ***Force**”.*

19 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
20 *the beginning of chapter 67 of such title is amended by*
21 *striking the item relating to section 1385 and inserting the*
22 *following new item:*

*“1385. Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse
comitatus”.*

1 **SEC. 1046. COMPARATIVE TESTING REPORTS FOR CERTAIN**
2 **AIRCRAFT.**

3 (a) *MODIFICATION OF LIMITATION.*—Section 134(b) of
4 the National Defense Authorization Act for Fiscal Year
5 2017 (Public Law 114–328; 130 Stat. 2037) is amended
6 by striking “the report under subsection (e)(2)” and insert-
7 ing “a report that includes the information described in
8 subsection (e)(2)(C)”.

9 (b) *COMPARATIVE TESTING REPORTS REQUIRED.*—

10 (1) *REPORT FROM DIRECTOR OF OPERATIONAL*
11 *TEST AND EVALUATION.*—Not later than 53 days after
12 the date of the enactment of this Act, the Director of
13 Operational Test and Evaluation shall submit to the
14 congressional defense committees a report that in-
15 cludes the information described in section
16 134(e)(1)(B) of the National Defense Authorization
17 Act for Fiscal Year 2017 (Public Law 114–328; 130
18 Stat. 2038).

19 (2) *REPORT FROM SECRETARY OF THE AIR*
20 *FORCE.*—Not later than 53 days after the date of the
21 submission of the report under paragraph (1), the
22 Secretary of the Air Force shall submit to the congres-
23 sional defense committees a report that includes the
24 information described in section 134(e)(2)(C) of the
25 National Defense Authorization Act for Fiscal Year
26 2017 (Public Law 114–328; 130 Stat. 2038).

1 **SEC. 1047. SPECIAL OPERATIONS FORCES JOINT OPER-**
2 **ATING CONCEPT FOR COMPETITION AND**
3 **CONFLICT.**

4 (a) *IN GENERAL.*—Not later than 180 days after the
5 date of the enactment of this Act, the Assistant Secretary
6 of Defense for Special Operations and Low-Intensity Con-
7 flict and the Commander of the United States Special Oper-
8 ations Command shall jointly submit to the congressional
9 defense committees a Special Operations Forces joint oper-
10 ating concept for competition and conflict.

11 (b) *ELEMENTS.*—The joint operating concept required
12 by subsection (a) shall include the following:

13 (1) *A detailed description of the manner in*
14 *which special operations forces will be expected to op-*
15 *erate in the future across the spectrum of operations,*
16 *including operations below the threshold of traditional*
17 *armed conflict, crisis, and armed conflict.*

18 (2) *An explanation of the roles and responsibil-*
19 *ities of the national mission force and the theater spe-*
20 *cial operations forces, including how such forces will*
21 *be integrated with each other and with general pur-*
22 *pose forces.*

23 (3) *An articulation of the required capabilities of*
24 *the special operations forces.*

25 (4) *An explanation of the manner in which the*
26 *joint operating concept relates to and fits within the*

1 *joint warfighting concept produced by the Joint*
2 *Chiefs of Staff.*

3 (5) *An explanation of the manner in which the*
4 *joint operating concept relates to and integrates into*
5 *the operating concepts of the Armed Forces.*

6 (6) *Any other matter the Assistant Secretary and*
7 *the Commander consider relevant.*

8 **SEC. 1048. LIMITATION ON AVAILABILITY OF CERTAIN**
9 **FUNDING FOR OPERATION AND MAINTEN-**
10 **NANCE.**

11 *Of the amounts authorized to be appropriated by this*
12 *Act for fiscal year 2022 for operation and maintenance, De-*
13 *fense-wide, and available for the Office of the Secretary of*
14 *Defense, not more than 75 percent may be obligated or ex-*
15 *pendent until the date that is 15 days after the date on which*
16 *the Secretary submits to the congressional defense commit-*
17 *tees the following:*

18 (1) *The first quarterly report identifying and*
19 *summarizing all execute orders approved by the Sec-*
20 *retary of Defense or the commander of a combatant*
21 *command in effect for the Department of Defense as*
22 *required by section 1744(c) of the National Defense*
23 *Authorization Act for Fiscal Year 2020 (Public Law*
24 *116–92; 10 U.S.C. 113 note).*

1 (2) *The report on the policy of the Department*
2 *of Defense relating to civilian casualties resulting*
3 *from United States military operations required by*
4 *section 936(d) of the John S. McCain National De-*
5 *fense Authorization Act for Fiscal Year 2019 (Public*
6 *Law 115–232; 10 U.S.C. 134 note).*

7 **SEC. 1049. LIMITATION ON USE OF CERTAIN FUNDS PEND-**
8 **ING SUBMISSION OF REPORT, STRATEGY,**
9 **AND POSTURE REVIEW RELATING TO INFOR-**
10 **MATION ENVIRONMENT.**

11 *Of the amounts authorized to be appropriated for fiscal*
12 *year 2022 by section 301 for operation and maintenance*
13 *and available for the Office of the Secretary of Defense for*
14 *the travel of persons as specified in the table in section*
15 *4301, not more than 75 percent shall be available until the*
16 *date on which all of the following are submitted to the Com-*
17 *mittee on Armed Services of the Senate and the Committee*
18 *on Armed Services House of Representatives:*

19 (1) *The report required by subsection (h)(1) of*
20 *section 1631 of the National Defense Authorization*
21 *Act for Fiscal Year 2020 (Public Law 116–92).*

22 (2) *The strategy and posture review required by*
23 *subsection (g) of such section.*

1 **SEC. 1050. BRIEFING BY COMPTROLLER GENERAL AND LIM-**
2 **ITATION ON USE OF FUNDS PENDING COM-**
3 **PLIANCE WITH REQUIREMENT FOR INDE-**
4 **PENDENT STUDIES REGARDING POTENTIAL**
5 **COST SAVINGS.**

6 (a) *BRIEFING REQUIREMENT.*—Not later than March
7 31, 2022, the Comptroller General of the United States shall
8 provide to the congressional defense committees a briefing
9 on the status of the ongoing efforts of the Comptroller Gen-
10 eral with respect to the effectiveness of each of the following:

11 (1) *Department of Defense programming and*
12 *planning for the nuclear enterprise.*

13 (2) *Department of Defense processes for identi-*
14 *fying the relevance of legacy military systems.*

15 (3) *Defense weapon system acquisition and con-*
16 *tracting.*

17 (b) *LIMITATION ON AVAILABILITY OF FUNDS.*—Of the
18 funds authorized to be appropriated by this Act or otherwise
19 made available for fiscal year 2022 for the Office of the Sec-
20 retary of Defense for travel expenses, not more than 90 per-
21 cent may be obligated or expended before the date on which
22 the Secretary of Defense has entered into agreements for the
23 conduct of the independent reviews required under section
24 1753 of the National Defense Authorization Act for Fiscal
25 Year 2020 (Public Law 116–92; 133 Stat. 1852).

1 **SEC. 1051. SURVEY ON RELATIONS BETWEEN MEMBERS OF**
2 **THE ARMED FORCES AND MILITARY COMMU-**
3 **NITIES.**

4 (a) *SURVEY.*—

5 (1) *IN GENERAL.*—*Not later than one year after*
6 *the date of the enactment of this Act, the Secretary of*
7 *Defense, acting through the Under Secretary of De-*
8 *fense for Personnel and Readiness, shall conduct a*
9 *survey of covered individuals regarding relations be-*
10 *tween covered individuals and covered communities.*

11 (2) *CONTENTS OF SURVEY.*—*The survey shall be*
12 *designed to solicit information from covered individ-*
13 *uals regarding each of the following:*

14 (A) *The rank, age, racial, ethnic, and gen-*
15 *der demographics of the covered individuals.*

16 (B) *Relationships between covered individ-*
17 *uals and the covered community, including sup-*
18 *port services and acceptance of the military com-*
19 *munity.*

20 (C) *The availability of housing, health care,*
21 *mental health services, and education for covered*
22 *individuals, employment opportunities for mili-*
23 *tary spouses, and other relevant issues.*

24 (D) *Initiatives of local government and*
25 *community organizations with respect to covered*
26 *individuals and covered communities.*

1 (E) *The physical safety of covered individ-*
2 *uals while in a covered community but outside*
3 *the military installation located in such covered*
4 *community.*

5 (F) *Any other matters designated by the*
6 *Secretary of Defense.*

7 (3) *LOCATIONS.—For purposes of conducting the*
8 *survey under this subsection, the Secretary of Defense*
9 *shall select ten geographically diverse military instal-*
10 *lations where the survey will be conducted.*

11 (b) *ADDITIONAL ACTIVITIES.—In the course of con-*
12 *ducting surveys under this section, the Secretary may carry*
13 *out any of the following activities with respect to covered*
14 *individuals and covered communities:*

15 (1) *Facilitating local listening sessions and in-*
16 *formation exchanges.*

17 (2) *Developing educational campaigns.*

18 (3) *Supplementing existing local and national*
19 *defense community programs.*

20 (4) *Sharing best practices and activities.*

21 (c) *COORDINATION.—To support activities under this*
22 *section, the Secretary of Defense may coordinate with local*
23 *governments and not-for-profit organizations that represent*
24 *covered individuals.*

1 (d) *BRIEFING.*—Not later than September 30, 2023,
2 the Secretary of Defense shall provide to the Committees on
3 Armed Services of the Senate and the House of Representa-
4 tives a briefing on the survey conducted under subsection
5 (a). Such briefing shall include—

6 (1) with respect to each covered community—

7 (A) the results of the survey; and

8 (B) the activities conducted to address ra-
9 cial inequity in the community;

10 (2) the aggregate results of the survey; and

11 (3) best practices for creating positive relation-
12 ships between covered individuals and covered com-
13 munities.

14 (e) *DEFINITIONS.*—In this section:

15 (1) The term “covered community” means a
16 military installation and any geographic area within
17 10 miles of such military installation.

18 (2) The term “covered individual” means any of
19 the following individuals who live in a covered com-
20 munity or work on a military installation in a cov-
21 ered community:

22 (A) A member of the Armed Forces.

23 (B) A family member of an individual de-
24 scribed in subparagraph (A).

1 (3) *The term “military installation” has the*
2 *meaning given such term in section 2801 of title 10,*
3 *United States Code.*

4 **SEC. 1052. LIMITATION ON USE OF FUNDS PENDING COM-**
5 **PLIANCE WITH CERTAIN STATUTORY RE-**
6 **PORTING REQUIREMENTS.**

7 (a) *LIMITATION.—Of the funds authorized to be appro-*
8 *priated or otherwise made available for fiscal year 2022 for*
9 *the Office of the Secretary of Defense for travel expenses,*
10 *not more than 90 percent may be obligated or expended be-*
11 *fore the date on which all of the following reports are sub-*
12 *mitted to Congress and the unclassified portions thereof*
13 *made publicly available:*

14 (1) *The report required under section 589F(c) of*
15 *the William M. (Mac) Thornberry National Defense*
16 *Authorization Act for Fiscal Year 2021 (Public Law*
17 *116–283).*

18 (2) *The reports required under section 1299H(d)*
19 *of the William M. (Mac) Thornberry National Defense*
20 *Authorization Act for Fiscal Year 2021 (Public Law*
21 *116–283).*

22 (3) *The report required under section 888(b) of*
23 *the National Defense Authorization Act for Fiscal*
24 *Year 2020 (Public Law 116–92).*

1 (4) *The report required under section 1752(b) of*
 2 *the National Defense Authorization Act for Fiscal*
 3 *Year 2020 (Public Law 116–92).*

4 **(b) BRIEFING REQUIREMENT.**—*Not later than 30 days*
 5 *after the date of the enactment of this Act, the Secretary*
 6 *of Defense shall provide to the Committees on Armed Serv-*
 7 *ices of the Senate and House of Representatives a briefing*
 8 *on obstacles to compliance with congressional mandated re-*
 9 *porting requirements.*

10 **SEC. 1053. NAVY COORDINATION WITH COAST GUARD AND**
 11 **SPACE FORCE ON AIRCRAFT, WEAPONS, TAC-**
 12 **TICS, TECHNIQUE, ORGANIZATION, AND**
 13 **EQUIPMENT OF JOINT CONCERN.**

14 *Section 8062(d) of title 10, United States Code, is*
 15 *amended by inserting “the Coast Guard, the Space Force,”*
 16 *after “the Air Force.”*

17 ***Subtitle F—Studies and Reports***

18 **SEC. 1061. INCLUSION OF SUPPORT SERVICES FOR GOLD**
 19 **STAR FAMILIES IN QUADRENNIAL QUALITY**
 20 **OF LIFE REVIEW.**

21 **(a) TECHNICAL AMENDMENT.**—

22 **(1) IN GENERAL.**—*The second section 118a of*
 23 *title 10, United States Code (relating to the quadren-*
 24 *ennial quality of life review) is redesignated as section*
 25 *118b.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 2 of such title is*
 3 *amended by striking the item relating to the second*
 4 *section 118a and inserting the following new item:*

“118b. Quadrennial quality of life review.”.

5 (b) *INCLUSION IN REVIEW.*—*Subsection (c) of section*
 6 *118b of title 10, United States Code, as redesignated under*
 7 *subsection (a), is amended by adding at the end the fol-*
 8 *lowing new paragraph:*

9 *“(15) Support services for Gold Star families.”.*

10 **SEC. 1062. PUBLIC AVAILABILITY OF SEMI-ANNUAL SUM-**
 11 **MARIES OF REPORTS.**

12 (a) *IN GENERAL.*—*Section 122a of title 10, United*
 13 *States Code, is amended by adding at the end the following*
 14 *new subsection:*

15 *“(c) SEMI-ANNUAL SUMMARIES.*—*Not later than Jan-*
 16 *uary 1 and July 1 of each year, the Secretary of Defense*
 17 *shall make publicly available on an appropriate internet*
 18 *website a summary of all reports submitted to Congress by*
 19 *the Department of Defense for the preceding six-month pe-*
 20 *riod that are required to be submitted by statute. Each such*
 21 *summary shall include, for each report covered by the sum-*
 22 *mary, the title of report, the date of delivery, and the section*
 23 *of law under which such report is required.”.*

24 (b) *APPLICABILITY.*—*Subsection (c) of section 122a of*
 25 *title 10, United States Code, as added by subsection (a),*

1 *shall apply beginning on the date that is one year after*
2 *the date of the enactment of this Act.*

3 **SEC. 1063. EXTENSION OF REPORTING REQUIREMENT RE-**
4 **GARDING ENHANCEMENT OF INFORMATION**
5 **SHARING AND COORDINATION OF MILITARY**
6 **TRAINING BETWEEN DEPARTMENT OF HOME-**
7 **LAND SECURITY AND DEPARTMENT OF DE-**
8 **FENSE.**

9 *Section 1014(d)(3) of the National Defense Authoriza-*
10 *tion Act for Fiscal Year 2017 (Public Law 114–328) is*
11 *amended by striking “December 31, 2022” and inserting*
12 *“December 31, 2023”.*

13 **SEC. 1064. CONTINUATION OF CERTAIN DEPARTMENT OF**
14 **DEFENSE REPORTING REQUIREMENTS.**

15 *Section 1061 of the National Defense Authorization*
16 *Act for Fiscal Year 2017 (10 U.S.C. 111 note) is amended—*

17 *(1) in subsection (b)(2), by adding at the end the*
18 *following new subparagraphs:*

19 *“(E) The submission of the report required*
20 *under section 14 of the Strategic and Critical*
21 *Materials Stock Piling Act (50 U.S.C. 98h–5).*

22 *“(F) The submission of the report required*
23 *under section 2504 of title 10, United States*
24 *Code.”;*

1 (2) in subsection (c), by striking paragraph (47);

2 and

3 (3) in subsection (i), by striking paragraph (30).

4 **SEC. 1065. UPDATED REVIEW AND ENHANCEMENT OF EX-**
5 **ISTING AUTHORITIES FOR USING AIR FORCE**
6 **AND AIR NATIONAL GUARD MODULAR AIR-**
7 **BORNE FIRE-FIGHTING SYSTEMS AND OTHER**
8 **DEPARTMENT OF DEFENSE ASSETS TO FIGHT**
9 **WILDFIRES.**

10 Section 1058 of the National Defense Authorization
11 Act for Fiscal Year 2004 (Public Law 108–136; 31 U.S.C.
12 1535 note) is amended by adding at the end the following
13 new subsection:

14 “(g) **UPDATED REVIEW AND ENHANCEMENT OF AU-**
15 **THORITIES.**—(1) Not later than 120 days after the date of
16 the enactment of the National Defense Authorization Act for
17 Fiscal Year 2022, the Director shall—

18 “(A) conduct a second review under subsection
19 (a) and make a second determination under sub-
20 section (b); and

21 “(B) submit to Congress a report that includes—

22 “(i) the results of the second review and sec-
23 ond determination required by subparagraph
24 (A); and

1 “(ii) a description, based on such second de-
2 termination, of any new modifications proposed
3 to be made to existing authorities under sub-
4 section (c) or (d), including whether there is a
5 need for legislative changes to further improve
6 the procedures for using Department of Defense
7 assets to fight wildfires.

8 “(2) Pursuant to the second determination under sub-
9 section (b) required by paragraph (1)(A), the Director shall
10 develop and implement such modifications, regulations,
11 policies, and interagency procedures as the Director deter-
12 mines appropriate pursuant to subsections (c) and (d). Any
13 such modification, regulation, policy, or interagency proce-
14 dure shall not take effect until the end of the 30-day period
15 beginning on the date on which the report is submitted to
16 Congress under paragraph (1)(B).”.

17 **SEC. 1066. GEOGRAPHIC COMBATANT COMMAND RISK AS-**
18 **SESSMENT OF AIR FORCE AIRBORNE INTEL-**
19 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
20 **SANCE MODERNIZATION PLAN.**

21 (a) *IN GENERAL.*—Not later than March 31, 2022,
22 each commander of a geographic combatant command shall
23 submit to the congressional defense committees a report con-
24 taining an assessment of the level of operational risk to that
25 command posed by the plan of the Air Force to modernize

1 *and restructure airborne intelligence, surveillance, and re-*
2 *connaissance capabilities to meet near-, mid-, and far-term*
3 *contingency and steady-state operational requirements*
4 *against adversaries in support of the objectives of the cur-*
5 *rent national defense strategy.*

6 (b) *PLAN ASSESSED.*—*The plan of the Air Force re-*
7 *ferred to in subsection (a) is the plan required under section*
8 *142 of the William M. (Mac) Thornberry National Defense*
9 *Authorization Act for Fiscal Year 2021 (Public Law 116–*
10 *283).*

11 (c) *ASSESSMENT OF RISK.*—*In assessing levels of oper-*
12 *ational risk for purposes of subsection (a), a commander*
13 *shall use the military risk matrix of the Chairman of the*
14 *Joint Chiefs of Staff, as described in CJCS Instruction*
15 *3401.01E.*

16 (d) *GEOGRAPHIC COMBATANT COMMAND.*—*In this sec-*
17 *tion, the term “geographic combatant command” means*
18 *each of the following:*

19 (1) *United States European Command.*

20 (2) *United States Indo-Pacific Command.*

21 (3) *United States Africa Command.*

22 (4) *United States Southern Command.*

23 (5) *United States Northern Command.*

24 (6) *United States Central Command.*

1 **SEC. 1067. BIENNIAL ASSESSMENTS OF AIR FORCE TEST**
2 **CENTER.**

3 *Not later than December 1 of each of 2022, 2024, and*
4 *2026, the Secretary of the Air Force shall submit to the con-*
5 *gressional defense committees an assessment of the Air Force*
6 *Test Center. Each such assessment shall include, for the pe-*
7 *riod covered by the assessment, a description of—*

8 *(1) any challenges of the Air Force Test Center*
9 *with respect to completing its mission; and*

10 *(2) the plan of the Secretary to address such*
11 *challenges.*

12 **SEC. 1068. REPORT ON 2019 WORLD MILITARY GAMES.**

13 *(a) IN GENERAL.—Not later than 180 days after the*
14 *date of the enactment of this Act, the Secretary of Defense*
15 *shall submit to the Committees on Armed Services of the*
16 *Senate and House of Representatives a report on the par-*
17 *ticipation of the United States in the 2019 World Military*
18 *Games. Such report shall include a detailed description of*
19 *each of the following:*

20 *(1) The number of United States athletes and*
21 *staff who attended the 2019 World Military Games*
22 *and became ill with COVID–19-like symptoms during*
23 *or shortly after their return to the United States.*

24 *(2) The results of any blood testing conducted on*
25 *athletes and staff returning from the 2019 World*

1 *Military Games, including whether those blood sam-*
2 *ples were subsequently tested for COVID-19.*

3 (3) *The number of home station Department of*
4 *Defense facilities of the athletes and staff who partici-*
5 *ipated in the 2019 World Military Games that experi-*
6 *enced outbreaks of illnesses consistent with COVID-19*
7 *symptoms upon the return of members of the Armed*
8 *Forces from Wuhan, China.*

9 (4) *The number of Department of Defense facili-*
10 *ties visited by team members after returning from*
11 *Wuhan, China, that experienced COVID-19 outbreaks*
12 *during the first quarter of 2020, including in relation*
13 *to the share of other Department of Defense facilities*
14 *that experienced COVID-19 outbreaks through March*
15 *31, 2020.*

16 (5) *Whether the Department tested members of*
17 *the Armed Forces who traveled to Wuhan, China, for*
18 *the World Military Games for COVID-19 antibodies,*
19 *and if so, what portion, if any, of those results were*
20 *positive, and when such testing was conducted.*

21 (6) *Whether there are, or have been, any inves-*
22 *tigations, including under the auspices of an Inspec-*
23 *tor General, across the Department of Defense or the*
24 *military departments into possible connections be-*

1 *tween United States athletes who traveled to Wuhan,*
2 *China, and the outbreak of COVID–19.*

3 *(7) Whether the Department has engaged with*
4 *the militaries of allied or partner countries about ill-*
5 *nesses surrounding the 2019 World Military Games,*
6 *and if so, how many participating militaries have in-*
7 *dicated to the Department that their athletes or staff*
8 *may have contracted COVID–19-like symptoms dur-*
9 *ing or immediately after the Games.*

10 *(b) FORM OF REPORT.—Except to the extent prohib-*
11 *ited by law, the report required under this section shall be*
12 *submitted in unclassified form and made publicly available*
13 *on an internet website in a searchable format, but may con-*
14 *tain a classified annex.*

15 **SEC. 1069. REPORTS ON OVERSIGHT OF AFGHANISTAN.**

16 *(a) REPORTS.—Not later than 60 days after the date*
17 *of the enactment of this Act, and annually thereafter until*
18 *December 31, 2026, the Secretary of Defense, in coordina-*
19 *tion with the Director of National Intelligence and con-*
20 *sistent with the protection of intelligence sources and meth-*
21 *ods, shall submit to the appropriate congressional commit-*
22 *tees a report on Afghanistan. Each such report shall ad-*
23 *dress, with respect to Afghanistan, the following matters:*

24 *(1) An up-to-date assessment of the over-the-hori-*
25 *zon capabilities of the United States.*

1 (2) *A description of the concept of force with re-*
2 *spect to the over-the-horizon force of the United*
3 *States.*

4 (3) *The size of such over-the-horizon force.*

5 (4) *The location of such over-the-horizon force,*
6 *including the locations of the forces as of the date of*
7 *the submission of the report and any plans to adjust*
8 *such locations.*

9 (5) *The chain of command for such over-the-hori-*
10 *zon force.*

11 (6) *The launch criteria for such over-the-horizon*
12 *force.*

13 (7) *Any plans to expand or adjust such over-the-*
14 *horizon force capabilities in the future, to account for*
15 *evolving terrorist threats in Afghanistan.*

16 (8) *An assessment of the terrorist threat in Af-*
17 *ghanistan.*

18 (9) *An assessment of the quantity and types of*
19 *United States military equipment remaining in Af-*
20 *ghanistan, including an indication of whether the*
21 *Secretary plans to leave, recover, or destroy such*
22 *equipment.*

23 (10) *Contingency plans for the retrieval or hos-*
24 *tage rescue of United States citizens located in Af-*
25 *ghanistan.*

1 (11) *Contingency plans related to the continued*
2 *evacuation of Afghans who hold special immigrant*
3 *visa status under section 602 of the Afghan Allies*
4 *Protection Act of 2009 (8 U.S.C. 1101 note) or who*
5 *have filed a petition for such status, following the*
6 *withdrawal of the United States Armed Forces from*
7 *Afghanistan.*

8 (12) *A concept of logistics support to support the*
9 *over-the-horizon force of the United States, including*
10 *all basing and transportation plans.*

11 (13) *An assessment of changes in the ability of*
12 *al-Qaeda and ISIS-K to conduct operations within*
13 *Taliban-held Afghanistan or outside of Afghanistan*
14 *against the United States and allies of the United*
15 *States.*

16 (14) *An assessment of the threat posed by pris-*
17 *oners released by the Taliban from the Pul-e-Charkhi*
18 *prison and Parwan detention facility, Afghanistan,*
19 *in August 2021, including, for each such prisoner—*

20 (A) *the country of origin of the prisoner;*

21 (B) *any affiliation of the prisoner with a*
22 *foreign terrorist organization; and*

23 (C) *in the case of any such prisoner deter-*
24 *mined to pose a risk for external operations out-*

1 *side of Afghanistan, the assessed location of the*
 2 *prisoner.*

3 (15) *The status of any military cooperation be-*
 4 *tween the Taliban and China, Russia, or Iran.*

5 (16) *Any other matters the Secretary determines*
 6 *appropriate.*

7 (b) *FORM.—Each report required under this section*
 8 *may be submitted in either unclassified or classified form,*
 9 *as determined appropriate by the Secretary.*

10 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 11 *FINED.—In this section, the term “appropriate congres-*
 12 *sional committees” means—*

13 (1) *the Committee on Armed Services and the*
 14 *Permanent Select Committee on Intelligence of the*
 15 *House of Representatives; and*

16 (2) *the Committee on Armed Services and the*
 17 *Select Committee on Intelligence of the Senate.*

18 **SEC. 1070. STUDY AND REPORT ON DEPARTMENT OF DE-**
 19 **FENSE EXCESS PERSONAL PROPERTY PRO-**
 20 **GRAM.**

21 (a) *STUDY.—The Director of the Defense Logistics*
 22 *Agency shall conduct a study on the excess personal prop-*
 23 *erty program of the Department of Defense under section*
 24 *2576a of title 10, United States Code, and the administra-*

1 *tion of such program by the Law Enforcement Support Of-*
2 *fice. Such study shall include—*

3 (1) *an analysis of the degree to which personal*
4 *property transferred under such program has been*
5 *distributed equitably between larger, well-resourced*
6 *municipalities and units of government and smaller,*
7 *less well-resourced municipalities and units of govern-*
8 *ment; and*

9 (2) *an identification of potential reforms to such*
10 *program to ensure that such property is transferred*
11 *in a manner that provides adequate opportunity for*
12 *participation by smaller, less well-resourced munici-*
13 *palities and units of government.*

14 (b) *REPORT.—Not later than one year after the date*
15 *of the enactment of this Act, the Director shall submit to*
16 *the congressional defense committees a report on the results*
17 *of a study required under subsection (a).*

18 **SEC. 1071. OPTIMIZATION OF IRREGULAR WARFARE TECH-**
19 **NICAL SUPPORT DIRECTORATE.**

20 (a) *PLAN REQUIRED.—Not later than 90 days after*
21 *the date of the enactment of this Act, the Assistant Secretary*
22 *of Defense for Special Operations and Low Intensity Con-*
23 *flict shall submit to the congressional defense committees a*
24 *plan for improving the support provided by the Irregular*

1 *Warfare Technical Support Directorate to meet military re-*
2 *quirements. Such plan shall include the following:*

3 (1) *Specific actions to—*

4 (A) *ensure adequate focus on rapid fielding*
5 *of required capabilities;*

6 (B) *improve metrics and methods for track-*
7 *ing projects that have transitioned into programs*
8 *of record; and*

9 (C) *minimize overlap with other research,*
10 *development, and acquisition efforts.*

11 (2) *Such other matters as the Assistant Secretary*
12 *of Defense for Special Operations and Low Intensity*
13 *Conflict considers relevant.*

14 (b) *DEPARTMENT OF DEFENSE INSTRUCTION RE-*
15 *QUIRED.—Not later than 270 days after the date of the en-*
16 *actment of this Act, the Assistant Secretary of Defense for*
17 *Special Operations and Low Intensity Conflict, in coordi-*
18 *nation with the Under Secretary of Defense for Research*
19 *and Engineering, the Under Secretary of Defense for Acqui-*
20 *sition and Sustainment, and the Secretaries of the military*
21 *departments, shall publish an updated Department of De-*
22 *fense Instruction in order to—*

23 (1) *define the objectives, organization, mission,*
24 *customer base, and role of the Irregular Warfare*
25 *Technical Support Directorate;*

1 (2) *ensure coordination with external program*
2 *managers assigned to the military departments and*
3 *the United States Special Operations Command;*

4 (3) *facilitate adequate oversight by the Assistant*
5 *Secretary of Defense for Special Operations and Low*
6 *Intensity Conflict, the Under Secretary of Defense for*
7 *Research and Engineering, and the Under Secretary*
8 *of Defense for Acquisition and Sustainment; and*

9 (4) *address such other matters as the Assistant*
10 *Secretary of Defense for Special Operations and Low*
11 *Intensity Conflict considers relevant.*

12 **SEC. 1072. ASSESSMENT OF REQUIREMENTS FOR AND MAN-**
13 **AGEMENT OF ARMY THREE-DIMENSIONAL**
14 **GEOSPATIAL DATA.**

15 (a) *JOINT ASSESSMENTS AND DETERMINATIONS.—The*
16 *Vice Chairman of the Joint Chiefs of Staff, the Under Sec-*
17 *retary of Defense for Intelligence and Security, and the Sec-*
18 *retary of the Army, in consultation with other appropriate*
19 *officials of the Department of Defense, shall jointly carry*
20 *out each of the following:*

21 (1) *An assessment of the requirements of the*
22 *joint force with respect to three-dimensional*
23 *geospatial data in order to achieve Combined Joint*
24 *All-Domain Command and Control, including the use*
25 *of such data for each of the following:*

- 1 (A) *Training.*
- 2 (B) *Planning.*
- 3 (C) *Modeling and simulation.*
- 4 (D) *Mission rehearsal.*
- 5 (E) *Operations.*
- 6 (F) *Intelligence, including geolocation sup-*
7 *port to intelligence collection systems.*
- 8 (G) *Dynamic and precision targeting.*
- 9 (H) *After action reviews.*

10 (2) *A determination of whether three-dimen-*
11 *sional geospatial data derived from Government*
12 *sources, commercial sources, or both (referred to as*
13 *“derivative three-dimensional geospatial data”) meets*
14 *the accuracy, resolution, community sensor model*
15 *compliance, and currency required for precision tar-*
16 *geting.*

17 (3) *A determination of the optimum manage-*
18 *ment, joint funding structure, and resources required*
19 *for the collection, tasking, acquisition, production,*
20 *storage, and consumption of three-dimensional*
21 *geospatial data, including a consideration of—*

- 22 (A) *designating the Army as the Executive*
23 *Agent for warfighter collection, production, and*
24 *consumption of three-dimensional geospatial con-*
25 *tent at the point-of-need;*

1 (B) designating the National Geospatial In-
2 telligence Agency, in its role as the Geospatial
3 Intelligence Functional Manager, as the Execu-
4 tive Agent for quality assessment, testing, eval-
5 uation, validation, and enterprise storage and
6 retrieval of derivative three-dimensional
7 geospatial data;

8 (C) existing governance structures across the
9 Department of Defense and the National
10 Geospatial Intelligence Agency for the procure-
11 ment and production of three-dimensional
12 geospatial data and the development of tools and
13 plans, from either commercial or Government
14 sources; and

15 (D) identifying potential commercial and
16 Government capabilities that could be established
17 as a three-dimensional geospatial intelligence
18 program of record.

19 (b) *ARMY MANAGEMENT CONSIDERATIONS.*—If the
20 Vice Chairman, the Under Secretary, and the Secretary of
21 the Army determine that the Army should serve as the Exec-
22 utive Agent for Department of Defense three-dimensional
23 geospatial data, the Secretary shall determine the respective
24 roles within the Army.

1 (c) *ADDITIONAL ARMY DETERMINATIONS.*—*The Sec-*
2 *retary of the Army shall determine whether operational use*
3 *of the Integrated Visual Augmentation System and Army*
4 *intelligence and mission command systems require three-*
5 *dimensional geospatial data for assigned operational mis-*
6 *sions, including targeting.*

7 (d) *BRIEFING REQUIRED.*—*Not later than 180 days*
8 *after the date of the enactment of this Act, the Vice Chair-*
9 *man, the Under Secretary, and the Secretary of the Army*
10 *shall complete the assessments and determinations required*
11 *by this section and provide to the congressional defense com-*
12 *mittees a briefing on such assessments and determinations.*

13 **SEC. 1073. REQUIRED REVIEW OF DEPARTMENT OF DE-**
14 **FENSE UNMANNED AIRCRAFT SYSTEMS CAT-**
15 **EGORIZATION.**

16 (a) *IN GENERAL.*—*The Under Secretary of Defense for*
17 *Acquisition and Sustainment shall initiate a process—*

18 (1) *to review the system used by the Department*
19 *of Defense for categorizing unmanned aircraft sys-*
20 *tems, as described in Joint Publication 3–30 titled*
21 *“Joint Air Operations”; and*

22 (2) *to determine whether modifications should be*
23 *made in the Department of Defense grouping of un-*
24 *manned aerial systems into five broad categories, as*
25 *in effect on the date of the enactment of this Act.*

1 (b) *REQUIRED ELEMENTS FOR REVISION.*—If the
2 Under Secretary determines under subsection (a) that the
3 characteristics associated with any of the five categories of
4 unmanned aircraft systems should be revised, the Under
5 Secretary shall consider the effect a revision would have
6 on—

7 (1) *the future capability and employment needs*
8 *to support current and emerging warfighting con-*
9 *cepts;*

10 (2) *advanced systems and technologies available*
11 *in the current commercial marketplace;*

12 (3) *the rapid fielding of unmanned aircraft sys-*
13 *tems technology; and*

14 (4) *the integration of unmanned aircraft systems*
15 *into the National Airspace System.*

16 (c) *CONSULTATION REQUIREMENTS.*—In carrying out
17 the review required under subsection (a), the Under Sec-
18 retary shall consult with—

19 (1) *the Secretary of each of the military depart-*
20 *ments;*

21 (2) *the Chairman of the Joint Chiefs of Staff;*

22 (3) *the Secretary of State; and*

23 (4) *the Administrator of the Federal Aviation*
24 *Administration.*

1 (d) *REPORT REQUIRED.*—Not later than October 1,
2 2022, the Under Secretary shall submit to the congressional
3 defense committees, the Committee on Transportation and
4 Infrastructure and the Committee on Foreign Affairs of the
5 House of Representatives, and the Committee on Commerce,
6 Science, and Transportation and the Committee on Foreign
7 Relations of the Senate a report that includes a description
8 of—

9 (1) the results of the review initiated under sub-
10 section (a);

11 (2) any revisions planned to the system used by
12 the Department of Defense for categorizing unmanned
13 aircraft systems as a result of such review;

14 (3) the costs and benefits of any planned revi-
15 sions; and

16 (4) a proposed implementation plan and
17 timelines for such revisions.

18 **SEC. 1074. ANNUAL REPORT AND BRIEFING ON GLOBAL**

19 **FORCE MANAGEMENT ALLOCATION PLAN.**

20 (a) *IN GENERAL.*—Not later than October 31, 2022,
21 and annually thereafter through 2024, the Secretary of De-
22 fense shall provide to the Committees on Armed Services
23 of the Senate and House of Representatives a classified re-
24 port and a classified briefing on the Global Force Manage-
25 ment Allocation Plan and its implementation.

1 (b) *REPORT.*—Each report required by subsection (a)
2 shall include a summary describing the Global Force Man-
3 agement Allocation Plan being implemented as of October
4 1 of the year in which the report is provided.

5 (c) *BRIEFING.*—Each briefing required by subsection
6 (a) shall include the following:

7 (1) A summary of the major modifications to
8 global force allocation made during the preceding fis-
9 cal year that deviated from the Global Force Manage-
10 ment Allocation Plan for that fiscal year as a result
11 of a shift in strategic priorities, requests for forces, or
12 other contingencies, and an explanation for such
13 modifications.

14 (2) A description of the major differences between
15 the Global Force Management Allocation Plan for the
16 current fiscal year and the Global Force Management
17 Allocation Plan for the preceding fiscal year.

18 (3) A description of any difference between the
19 actual global allocation of forces, as of October 1 of
20 the year in which the briefing is provided, and the
21 forces stipulated in the Global Force Management Al-
22 location Plan being implemented on that date.

1 **SEC. 1075. REPORT ON WORLD WAR I AND KOREAN WAR**
2 **ERA SUPERFUND FACILITIES.**

3 (a) *IN GENERAL.*—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall submit to Congress a report on active Superfund fa-
6 cilities where a hazardous substance originated from De-
7 partment of Defense activities occurring between the begin-
8 ning of World War I and the end of the Korean War. Such
9 report shall include a description of such Superfund facili-
10 ties as well as any actions, planned actions, communication
11 with communities, and cooperation with relevant agencies,
12 including the Environmental Protection Agency, carried
13 out or planned to be carried out by the Department of De-
14 fense.

15 (b) *SUPERFUND FACILITY.*—In this section, the term
16 “Superfund facility” means a facility included on the Na-
17 tional Priorities List pursuant to section 105 of the Com-
18 prehensive Environmental Response, Compensation, and
19 Liability Act of 1980 (42 U.S.C. 9605).

20 **SEC. 1076. REPORT ON IMPLEMENTATION OF IRREGULAR**
21 **WARFARE STRATEGY.**

22 (a) *REPORT.*—Not later than 180 days after the date
23 of the enactment of this Act, and annually thereafter
24 through fiscal year 2027, the Secretary of Defense shall sub-
25 mit to the congressional defense committees a report on the
26 activities and programs of the Department of Defense to

1 *implement the irregular warfare strategy consistent with*
2 *the 2019 Irregular Warfare Annex to the National Defense*
3 *Strategy, as amended by any subsequent national defense*
4 *strategy.*

5 (b) *ELEMENTS OF REPORT.*—*Each report required by*
6 *subsection (a) shall include the following elements for the*
7 *year covered by the report:*

8 (1) *A description and assessment of efforts to in-*
9 *stitutionalize the approach of the Department of De-*
10 *fense to irregular warfare and maintain a baseline of*
11 *capabilities and expertise in irregular warfare in*
12 *both conventional and special operations forces, in-*
13 *cluding efforts to—*

14 (A) *institutionalize irregular warfare in*
15 *force development and design;*

16 (B) *transform the approach of the Depart-*
17 *ment of Defense to prioritize investments in, and*
18 *development of, human capital for irregular*
19 *warfare;*

20 (C) *ensure an approach to irregular war-*
21 *fare that is agile, efficient, and effective by in-*
22 *vesting and developing capabilities in a cost-in-*
23 *formed and resource-sustainable manner; and*

1 (D) integrate irregular warfare approaches
2 into operational plans and warfighting concepts
3 for competition, crisis, and conflict.

4 (2) A description and assessment of efforts to
5 operationalize the approach of the Department of De-
6 fense to irregular warfare to meet the full range of
7 challenges posed by adversaries and competitors, in-
8 cluding efforts to—

9 (A) execute proactive, enduring campaigns
10 using irregular warfare capabilities to control
11 the tempo of competition, shape the environment,
12 and increase the cost of hostilities against the
13 United States and its allies;

14 (B) adopt a resource-sustainable approach
15 to countering violent extremist organizations and
16 consolidating gains against the enduring threat
17 from these organizations;

18 (C) improve the ability of the Department
19 of Defense to understand and operate within the
20 networked, contested, and multi-domain environ-
21 ment in which adversaries and competitors oper-
22 ate;

23 (D) foster and sustain unified action in ir-
24 regular warfare including through collaboration
25 and support of interagency partners in the for-

1 *mulation of assessments, plans, and the conduct*
2 *of operations; and*

3 *(E) expand networks of allies and partners,*
4 *including for the purpose of increasing the abil-*
5 *ity and willingness of allies and partners to de-*
6 *fend their sovereignty, contribute to coalition op-*
7 *erations, and advance common security initia-*
8 *tives.*

9 *(3) A description of—*

10 *(A) the status of the plan required to be*
11 *produced by the Assistant Secretary of Defense*
12 *for Special Operations and Low Intensity Con-*
13 *flict and the Chairman of the Joint Chiefs of*
14 *Staff, in coordination with the combatant com-*
15 *mands and the Secretaries of the military de-*
16 *partments, to implement the objectives described*
17 *in the 2019 Irregular Warfare Annex to the Na-*
18 *tional Defense Strategy; and*

19 *(B) the efforts by the relevant components of*
20 *the Department of Defense to expeditiously im-*
21 *plement such plan, including the allocation of re-*
22 *sources to implement the plan.*

23 *(4) An assessment by the Secretary of Defense of*
24 *the resources, plans, and authorities required to estab-*

1 *and tabulated correctly by the appropriate State and*
2 *local election officials;*

3 (2) *methods that would generate a verifiable and*
4 *auditable vote trail for the purposes of any recount or*
5 *audit conducted with respect to an election;*

6 (3) *a plan of action and milestones on steps that*
7 *would need to be achieved prior to implementing end-*
8 *to-end electronic voting services for absentee uni-*
9 *formed services voters;*

10 (4) *an assessment of whether commercially avail-*
11 *able technologies may be used to carry out any of the*
12 *elements of the plan; and*

13 (5) *an assessment of the resources needed to im-*
14 *plement the plan of action and milestones referred to*
15 *in paragraph (3).*

16 (c) *CONSULTATION WITH STATE AND LOCAL ELEC-*
17 *TION OFFICIALS.—The Presidential designee shall conduct*
18 *the study under subsection (a) in consultation with appro-*
19 *priate State and local election officials.*

20 (d) *USE OF CONTRACTORS.—To the extent the Presi-*
21 *dential designee determines to be appropriate, the Presi-*
22 *dential designee may include in the study conducted under*
23 *subsection (a) an analysis of the potential use of contractors*
24 *to provide voting services and how such contractors could*

1 *be used to carry out the elements of the plan referred to*
2 *in subsection (b)(3).*

3 *(e) BRIEFING; REPORT.—*

4 *(1) BRIEFING.—Not later than 180 days after*
5 *the date of the enactment of this Act, the Presidential*
6 *designee shall provide to the Committees on Armed*
7 *Services of the Senate and House of Representatives*
8 *a briefing on the interim results of the study con-*
9 *ducted under subsection (a).*

10 *(2) REPORT.—Not later than one year after the*
11 *date of the enactment of this Act, the Presidential des-*
12 *ignee shall submit to the Committees on Armed Serv-*
13 *ices of the Senate and House of Representatives a re-*
14 *port on the results of the study conducted under sub-*
15 *section (a).*

16 **SEC. 1078. REPORT ON AIR FORCE STRATEGY FOR ACQUI-**
17 **SION OF COMBAT RESCUE AIRCRAFT AND**
18 **EQUIPMENT.**

19 *Not later than June 1, 2022, the Secretary of the Air*
20 *Force shall submit to the congressional defense committees*
21 *a report containing—*

22 *(1) a strategy for the acquisition of combat res-*
23 *cue aircraft and equipment that aligns with the stat-*
24 *ed capability and capacity requirements of the Air*
25 *Force; and*

1 (2) *an analysis of how such strategy meets the*
 2 *requirements of the national defense strategy required*
 3 *under section 113(g) of title 10, United States Code.*

4 ***Subtitle G—Other Matters***

5 ***SEC. 1081. TECHNICAL, CONFORMING, AND CLERICAL*** 6 ***AMENDMENTS.***

7 (a) *TITLE 10, UNITED STATES CODE.—Title 10,*
 8 *United States Code, is amended as follows:*

9 (1) *The table of chapters at the beginning of part*
 10 *I of subtitle A is amended by striking the item relat-*
 11 *ing to the second chapter 19 (relating to cyber mat-*
 12 *ters).*

13 (2) *The table of sections at the beginning of*
 14 *chapter 2 is amended by striking the item relating to*
 15 *section 118 and inserting the following new item:*

“118. Materiel readiness metrics and objectives for major weapon systems.”.

16 (3) *The second section 118a, as added by section*
 17 *341 of the William M. (Mac) Thornberry National*
 18 *Defense Authorization Act for Fiscal Year 2021 (Pub-*
 19 *lic Law 116–283), is redesignated as section 118b,*
 20 *and the table of sections at the beginning of chapter*
 21 *2 of such title is conformed accordingly.*

22 (4) *Section 138(b)(2)(A)(i) is amended by strik-*
 23 *ing the semicolon.*

24 (5) *Section 196(d) is amended by striking “,”*
 25 *and inserting “,”.*

1 (6) *Section 231a(e)(2) is amended by striking*
2 *“include the following,” and inserting “include”.*

3 (7) *Section 240b(b)(1)(B)(xiii) is amended by*
4 *striking “An” and inserting “A”.*

5 (8) *Section 240g(a)(3) is amended by striking “;*
6 *and” and inserting “;”.*

7 (9) *Section 393(b)(2)(D) is amended by inserting*
8 *a period at the end.*

9 (10) *Section 483(f)(3) is amended by inserting*
10 *“this” before “title”.*

11 (11) *Section 651(a) is amended by inserting a*
12 *comma after “3806(d)(1)”.*

13 (12) *The table of sections at the beginning of*
14 *chapter 39 is amended by adding a period at the end*
15 *of the item relating to section 691.*

16 (13) *Section 823(a)(2) (article 23(a)(2) of the*
17 *Uniform Code of Military Justice) is amended by in-*
18 *serting a comma after “Army”.*

19 (14) *Section 856(b) (article 56(b) of the Uniform*
20 *Code of Military Justice) is amended by striking*
21 *“subsection (d) of section 853a” and inserting “sub-*
22 *section (c) of section 853a”.*

23 (15) *Section 1044e(g) is amended by striking*
24 *“number of Special Victims’ Counsel” and inserting*
25 *“number of Special Victims’ Counsels”.*

1 (16) *The table of sections at the beginning of*
2 *chapter 54 is amended by striking the item relating*
3 *to section 1065 and inserting the following new item:*

*“1065. Use of commissary stores and MWR facilities: certain veterans, caregivers
for veterans, and Foreign Service officers.”.*

4 (17) *Section 1463(a)(4) is amended by striking*
5 *“that that” and inserting “that”.*

6 (18) *Section 1465(b)(2) is amended by striking*
7 *“the the” and inserting “the”.*

8 (19) *Section 1466(a) is amended, in the matter*
9 *preceding paragraph (1), by striking “Coast guard”*
10 *and inserting “Coast Guard”.*

11 (20) *Section 1554a(g)(2) is amended by striking*
12 *“.” and inserting “.”.*

13 (21) *Section 1599h is amended—*

14 (A) *in subsection (a), by redesignating the*
15 *second paragraph (7) and paragraph (8) as*
16 *paragraphs (8) and (9), respectively; and*

17 (B) *in subsection (b)(1), by redesignating*
18 *the second subparagraph (G) and subparagraph*
19 *(H) as subparagraphs (H) and (I), respectively.*

20 (22) *Section 1705(a) is amended by striking “a*
21 *fund” and inserting “an account”.*

22 (23) *Section 1722a(a) is amended by striking*
23 *“,” and inserting “,”.*

24 (24) *Section 1788a(e) is amended—*

1 (A) in paragraph (3), by striking “section
2 167(i)” and inserting “section 167(j)”;

3 (B) in paragraph (4), by striking “covered
4 personnel” and inserting “covered individuals”;
5 and

6 (C) in paragraph (5), in the matter pre-
7 ceding subparagraph (A), by striking “‘covered
8 personnel’” and inserting “‘covered individ-
9 uals’”.

10 (25) The table of chapters at the beginning of
11 part III of subtitle A is amended, in the item relating
12 to chapter 113, by striking the period after “2200g”.

13 (26) Section 2107(a) is amended by striking “or
14 Space Force”.

15 (27) Section 2279b(b) is amended by redesignig-
16 nating the second paragraph (11) as paragraph (12).

17 (28) Section 2321(f) is amended by striking “the
18 item” both places it appears and inserting “the com-
19 mercial product”.

20 (29) The second section 2350m (relating to exe-
21 cution of projects under the North Atlantic Treaty
22 Organization Security Investment Program), as
23 added by section 2503 of the William M. (Mac)
24 Thornberry National Defense Authorization Act for
25 Fiscal Year 2021 (Public Law 116–283), is redesignig-

1 *nated as section 2350q and the table of sections at the*
2 *beginning of subchapter II of chapter 138 is con-*
3 *formed accordingly.*

4 (30) *Section 2534(a) is amended—*

5 (A) *in paragraph (3), by striking “sub-*
6 *section (j)” and inserting “subsection (k)”;* and

7 (B) *in paragraph (5), by striking “prin-*
8 *ciple” and inserting “principal”.*

9 (31) *Section 2891a(e)(1) is amended by striking*
10 *“the any” and inserting “the”.*

11 (32) *The table of sections at the beginning of*
12 *chapter 871 is amended—*

13 (A) *by striking the item relating to section*

14 *8749 and inserting the following new item:*

“8749. Civil service mariners of Military Sealift Command: release of drug and
 alcohol test results to Coast Guard.”; and

15 (B) *by striking the item relating to section*

16 *8749a and inserting the following new item:*

“8749a. Civil service mariners of Military Sealift Command: alcohol testing.”.

17 (33) *The second section 9084, as added by sec-*
18 *tion 1601 of the William M. (Mac) Thornberry Na-*
19 *tional Defense Authorization Act for Fiscal Year 2021*
20 *(Public Law 116–283), is transferred to appear after*
21 *section 9085 and redesignated as section 9086, and*
22 *the table of sections at the beginning of chapter 908*
23 *of such title is conformed accordingly.*

1 (34) *The second section 9132 (relating to Reg-*
2 *ular Air Force and Regular Space Force: reenlistment*
3 *after service as an officer) is redesignated as section*
4 *9138 (and the table of sections at the beginning of*
5 *chapter 913 is conformed accordingly).*

6 (35) *The section heading for section 9401 is*
7 *amended to read as follows (and the table of sections*
8 *at the beginning of chapter 951 is conformed accord-*
9 *ingly):*

10 **“§9401. Members of Air Force and Space Force: detail**
11 **as students, observers, and investigators**
12 **at educational institutions, industrial**
13 **plants, and hospitals”.**

14 (36) *The section heading for section 9402 is*
15 *amended to read as follows (and the table of sections*
16 *at the beginning of chapter 951 is conformed accord-*
17 *ingly):*

18 **“§9402. Enlisted members of Air Force or Space Force:**
19 **schools”.**

20 (37) *Section 9840 is amended in the second sen-*
21 *tence by striking “He” and inserting “The officer”.*

22 (b) *NDAA FOR FISCAL YEAR 2021.—Effective as of*
23 *January 1, 2021, and as if included therein as enacted,*
24 *section 1 of the William M. (Mac) Thornberry National De-*

1 *fense Authorization Act for Fiscal Year 2021 (Public Law*
2 *116–283) is amended—*

3 (1) *by inserting “(a) IN GENERAL.—” before*
4 *“This Act”; and*

5 (2) *by adding at the end the following:*

6 “(b) *REFERENCES.—Any reference in this or any other*
7 *Act to the ‘National Defense Authorization Act for Fiscal*
8 *Year 2021’ shall be deemed to be a reference to the ‘William*
9 *M. (Mac) Thornberry National Defense Authorization Act*
10 *for Fiscal Year 2021’.*”.

11 (c) *NDAA FOR FISCAL YEAR 2020.—Effective as of*
12 *December 20, 2019, and as if included therein as enacted,*
13 *section 1739(a) of the National Defense Authorization Act*
14 *for Fiscal Year 2020 (Public Law 116–92) is amended by*
15 *striking “VI” and inserting “VII”.*

16 (d) *COORDINATION WITH OTHER AMENDMENTS MADE*
17 *BY THIS ACT.—For purposes of applying amendments*
18 *made by provisions of this Act other than this section, the*
19 *amendments made by this section shall be treated as having*
20 *been enacted immediately before any such amendments by*
21 *other provisions of this Act.*

1 **SEC. 1082. MODIFICATION TO REGIONAL CENTERS FOR SE-**
2 **CURITY STUDIES.**

3 (a) *IN GENERAL.*—Section 342(b)(2) of title 10,
4 *United States Code*, is amended by adding at the end the
5 *following new subparagraph:*

6 “(F) *The Ted Stevens Center for Arctic Security*
7 *Studies, established in 2021 and located in Anchor-*
8 *age, Alaska.*”.

9 (b) *ACCEPTANCE OF GIFTS AND DONATIONS.*—Section
10 2611(a)(2) of title 10, *United States Code*, is amended by
11 *adding at the end the following new subparagraph:*

12 “(F) *The Ted Stevens Center for Arctic Security*
13 *Studies.*”.

14 **SEC. 1083. IMPROVEMENT OF TRANSPARENCY AND CON-**
15 **GRESSIONAL OVERSIGHT OF CIVIL RESERVE**
16 **AIR FLEET.**

17 (a) *DEFINITIONS.*—

18 (1) *SECRETARY.*—Paragraph (10) of section
19 9511 of title 10, *United States Code*, is amended to
20 *read as follows:*

21 “(10) *The term ‘Secretary’ means the Secretary*
22 *of Defense.*”.

23 (2) *CONFORMING AMENDMENTS.*—Chapter 961 of
24 *title 10, United States Code*, as amended by para-
25 *graph (1), is further amended—*

1 (A) in section 9511a by striking “Secretary
2 of Defense” each place it appears and inserting
3 “Secretary”;

4 (B) in section 9512(e), by striking “Sec-
5 retary of Defense” and inserting “Secretary”;
6 and

7 (C) in section 9515, by striking “Secretary
8 of Defense” each place it appears and inserting
9 “Secretary”.

10 (b) ANNUAL REPORT ON CIVIL RESERVE AIR
11 FLEET.—Section 9516 of title 10, United States Code, is
12 amended—

13 (1) in subsection (d), by striking “When the Sec-
14 retary” and inserting “Subject to subsection (e), when
15 the Secretary”;

16 (2) by redesignating subsection (e) as subsection
17 (f); and

18 (3) by inserting after subsection (d) the following
19 new subsection:

20 “(e) ANNUAL REPORT.—Not later than 60 days after
21 the end of each fiscal year, the Secretary shall submit to
22 the Committees on Armed Services of the Senate and the
23 House of Representatives a report that—

24 “(1) identifies each contract for airlift services
25 awarded in the preceding fiscal year to a provider

1 *that does not meet the requirements set forth in sub-*
 2 *paragraphs (A) and (B) of subsection (a)(1); and*

3 *“(2) for each such contract—*

4 *“(A) specifies the dollar value of the award;*
 5 *and*

6 *“(B) provides a detailed explanation of the*
 7 *reasons for the award.”.*

8 *(c) TECHNICAL AMENDMENTS.—*

9 *(1) IN GENERAL.—Chapter 961 of title 10,*
 10 *United States Code, as amended by subsections (a)*
 11 *and (b), is further amended—*

12 *(A) by redesignating sections 9511a and*
 13 *9512 as sections 9512 and 9513, respectively;*

14 *(B) in section 9511, by striking “section*
 15 *9512” each place it appears and inserting “sec-*
 16 *tion 9513”; and*

17 *(C) in section 9514, by redesignating sub-*
 18 *section (g) as subsection (f).*

19 *(2) CLERICAL AMENDMENT.—The table of sec-*
 20 *tions at the beginning of such chapter is amended by*
 21 *striking the items relating to sections 9511a and 9512*
 22 *and inserting the following new items:*

“9512. Civil Reserve Air Fleet contracts: payment rate.

“9513. Contracts for the inclusion or incorporation of defense features.”.

23 *(d) CHARTER AIR TRANSPORTATION OF MEMBERS OF*
 24 *THE ARMED FORCES OR CARGO.—*

1 (1) *IN GENERAL.*—Section 2640 of title 10,
2 *United States Code, is amended—*

3 (A) *in the section heading, by inserting “or*
4 ***cargo**” after “armed forces”;*

5 (B) *in subsection (a)(1), by inserting “or*
6 *cargo” after “members of the armed forces”;*

7 (C) *in subsection (b), by inserting “or*
8 *cargo” after “members of the armed forces”;*

9 (D) *in subsection (d)(1), by inserting “or*
10 *cargo” after “members of the armed forces”;*

11 (E) *in subsection (e)—*

12 (i) *by inserting “or cargo” after*
13 *“members of the armed forces”; and*

14 (ii) *by inserting “or cargo” before the*
15 *period at the end;*

16 (F) *in subsection (f), by inserting “or*
17 *cargo” after “members of the armed forces”; and*

18 (G) *in subsection (j)(1), by inserting*
19 *“‘cargo’,” after “‘air transportation’,”.*

20 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
21 *tions at the beginning of chapter 157 of title 10,*
22 *United States Code, is amended by striking the item*
23 *relating to section 2640 and inserting the following*
24 *new item:*

“2640. Charter air transportation of members of the armed forces or cargo.”.

1 **SEC. 1084. OBSERVANCE OF NATIONAL ATOMIC VETERANS**
 2 **DAY.**

3 (a) *IN GENERAL.*—Chapter 1 of title 36, United States
 4 Code, is amended by adding at the end the following new
 5 section:

6 **“§ 146. National Atomic Veterans Day**

7 *“The President shall issue each year a proclamation*
 8 *calling on the people of the United States to—*

9 *“(1) observe Atomic Veterans Day with appro-*
 10 *priate ceremonies and activities; and*

11 *“(2) remember and honor the atomic veterans of*
 12 *the United States whose brave service and sacrifice*
 13 *played an important role in the defense of the Na-*
 14 *tion.”.*

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

“146. National Atomic Veterans Day.”.

18 **SEC. 1085. UPDATE OF JOINT PUBLICATION 3-68: NON-**
 19 **COMBATANT EVACUATION OPERATIONS.**

20 *Not later than July 1, 2022, the Chairman of the Joint*
 21 *Chiefs of Staff shall update Joint Publication 3-68: Non-*
 22 *combatant Evacuation Operations.*

23 **SEC. 1086. NATIONAL MUSEUM OF THE SURFACE NAVY.**

24 (a) *DESIGNATION.*—The Battleship IOWA Museum, lo-
 25 cated in Los Angeles, California, and managed by the Pa-

1 *cific Battleship Center, shall be designated as the “National*
2 *Museum of the Surface Navy”.*

3 (b) *PURPOSES.—The purposes of the National Museum*
4 *of the Surface Navy shall be to—*

5 (1) *provide and support—*

6 (A) *a museum dedicated to the United*
7 *States Surface Navy community; and*

8 (B) *a platform for education, community,*
9 *and veterans programs;*

10 (2) *preserve, maintain, and interpret artifacts,*
11 *documents, images, stories, and history collected by*
12 *the museum; and*

13 (3) *ensure that the people of the United States*
14 *understand the importance of the Surface Navy in the*
15 *continued freedom, safety, and security of the United*
16 *States.*

17 **SEC. 1087. AUTHORIZATION FOR MEMORIAL FOR MEMBERS**
18 **OF THE ARMED FORCES KILLED IN ATTACK**
19 **ON HAMID KARZAI INTERNATIONAL AIRPORT.**

20 *The Secretary of Defense may establish a commemora-*
21 *tive work on Federal land owned by the Department of De-*
22 *fense in the District of Columbia and its environs to com-*
23 *memorate the 13 members of the Armed Forces who died*
24 *in the bombing attack on Hamid Karzai International Air-*
25 *port, Kabul, Afghanistan, on August 26, 2021.*

1 **SEC. 1088. TREATMENT OF OPERATIONAL DATA FROM AF-**
2 **GHANISTAN.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
4 *that—*

5 (1) *an immense amount of operational data and*
6 *intelligence has been developed over the past two dec-*
7 *ades of war in Afghanistan; and*

8 (2) *this information is valuable and must be ap-*
9 *propriately retained.*

10 (b) *OPERATIONAL DATA.*—*The Secretary of Defense*
11 *shall—*

12 (1) *archive and standardize operational data*
13 *from Afghanistan across the myriad of defense infor-*
14 *mation systems; and*

15 (2) *ensure the Afghanistan operational data is*
16 *structured, searchable, and usable across the joint*
17 *force.*

18 (c) *BRIEFING.*—*Not later than March 4, 2022, the*
19 *Under Secretary of Defense for Intelligence and Security*
20 *shall provide to the Committee on Armed Services of the*
21 *House of Representatives a briefing on how the Department*
22 *of Defense has removed, retained, and assured long-term ac-*
23 *cess to operational data from Afghanistan across each mili-*
24 *tary department and command. Such briefing shall address*
25 *the manner in which the Department of Defense—*

1 (1) *is standardizing and archiving intelligence*
2 *and operational data from Afghanistan across the*
3 *myriad of defense information systems; and*

4 (2) *ensuring access to such data across the joint*
5 *force.*

6 **SEC. 1089. RESPONSIBILITIES FOR NATIONAL MOBILIZA-**
7 **TION; PERSONNEL REQUIREMENTS.**

8 (a) *EXECUTIVE AGENT FOR NATIONAL MOBILIZA-*
9 *TION.—The Secretary of Defense shall designate a senior ci-*
10 *vilian official within the Office of the Secretary of Defense*
11 *as the Executive Agent for National Mobilization. The Exec-*
12 *utive Agent for National Mobilization shall be responsible*
13 *for—*

14 (1) *developing, managing, and coordinating pol-*
15 *icy and plans that address the full spectrum of mili-*
16 *tary mobilization readiness, including full mobiliza-*
17 *tion of personnel from volunteers to other persons in-*
18 *ducted into the Armed Forces under the Military Se-*
19 *lective Service Act (50 U.S.C. 3801 et seq.);*

20 (2) *providing Congress and the Selective Service*
21 *System with updated requirements and timelines for*
22 *obtaining inductees in the event of a national emer-*
23 *gency requiring mass mobilization and induction of*
24 *personnel under the Military Selective Service Act for*
25 *training and service in the Armed Forces; and*

1 (3) *providing Congress with a plan, developed in*
2 *coordination with the Selective Service System, to in-*
3 *duct large numbers of volunteers who may respond to*
4 *a national call for volunteers during an emergency.*

5 (b) *REPORT REQUIRED.—Not later than one year after*
6 *the date of the enactment of this Act, the Secretary of De-*
7 *fense shall submit to Congress a plan for obtaining induct-*
8 *ees as part of a mobilization timeline for the Selective Serv-*
9 *ice System. The plan shall include a description of re-*
10 *sources, locations, and capabilities of the Armed Forces re-*
11 *quired to train, equip, and integrate personnel inducted*
12 *into the Armed Forces under the Military Selective Service*
13 *Act into the total force, addressing scenarios that would in-*
14 *clude 300,000, 600,000, and 1,000,000 new volunteer and*
15 *other personnel inducted into the Armed Forces under the*
16 *Military Selective Service Act. The plan may be provided*
17 *in classified form.*

18 **SEC. 1090. INDEPENDENT ASSESSMENT WITH RESPECT TO**

19 **ARCTIC REGION.**

20 (a) *INDEPENDENT ASSESSMENT.—*

21 (1) *IN GENERAL.—Not later than 90 days after*
22 *the date of the enactment of this Act, the Commander*
23 *of the United States Northern Command, in consulta-*
24 *tion and coordination with the Commander of the*
25 *United States Indo-Pacific Command, the Com-*

1 *mander of the United States European Command, the*
2 *military services, and the defense agencies, shall com-*
3 *plete an independent assessment with respect to the*
4 *activities and resources required, for fiscal years 2023*
5 *through 2027, to achieve the following objectives:*

6 *(A) The implementation of the National De-*
7 *fense Strategy and military service-specific strat-*
8 *egies with respect to the Arctic region.*

9 *(B) The maintenance or restoration of the*
10 *comparative military advantage of the United*
11 *States in response to great power competitors in*
12 *the Arctic region.*

13 *(C) The reduction of the risk of executing*
14 *operation and contingency plans of the Depart-*
15 *ment of Defense.*

16 *(D) To maximize execution of Department*
17 *operation and contingency plans, in the event*
18 *deterrence fails.*

19 *(2) ELEMENTS.—The assessment required by*
20 *paragraph (1) shall include the following:*

21 *(A) An analysis of, and recommended*
22 *changes to achieve, the required force structure*
23 *and posture of assigned and allocated forces*
24 *within the Arctic region for fiscal year 2027 nec-*

1 *essary to achieve the objectives described in para-*
2 *graph (1), which shall be informed by—*

3 *(i) a review of United States military*
4 *requirements based on operation and con-*
5 *tingency plans, capabilities of potential ad-*
6 *versaries, assessed gaps or shortfalls of the*
7 *Armed Forces within the Arctic region, and*
8 *scenarios that consider—*

9 *(I) potential contingencies that*
10 *commence in the Arctic region and*
11 *contingencies that commence in other*
12 *regions but affect the Arctic region;*

13 *(II) use of near-, mid-, and far-*
14 *time horizons to encompass the range*
15 *of circumstances required to test new*
16 *concepts and doctrine;*

17 *(III) supporting analyses that*
18 *focus on the number of regionally pos-*
19 *tured military units and the quality of*
20 *capability of such units;*

21 *(ii) a review of current United States*
22 *military force posture and deployment*
23 *plans within the Arctic region, especially of*
24 *Arctic-based forces that provide support to,*
25 *or receive support from, the United States*

1 *Northern Command, the United States*
2 *Indo-Pacific Command, or the United*
3 *States European Command;*

4 *(iii) an analysis of potential future re-*
5 *alignments of United States forces in the re-*
6 *gion, including options for strengthening*
7 *United States presence, access, readiness,*
8 *training, exercises, logistics, and pre-posi-*
9 *tioning; and*

10 *(iv) any other matter the Commander*
11 *of the United States Northern Command*
12 *considers appropriate.*

13 *(B) A discussion of any factor that may in-*
14 *fluence the United States posture, supported by*
15 *annual wargames and other forms of research*
16 *and analysis.*

17 *(C) An assessment of capabilities require-*
18 *ments to achieve such objectives.*

19 *(D) An assessment of logistics requirements,*
20 *including personnel, equipment, supplies, stor-*
21 *age, and maintenance needs to achieve such ob-*
22 *jectives.*

23 *(E) An assessment and identification of re-*
24 *quired infrastructure and military construction*
25 *investments to achieve such objectives.*

1 (3) *REPORT.*—

2 (A) *IN GENERAL.*—Upon completion of the
3 assessment required by paragraph (1), the Com-
4 mander of the United States Northern Command
5 shall submit to the Secretary of Defense a report
6 on the assessment.

7 (B) *SUBMITTAL TO CONGRESS.*—Not later
8 than 30 days after the date on which the Sec-
9 retary receives the report under subparagraph
10 (A), the Secretary shall provide to the congres-
11 sional defense committees—

12 (i) a copy of the report, in its entirety;

13 and

14 (ii) any additional analysis or infor-
15 mation, as the Secretary considers appro-
16 priate.

17 (C) *FORM.*—The report required by sub-
18 paragraph (A), and any additional analysis or
19 information provided under subparagraph
20 (B)(i)(II), may be submitted in classified form,
21 but shall include an unclassified summary.

22 (b) *ARCTIC SECURITY INITIATIVE.*—

23 (1) *PLAN.*—

24 (A) *IN GENERAL.*—Not later than 30 days
25 after the date on which the Secretary receives the

1 *report under subsection (a)(3)(A), the Secretary*
2 *shall provide to the congressional defense com-*
3 *mittees a briefing on the plan to carry out a pro-*
4 *gram of activities to enhance security in the Arc-*
5 *tic region.*

6 *(B) OBJECTIVES.—The plan required by*
7 *subparagraph (A) shall be—*

8 *(i) consistent with the objectives de-*
9 *scribed in paragraph (1) of subsection (a);*
10 *and*

11 *(ii) informed by the assessment re-*
12 *quired by that paragraph.*

13 *(C) ACTIVITIES.—The plan shall include, as*
14 *necessary, the following prioritized activities to*
15 *improve the design and posture of the joint force*
16 *in the Arctic region:*

17 *(i) Modernize and strengthen the pres-*
18 *ence of the Armed Forces, including those*
19 *with advanced capabilities.*

20 *(ii) Improve logistics and maintenance*
21 *capabilities and the pre-positioning of*
22 *equipment, munitions, fuel, and materiel.*

23 *(iii) Conduct exercises, wargames, edu-*
24 *cation, training, experimentation, and in-*
25 *novation for the joint force.*

1 (iv) *Improve infrastructure to enhance*
2 *the responsiveness and resiliency of the*
3 *Armed Forces.*

4 (2) *ESTABLISHMENT.—*

5 (A) *IN GENERAL.—Not earlier than 30 days*
6 *after the submittal of the plan required by para-*
7 *graph (1), the Secretary may establish a pro-*
8 *gram of activities to enhance security in the Arc-*
9 *ctic region, to be known as the “Arctic Security*
10 *Initiative” (in this paragraph referred to as the*
11 *“Initiative”).*

12 (B) *FIVE-YEAR PLAN FOR THE INITIA-*
13 *TIVE.—*

14 (i) *IN GENERAL.—If the Initiative is*
15 *established, the Secretary, in consultation*
16 *with the Commander of the United States*
17 *Northern Command, shall submit to the*
18 *congressional defense committees a future*
19 *years plan for the activities and resources of*
20 *the Initiative that includes the following:*

21 (I) *A description of the activities*
22 *and resources for the first fiscal year*
23 *beginning after the date on which the*
24 *Initiative is established, and the plan*
25 *for not fewer than the four subsequent*

1 *fiscal years, organized by the activities*
2 *described in paragraph (1)(C).*

3 *(II) A summary of progress made*
4 *toward achieving the objectives de-*
5 *scribed in subsection (a)(1).*

6 *(III) A summary of the activity,*
7 *resource, capability, infrastructure,*
8 *and logistics requirements necessary to*
9 *achieve progress in reducing risk to the*
10 *ability of the joint force to achieve ob-*
11 *jectives in the Arctic region, including,*
12 *as appropriate, investments in—*

13 *(aa) active and passive de-*
14 *fenses against—*

15 *(AA) manned aircraft,*
16 *surface vessels, and sub-*
17 *marines;*

18 *(BB) unmanned naval*
19 *systems;*

20 *(CC) unmanned aerial*
21 *systems; and*

22 *(DD) theater cruise, bal-*
23 *listic, and hypersonic mis-*
24 *siles;*

- 1 *(bb) advanced long-range*
2 *precision strike systems;*
- 3 *(cc) command, control, com-*
4 *munications, computers, intel-*
5 *ligence, surveillance, and recon-*
6 *naissance systems;*
- 7 *(dd) training and test range*
8 *capacity, capability, and coordi-*
9 *nation;*
- 10 *(ee) dispersed resilient and*
11 *adaptive basing to support dis-*
12 *tributed operations, including ex-*
13 *peditionary airfields and ports,*
14 *space launch facilities, and com-*
15 *mand posts;*
- 16 *(ff) advanced critical muni-*
17 *tions;*
- 18 *(gg) pre-positioned forward*
19 *stocks of fuel, munitions, equip-*
20 *ment, and materiel;*
- 21 *(hh) distributed logistics and*
22 *maintenance capabilities;*
- 23 *(ii) strategic mobility assets,*
24 *including icebreakers;*

1 (jj) *improved interoper-*
2 *ability, logistics, transnational*
3 *supply lines and infrastructure,*
4 *and information sharing with al-*
5 *lies and partners, including sci-*
6 *entific missions; and*

7 (kk) *information operations*
8 *capabilities.*

9 (IV) *A detailed timeline for*
10 *achieving the requirements identified*
11 *under subclause (III).*

12 (V) *A detailed explanation of any*
13 *significant modification to such re-*
14 *quirements, as compared to—*

15 (aa) *the assessment required*
16 *by subsection (a)(1) for the first*
17 *fiscal year; and*

18 (bb) *the plans previously sub-*
19 *mitted for each subsequent fiscal*
20 *year.*

21 (VI) *Any other matter the Sec-*
22 *retary considers necessary.*

23 (ii) *FORM.—A plan under clause (i)*
24 *shall be submitted in unclassified form, but*
25 *may include a classified annex.*

1 **SEC. 1091. NATIONAL SECURITY COMMISSION ON EMERG-**
2 **ING BIOTECHNOLOGY.**

3 (a) *ESTABLISHMENT.*—

4 (1) *IN GENERAL.*—*There is hereby established, as*
5 *of the date specified in paragraph (2), an inde-*
6 *pendent commission in the legislative branch to be*
7 *known as the “National Security Commission on*
8 *Emerging Biotechnology” (in this section referred to*
9 *as the “Commission”).*

10 (2) *DATE OF ESTABLISHMENT.*—*The date of es-*
11 *tablishment referred to in paragraph (1) is 30 days*
12 *after the date of the enactment of this Act.*

13 (b) *MEMBERSHIP.*—

14 (1) *NUMBER AND APPOINTMENT.*—*The Commis-*
15 *sion shall be composed of 12 members appointed as*
16 *follows:*

17 (A) *Two members appointed by the Chair of*
18 *the Committee on Armed Services of the Senate,*
19 *one of whom is a Member of the Senate and one*
20 *of whom is not.*

21 (B) *Two members appointed by the ranking*
22 *minority member of the Committee on Armed*
23 *Services of the Senate, one of whom is a Member*
24 *of the Senate and one of whom is not.*

25 (C) *Two members appointed by the Chair of*
26 *the Committee on Armed Services of the House*

1 *of Representatives, one of whom is a Member of*
2 *the House of Representatives and one of whom is*
3 *not.*

4 *(D) Two members appointed by the ranking*
5 *minority member of the Committee on Armed*
6 *Services of the House of Representatives, one of*
7 *whom is a Member of the House of Representa-*
8 *tives and one of whom is not.*

9 *(E) One member appointed by the Speaker*
10 *of the House of Representatives.*

11 *(F) One member appointed by the Minority*
12 *Leader of the House of Representatives.*

13 *(G) One member appointed by the Majority*
14 *Leader of the Senate.*

15 *(H) One member appointed by the Minority*
16 *Leader of the Senate.*

17 (2) *DEADLINE FOR APPOINTMENT.—Members*
18 *shall be appointed to the Commission under para-*
19 *graph (1) not later than 45 days after the Commis-*
20 *sion establishment date specified under subsection*
21 *(a)(2).*

22 (3) *EFFECT OF LACK OF APPOINTMENT BY AP-*
23 *POINTMENT DATE.—If one or more appointments*
24 *under paragraph (1) is not made by the appointment*
25 *date specified in paragraph (2), the authority to*

1 *make such appointment or appointments shall expire,*
2 *and the number of members of the Commission shall*
3 *be reduced by the number equal to the number of ap-*
4 *pointments so not made.*

5 (4) *QUALIFICATIONS.—The members of the Com-*
6 *mission who are not members of Congress and who*
7 *are appointed under subsection (b)(1) shall be indi-*
8 *viduals from private civilian life who are recognized*
9 *experts and have relevant professional experience in*
10 *matters relating to—*

11 (A) *emerging biotechnology and associated*
12 *technologies;*

13 (B) *use of emerging biotechnology and asso-*
14 *ciated technologies by national policy makers*
15 *and military leaders; or*

16 (C) *the implementation, funding, or over-*
17 *sight of the national security policies of the*
18 *United States.*

19 (c) *CHAIR AND VICE CHAIR.—*

20 (1) *CHAIR.—The Chair of the Committee on*
21 *Armed Services of the Senate and the Chair of the*
22 *Committee on Armed Services of the House of Rep-*
23 *resentatives shall jointly designate one member of the*
24 *Commission to serve as Chair of the Commission.*

1 (2) *VICE CHAIR.*—*The ranking minority member*
2 *of the Committee on Armed Services of the Senate*
3 *and the ranking minority member of the Committee*
4 *on Armed Services of the House of Representatives*
5 *shall jointly designate one member of the Commission*
6 *to serve as Vice Chair of the Commission.*

7 (d) *PERIOD OF APPOINTMENT AND VACANCIES.*—*Mem-*
8 *bers shall be appointed for the life of the Commission. A*
9 *vacancy in the Commission shall not affect its powers and*
10 *shall be filled in the same manner as the original appoint-*
11 *ment was made.*

12 (e) *PURPOSE.*—*The purpose of the Commission is to*
13 *examine and make recommendations with respect to emerg-*
14 *ing biotechnology as it pertains to current and future mis-*
15 *sions and activities of the Department of Defense.*

16 (f) *SCOPE AND DUTIES.*—

17 (1) *IN GENERAL.*—*The Commission shall carry*
18 *out a review of advances in emerging biotechnology*
19 *and associated technologies. In carrying out such re-*
20 *view, the Commission shall consider the methods,*
21 *means, and investments necessary to advance and se-*
22 *cure the development of biotechnology, biomanufac-*
23 *turing, and associated technologies by the United*
24 *States to comprehensively address the national secu-*
25 *rity and defense needs of the United States.*

1 (2) *SCOPE OF THE REVIEW.*—*In conducting the*
2 *review described in this subsection, the Commission*
3 *shall consider the following:*

4 (A) *The global competitiveness of the United*
5 *States in biotechnology, biomanufacturing, and*
6 *associated technologies, including matters related*
7 *to national security, defense, public-private part-*
8 *nerships, and investments.*

9 (B) *Means, methods, and investments for*
10 *the United States to maintain and protect a*
11 *technological advantage in biotechnology, bio-*
12 *manufacturing, and associated technologies re-*
13 *lated to national security and defense.*

14 (C) *Developments and trends in inter-*
15 *national cooperation and competitiveness, in-*
16 *cluding foreign investments in biotechnology,*
17 *biomanufacturing, and associated technologies*
18 *that are scientifically and materially related to*
19 *national security and defense.*

20 (D) *Means by which to foster greater em-*
21 *phasis and investments in basic and advanced*
22 *research to stimulate government, industry, aca-*
23 *demie and combined initiatives in biotechnology,*
24 *biomanufacturing, and associated technologies, to*
25 *the extent that such efforts have application sci-*

1 *entifically and materially related to national se-*
2 *curity and defense.*

3 *(E) Means by which to foster greater em-*
4 *phasis and investments in advanced development*
5 *and test and evaluation of biotechnology-enabled*
6 *capabilities to stimulate the growth of the United*
7 *States bioeconomy and commercial industry,*
8 *while also supporting and improving acquisition*
9 *and adoption of biotechnologies for national se-*
10 *curity purposes.*

11 *(F) Workforce and education incentives and*
12 *programs to attract, recruit, and retain leading*
13 *talent in fields relevant to the development and*
14 *sustainment of biotechnology and biomanufac-*
15 *turing, including science, technology, engineer-*
16 *ing, data science and bioinformatics, and biology*
17 *and related disciplines.*

18 *(G) Risks and threats associated with ad-*
19 *vances in military employment of biotechnology*
20 *and biomanufacturing.*

21 *(H) Associated ethical, legal, social, and en-*
22 *vironmental considerations related to bio-*
23 *technology, biomanufacturing, and associated*
24 *technologies as it will be used for future applica-*
25 *tions related to national security and defense.*

1 (I) Means to establish international stand-
2 ards for the tools of biotechnology, biomanufac-
3 turing, related cybersecurity, and digital biosecu-
4 rity.

5 (J) Means to establish data sharing capa-
6 bilities within and amongst government, indus-
7 try, and academia to foster collaboration and ac-
8 celerate innovation, while maintaining privacy
9 and security for data as required for national se-
10 curity and personal protection purposes.

11 (K) Consideration of the transformative po-
12 tential and rapidly-changing developments of
13 biotechnology and biomanufacturing innovation
14 and appropriate mechanisms for managing such
15 technology related to national security and de-
16 fense.

17 (L) Any other matters the Commission
18 deems relevant to national security.

19 (g) COMMISSION REPORT AND RECOMMENDATIONS.—

20 (1) FINAL REPORT.—Not later than 2 years after
21 the Commission establishment date specified in sub-
22 section (a)(2), the Commission shall submit to the
23 congressional defense committees and the President a
24 final report on the findings of the Commission and

1 *such recommendations that the Commission may have*
2 *for action by Congress and the Federal Government.*

3 (2) *INTERIM REPORT.*—*Not later than 1 year*
4 *after the Commission establishment date specified in*
5 *subsection (a)(2), the Commission shall submit to the*
6 *congressional defense committees and the President an*
7 *interim report on the status of the Commission’s re-*
8 *view and assessment, including a discussion of any*
9 *interim recommendations.*

10 (3) *FORM.*—*The report submitted to Congress*
11 *under paragraph (1) shall be submitted in unclassi-*
12 *fied form, but may include a classified annex.*

13 (h) *GOVERNMENT COOPERATION.*—

14 (1) *COOPERATION.*—*In carrying out its duties,*
15 *the Commission shall receive the full and timely co-*
16 *operation of the Secretary of Defense and other Fed-*
17 *eral departments and agencies in providing the Com-*
18 *mission with analysis, briefings, and other informa-*
19 *tion necessary for the fulfillment of its responsibil-*
20 *ities.*

21 (2) *LIAISON.*—*The Secretary of Defense shall*
22 *designate at least one officer or employee of the De-*
23 *partment of Defense to serve as a liaison officer be-*
24 *tween the Department and the Commission.*

1 (3) *DETAILEES AUTHORIZED.*—*The Secretary of*
2 *Defense and the heads of other departments and agen-*
3 *cies of the Federal Government may provide, and the*
4 *Commission may accept and employ, personnel de-*
5 *tailed from the Department of Defense and such other*
6 *departments and agencies, without reimbursement.*

7 (4) *FACILITATION.*—

8 (A) *INDEPENDENT, NONGOVERNMENT INSTI-*
9 *TUTE.*—*Not later than 45 days after the Com-*
10 *mission establishment date specified in sub-*
11 *section (a)(2), the Secretary of Defense may*
12 *make available to the Commission the services of*
13 *an independent, nongovernmental institute de-*
14 *scribed in section 501(c)(3) of the Internal Rev-*
15 *enue Code of 1986, and exempt from tax under*
16 *section 501(a) of such Code, that has recognized*
17 *credentials and expertise in national security*
18 *and military affairs in order to facilitate the*
19 *Commission’s discharge of its duties under this*
20 *section.*

21 (B) *FEDERALLY FUNDED RESEARCH AND*
22 *DEVELOPMENT CENTER.*—*On request of the Com-*
23 *mission, the Secretary of Defense shall make*
24 *available the services of a federally funded re-*
25 *search and development center that is covered by*

1 *a sponsoring agreement of the Department of De-*
2 *fense in order to enhance the Commission's ef-*
3 *forts to discharge its duties under this section.*

4 (5) *EXPEDITION OF SECURITY CLEARANCES.—*
5 *The Office of Senate Security and the Office of House*
6 *Security shall ensure the expedited processing of ap-*
7 *propriate security clearances under processes devel-*
8 *oped for the clearance of legislative branch employees*
9 *for any personnel appointed to the Commission by*
10 *their respective offices of the Senate and House of*
11 *Representatives and any personnel appointed by the*
12 *Executive Director appointed under subsection (i).*

13 (6) *SERVICES.—*

14 (A) *DOD SERVICES.—The Secretary of De-*
15 *fense may provide to the Commission, on a non-*
16 *reimbursable basis, such administrative services,*
17 *funds, staff, facilities, and other support services*
18 *as are necessary for the performance of the Com-*
19 *mission's duties under this section.*

20 (B) *OTHER AGENCIES.—In addition to any*
21 *support provided under paragraph (1), the heads*
22 *of other Federal departments and agencies may*
23 *provide to the Commission such services, funds,*
24 *facilities, staff, and other support as the heads of*

1 *such departments and agencies determine advis-*
2 *able and as may be authorized by law.*

3 *(i) STAFF.—*

4 *(1) STATUS AS FEDERAL EMPLOYEES.—Notwith-*
5 *standing the requirements of section 2105 of title 5,*
6 *United States Code, including the required super-*
7 *vision under subsection (a)(3) of such section, any*
8 *member of the Commission who is not a Member of*
9 *Congress shall be considered to be a Federal employee.*

10 *(2) EXECUTIVE DIRECTOR.—The Commission*
11 *shall appoint and fix the rate of basic pay for an Ex-*
12 *ecutive Director in accordance with section 3161(d) of*
13 *title 5, United States Code.*

14 *(3) PAY.—The Executive Director, with the ap-*
15 *proval of the Commission, may appoint and fix the*
16 *rate of basic pay for additional personnel as staff of*
17 *the Commission in accordance with section 3161(d) of*
18 *title 5, United States Code.*

19 *(j) PERSONAL SERVICES.—*

20 *(1) AUTHORITY TO PROCURE.—The Commission*
21 *may—*

22 *(A) procure the services of experts or con-*
23 *sultants (or of organizations of experts or con-*
24 *sultants) in accordance with the provisions of*
25 *section 3109 of title 5, United States Code; and*

1 (B) pay in connection with such services
2 travel expenses of individuals, including trans-
3 portation and per diem in lieu of subsistence,
4 while such individuals are traveling from their
5 homes or places of business to duty stations.

6 (2) *MAXIMUM DAILY PAY RATES.*—The daily rate
7 paid an expert or consultant procured pursuant to
8 paragraph (1) may not exceed the daily rate paid a
9 person occupying a position at level IV of the Execu-
10 tive Schedule under section 5315 of title 5, United
11 States Code.

12 (k) *AUTHORITY TO ACCEPT GIFTS.*—The Commission
13 may accept, use, and dispose of gifts or donations of serv-
14 ices, goods, and property from nonfederal entities for the
15 purposes of aiding and facilitating the work of the Commis-
16 sion. The authority in this subsection does not extend to
17 gifts of money. Gifts accepted under this authority shall be
18 documented, and conflicts of interest or the appearance of
19 conflicts of interest shall be avoided. Subject to the authority
20 in this section, members of the Commission shall otherwise
21 comply with rules set forth by the Select Committee on Eth-
22 ics of the Senate and the Committee on Ethics of the House
23 of Representatives governing employees of the Senate and
24 House of Representatives.

1 (l) *LEGISLATIVE ADVISORY COMMITTEE.*—*The Com-*
2 *mission shall operate as a legislative advisory committee.*

3 (m) *CONTRACTING AUTHORITY.*—*The Commission*
4 *may acquire administrative supplies and equipment for*
5 *Commission use to the extent funds are available.*

6 (n) *USE OF GOVERNMENT INFORMATION.*—*The Com-*
7 *mission may secure directly from any department or agen-*
8 *cy of the Federal Government such information as the Com-*
9 *mission considers necessary to carry out its duties. Upon*
10 *such request of the chair of the Commission, the head of*
11 *such department or agency shall furnish such information*
12 *to the Commission.*

13 (o) *POSTAL SERVICES.*—*The Commission may use the*
14 *United States mail in the same manner and under the same*
15 *conditions as Federal departments and agencies.*

16 (p) *SPACE FOR USE OF COMMISSION.*—*Not later than*
17 *30 days after the establishment date of the Commission, the*
18 *Administrator of General Services, in consultation with the*
19 *Commission, shall identify and make available suitable ex-*
20 *cess space within the Federal space inventory to house the*
21 *operations of the Commission. If the Administrator is not*
22 *able to make such suitable excess space available within*
23 *such 30-day period, the Commission may lease space to the*
24 *extent the funds are available.*

1 (q) *REMOVAL OF MEMBERS.*—A member may be re-
2 moved from the Commission for cause by the individual
3 serving in the position responsible for the original appoint-
4 ment of such member under subsection (b)(1), provided that
5 notice has first been provided to such member of the cause
6 for removal and voted and agreed upon by three quarters
7 of the members serving. A vacancy created by the removal
8 of a member under this subsection shall not affect the pow-
9 ers of the Commission, and shall be filled in the same man-
10 ner as the original appointment was made.

11 (r) *TERMINATION.*—The Commission shall terminate
12 18 months after the date on which it submits the final re-
13 port required by subsection (g).

14 **SEC. 1092. QUARTERLY SECURITY BRIEFINGS ON AFGHANI-**
15 **STAN.**

16 (a) *IN GENERAL.*—Not later than January 15, 2022,
17 and every 90 days thereafter through December 31, 2025,
18 the Under Secretary of Defense for Policy, in consultation
19 with the Chairman of the Joint Chiefs of Staff and the
20 Under Secretary of Defense for Intelligence and Security,
21 shall provide to the congressional defense committees an un-
22 classified and classified briefing on the security situation
23 in Afghanistan and ongoing Department of Defense efforts
24 to counter terrorist groups in Afghanistan.

1 (b) *ELEMENTS.*—*Each briefing required by subsection*

2 (a) *shall include an assessment of each of the following:*

3 (1) *The security situation in Afghanistan.*

4 (2) *The disposition of the Taliban, al-Qaeda, the*
5 *Islamic State of Khorasan, and associated forces, in-*
6 *cluding the respective sizes and geographic areas of*
7 *control of each such group.*

8 (3) *The international terrorism ambitions and*
9 *capabilities of the Taliban, al-Qaeda, the Islamic*
10 *State of Khorasan, and associated forces, and the ex-*
11 *tent to which each such group poses a threat to the*
12 *United States and its allies.*

13 (4) *The capability and willingness of the*
14 *Taliban to counter the Islamic State of Khorasan.*

15 (5) *The capability and willingness of the*
16 *Taliban to counter al-Qaeda.*

17 (6) *The extent to which the Taliban have tar-*
18 *geted, and continue to target, Afghan nationals who*
19 *assisted the United States and coalition forces during*
20 *the United States military operations in Afghanistan*
21 *between 2001 and 2021.*

22 (7) *Basing, overflight, or other cooperative ar-*
23 *rangements between the United States and regional*
24 *partners as part of the over-the-horizon counterter-*
25 *rorism posture for Afghanistan.*

1 (8) *The capability and effectiveness of the over-*
2 *the-horizon counterterrorism posture of the United*
3 *States for Afghanistan.*

4 (9) *The disposition of United States forces in the*
5 *area of operations of United States Central Com-*
6 *mand, including the force posture and associated ca-*
7 *pabilities to conduct operations in Afghanistan.*

8 (10) *The activities of regional actors as they re-*
9 *late to promoting stability and countering threats*
10 *from terrorist groups in Afghanistan, including—*

11 (A) *military operations conducted by for-*
12 *ign countries in the region as such operations*
13 *relate to Afghanistan;*

14 (B) *the capabilities of the militaries of for-*
15 *ign countries to execute operations in Afghani-*
16 *stan; and*

17 (C) *the relationships between the militaries*
18 *of foreign countries and the Taliban or foreign*
19 *terrorist organizations inside Afghanistan.*

20 (11) *Any other matter the Under Secretary con-*
21 *siders appropriate.*

22 **SEC. 1093. TRANSITION OF FUNDING FOR NON-CONVEN-**
23 **TIONAL ASSISTED RECOVERY CAPABILITIES.**

24 (a) *PLAN REQUIRED.—*

1 (1) *IN GENERAL.*—Not later than 270 days after
2 the date of the enactment of this Act, the Secretary of
3 Defense shall submit to the congressional defense com-
4 mittees a plan to transition the funding of non-con-
5 ventional assisted recovery capabilities from the au-
6 thority provided under section 943 of the Duncan
7 Hunter National Defense Authorization Act for Fiscal
8 Year 2009 (Public Law 110–417; 122 Stat. 4578) to
9 the authority provided under section 127f of title 10,
10 United States Code.

11 (2) *ELEMENTS.*—The plan required by para-
12 graph (1) shall include the following:

13 (A) *An identification of the non-conven-*
14 *tional assisted recovery capabilities to be*
15 *transitioned to the authority provided by such*
16 *section 127f.*

17 (B) *An identification of any legislative*
18 *changes to such section 127f necessary to accom-*
19 *modate the transition of capabilities currently*
20 *funded under such section 943.*

21 (C) *A description of the manner in which*
22 *the Secretary plans to ensure appropriate trans-*
23 *parency of activities for non-conventional as-*
24 *sisted recovery capabilities, and related funding,*

1 *in the annual report required under subsection*
2 *(e) of such section 127f.*

3 *(D) Any other matter the Secretary con-*
4 *siders relevant.*

5 ***(b) MODIFICATION OF AUTHORITY FOR EXPENDITURE***
6 ***OF FUNDS FOR CLANDESTINE ACTIVITIES THAT SUPPORT***
7 ***OPERATIONAL PREPARATION OF THE ENVIRONMENT.—Sec-***
8 ***tion 127f of title 10, United States Code, is amended by***
9 ***adding at the end the following new subsection:***

10 ***“(f) NON-CONVENTIONAL ASSISTED RECOVERY CAPA-***
11 ***BILITIES.—Funding used to establish, develop, and main-***
12 ***tain non-conventional assisted recovery capabilities under***
13 ***this section may only be obligated and expended with the***
14 ***concurrence of the relevant Chief of Mission or Chiefs of***
15 ***Mission.”.***

16 ***SEC. 1094. AFGHANISTAN WAR COMMISSION ACT OF 2021.***

17 ***(a) SHORT TITLE.—This section may be cited as the***
18 ***“Afghanistan War Commission Act of 2021”.***

19 ***(b) DEFINITIONS.—In this section:***

20 ***(1) The term “applicable period” means the pe-***
21 ***riod beginning June 1, 2001, and ending August 30,***
22 ***2021.***

23 ***(2) The term “appropriate congressional com-***
24 ***mittees” means—***

1 (A) *the Committee on Armed Services of the*
2 *Senate;*

3 (B) *the Committee on Foreign Relations of*
4 *the Senate;*

5 (C) *the Select Committee on Intelligence of*
6 *the Senate;*

7 (D) *the Committee on Appropriations of the*
8 *Senate;*

9 (E) *the Committee on Armed Services of the*
10 *House of Representatives;*

11 (F) *the Committee on Foreign Affairs of the*
12 *House of Representatives;*

13 (G) *the Permanent Select Committee on In-*
14 *telligence of the House of Representatives; and*

15 (H) *the Committee on Appropriations of the*
16 *House of Representatives.*

17 (3) *The term “intelligence community” has the*
18 *meaning given that term in section 3(4) of the Na-*
19 *tional Security Act of 1947 (50 U.S.C. 3003(4)).*

20 (c) *ESTABLISHMENT OF COMMISSION.—*

21 (1) *ESTABLISHMENT.—There is established in*
22 *the legislative branch an independent commission to*
23 *be known as the Afghanistan War Commission (in*
24 *this section referred to as the “Commission”).*

25 (2) *MEMBERSHIP.—*

1 (A) *COMPOSITION.*—*The Commission shall*
2 *be composed of 16 members of whom—*

3 (i) *1 shall be appointed by the Chair-*
4 *man of the Committee on Armed Services of*
5 *the Senate;*

6 (ii) *1 shall be appointed by the rank-*
7 *ing member of the Committee on Armed*
8 *Services of the Senate;*

9 (iii) *1 shall be appointed by the Chair-*
10 *man of the Committee on Armed Services of*
11 *the House of Representatives;*

12 (iv) *1 shall be appointed by the rank-*
13 *ing member of the Committee on Armed*
14 *Services of the House of Representatives;*

15 (v) *1 shall be appointed by the Chair-*
16 *man of the Committee on Foreign Relations*
17 *of the Senate;*

18 (vi) *1 shall be appointed by the rank-*
19 *ing member of the Committee on Foreign*
20 *Relations of the Senate;*

21 (vii) *1 shall be appointed by the Chair-*
22 *man of the Committee on Foreign Affairs of*
23 *the House of Representatives;*

1 (viii) 1 shall be appointed by the rank-
2 ing member of the Committee on Foreign
3 Affairs of the House of Representatives;

4 (ix) 1 shall be appointed by the Chair-
5 man of the Select Committee on Intelligence
6 of the Senate;

7 (x) 1 shall be appointed by the Vice
8 Chairman of the Select Committee on Intel-
9 ligence of the Senate.

10 (xi) 1 shall be appointed by the Chair-
11 man of the Permanent Select Committee on
12 Intelligence of the House of Representatives;

13 (xii) 1 shall be appointed by the rank-
14 ing member of the Permanent Select Com-
15 mittee on Intelligence of the House of Rep-
16 resentatives;

17 (xiii) 1 shall be appointed by the Ma-
18 jority leader of the Senate;

19 (xiv) 1 shall be appointed by the Mi-
20 nority leader of the Senate;

21 (xv) 1 shall be appointed by the Speak-
22 er of the House of Representatives; and

23 (xvi) 1 shall be appointed by the Mi-
24 nority Leader of the House of Representa-
25 tives.

1 (B) *QUALIFICATIONS.*—*It is the sense of*
2 *Congress that each member of the Commission*
3 *appointed under subparagraph (A) should—*

4 (i) *have significant professional experi-*
5 *ence in national security, such as a position*
6 *in—*

7 (I) *the Department of Defense;*

8 (II) *the Department of State;*

9 (III) *the intelligence community;*

10 (IV) *the United States Agency for*

11 *International Development; or*

12 (V) *an academic or scholarly in-*
13 *stitution; and*

14 (ii) *be eligible to receive the appro-*
15 *priate security clearance to effectively exe-*
16 *cute their duties.*

17 (C) *PROHIBITIONS.*—*A member of the Com-*
18 *mission appointed under subparagraph (A) may*
19 *not—*

20 (i) *be a current member of Congress;*

21 (ii) *be a former member of Congress*
22 *who served in Congress after January 3,*
23 *2001;*

1 (iii) be a current or former registrant
2 under the Foreign Agents Registration Act
3 of 1938 (22 U.S.C. 611 et seq.);

4 (iv) have previously investigated Af-
5 ghanistan policy or the war in Afghanistan
6 through employment in the office of a rel-
7 evant inspector general;

8 (v) have been the sole owner or had a
9 majority stake in a company that held any
10 United States or coalition defense contract
11 providing goods or services to activities by
12 the United States Government or coalition
13 in Afghanistan during the applicable pe-
14 riod; or

15 (vi) have served, with direct involve-
16 ment in actions by the United States Gov-
17 ernment in Afghanistan during the time the
18 relevant official served, as—

19 (I) a cabinet secretary or national
20 security adviser to the President; or

21 (II) a four-star flag officer, Under
22 Secretary, or more senior official in
23 the Department of Defense or the De-
24 partment of State.

25 (D) DATE.—

1 (i) *IN GENERAL.*—*The appointments of*
 2 *the members of the Commission shall be*
 3 *made not later than 60 days after the date*
 4 *of enactment of this Act.*

5 (ii) *FAILURE TO MAKE APPOINT-*
 6 *MENT.*—*If an appointment under subpara-*
 7 *graph (A) is not made by the appointment*
 8 *date specified in clause (i)—*

9 (I) *the authority to make such ap-*
 10 *pointment shall expire; and*

11 (II) *the number of members of the*
 12 *Commission shall be reduced by the*
 13 *number equal to the number of ap-*
 14 *pointments not made.*

15 (3) *PERIOD OF APPOINTMENT; VACANCIES.*—

16 (A) *IN GENERAL.*—*A member of the Com-*
 17 *mission shall be appointed for the life of the*
 18 *Commission.*

19 (B) *VACANCIES.*—*A vacancy in the Com-*
 20 *mission—*

21 (i) *shall not affect the powers of the*
 22 *Commission; and*

23 (ii) *shall be filled in the same manner*
 24 *as the original appointment.*

25 (4) *MEETINGS.*—

1 (A) *INITIAL MEETING.*—Not later than 30
2 days after the date on which all members of the
3 Commission have been appointed, the Commis-
4 sion shall hold the first meeting of the Commis-
5 sion.

6 (B) *FREQUENCY.*—The Commission shall
7 meet at the call of the Co-Chairpersons.

8 (C) *QUORUM.*—A majority of the members
9 of the Commission shall constitute a quorum, but
10 a lesser number of members may hold hearings.

11 (5) *CO-CHAIRPERSONS.*—Co-Chairpersons of the
12 Commission shall be selected by the Leadership of the
13 Senate and the House of Representatives as follows:

14 (A) 1 Co-Chairperson selected by the Major-
15 ity Leader of the Senate and the Speaker of the
16 House of Representatives from the members of
17 the Commission appointed by chairpersons of the
18 appropriate congressional committees, the Major-
19 ity Leader of the Senate, and the Speaker of the
20 House of Representatives; and

21 (B) 1 Co-Chairperson selected by the Minor-
22 ity Leader of the Senate and the Minority Lead-
23 er of the House of Representatives from the mem-
24 bers of the Commission appointed by the ranking
25 members of the appropriate congressional com-

1 *mittees, the Minority Leader of the Senate, and*
2 *the Minority Leader of the House of Representa-*
3 *tives.*

4 *(d) PURPOSE OF COMMISSION.— The purpose of the*
5 *Commission is—*

6 *(1) to examine the key strategic, diplomatic, and*
7 *operational decisions that pertain to the war in Af-*
8 *ghanistan during the relevant period, including deci-*
9 *sions, assessments, and events that preceded the war*
10 *in Afghanistan; and*

11 *(2) to develop a series of lessons learned and rec-*
12 *ommendations for the way forward that will inform*
13 *future decisions by Congress and policymakers*
14 *throughout the United States Government.*

15 *(e) DUTIES OF COMMISSION.—*

16 *(1) STUDY.—*

17 *(A) IN GENERAL.—The Commission shall*
18 *conduct a thorough study of all matters relating*
19 *to combat operations, reconstruction and security*
20 *force assistance activities, intelligence activities,*
21 *and diplomatic activities of the United States*
22 *pertaining to the Afghanistan during the period*
23 *beginning June 1, 2001, and ending August 30,*
24 *2021.*

1 (B) *MATTERS STUDIED.*—*The matters stud-*
2 *ied by the Commission shall include—*

3 (i) *for the time period specified under*
4 *subparagraph (A)—*

5 (I) *the policy objectives of the*
6 *United States Government, includ-*
7 *ing—*

8 (aa) *military objectives;*

9 (bb) *diplomatic objectives;*

10 *and*

11 (cc) *development objectives;*

12 (II) *significant decisions made by*
13 *the United States, including the devel-*
14 *opment of options presented to policy-*
15 *makers;*

16 (III) *the efficacy of efforts by the*
17 *United States Government in meeting*
18 *the objectives described in clause (i),*
19 *including an analysis of—*

20 (aa) *military efforts;*

21 (bb) *diplomatic efforts;*

22 (cc) *development efforts; and*

23 (dd) *intelligence efforts; and*

24 (IV) *the efficacy of counterter-*
25 *rорism efforts against al Qaeda, the Is-*

1 *lamic State Khorasan Province, and*
2 *other foreign terrorist organizations in*
3 *degrading the will and capabilities of*
4 *such organizations—*

5 *(aa) to mount external at-*
6 *tacks against the United States or*
7 *its allies and partners; or*

8 *(bb) to threaten stability in*
9 *Afghanistan, neighboring coun-*
10 *tries, and the region;*

11 *(ii) the efficacy of metrics, measures of*
12 *effectiveness, and milestones used to assess*
13 *progress of diplomatic, military, and intel-*
14 *ligence efforts;*

15 *(iii) the efficacy of interagency plan-*
16 *ning and execution process by the United*
17 *States Government;*

18 *(iv) factors that led to the collapse of*
19 *the Afghan National Defense Security*
20 *Forces in 2021, including—*

21 *(I) training and mentoring from*
22 *the institutional to the tactical levels*
23 *within the Afghan National Defense*
24 *Security Forces;*

1 (II) assessment methodologies, in-
2 cluding any transition from different
3 methodologies and the consistency of
4 implementation and reporting;

5 (III) the determination of how to
6 establish and develop the Afghan Na-
7 tional Defense Security Forces, includ-
8 ing the Afghan Air Force, and what
9 determined the security cooperation
10 model used to build such force;

11 (IV) reliance on technology and
12 logistics support;

13 (V) corruption; and

14 (VI) reliance on warfighting
15 enablers provided by the United States;

16 (v) the challenges of corruption across
17 the entire spectrum of the Afghan Govern-
18 ment and efficacy of counter-corruption ef-
19 forts to include linkages to diplomatic lines
20 of effort, linkages to foreign and security as-
21 sistance, and assessment methodologies;

22 (vi) the efficacy of counter-narcotic ef-
23 forts to include alternative livelihoods,
24 eradication, interdiction, and education ef-
25 forts;

1 *(vii) the role of countries neighboring*
2 *Afghanistan in contributing to the stability*
3 *or instability of Afghanistan;*

4 *(viii) varying diplomatic approaches*
5 *between Presidential administrations;*

6 *(ix) the extent to which the intelligence*
7 *community did or did not fail to provide*
8 *sufficient warning about the probable out-*
9 *comes of a withdrawal of coalition military*
10 *personnel from Afghanistan, including as it*
11 *relates to—*

12 *(I) the capability and sustain-*
13 *ability of the Afghanistan National De-*
14 *fense Security Forces;*

15 *(II) the sustainability of the Af-*
16 *ghan central government, absent coal-*
17 *ition support;*

18 *(III) the extent of Taliban control*
19 *over Afghanistan over time with re-*
20 *spect to geographic territory, popu-*
21 *lation centers, governance, and influ-*
22 *ence; and*

23 *(IV) the likelihood of the Taliban*
24 *regaining control of Afghanistan at*
25 *various levels of United States and co-*

1 *alition support, including the with-*
2 *drawal of most or all United States or*
3 *coalition support;*

4 *(x) the extent to which intelligence*
5 *products related to the state of the conflict*
6 *in Afghanistan and the effectiveness of the*
7 *Afghanistan National Defense Security*
8 *Forces complied with intelligence commu-*
9 *nity-wide analytic tradecraft standards and*
10 *fully reflected the divergence of analytic*
11 *views across the intelligence community;*

12 *(xi) an evaluation of whether any ele-*
13 *ment of the United States Government in-*
14 *appropriately restricted access to data from*
15 *elements of the intelligence community,*
16 *Congress, or the Special Inspector General*
17 *for Afghanistan Reconstruction (SIGAR) or*
18 *any other oversight body such as other in-*
19 *spectors general or the Government Account-*
20 *ability Office, including through the use of*
21 *overclassification; and*

22 *(xii) the extent to which public rep-*
23 *resentations of the situation in Afghanistan*
24 *before Congress by United States Govern-*
25 *ment officials differed from the most recent*

1 *formal assessment of the intelligence com-*
2 *munity at the time those representations*
3 *were made.*

4 (2) *REPORT REQUIRED.—*

5 (A) *IN GENERAL.—*

6 (i) *ANNUAL REPORT.—*

7 (I) *IN GENERAL.—Not later than*
8 *1 year after the date of the initial*
9 *meeting of the Commission, and annu-*
10 *ally thereafter, the Commission shall*
11 *submit to the appropriate congres-*
12 *sional committees a report describing*
13 *the progress of the activities of the*
14 *Commission as of the date of such re-*
15 *port, including any findings, rec-*
16 *ommendations, or lessons learned en-*
17 *dorsed by the Commission.*

18 (II) *ADDENDA.—Any member of*
19 *the Commission may submit an adden-*
20 *dum to a report required under sub-*
21 *clause (I) setting forth the separate*
22 *views of such member with respect to*
23 *any matter considered by the Commis-*
24 *sion.*

1 (III) *BRIEFING.*—*On the date of*
2 *the submission of each report, the Com-*
3 *mission shall brief Congress.*

4 (ii) *FINAL REPORT.*—

5 (I) *SUBMISSION.*—*Not later than*
6 *3 years after the date of the initial*
7 *meeting of the Commission, the Com-*
8 *mission shall submit to Congress a re-*
9 *port that contains a detailed statement*
10 *of the findings, recommendations, and*
11 *lessons learned endorsed by the Com-*
12 *mission.*

13 (II) *ADDENDA.*—*Any member of*
14 *the Commission may submit an adden-*
15 *dum to the report required under sub-*
16 *clause (I) setting forth the separate*
17 *views of such member with respect to*
18 *any matter considered by the Commis-*
19 *sion.*

20 (III) *EXTENSION.*—*The Commis-*
21 *sion may submit the report required*
22 *under subclause (I) at a date that is*
23 *not more than 1 year later than the*
24 *date specified in such clause if agreed*
25 *to by the chairperson and ranking*

1 *member of each of the appropriate con-*
2 *gressional committees.*

3 *(B) FORM.—The report required by para-*
4 *graph (1)(B) shall be submitted and publicly re-*
5 *leased on a Government website in unclassified*
6 *form but may contain a classified annex.*

7 *(C) SUBSEQUENT REPORTS ON DECLAS-*
8 *SIFICATION.—*

9 *(i) IN GENERAL.—Not later than 4*
10 *years after the date that the report required*
11 *by subparagraph (A)(ii) is submitted, each*
12 *relevant agency of jurisdiction shall submit*
13 *to the committee of jurisdiction a report on*
14 *the efforts of such agency to declassify such*
15 *annex.*

16 *(ii) CONTENTS.—Each report required*
17 *by clause (i) shall include—*

18 *(I) a list of the items in the classi-*
19 *fied annex that the agency is working*
20 *to declassify at the time of the report*
21 *and an estimate of the timeline for de-*
22 *classification of such items;*

23 *(II) a broad description of items*
24 *in the annex that the agency is declin-*

1 *ing to declassify at the time of the re-*
2 *port; and*

3 *(III) any justification for with-*
4 *holding declassification of certain*
5 *items in the annex and an estimate of*
6 *the timeline for declassification of such*
7 *items.*

8 *(f) POWERS OF COMMISSION.—*

9 *(1) HEARINGS.—The Commission may hold such*
10 *hearings, take such testimony, and receive such evi-*
11 *dence as the Commission considers necessary to carry*
12 *out its purpose and functions under this section.*

13 *(2) ASSISTANCE FROM FEDERAL AGENCIES.—*

14 *(A) INFORMATION.—*

15 *(i) IN GENERAL.—The Commission*
16 *may secure directly from a Federal depart-*
17 *ment or agency such information as the*
18 *Commission considers necessary to carry*
19 *out this section.*

20 *(ii) FURNISHING INFORMATION.—Upon*
21 *receipt of a written request by the Co-Chair-*
22 *persons of the Commission, the head of the*
23 *department or agency shall expeditiously*
24 *furnish the information to the Commission.*

25 *(B) SPACE FOR COMMISSION.—*

1 (i) *IN GENERAL.*—Not later than 30
2 days after the date of the enactment of this
3 Act, the Architect of the Capitol, in con-
4 sultation with the Commission, shall iden-
5 tify suitable space to house the operations of
6 the Commission, which shall include—

7 (I) a dedicated sensitive compart-
8 mented information facility or access
9 to a sensitive compartmented informa-
10 tion facility; and

11 (II) the ability to store classified
12 documents.

13 (ii) *AUTHORITY TO LEASE.*—If the Ar-
14 chitect of the Capitol is not able to identify
15 space in accordance with clause (i) within
16 the 30-day period specified in clause (i), the
17 Commission may lease space to the extent
18 that funds are available for such purpose.

19 (C) *COMPLIANCE BY INTELLIGENCE COMMU-*
20 *NITY.*—Elements of the intelligence community
21 shall respond to requests submitted pursuant to
22 paragraph (2) in a manner consistent with the
23 protection of intelligence sources and methods.

24 (3) *POSTAL SERVICES.*—The Commission may
25 use the United States mails in the same manner and

1 *under the same conditions as other departments and*
2 *agencies of the Federal Government.*

3 (4) *GIFTS.—The Commission may accept, use,*
4 *and dispose of gifts or donations of services, goods,*
5 *and property from non-Federal entities for the pur-*
6 *poses of aiding and facilitating the work of the Com-*
7 *mission. The authority in this subsection does not ex-*
8 *tend to gifts of money. Gifts accepted under this au-*
9 *thority shall be documented, and conflicts of interest*
10 *or the appearance of conflicts of interest shall be*
11 *avoided. Subject to the authority in this section, com-*
12 *missioners shall otherwise comply with rules set forth*
13 *by the Select Committee on Ethics of the Senate.*

14 (5) *ETHICS.—*

15 (A) *IN GENERAL.—The members and em-*
16 *ployees of the Commission shall be subject to the*
17 *ethical rules and guidelines of the Senate.*

18 (B) *REPORTING.—For purposes of title I of*
19 *the Ethics in Government Act of 1978 (5 U.S.C.*
20 *App.), each member and employee of the Com-*
21 *mission—*

22 (i) *shall be deemed to be an officer or*
23 *employee of the Congress (as defined in sec-*
24 *tion 109(13) of such title); and*

1 (ii) shall file any report required to be
2 filed by such member or such employee (in-
3 cluding by virtue of the application of sub-
4 section (g)(1)) under title I of the Ethics in
5 Government Act of 1978 (5 U.S.C. App.)
6 with the Secretary of the Senate.

7 (g) COMMISSION PERSONNEL MATTERS.—

8 (1) COMPENSATION OF MEMBERS.—A member of
9 the Commission who is not an officer or employee of
10 the Federal Government shall be compensated at a
11 rate equal to the daily equivalent of the annual rate
12 of basic pay prescribed for level IV of the Executive
13 Schedule under section 5315 of title 5, United States
14 Code, for each day (including travel time) during
15 which the member is engaged in the performance of
16 the duties of the Commission.

17 (2) TRAVEL EXPENSES.—A member of the Com-
18 mission shall be allowed travel expenses, including
19 per diem in lieu of subsistence, at rates authorized for
20 employees of agencies under subchapter I of chapter
21 57 of title 5, United States Code, while away from
22 their homes or regular places of business in the per-
23 formance of services for the Commission.

24 (3) STAFF.—

1 (A) *STATUS AS FEDERAL EMPLOYEES.*—
2 *Notwithstanding the requirements of section*
3 *2105 of title 5, United States Code, including the*
4 *required supervision under subsection (a)(3) of*
5 *such section, the members of the commission*
6 *shall be deemed to be Federal employees.*

7 (B) *EXECUTIVE DIRECTOR.*—*The Co-Chair-*
8 *persons of the Commission shall appoint and fix*
9 *the rate of basic pay for an Executive Director*
10 *in accordance with section 3161(d) of title 5,*
11 *United States Code.*

12 (C) *PAY.*—*The Executive Director, with the*
13 *approval of the Co-Chairpersons of the Commis-*
14 *sion, may appoint and fix the rate of basic pay*
15 *for additional personnel as staff of the Commis-*
16 *sion in accordance with section 3161(d) of title*
17 *5, United States Code.*

18 (D) *SECURITY CLEARANCES.*—*All staff must*
19 *have or be eligible to receive the appropriate se-*
20 *curity clearance to conduct their duties.*

21 (4) *DETAIL OF GOVERNMENT EMPLOYEES.*—*A*
22 *Federal Government employee, with the appropriate*
23 *security clearance to conduct their duties, may be de-*
24 *tailed to the Commission without reimbursement, and*

1 *such detail shall be without interruption or loss of*
2 *civil service status or privilege.*

3 (5) *PROCUREMENT OF TEMPORARY AND INTER-*
4 *MITTENT SERVICES.*—*The Co-Chairpersons of the*
5 *Commission may procure temporary and intermittent*
6 *services under section 3109(b) of title 5, United States*
7 *Code, at rates for individuals that do not exceed the*
8 *daily equivalent of the annual rate of basic pay pre-*
9 *scribed for level V of the Executive Schedule under*
10 *section 5316 of that title.*

11 (6) *PAY.*—*The pay of each employee of the Com-*
12 *mission and any member of the Commission who re-*
13 *ceives pay in accordance with paragraph (1) shall be*
14 *disbursed by the Secretary of the Senate.*

15 (h) *TERMINATION OF COMMISSION.*—*The Commission*
16 *shall terminate 90 days after the date on which the Com-*
17 *mission submits the report required under subsection*
18 *(e)(2)(A)(vi).*

19 **SEC. 1095. COMMISSION ON THE NATIONAL DEFENSE**
20 **STRATEGY.**

21 (a) *ESTABLISHMENT.*—

22 (1) *IN GENERAL.*—*There is hereby established, as*
23 *of the date specified in paragraph (2), an inde-*
24 *pendent commission in the legislative branch to be*
25 *known as the Commission on the National Defense*

1 *Strategy for the United States (in this subtitle re-*
2 *ferred to as the “Commission”).*

3 (2) *DATE OF ESTABLISHMENT.—The date of es-*
4 *tablishment referred to in paragraph (1) is the date*
5 *that is not later than 30 days after the date on which*
6 *the Secretary of Defense provides a national defense*
7 *strategy as required by section 113(g) of title 10,*
8 *United States Code.*

9 (b) *MEMBERSHIP.—*

10 (1) *NUMBER AND APPOINTMENT.—The Commis-*
11 *sion shall be composed of 8 members from private ci-*
12 *vilian life who are recognized experts in matters re-*
13 *lating to the national security of the United States.*
14 *The members shall be appointed as follows:*

15 (A) *The Majority Leader of the Senate shall*
16 *appoint 1 member.*

17 (B) *The Minority Leader of the Senate shall*
18 *appoint 1 member.*

19 (C) *The Speaker of the House of Represent-*
20 *atives shall appoint 1 member.*

21 (D) *The Minority Leader of the House of*
22 *Representatives shall appoint 1 member.*

23 (E) *The Chair of the Committee on Armed*
24 *Services of the Senate shall appoint 1 member.*

1 (F) *The Ranking Member of the Committee*
2 *on Armed Services of the Senate shall appoint 1*
3 *member.*

4 (G) *The Chair of the Committee on Armed*
5 *Services of the House of Representatives shall ap-*
6 *point 1 member.*

7 (H) *The Ranking Member of the Committee*
8 *on Armed Services of the House of Representa-*
9 *tives shall appoint 1 member.*

10 (2) *DEADLINE FOR APPOINTMENT.—Members*
11 *shall be appointed to the Commission under para-*
12 *graph (1) not later than 45 days after the Commis-*
13 *sion establishment date specified under subsection*
14 *(a)(2).*

15 (3) *EFFECT OF LACK OF APPOINTMENT BY AP-*
16 *POINTMENT DATE.—If one or more appointments*
17 *under paragraph (1) is not made by the appointment*
18 *date specified in paragraph (2), the authority to*
19 *make such appointment or appointments shall expire,*
20 *and the number of members of the Commission shall*
21 *be reduced by the number equal to the number of ap-*
22 *pointments so not made.*

23 (c) *CHAIR AND VICE CHAIR.—*

24 (1) *CHAIR.—The Chair of the Committee on*
25 *Armed Services of the Senate and the Chair of the*

1 *Committee on Armed Services of the House of Rep-*
2 *resentatives, with the concurrence of the Majority*
3 *Leader of the Senate and the Speaker of the House of*
4 *Representatives, shall jointly designate 1 member of*
5 *the Commission to serve as Chair of the Commission.*

6 (2) *VICE CHAIR.—The Ranking Member of the*
7 *Committee on Armed Services of the Senate and the*
8 *Ranking Member of the Committee on Armed Services*
9 *of the House of Representatives, with the concurrence*
10 *of the Minority Leader of the Senate and the Minor-*
11 *ity Leader of the House of Representatives, shall*
12 *jointly designate 1 member of the Commission to serve*
13 *as Vice Chair of the Commission.*

14 (d) *PERIOD OF APPOINTMENT AND VACANCIES.—Mem-*
15 *bers shall be appointed for the life of the Commission. A*
16 *vacancy in the Commission shall not affect its powers, and*
17 *shall be filled in the same manner as the original appoint-*
18 *ment was made.*

19 (e) *PURPOSE.—The purpose of the Commission is to*
20 *examine and make recommendations with respect to the na-*
21 *tional defense strategy for the United States.*

22 (f) *SCOPE AND DUTIES.—In order to provide the full-*
23 *est understanding of the matters required under subsection*
24 *(e), the Commission shall perform the following duties:*

1 (1) *NATIONAL DEFENSE STRATEGY REVIEW.*—

2 *The Commission shall review the most recent national*
3 *defense strategy of the United States including the as-*
4 *sumptions, strategic objectives, priority missions,*
5 *major investments in defense capabilities, force pos-*
6 *ture and structure, operational concepts, and strategic*
7 *and military risks associated with the strategy.*

8 (2) *ASSESSMENT.*—*The Commission shall con-*
9 *duct a comprehensive assessment of the strategic envi-*
10 *ronment to include the threats to the national secu-*
11 *rity of the United States, including both traditional*
12 *and non-traditional threats, the size and shape of the*
13 *force, the readiness of the force, the posture, structure,*
14 *and capabilities of the force, allocation of resources,*
15 *and the strategic and military risks in order to pro-*
16 *vide recommendations on the national defense strat-*
17 *egy for the United States.*

18 (g) *COMMISSION REPORT AND RECOMMENDATIONS.*—

19 (1) *REPORT.*—*Not later than one year after the*
20 *Commission establishment date specified under sub-*
21 *section (a)(2), the Commission shall transmit to the*
22 *President and Congress a report containing the re-*
23 *view and assessment conducted under subsection (f),*
24 *together with any recommendations of the Commis-*
25 *sion. The report shall include the following elements:*

1 (A) *An appraisal of the strategic environ-*
2 *ment, including an examination of the tradi-*
3 *tional and non-traditional threats to the United*
4 *States, and the potential for conflicts arising*
5 *from such threats and security challenges.*

6 (B) *An evaluation of the strategic objectives*
7 *of the Department of Defense for near-peer com-*
8 *petition in support of the national security in-*
9 *terests of the United States.*

10 (C) *A review of the military missions for*
11 *which the Department of Defense should prepare,*
12 *including missions that support the interagency*
13 *and a whole-of-government strategy.*

14 (D) *Identification of any gaps or*
15 *redundancies in the roles and missions assigned*
16 *to the Armed Forces necessary to carry out mili-*
17 *tary missions identified in subparagraph (C), as*
18 *well as the roles and capabilities provided by*
19 *other Federal agencies and by allies and inter-*
20 *national partners.*

21 (E) *An assessment of how the national de-*
22 *fense strategy leverages other elements of na-*
23 *tional power across the interagency to counter*
24 *near-peer competitors.*

1 (F) *An evaluation of the resources necessary*
2 *to support the strategy, including budget rec-*
3 *ommendations.*

4 (G) *An examination of the Department's ef-*
5 *forts to develop new and innovative operational*
6 *concepts to enable the United States to more ef-*
7 *fectively counter near-peer competitors.*

8 (H) *An analysis of the force planning con-*
9 *struct, including—*

10 (i) *the size and shape of the force;*

11 (ii) *the posture, structure, and capa-*
12 *bilities of the force;*

13 (iii) *the readiness of the force;*

14 (iv) *infrastructure and organizational*
15 *adjustments to the force;*

16 (v) *modifications to personnel require-*
17 *ments, including professional military edu-*
18 *cation; and*

19 (vi) *other elements of the defense pro-*
20 *gram necessary to support the strategy.*

21 (I) *An assessment of the risks associated*
22 *with the strategy, including the relationships*
23 *and tradeoffs between missions, risks, and re-*
24 *sources.*

1 *(J) Any other elements the Commission con-*
2 *siders appropriate.*

3 (2) *INTERIM BRIEFINGS.—*

4 *(A) Not later than 180 days after the Com-*
5 *mission establishment date specified in sub-*
6 *section (a)(2), the Commission shall provide to*
7 *the Committees on Armed Services of the Senate*
8 *and the House of Representatives a briefing on*
9 *the status of its review and assessment to include*
10 *a discussion of any interim recommendations.*

11 *(B) At the request of the Chair and Rank-*
12 *ing Member of the Committee on Armed Services*
13 *of the Senate, or the Chair and Ranking Member*
14 *of the Committee on Armed Services of the House*
15 *of Representatives, the Commission shall provide*
16 *the requesting Committee with interim briefings*
17 *in addition to the briefing required by subpara-*
18 *graph (2)(A).*

19 (3) *FORM.—The report submitted to Congress*
20 *under paragraph (1) of this subsection shall be sub-*
21 *mitted in unclassified form, but may include a classi-*
22 *fied annex.*

23 (h) *GOVERNMENT COOPERATION.—*

24 (1) *COOPERATION.—In carrying out its duties,*
25 *the Commission shall receive the full and timely co-*

1 *operation of the Secretary of Defense in providing the*
2 *Commission with analysis, briefings, and other infor-*
3 *mation necessary for the fulfillment of its responsibil-*
4 *ities.*

5 (2) *LIAISON.*—*The Secretary shall designate at*
6 *least 1 officer or employee of the Department of De-*
7 *fense to serve as a liaison officer between the Depart-*
8 *ment and the Commission.*

9 (3) *DETAILEES AUTHORIZED.*—*The Secretary*
10 *may provide, and the commission may accept and*
11 *employ, personnel detailed from the Department of*
12 *Defense, without reimbursement.*

13 (4) *FACILITATION.*—

14 (A) *INDEPENDENT, NON-GOVERNMENT IN-*
15 *STITUTE.*—*Not later than 45 days after the Com-*
16 *mission establishment date specified in subpara-*
17 *graph (a)(2), the Secretary of Defense shall make*
18 *available to the Commission the services of an*
19 *independent, non-governmental institute de-*
20 *scribed in section 501(c)(3) of the Internal Rev-*
21 *enue Code of 1986, and exempt from tax under*
22 *section 501(a) of such Code, that has recognized*
23 *credentials and expertise in national security*
24 *and military affairs in order to facilitate the*

1 *Commission's discharge of its duties under this*
2 *section.*

3 (B) *FEDERALLY FUNDED RESEARCH AND*
4 *DEVELOPMENT CENTER.—On request of the Com-*
5 *mission, the Secretary of Defense shall make*
6 *available the services of a federally funded re-*
7 *search and development center that is covered by*
8 *a sponsoring agreement of the Department of De-*
9 *fense in order to enhance the Commission's ef-*
10 *forts to discharge its duties under this section.*

11 (5) *EXPEDITION OF SECURITY CLEARANCES.—*
12 *The Office of Senate Security and the Office of House*
13 *Security shall ensure the expedited processing of ap-*
14 *propriate security clearances for personnel appointed*
15 *to the commission by their respective Senate and*
16 *House offices under processes developed for the clear-*
17 *ance of legislative branch employees.*

18 (i) *STAFF.—*

19 (1) *STATUS AS FEDERAL EMPLOYEES.—Notwith-*
20 *standing the requirements of section 2105 of title 5,*
21 *United States Code, including the required super-*
22 *vision under subsection (a)(3) of such section, the*
23 *members of the commission shall be deemed to be Fed-*
24 *eral employees.*

1 (2) *EXECUTIVE DIRECTOR.*—*The Commission*
2 *shall appoint and fix the rate of basic pay for an Ex-*
3 *ecutive Director in accordance with section 3161(d) of*
4 *title 5, United States Code.*

5 (3) *PAY.*—*The Executive Director, with the ap-*
6 *proval of the Commission, may appoint and fix the*
7 *rate of basic pay for additional personnel as staff of*
8 *the Commission in accordance with section 3161(d) of*
9 *title 5, United States Code.*

10 (j) *PERSONAL SERVICES.*—

11 (1) *AUTHORITY TO PROCURE.*—*The Commission*
12 *may—*

13 (A) *procure the services of experts or con-*
14 *sultants (or of organizations of experts or con-*
15 *sultants) in accordance with the provisions of*
16 *section 3109 of title 5, United States Code; and*

17 (B) *pay in connection with such services*
18 *travel expenses of individuals, including trans-*
19 *portation and per diem in lieu of subsistence,*
20 *while such individuals are traveling from their*
21 *homes or places of business to duty stations.*

22 (2) *MAXIMUM DAILY PAY RATES.*—*The daily rate*
23 *paid an expert or consultant procured pursuant to*
24 *paragraph (1) may not exceed the daily rate paid a*
25 *person occupying a position at level IV of the Execu-*

1 *tive Schedule under section 5315 of title 5, United*
2 *States Code.*

3 *(k) AUTHORITY TO ACCEPT GIFTS.—The Commission*
4 *may accept, use, and dispose of gifts or donations of serv-*
5 *ices, goods, and property from non-Federal entities for the*
6 *purposes of aiding and facilitating the work of the Commis-*
7 *sion. The authority in this subsection does not extend to*
8 *gifts of money. Gifts accepted under this authority shall be*
9 *documented, and conflicts of interest or the appearance of*
10 *conflicts of interest shall be avoided. Subject to the authority*
11 *in this section, commissioners shall otherwise comply with*
12 *rules set forth by the Select Committee on Ethics of the*
13 *United States Senate and the Committee on Ethics of the*
14 *House of Representatives governing Senate and House em-*
15 *ployees.*

16 *(l) FUNDING.—Of the amounts authorized to be appro-*
17 *priated by this Act for fiscal year 2022 for the Department*
18 *of Defense, up to \$5,000,000 shall be made available to the*
19 *Commission to carry out its duties under this subtitle.*
20 *Funds made available to the Commission under the pre-*
21 *ceding sentence shall remain available until expended.*

22 *(m) LEGISLATIVE ADVISORY COMMITTEE.—The Com-*
23 *mission shall operate as a legislative advisory committee*
24 *and shall not be subject to the provisions of the Federal Ad-*
25 *visory Committee Act (Public Law 92–463; 5 U.S.C. App)*

1 *or section 552b, United States Code (commonly known as*
2 *the Government in the Sunshine Act).*

3 *(n) CONTRACTING AUTHORITY.—The Commission may*
4 *acquire administrative supplies and equipment for Com-*
5 *mission use to the extent funds are available.*

6 *(o) USE OF GOVERNMENT INFORMATION.—The Com-*
7 *mission may secure directly from any department or agen-*
8 *cy of the Federal Government such information as the Com-*
9 *mission considers necessary to carry out its duties. Upon*
10 *such request of the chair of the Commission, the head of*
11 *such department or agency shall furnish such information*
12 *to the Commission.*

13 *(p) POSTAL SERVICES.—The Commission may use the*
14 *United States mail in the same manner and under the same*
15 *conditions as departments and agencies of the United*
16 *States.*

17 *(q) SPACE FOR USE OF COMMISSION.—Not later than*
18 *30 days after the establishment date of the Commission, the*
19 *Administrator of General Services, in consultation with the*
20 *Commission, shall identify and make available suitable ex-*
21 *cess space within the Federal space inventory to house the*
22 *operations of the Commission. If the Administrator is not*
23 *able to make such suitable excess space available within*
24 *such 30-day period, the Commission may lease space to the*
25 *extent the funds are available.*

Sec. 1113. Extension of authority for temporary personnel flexibilities for Domestic Defense Industrial Base Facilities and Major Range and Test Facilities Base civilian personnel.

Sec. 1114. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1115. Assessment of Accelerated Promotion Program suspension.

Sec. 1116. Increase in allowance based on duty at remote worksites.

Sec. 1117. Enhancement of recusal for conflicts of personal interest requirements for Department of Defense officers and employees.

Sec. 1118. Occupational series for digital career fields.

1 **SEC. 1101. AMENDMENT TO DIVERSITY AND INCLUSION RE-**
 2 **PORTING.**

3 *Section 113 of title 10, United States Code, as amend-*
 4 *ed by section 551 of the William M. (Mac) Thornberry Na-*
 5 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
 6 *lic Law 116–283), is amended—*

7 *(1) in subsection (c)(2), by inserting “of mem-*
 8 *bers and civilian employees” after “inclusion”;*

9 *(2) in subsection (l)—*

10 *(A) in paragraph (1)—*

11 *(i) in subparagraph (A), by striking “;*
 12 *and” and inserting a semicolon;*

13 *(ii) by redesignating subparagraph (B)*
 14 *as subparagraph (C); and*

15 *(iii) by inserting after subparagraph*
 16 *(A) the following new subparagraph (B):*

17 *“(B) efforts to reflect, across the civilian work-*
 18 *force of the Department and of each armed force, the*
 19 *diversity of the population of the United States; and”;*
 20 *and*

1 (B) in paragraph (2)(B), by inserting “and
2 civilian employees of the Department” after
3 “members of the armed forces”; and
4 (3) in subsection (m)—

5 (A) by redesignating paragraph (7) as
6 paragraph (8); and

7 (B) by inserting after paragraph (6) the fol-
8 lowing new paragraph (7):

9 “(7) The number of civilian employees of the De-
10 partment, disaggregated by military department, gen-
11 der, race, and ethnicity—

12 “(A) in each grade of the General Schedule;

13 “(B) in each grade of the Senior Executive
14 Service;

15 “(C) paid at levels above grade GS-15 of the
16 General Schedule but who are not members of the
17 Senior Executive Service;

18 “(D) paid under the Federal Wage System,

19 and

20 “(E) paid under alternative pay systems.”.

21 **SEC. 1102. CIVILIAN PERSONNEL MANAGEMENT.**

22 Section 129(a) of title 10, United States Code, is
23 amended—

24 (1) in the first sentence, by striking “primarily”
25 and inserting “solely”; and

1 (2) *in the second sentence, by striking “solely”.*

2 **SEC. 1103. MODIFICATION OF TEMPORARY AUTHORITY TO**
3 **APPOINT RETIRED MEMBERS OF THE ARMED**
4 **FORCES TO POSITIONS IN THE DEPARTMENT**
5 **OF DEFENSE.**

6 *Section 1108(b)(1)(A) of the William M. (Mac) Thorn-*
7 *berry National Defense Authorization Act for Fiscal Year*
8 *2021 (Public Law 116-283) is amended to read as follows:*

9 *“(A)(i) at any defense industrial base facil-*
10 *ity (as that term is defined in section 2208(u)(3)*
11 *of title 10, United States Code) that is part of*
12 *the core logistics capabilities (as described in sec-*
13 *tion 2464(a) of such title); or*

14 *“(i) at any Major Range and Test Facility*
15 *Base (as that term is defined in section 196(i)*
16 *of such title); and”.*

17 **SEC. 1104. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEM-**
18 **BERS AT THE DEFENSE INSTITUTE OF INTER-**
19 **NATIONAL LEGAL STUDIES.**

20 *Section 1595(c) of title 10, United States Code, is*
21 *amended by adding at the end the following new paragraph:*

22 *“(8) The Defense Institute of International Legal*
23 *Studies.”.*

1 **SEC. 1105. CONSIDERATION OF EMPLOYEE PERFORMANCE**
2 **IN REDUCTIONS IN FORCE FOR CIVILIAN PO-**
3 **SITIONS IN THE DEPARTMENT OF DEFENSE.**

4 *Section 1597(e) title 10, United States Code, is amend-*
5 *ed—*

6 *(1) by striking the subsection heading and in-*
7 *serting “CONSIDERATION OF EMPLOYEE PERFORM-*
8 *ANCE IN REDUCTIONS”; and*

9 *(2) by striking “be made primarily on the basis*
10 *of” and inserting “, among other factors as deter-*
11 *mined by the Secretary, account for employee”.*

12 **SEC. 1106. REPEAL OF 2-YEAR PROBATIONARY PERIOD.**

13 *(a) REPEAL.—*

14 *(1) IN GENERAL.—Effective December 31, 2022,*
15 *section 1599e of title 10, United States Code, is re-*
16 *pealed.*

17 *(2) APPLICATION.—The modification of proba-*
18 *tionary periods for covered employees (as that term is*
19 *defined in such section 1599e as in effect on the date*
20 *immediately preceding the date of enactment of this*
21 *Act) by operation of the amendment made by para-*
22 *graph (1) shall only apply to an individual ap-*
23 *pointed as such an employee on or after the effective*
24 *date specified in paragraph (1).*

25 *(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

1 (1) *TITLE 10.*—*The table of sections for chapter*
2 *81 of title 10, United States Code, is amended by*
3 *striking the item relating to section 1599e.*

4 (2) *TITLE 5.*—*Title 5, United States Code, is*
5 *amended—*

6 (A) *in section 3321(c), by striking “, or any*
7 *individual covered by section 1599e of title 10”;*

8 (B) *in section 3393(d), by striking the sec-*
9 *ond sentence;*

10 (C) *in section 7501(1), by striking “, except*
11 *as provided in section 1599e of title 10,”;*

12 (D) *in section 7511(a)(1)(A)(ii), by striking*
13 *“except as provided in section 1599e of title 10,”;*
14 *and*

15 (E) *in section 7541(1)(A), by striking “or*
16 *section 1599e of title 10”.*

17 **SEC. 1107. MODIFICATION OF DARPA PERSONNEL MANAGE-**
18 **MENT AUTHORITY TO ATTRACT SCIENCE AND**
19 **ENGINEERING EXPERTS.**

20 *Section 1599h(b) of title 10, United States Code, is*
21 *amended—*

22 (1) *in paragraph (2)—*

23 (A) *by striking subparagraph (A) and in-*
24 *serting the following:*

1 “(A) in the case of employees appointed
2 pursuant to paragraph (1)(B)—

3 “(i) to any of 5 positions designated by
4 the Director of the Defense Advanced Re-
5 search Projects Agency for purposes of this
6 clause, at rates not in excess of a rate equal
7 to 150 percent of the maximum rate of basic
8 pay authorized for positions at Level I of
9 the Executive Schedule under section 5312
10 of title 5; and

11 “(ii) to any other position designated
12 by the Director for purposes of this clause,
13 at rates not in excess of the maximum
14 amount of total annual compensation pay-
15 able at the salary set in accordance with
16 section 104 of title 3;” and

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

19 (2) in paragraph (3), by striking the period and
20 inserting “; and”; and

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

22 “(4) during any fiscal year, pay up to 15 indi-
23 viduals newly appointed pursuant to paragraph
24 (1)(B) the travel, transportation, and relocation ex-

1 *penses and services described under sections 5724,*
2 *5724a, and 5724c of title 5.”.*

3 **SEC. 1108. EXPANSION OF RATE OF OVERTIME PAY AU-**
4 **THORITY FOR DEPARTMENT OF THE NAVY**
5 **EMPLOYEES PERFORMING WORK OVERSEAS**
6 **ON NAVAL VESSELS.**

7 *Section 5542(a)(6)(A) of title 5, United States Code,*
8 *is amended—*

9 (1) *by inserting “outside the United States”*
10 *after “temporary duty”;*

11 (2) *by striking “the nuclear aircraft carrier that*
12 *is forward deployed in Japan” and inserting “naval*
13 *vessels”;*

14 (3) *by inserting “of 1938” after “Fair Labor*
15 *Standards Act”;* and

16 (4) *by striking “the overtime” and all that fol-*
17 *lows through the period at the end and inserting “the*
18 *employee shall be coded and paid overtime as if the*
19 *employee’s exemption status under that Act is the*
20 *same as it is at the employee’s permanent duty sta-*
21 *tion.”.*

1 **SEC. 1109. REPEAL OF CREDITING AMOUNTS RECEIVED**
2 **AGAINST PAY OF FEDERAL EMPLOYEE OR DC**
3 **EMPLOYEE SERVING AS A MEMBER OF THE**
4 **NATIONAL GUARD OF THE DISTRICT OF CO-**
5 **LUMBIA.**

6 (a) *IN GENERAL.*—Section 5519 of title 5, United
7 States Code, is amended by striking “or (c)”.

8 (b) *APPLICATION.*—The amendment made by sub-
9 section (a) shall apply to any amounts credited, by oper-
10 ation of such section 5519, against the pay of an employee
11 or individual described under section 6323(c) of such title
12 on or after the date of enactment of this Act.

13 **SEC. 1110. TREATMENT OF HOURS WORKED UNDER A**
14 **QUALIFIED TRADE-OF-TIME ARRANGEMENT.**

15 Section 5542 of title 5, United States Code, is amended
16 by adding at the end the following:

17 “(h)(1)(A) Notwithstanding any other provision of this
18 section or section 5545b, any hours worked by a firefighter
19 under a qualified trade-of-time arrangement shall be dis-
20 regarded for purposes of any determination relating to eli-
21 gibility for, or the amount of, any overtime pay under this
22 section, including overtime pay under the Fair Labor
23 Standards Act in accordance with subsection (c).

24 “(B) The Director of the Office of Personnel Manage-
25 ment—

1 “(i) shall identify the situations in which a fire-
2 fighter shall be deemed to have worked hours actually
3 worked by a substituting firefighter under a qualified
4 trade-of-time arrangement; and

5 “(ii) may adopt necessary policies governing the
6 treatment of both a substituting and substituted fire-
7 fighter under a qualified trade-of-time arrangement,
8 without regard to how those firefighters would other-
9 wise be treated under other provisions of law or regu-
10 lation.

11 “(2) In this subsection—

12 “(A) the term ‘firefighter’ means an employee—

13 “(i) the work schedule of whom includes 24-
14 hour duty shifts; and

15 “(ii) who—

16 “(I) is a firefighter, as defined in sec-
17 tion 8331(21) or 8401(14);

18 “(II) in the case of an employee who
19 holds a supervisory or administrative posi-
20 tion and is subject to subchapter III of
21 chapter 83, but who does not qualify to be
22 considered a firefighter within the meaning
23 of section 8331(21), would so qualify if such
24 employee had transferred directly to such

1 *position after serving as a firefighter within*
2 *the meaning of such section;*

3 *“(III) in the case of an employee who*
4 *holds a supervisory or administrative posi-*
5 *tion and is subject to chapter 84, but who*
6 *does not qualify to be considered a fire-*
7 *fighter within the meaning of section*
8 *8401(14), would so qualify if such employee*
9 *had transferred directly to such position*
10 *after performing duties described in section*
11 *8401(14)(A) and (B) for at least 3 years;*
12 *and*

13 *“(IV) in the case of an employee who*
14 *is not subject to subchapter III of chapter*
15 *83 or chapter 84, holds a position that the*
16 *Office of Personnel Management determines*
17 *would satisfy subclause (I), (II), or (III) if*
18 *the employee were subject to subchapter III*
19 *of chapter 83 or chapter 84; and*

20 *“(B) the term ‘qualified trade-of-time arrange-*
21 *ment’ means an arrangement under which 2 fire-*
22 *fighters who are subject to the supervision of the same*
23 *fire chief agree, solely at their option and with the*
24 *approval of the employing agency, to substitute for*

1 *one another during scheduled work hours in the per-*
 2 *formance of work in the same capacity.”.*

3 **SEC. 1111. PARENTAL BEREAVEMENT LEAVE.**

4 *(a) IN GENERAL.—Subchapter II of chapter 63 of title*
 5 *5, United States Code, is amended by adding at the end*
 6 *the following:*

7 **“§ 6329d. Parental bereavement leave**

8 *“(a) DEFINITIONS.—In this section—*

9 *“(1) the terms ‘employee’ and ‘son or daughter’*
 10 *have the meanings given those terms in section 6381;*
 11 *and*

12 *“(2) the term ‘paid leave’ means, with respect to*
 13 *an employee, leave without loss of or reduction in—*

14 *“(A) pay;*

15 *“(B) leave to which the employee is other-*
 16 *wise entitled under law; or*

17 *“(C) credit for time or service.*

18 *“(b) BEREAVEMENT LEAVE.—*

19 *“(1) IN GENERAL.—Subject to paragraphs (2)*
 20 *and (3), an employee shall be entitled to a total of 2*
 21 *administrative workweeks of paid leave during any*
 22 *12-month period because of the death of a son or*
 23 *daughter of the employee.*

24 *“(2) LIMITATION.—Leave under paragraph (1)*
 25 *may not be taken by an employee intermittently or*

1 on a reduced leave schedule unless the employee and
2 the employing agency of the employee agree otherwise.

3 “(3) NOTICE.—In any case in which the neces-
4 sity for leave under this subsection is foreseeable, the
5 employee shall provide the employing agency with
6 such notice as is reasonable and practicable.”.

7 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—The
8 table of sections for subchapter II of chapter 63 of title 5,
9 United States Code, is amended by adding at the end the
10 following:

 “6329d. Parental bereavement leave.”.

11 **SEC. 1112. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
12 **ANNUAL LIMITATION ON PREMIUM PAY AND**
13 **AGGREGATE LIMITATION ON PAY FOR FED-**
14 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
15 **SEAS.**

16 Subsection (a) of section 1101 of the Duncan Hunter
17 National Defense Authorization Act for Fiscal Year 2009
18 (Public Law 110–417; 122 Stat. 4615), as most recently
19 amended by section 1105 of the William M. (Mac) Thorn-
20 berry National Defense Authorization Act for Fiscal Year
21 2021 (Public Law 116–283), is further amended by striking
22 “through 2021” and inserting “through 2022”.

1 **SEC. 1113. EXTENSION OF AUTHORITY FOR TEMPORARY**
2 **PERSONNEL FLEXIBILITIES FOR DOMESTIC**
3 **DEFENSE INDUSTRIAL BASE FACILITIES AND**
4 **MAJOR RANGE AND TEST FACILITIES BASE**
5 **CIVILIAN PERSONNEL.**

6 *Section 1132 of the National Defense Authorization*
7 *Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is*
8 *amended—*

9 *(1) in subsection (a), by striking “through 2021”*
10 *and inserting “through 2026”;*

11 *(2) by redesignating subsection (f) as subsection*
12 *(h); and*

13 *(3) by inserting after subsection (e) the following:*

14 *“(f) DATA COLLECTION REQUIREMENT.—The Sec-*
15 *retary of Defense shall develop and implement a plan to*
16 *collect and analyze data on the pilot program for the pur-*
17 *poses of—*

18 *“(1) developing and sharing best practices; and*

19 *“(2) providing information to the leadership of*
20 *the Department and Congress on the implementation*
21 *of the pilot program and related policy issues.*

22 *“(g) BRIEFING.—Not later than 90 days after the end*
23 *of each of fiscal years 2022 through 2026, the Secretary of*
24 *Defense shall provide a briefing to the Committee on Armed*
25 *Services of the House of Representatives, the Committee on*
26 *Armed Services of the Senate, the Committee on Oversight*

1 *and Government Reform of the House of Representatives,*
2 *and the Committee on Homeland Security and Govern-*
3 *mental Affairs of the Senate including—*

4 “(1) *a description of the effect of this section on*
5 *the management of civilian personnel at domestic de-*
6 *fense industrial base facilities and Major Range and*
7 *Test Facilities Base during the most recently ended*
8 *fiscal year; and*

9 “(2) *the number of employees—*

10 “(A) *hired under such section during such*
11 *fiscal year; and*

12 “(B) *expected to be hired under such section*
13 *during the fiscal year in which the briefing is*
14 *provided.”.*

15 **SEC. 1114. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
16 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
17 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
18 **FICIAL DUTY IN A COMBAT ZONE.**

19 *Paragraph (2) of section 1603(a) of the Emergency*
20 *Supplemental Appropriations Act for Defense, the Global*
21 *War on Terror, and Hurricane Recovery, 2006 (Public Law*
22 *109–234; 120 Stat. 443), as added by section 1102 of the*
23 *Duncan Hunter National Defense Authorization Act for*
24 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*
25 *and as most recently amended by section 1106 of the Wil-*

1 *liam M. (Mac) Thornberry National Defense Authorization*
2 *Act for Fiscal Year 2021 (Public Law 116–283), is further*
3 *amended by striking “2022” and inserting “2023”.*

4 **SEC. 1115. ASSESSMENT OF ACCELERATED PROMOTION**
5 **PROGRAM SUSPENSION.**

6 (a) *IN GENERAL.*—*Not later than 90 days after the*
7 *date of the enactment of this Act, the Inspector General of*
8 *the Department of Defense shall conduct an assessment of*
9 *the impacts resulting from the Navy’s suspension in 2016*
10 *of the Accelerated Promotion Program (in this section re-*
11 *ferred to as the “APP”). The Inspector General may consult*
12 *with the Secretary of the Navy in carrying out such assess-*
13 *ment, but the Navy may not play any other role in such*
14 *assessment.*

15 (b) *ELEMENTS.*—*The assessment required under sub-*
16 *section (a) shall include the following elements:*

17 (1) *An identification of the employees who were*
18 *hired at the four public shipyards between January*
19 *23, 2016, and December 22, 2016, covering the period*
20 *in which APP was suspended, and who would have*
21 *otherwise been eligible for APP had the program been*
22 *in effect at the time they were hired.*

23 (2) *An assessment for each employee identified*
24 *in paragraph (1) to determine the difference between*
25 *wages earned from the date of hire to the date on*

1 *which the wage data would be collected and the wages*
2 *which would have been earned during this same pe-*
3 *riod should that employee have participated in APP*
4 *from the date of hire and been promoted according to*
5 *the average promotion timeframe for participants*
6 *hired in the five-year period prior to the suspension.*

7 (3) *An assessment for each employee identified*
8 *in paragraph (1) to determine at what grade and step*
9 *each effected employee would be at on October 1, 2020,*
10 *had that employee been promoted according to the av-*
11 *erage promotion timeframe for participants hired in*
12 *the five-year period prior to the suspension.*

13 (4) *An evaluation of existing authorities avail-*
14 *able to the Secretary to determine whether the Sec-*
15 *retary can take measures using those authorities to*
16 *provide the pay difference and corresponding interest,*
17 *at a rate of the federal short-term interest rate plus*
18 *3 percent, to each effected employee identified in*
19 *paragraph (2) and directly promote the employee to*
20 *the grade and step identified in paragraph (3).*

21 (c) *REPORT.—The Inspector General of the Depart-*
22 *ment of Defense shall submit, to the congressional defense*
23 *committees, the Committee on Oversight and Reform of the*
24 *House of Representatives, and the Committee on Homeland*
25 *Security and Governmental Affairs of the Senate, a report*

1 *on the results of the evaluation by not later than 270 days*
2 *after the date of enactment of this Act, and shall provide*
3 *interim briefings upon request.*

4 **SEC. 1116. INCREASE IN ALLOWANCE BASED ON DUTY AT**
5 **REMOTE WORKSITES.**

6 *(a) ASSESSMENT AND RATE.—Not later than March*
7 *31, 2022, the Director of the Office of Personnel Manage-*
8 *ment shall complete an assessment of the remote site pay*
9 *allowance under section 5942 of title 5, United States Code,*
10 *and propose a new rate of such allowance, adjusted for in-*
11 *flation, and submit such assessment and rate to the Presi-*
12 *dent and to Congress.*

13 *(b) APPLICATION.—Beginning on the first day of the*
14 *first pay period beginning after the date the Director sub-*
15 *mits the assessment and rate under subsection (a), such rate*
16 *shall, notwithstanding subsection (a) of such section 5942,*
17 *be the rate of such allowance.*

18 **SEC. 1117. ENHANCEMENT OF RECUSAL FOR CONFLICTS OF**
19 **PERSONAL INTEREST REQUIREMENTS FOR**
20 **DEPARTMENT OF DEFENSE OFFICERS AND**
21 **EMPLOYEES.**

22 *(a) IN GENERAL.—Except as provided in subsection*
23 *(b), in addition to the prohibition set forth in section 208*
24 *of title 18, United States Code, an officer or employee of*
25 *the Department of Defense may not knowingly participate*

1 *personally and substantially in any particular matter in-*
2 *volving specific parties where any of the following organiza-*
3 *tions is a party or represents a party to the matter:*

4 (1) *Any organization, including a trade organi-*
5 *zation, for which the officer or employee has served as*
6 *an employee, officer, director, trustee, or general part-*
7 *ner in the past 2 years.*

8 (2) *Any organization with which the officer or*
9 *employee is seeking employment.*

10 (b) *AUTHORIZATION.*—*An agency designee may au-*
11 *thorize the officer or employee to participate in a matter*
12 *described in paragraph (a) based on a determination, made*
13 *in light of all relevant circumstances, that the interest of*
14 *the Government in the officer or employee’s participation*
15 *outweighs the concern that a reasonable person may ques-*
16 *tion the integrity of the agency’s programs and operations.*

17 (c) *CONSTRUCTION.*—*Nothing in this section shall be*
18 *construed to terminate, alter, or make inapplicable any*
19 *other prohibition or limitation in law or regulation on the*
20 *participation of officers or employees of the Department of*
21 *Defense in particular matters having an effect on their or*
22 *related financial or other personal interests.*

1 **SEC. 1118. OCCUPATIONAL SERIES FOR DIGITAL CAREER**
 2 **FIELDS.**

3 *Not later than 270 days after the date of the enactment*
 4 *of this Act, the Director of the Office of Personnel Manage-*
 5 *ment shall, pursuant to chapter 51 of title 5, United States*
 6 *Code, establish or update one or more occupational series*
 7 *covering Federal Government positions in the fields of soft-*
 8 *ware development, software engineering, data science, and*
 9 *data management.*

10 **TITLE XII—MATTERS RELATING**
 11 **TO FOREIGN NATIONS**

Subtitle A—Assistance and Training

- Sec. 1201. Administrative support and payment of certain expenses for covered foreign defense personnel.*
- Sec. 1202. Authority for certain reimbursable interchange of supplies and services.*
- Sec. 1203. Extension of support of special operations for irregular warfare.*
- Sec. 1204. Modification and extension of biennial Comptroller General of the United States audits of programs to build the capacity of foreign security forces.*
- Sec. 1205. Temporary authority to pay for travel and subsistence expenses of foreign national security forces participating in the training program of the United States-Colombia Action Plan for Regional Security.*
- Sec. 1206. Security cooperation strategy for certain combatant commands.*
- Sec. 1207. Report on security cooperation programs.*

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Sense of Congress on the service of United States Armed Forces servicemembers in Afghanistan.*
- Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
- Sec. 1213. Prohibition on transfer of Department of Defense funds or resources to the Taliban.*
- Sec. 1214. Prohibition on transporting currency to the Taliban or the Islamic Emirate of Afghanistan.*
- Sec. 1215. Prohibition on removal of publicly available accountings of military assistance provided to the Afghan security forces.*

- Sec. 1216. Joint report on using the synchronized predeployment and operational tracker (spot) database to verify Afghan SIV applicant information.*
- Sec. 1217. Report and briefing on United States equipment, property, and classified material that was destroyed or abandoned in the withdrawal from Afghanistan.*

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

- Sec. 1221. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.*
- Sec. 1222. Defense and diplomatic strategy for Syria.*
- Sec. 1223. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.*
- Sec. 1224. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.*
- Sec. 1225. Prohibition on transfers to Badr Organization.*
- Sec. 1226. Prohibition on transfers to Iran.*
- Sec. 1227. Report on the military capabilities of Iran and related activities.*
- Sec. 1228. Sense of Congress on enrichment of uranium by Iran.*

Subtitle D—Matters Relating to Russia

- Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.*
- Sec. 1232. Extension of Ukraine Security Assistance Initiative.*
- Sec. 1233. Extension of authority for training for Eastern European national security forces in the course of multilateral exercises.*
- Sec. 1234. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.*
- Sec. 1235. Report on Russian influence operations and campaigns targeting military alliances and partnerships of which the United States is a member.*

Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 1241. Extension and modification of Indo-Pacific Maritime Security Initiative.*
- Sec. 1242. Extension and modification of Pacific Deterrence Initiative.*
- Sec. 1243. Modification of annual report on military and security developments involving the People's Republic of China.*
- Sec. 1244. Extension of authority to transfer funds for Bien Hoa dioxin cleanup.*
- Sec. 1245. Cooperative program with Vietnam to account for Vietnamese personnel missing in action.*
- Sec. 1246. Sense of Congress on Taiwan defense relations.*
- Sec. 1247. Statement of policy on Taiwan.*
- Sec. 1248. Annual report on Taiwan asymmetric capabilities and intelligence support.*
- Sec. 1249. Feasibility briefing on cooperation between the National Guard and Taiwan.*
- Sec. 1250. Feasibility report on establishing military-to-military crisis communications capabilities.*
- Sec. 1251. Comparative analyses and reports on efforts by the United States and the People's Republic of China to advance critical modernization technology with respect to military applications.*

Sec. 1252. Sense of congress on defense alliances and partnerships in the Indo-Pacific region.

1 ***Subtitle A—Assistance and***
 2 ***Training***

3 ***SEC. 1201. ADMINISTRATIVE SUPPORT AND PAYMENT OF***
 4 ***CERTAIN EXPENSES FOR COVERED FOREIGN***
 5 ***DEFENSE PERSONNEL.***

6 *(a) IN GENERAL.—Subchapter IV of chapter 16 of title*
 7 *10, United States Code, is amended by adding at the end*
 8 *the following new section:*

9 ***“§ 334. Administrative support and payment of certain***
 10 ***expenses for covered foreign defense per-***
 11 ***sonnel***

12 *“(a) IN GENERAL.—The Secretary of Defense may—*

13 *“(1) provide administrative services and support*
 14 *to the United Nations Command for the performance*
 15 *of duties by covered foreign defense personnel during*
 16 *the period in which the covered foreign defense per-*
 17 *sonnel are assigned to the United Nations Command*
 18 *or the Neutral Nations Supervisory Commission in*
 19 *accordance with the Korean War Armistice Agreement*
 20 *of 1953; and*

21 *“(2) pay the expenses specified in subsection (b)*
 22 *for covered foreign defense personnel who are—*

23 *“(A) from a developing country; and*

1 “(B) assigned to the headquarters of the
2 United Nations Command.

3 “(b) *TYPES OF EXPENSES.*—The types of expenses that
4 may be paid under the authority of subsection (a)(2) are
5 the following:

6 “(1) Travel and subsistence expenses directly re-
7 lated to the duties of covered foreign defense personnel
8 described in subsection (a)(2) in connection with the
9 assignment of such covered foreign defense personnel.

10 “(2) Personal expenses directly related to car-
11 rying out such duties.

12 “(3) Expenses for medical care at a military
13 medical facility.

14 “(4) Expenses for medical care at a civilian
15 medical facility, if—

16 “(A) adequate medical care is not available
17 to such covered foreign defense personnel at a
18 local military medical treatment facility;

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

22 “(C) medical care is not otherwise available
23 to such covered foreign defense personnel pursu-
24 ant to a treaty or any other international agree-
25 ment.

1 “(5) *Mission-related travel expenses, if—*

2 “(A) *such travel is in direct support of the*
3 *national interests of the United States; and*

4 “(B) *the Commander of the United Nations*
5 *Command directs round-trip travel from the*
6 *headquarters of the United Nations Command to*
7 *one or more locations.*

8 “(c) *REIMBURSEMENT.—The Secretary may provide*
9 *the administrative services and support and pay the ex-*
10 *penses authorized by subsection (a) with or without reim-*
11 *bursement.*

12 “(d) *DEFINITIONS.—In this section:*

13 “(1) *The term ‘administrative services and sup-*
14 *port’ means base or installation support services, fa-*
15 *ilities use, base operations support, office space, of-*
16 *ice supplies, utilities, copying services, computer sup-*
17 *port, communication services, fire and police protec-*
18 *tion, postal services, bank services, transportation*
19 *services, housing and temporary billeting (including*
20 *ancillary services), specialized clothing required to*
21 *perform assigned duties, temporary loan of special*
22 *equipment, storage services, training services, and re-*
23 *pair and maintenance services.*

1 “(2) *The term ‘covered foreign defense personnel’*
2 *means members of the military of a foreign country*
3 *who are assigned to—*

4 “(A) *the United Nations Command; or*

5 “(B) *the Neutral Nations Supervisory Com-*
6 *mission.*

7 “(3) *The term ‘developing country’ has the*
8 *meaning given the term in section 301(4) of this title.*

9 “(4) *The term ‘Neutral Nations Supervisory*
10 *Commission’ means the delegations from Sweden and*
11 *Switzerland (or successor delegations) appointed in*
12 *accordance with the Korean War Armistice Agreement*
13 *of 1953 or its subsequent agreements.*

14 “(5) *The term ‘United Nations Command’ means*
15 *the headquarters of the United Nations Command, the*
16 *United Nations Command Military Armistice Com-*
17 *mission, the United Nations Command-Rear, and the*
18 *United Nations Command Honor Guard.’’.*

19 **(b) CONFORMING AMENDMENT.**—*The table of sections*
20 *at the beginning of subchapter IV of chapter 16 of title 10,*
21 *United States Code, is amended by adding at the end the*
22 *following new item:*

 “334. *Administrative support and payment of certain expenses for covered foreign*
 defense personnel.’’.

1 **SEC. 1202. AUTHORITY FOR CERTAIN REIMBURSABLE**
2 **INTERCHANGE OF SUPPLIES AND SERVICES.**

3 *Section 2571 of title 10, United States Code, is amend-*
4 *ed—*

5 *(1) by amending subsection (b) to read as fol-*
6 *lows:*

7 *“(b)(1) If its head approves, a department or organiza-*
8 *tion within the Department of Defense may, upon request,*
9 *perform work and services for, or furnish supplies to, any*
10 *other of those departments or organizations, with or without*
11 *reimbursement or transfer of funds.*

12 *“(2) Use of the authority under this section for reim-*
13 *bursable support is limited to support for the purpose of*
14 *providing assistance to a foreign partner pursuant to sec-*
15 *tion 333 and section 345 of this title.”; and*

16 *(2) by adding at the end the following new sub-*
17 *section:*

18 *“(e)(1) An order placed by a department or organiza-*
19 *tion on a reimbursable basis pursuant to subsection (b)*
20 *shall be considered to be an obligation in the same manner*
21 *as an order placed under section 6307 of title 41.*

22 *“(2) Amounts received as reimbursement shall be cred-*
23 *ited in accordance with section 2205 of this title to the ap-*
24 *propriation of the supporting department or organization*
25 *used in incurring the obligation in the year or years that*
26 *support is provided.”.*

1 **SEC. 1203. EXTENSION OF SUPPORT OF SPECIAL OPER-**
2 **ATIONS FOR IRREGULAR WARFARE.**

3 *Section 1202(a) of the National Defense Authorization*
4 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
5 *1639) is amended by striking “2023” and inserting “2025”.*

6 **SEC. 1204. MODIFICATION AND EXTENSION OF BIENNIAL**
7 **COMPTROLLER GENERAL OF THE UNITED**
8 **STATES AUDITS OF PROGRAMS TO BUILD THE**
9 **CAPACITY OF FOREIGN SECURITY FORCES.**

10 *Section 1205(f) of the Carl Levin and Howard P.*
11 *“Buck” McKeon National Defense Authorization Act for*
12 *Fiscal Year 2015 (Public Law 113–291) is amended—*

13 *(1) in paragraph (1)—*

14 *(A) by striking “and 2020” and inserting “,*
15 *2020, and 2022”;* and

16 *(B) by striking “section 2282 of title 10,*
17 *United States Code (as so added)” and inserting*
18 *“subsections (a)(1) and (e)(7)(B) of section 333*
19 *of title 10, United States Code”;* and

20 *(2) in paragraph (2)—*

21 *(A) by redesignating subparagraph (E) as*
22 *subparagraph (H); and*

23 *(B) by inserting after subparagraph (D) the*
24 *following:*

1 “(E) *An evaluation of coordination by the*
2 *Department of Defense with foreign countries*
3 *under the program or programs, as applicable.*

4 “(F) *A description and evaluation of the*
5 *methodology used by the Department of Defense*
6 *to evaluate the effectiveness of training under the*
7 *program or programs.*

8 “(G) *An analysis of the methodology used*
9 *by the Department of Defense to evaluate the ef-*
10 *fectiveness of the program or programs to develop*
11 *the institutional capacity of the foreign coun-*
12 *tries.”.*

13 **SEC. 1205. TEMPORARY AUTHORITY TO PAY FOR TRAVEL**
14 **AND SUBSISTENCE EXPENSES OF FOREIGN**
15 **NATIONAL SECURITY FORCES PARTICI-**
16 **PATING IN THE TRAINING PROGRAM OF THE**
17 **UNITED STATES-COLOMBIA ACTION PLAN**
18 **FOR REGIONAL SECURITY.**

19 (a) *AUTHORITY.*—*For fiscal year 2022, the Secretary*
20 *of Defense is authorized to pay for the travel, subsistence,*
21 *and similar personnel expenses of the national security*
22 *forces of a friendly foreign country to participate in the*
23 *training program of the United States-Colombia Action*
24 *Plan for Regional Security conducted at a facility in Co-*
25 *lombia.*

1 **(b) NOTIFICATION.**—*Not later than 15 days before the*
2 *exercise of the authority under subsection (a), the Secretary*
3 *shall provide to the congressional defense committees a writ-*
4 *ten notification that includes the following:*

5 (1) *An identification of the foreign country, and*
6 *the specific unit of the national security forces of such*
7 *country, the capacity of which will be built by par-*
8 *ticipating in such training program.*

9 (2) *The amount of support to be provided under*
10 *that subsection.*

11 (3) *An identification of the United States equip-*
12 *ment purchased or acquired by such foreign country,*
13 *for the use of which training is being provided under*
14 *such training program.*

15 (4) *A description of the specific capabilities to be*
16 *built through such training program with such sup-*
17 *port.*

18 (5) *A detailed description of the manner in*
19 *which building the capabilities of such country*
20 *through such training program advances the national*
21 *security interests of the United States.*

22 (6) *A detailed assessment of the effectiveness of*
23 *such training program in meeting Department of De-*
24 *fense requirements for building the capacity of such*
25 *country.*

1 (c) *SOURCE OF FUNDS.*—Of the amounts authorized
2 to be appropriated for fiscal year 2022 for the Department
3 of Defense for operation and maintenance, Defense-wide, the
4 Secretary may obligate or expend not more than \$2,000,000
5 to pay for expenses described in subsection (a) for such fis-
6 cal year.

7 (d) *LIMITATION.*—The provision of support under sub-
8 section (a) shall be subject to section 362 of title 10, United
9 States Code.

10 **SEC. 1206. SECURITY COOPERATION STRATEGY FOR CER-**
11 **TAIN COMBATANT COMMANDS.**

12 (a) *IN GENERAL.*—The Secretary of Defense, in coordi-
13 nation with the Secretary of State, shall develop and imple-
14 ment a security cooperation strategy for each covered com-
15 batant command, which shall apply to the security coopera-
16 tion programs and activities of the Department of Defense
17 (as defined in section 301 of title 10, United States Code).

18 (b) *ELEMENTS.*—The strategy for each covered combat-
19 ant command required by subsection (a) shall include the
20 following:

21 (1) A discussion of how the strategy will—

22 (A) support and advance United States na-
23 tional security interests in strategic competition
24 with near-peer rivals;

1 (B) *prioritize and build key capabilities of*
2 *allied and partner security forces so as to en-*
3 *hance bilateral and multilateral interoperability*
4 *and responsiveness;*

5 (C) *prioritize and build the capabilities of*
6 *foreign partner security forces to secure their*
7 *own territory, including through operations*
8 *against violent extremist groups;*

9 (D) *promote and build institutional capa-*
10 *bilities for observance of, and respect for—*

11 (i) *the law of armed conflict;*

12 (ii) *human rights and fundamental*
13 *freedoms;*

14 (iii) *the rule of law; and*

15 (iv) *civilian control of the military;*

16 *and*

17 (E) *support the programs and activities of*
18 *law enforcement and civilian agencies, as appro-*
19 *priate, to counter the threat of and reduce risks*
20 *from illicit drug trafficking and other forms of*
21 *transnational organized crime.*

22 (2) *A statement of the security cooperation stra-*
23 *tegic objectives for—*

24 (A) *the covered combatant command; and*

1 (B) the covered combatant command in con-
2 junction with other covered combatant com-
3 mands.

4 (3) A description of the primary security co-
5 operation lines of effort for achieving such strategic
6 objectives, including prioritization of foreign partners
7 within the covered combatant command.

8 (4) A description of the Department of Defense
9 authorities to be used for each such line of effort and
10 the manner in which such authorities will contribute
11 to achieving such strategic objectives.

12 (5) A description of the institutional capacity-
13 building programs and activities within the covered
14 combatant command and an assessment of the man-
15 ner in which such programs and activities contribute
16 to achieving such strategic objectives.

17 (6) A description of Department of Defense edu-
18 cational programs and institutions, and international
19 institutions, relevant to the combatant command and
20 an assessment of the manner in which such programs
21 and institutions contribute to achieving such strategic
22 objectives.

23 (7) A discussion of the manner in which the de-
24 velopment, planning, and implementation of pro-
25 grams or activities under Department of Defense secu-

1 *rity cooperation authorities are coordinated and*
2 *deconflicted with security assistance and other assist-*
3 *ance authorities of the Department of State and other*
4 *civilian agencies.*

5 *(c) REPORTS.—*

6 *(1) INITIAL REPORT.—Not later than 180 days*
7 *after the date of the enactment of this Act, the Sec-*
8 *retary of Defense shall submit to the appropriate com-*
9 *mittees of Congress a report on the security coopera-*
10 *tion strategy for each covered combatant command*
11 *developed under subsection (a).*

12 *(2) SUBSEQUENT REPORTS.—Beginning in fiscal*
13 *year 2023, and annually thereafter through fiscal*
14 *year 2027, concurrently with the submittal of the re-*
15 *port required by section 386(a) of title 10, United*
16 *States Code, the Secretary of Defense shall submit to*
17 *the appropriate committees of Congress a report on*
18 *the implementation of the security cooperation strat-*
19 *egy for each covered combatant command developed*
20 *under subsection (a).*

21 *(d) DEFINITIONS.—In this section:*

22 *(1) APPROPRIATE COMMITTEES OF CONGRESS.—*
23 *The term “appropriate committees of Congress”*
24 *means—*

1 (A) *the Committee on Armed Services, the*
 2 *Committee on Foreign Relations, and the Com-*
 3 *mittee on Appropriations of the Senate; and*

4 (B) *the Committee on Armed Services, the*
 5 *Committee on Foreign Affairs, and the Com-*
 6 *mittee on Appropriations of the House of Rep-*
 7 *resentatives.*

8 (2) *COVERED COMBATANT COMMAND.*—*The term*
 9 *“covered combatant command” means—*

10 (A) *the United States European Command;*

11 (B) *the United States Indo-Pacific Com-*
 12 *mand;*

13 (C) *the United States Central Command;*

14 (D) *the United States Africa Command;*

15 (E) *the United States Southern Command;*

16 *and*

17 (F) *the United States Northern Command.*

18 **SEC. 1207. REPORT ON SECURITY COOPERATION PRO-**
 19 **GRAMS.**

20 (a) *IN GENERAL.*—*Not later than 1 year after the date*
 21 *of the enactment of this Act, the Comptroller General of the*
 22 *United States shall submit to the congressional defense com-*
 23 *mittees a report that—*

24 (1) *reviews the existing requirements for con-*
 25 *ducting human rights training of foreign national se-*

1 *curity forces pursuant to security cooperation au-*
2 *thorities under chapter 16 of title 10, United States*
3 *Code;*

4 (2) *reviews current Department of Defense prac-*
5 *tices and procedures for collecting data under such*
6 *authorities for purposes of assessing, monitoring, and*
7 *evaluating the effectiveness of such human rights*
8 *training programs and assessing compliance with sec-*
9 *tion 362 of title 10, United States Code; and*

10 (3) *evaluates the effectiveness of human rights*
11 *training described in paragraph (1) to contribute to*
12 *United States national security objectives.*

13 (b) *MATTERS TO BE INCLUDED.—The report required*
14 *by subsection (a) may include recommendations for meas-*
15 *ures to improve the effectiveness of human rights training*
16 *or to promote observation of and respect for human rights*
17 *and fundamental freedoms, the rule of law, and civilian*
18 *control of the military.*

19 (c) *FORM.—The report required by subsection (a) shall*
20 *be submitted in unclassified form, but may include a classi-*
21 *fied annex.*

1 ***Subtitle B—Matters Relating to***
2 ***Afghanistan and Pakistan***

3 **SEC. 1211. SENSE OF CONGRESS ON THE SERVICE OF**
4 **UNITED STATES ARMED FORCES**
5 **SERVICEMEMBERS IN AFGHANISTAN.**

6 *It is the sense of Congress that—*

7 (1) *the servicemembers of the United States*
8 *Armed Forces who served in Afghanistan represent*
9 *the very best of the United States;*

10 (2) *the service of those who returned home from*
11 *war with wounds seen and unseen and those who died*
12 *in defense of the Nation are not forgotten;*

13 (3) *the United States honors these brave members*
14 *of the Armed Forces and their families; and*

15 (4) *the United States shall never forget the serv-*
16 *ices they rendered and the sacrifices they and their*
17 *families made in the defense of a grateful Nation.*

18 **SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY**
19 **FOR REIMBURSEMENT OF CERTAIN COALI-**
20 **TION NATIONS FOR SUPPORT PROVIDED TO**
21 **UNITED STATES MILITARY OPERATIONS.**

22 *Section 1233 of the National Defense Authorization*
23 *Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.*
24 *393) is amended—*

1 (1) *in subsection (a), by striking “for the period*
2 *beginning on October 1, 2020, and ending on Decem-*
3 *ber 31, 2021” and inserting “for the period beginning*
4 *on October 1, 2021, and ending on December 31,*
5 *2022”; and*

6 (2) *in subsection (d)—*

7 (A) *by striking “during the period begin-*
8 *ning on October 1, 2020, and ending on Decem-*
9 *ber 31, 2021” and inserting “during the period*
10 *beginning on October 1, 2021, and ending on*
11 *December 31, 2022”; and*

12 (B) *by striking “\$180,000,000” and insert-*
13 *ing “\$60,000,000”.*

14 **SEC. 1213. PROHIBITION ON TRANSFER OF DEPARTMENT**
15 **OF DEFENSE FUNDS OR RESOURCES TO THE**
16 **TALIBAN.**

17 (a) *PROHIBITION.—None of the funds authorized to be*
18 *appropriated by this Act or otherwise made available to the*
19 *Department of Defense may be made available—*

20 (1) *to provide any funds or resources to the*
21 *Taliban; or*

22 (2) *to conduct any military cooperation or shar-*
23 *ing of military intelligence with the Taliban, unless*
24 *the Secretary of Defense determines that such coopera-*

1 *tion or sharing advances the national security inter-*
2 *ests of the United States.*

3 *(b) NOTIFICATION.*——

4 *(1) SUBMISSION REQUIRED.*—*If the Secretary*
5 *makes an affirmative determination described in sub-*
6 *section (1)(a), the Secretary shall submit to the Com-*
7 *mittees on Armed Services of the Senate and the*
8 *House of Representatives a written description of the*
9 *military cooperation or military intelligence that was*
10 *shared with the Taliban pursuant to such determina-*
11 *tion, not later than 5 days after the date of such co-*
12 *operation or sharing. The Secretary shall include*
13 *with such description any other matter the Secretary*
14 *determines relevant.*

15 *(2) FORM.*—*The information described in para-*
16 *graph (1) shall be submitted in an unclassified format*
17 *and may include a classified annex.*

18 **SEC. 1214. PROHIBITION ON TRANSPORTING CURRENCY TO**
19 **THE TALIBAN OR THE ISLAMIC EMIRATE OF**
20 **AFGHANISTAN.**

21 *None of the amounts authorized to be appropriated by*
22 *this Act or otherwise made available to the Department of*
23 *Defense may be made available for the operation of any*
24 *aircraft of the Department of Defense to transport currency*
25 *or other items of value to the Taliban, the Islamic Emirate*

1 *of Afghanistan, or any subsidiary, agent, or instrumen-*
2 *tality of either the Taliban or the Islamic Emirate of Af-*
3 *ghanistan.*

4 **SEC. 1215. PROHIBITION ON REMOVAL OF PUBLICLY AVAIL-**
5 **ABLE ACCOUNTINGS OF MILITARY ASSIST-**
6 **ANCE PROVIDED TO THE AFGHAN SECURITY**
7 **FORCES.**

8 *None of the funds authorized to be appropriated by this*
9 *Act or otherwise made available for the Department of De-*
10 *fense for fiscal year 2022 may be used to remove from the*
11 *website of the Department of Defense or any other agency*
12 *publicly available accountings of military assistance pro-*
13 *vided to the Afghan security forces that was publicly avail-*
14 *able online as of July 1, 2021.*

15 **SEC. 1216. JOINT REPORT ON USING THE SYNCHRONIZED**
16 **PREDEPLOYMENT AND OPERATIONAL TRACK-**
17 **ER (SPOT) DATABASE TO VERIFY AFGHAN SIV**
18 **APPLICANT INFORMATION.**

19 *(a) IN GENERAL.—Not later than 120 days after the*
20 *date of the enactment of this Act, the Secretary of Defense*
21 *and the Secretary of State shall submit to appropriate con-*
22 *gressional committees a joint report on the use of the De-*
23 *partment of Defense Synchronized Predeployment and*
24 *Operational Tracker database (in this section referred to*
25 *as the “SPOT database”) to verify the existence, for the pur-*

1 *pose of determining eligibility for special immigrant visa*
2 *(SIV) program, of—*

3 *(1) Department of Defense contracts;*

4 *(2) employment of Afghans who worked for the*
5 *United States Government; and*

6 *(3) biographic data.*

7 *(b) ELEMENTS OF JOINT REPORT.—The joint report*
8 *required under subsection (a) shall—*

9 *(1) evaluate the improvements in the SIV process*
10 *following the use of the SPOT database to verify SIV*
11 *applications, including the extent to which use of*
12 *SPOT expedited SIV processing, reduced the risk of*
13 *fraudulent documents, and the extent to which the*
14 *SPOT database could be used for future SIV pro-*
15 *grams;*

16 *(2) identify obstacles that persisted in docu-*
17 *menting the identity and employment of locally em-*
18 *ployed staff and contractors after the use of the SPOT*
19 *database in the SIV process; and*

20 *(3) recommend the changes to the SPOT data-*
21 *base that would be necessary to make it a centralized*
22 *interagency database of personnel and employment*
23 *data that can be used to adjudicate SIV eligibility for*
24 *those employed under United States Government con-*
25 *tracts, grants, or cooperative agreements.*

1 (c) *CONSULTATION.*—*For the purposes of preparing*
2 *the joint report required under this section, the Secretary*
3 *of Defense and the Secretary of State shall consult with the*
4 *Administrator of the United States Agency for Inter-*
5 *national Development and the Secretary of Homeland Secu-*
6 *rity.*

7 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
8 *FINED.*—*In this section, the term “appropriate congres-*
9 *sional committees” means the Committee on Armed Services*
10 *and the Committee on Foreign Relations of the Senate and*
11 *the Committee on Armed Services and the Committee on*
12 *Foreign Affairs of the House of Representatives.*

13 **SEC. 1217. REPORT AND BRIEFING ON UNITED STATES**
14 **EQUIPMENT, PROPERTY, AND CLASSIFIED MA-**
15 **TERIAL THAT WAS DESTROYED OR ABAN-**
16 **DONED IN THE WITHDRAWAL FROM AFGHANI-**
17 **STAN.**

18 (a) *IN GENERAL.*—*Not later than 90 days after the*
19 *date of the enactment of this Act, the Secretary of Defense,*
20 *in consultation with the Secretaries of the military depart-*
21 *ments and the Commander of United States Central Com-*
22 *mand, shall submit to the congressional defense committees*
23 *a report regarding the covered United States equipment,*
24 *property, and classified material and money in cash that*
25 *was destroyed or abandoned in Afghanistan or removed*

1 *from Afghanistan during the covered period. Such report*
2 *shall include each of the following:*

3 (1) *A determination of the value of the covered*
4 *United States equipment, property, and classified*
5 *material that was destroyed or abandoned,*
6 *disaggregated by military department and itemized to*
7 *the most specific feasible level.*

8 (2) *An itemized list of destroyed or abandoned*
9 *aircraft in Afghanistan and the location and condi-*
10 *tion of aircraft flown out of Afghanistan formerly*
11 *possessed by the Afghan Air Force or the former gov-*
12 *ernment of Afghanistan.*

13 (3) *An itemized list of destroyed or abandoned*
14 *weapons, weapon systems, components of weapons or*
15 *weapon systems, ammunition, explosives, missiles,*
16 *ordnance, bombs, mines, or projectiles, disaggregated*
17 *by military department.*

18 (4) *For each item on a list referred to in para-*
19 *graphs (2) and (3), an explanation of the legal au-*
20 *thority relied upon to destroy or abandon that spe-*
21 *cific item.*

22 (5) *An evaluation of the capabilities of the*
23 *Taliban post-withdrawal as a result of their seizure*
24 *of abandoned covered United States equipment, prop-*
25 *erty, and classified material, including an evaluation*

1 *of the capabilities of the Taliban post-withdrawal to*
2 *monetize through the transfer of abandoned covered*
3 *United States equipment, property, and classified*
4 *material to adversaries of the United States.*

5 *(6) An assessment of aircraft flown out of Af-*
6 *ghanistan formerly possessed by the Afghan Air Force*
7 *or the former government of Afghanistan that could be*
8 *returned to the Taliban or to the Islamic Emirate of*
9 *Afghanistan by other countries.*

10 *(7) An assessment of the damage to the national*
11 *security interests of the United States as a result of*
12 *the destroyed or abandoned covered United States*
13 *equipment, property, and classified material.*

14 *(8) An assessment of the feasibility of disabling,*
15 *destroying, recovering, or recapturing abandoned cov-*
16 *ered United States equipment, property, and classi-*
17 *fied material in and outside of Afghanistan and any*
18 *plans to do so.*

19 *(9) Available imagery or photography depicting*
20 *the Taliban or other countries possessing abandoned*
21 *covered United States equipment, property, and clas-*
22 *sified material.*

23 *(b) EXECUTIVE SUMMARY OF REPORT.—The report re-*
24 *quired under subsection (a) shall include an executive sum-*

1 *mary of the report, which shall be unclassified and made*
2 *publicly available.*

3 (c) *BRIEFING.*—*Not later than 120 days after the date*
4 *of the enactment of this Act, the Secretary of Defense, the*
5 *Secretaries of the military departments, and the Com-*
6 *mander of United States Central Command shall provide*
7 *to the congressional defense committees a briefing on the*
8 *report required by this section.*

9 (d) *DEFINITIONS.*—*In this section:*

10 (1) *COVERED UNITED STATES EQUIPMENT, PROP-*
11 *ERTY, AND CLASSIFIED MATERIAL.*—*The term “cov-*
12 *ered United States equipment, property, and classi-*
13 *fied material” means any of the following items for-*
14 *merly owned by the Government of the United States*
15 *or provided by the United States to the former gov-*
16 *ernment or military of Afghanistan during the cov-*
17 *ered period:*

18 (A) *Real property, including any lands,*
19 *buildings, structures, utilities systems, improve-*
20 *ments, and appurtenances, thereto, including*
21 *equipment attached to and made part of build-*
22 *ings and structures, but not movable equipment.*

23 (B) *Personal property, including property*
24 *of any kind or any interest therein, except real*
25 *property.*

1 (C) *Equipment, including all nonexpend-*
 2 *able items needed to outfit or equip an indi-*
 3 *vidual or organization.*

4 (D) *Classified information, in any form, in-*
 5 *cluding official information that has been deter-*
 6 *mined to require, in the interests of national se-*
 7 *curity, protection against unauthorized disclo-*
 8 *sure and which has been so designated.*

9 (2) *COVERED PERIOD.*—*The term “covered pe-*
 10 *riod” means the period beginning on February 29,*
 11 *2020, and ending on the date of the enactment of this*
 12 *Act.*

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

15 ***SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY***
 16 ***TO PROVIDE ASSISTANCE TO VETTED SYRIAN***
 17 ***GROUPS AND INDIVIDUALS.***

18 (a) *EXTENSION.*—*Subsection (a) of section 1209 of the*
 19 *Carl Levin and Howard P. “Buck” McKeon National De-*
 20 *fense Authorization Act for Fiscal Year 2015 (Public Law*
 21 *113–291; 127 Stat. 3451) is amended by striking “Decem-*
 22 *ber 31, 2021” and inserting “December 31, 2022”.*

23 (b) *NOTICE BEFORE PROVISION OF ASSISTANCE.*—
 24 *Subsection (b)(2) of such section is amended by striking*
 25 *subparagraph (A) and inserting the following:*

1 “(A) not later than 15 days before the ex-
2 penditure of each 25 percent of the total amount
3 authorized to be appropriated in any fiscal year
4 under this section; or”.

5 (c) *WAIVER AUTHORITY.*—Subsection (l) of such sec-
6 tion is amended by adding at the end the following:

7 “(3) *WAIVER AUTHORITY.*—

8 “(A) *IN GENERAL.*—The President may
9 waive the limitation under paragraph (1)(A) on
10 a per project basis for the purposes of providing
11 support authorized under subsection (a)(4) if the
12 President—

13 “(i) determines that the waiver is in
14 the national security interest of the United
15 States; and

16 “(ii) submits to the appropriate con-
17 gressional committees a notification of the
18 exercise of the waiver.

19 “(B) *NOTICE AND WAIT.*—

20 “(i) *IN GENERAL.*—A project with re-
21 spect to which the exercise of a waiver
22 under subparagraph (A) applies may only
23 be carried out after the end of a 15-day pe-
24 riod beginning at the date on which the ap-
25 propriate congressional committees receive

1 *the notification required by subparagraph*
2 *(A)(ii).*

3 “(ii) *MATTERS TO BE INCLUDED.—The*
4 *notification required by subparagraph*
5 *(A)(ii) shall include the following:*

6 “(I) *A detailed plan and cost esti-*
7 *mate for the project.*

8 “(II) *A certification by the Presi-*
9 *dent that facilities and activities relat-*
10 *ing to the project comply with—*

11 “(aa) *the law of armed con-*
12 *flict;*

13 “(bb) *internationally recog-*
14 *nized human rights;*

15 “(cc) *the principle of non-*
16 *refoulement;*

17 “(dd) *the Convention Against*
18 *Torture and Other Cruel, Inhu-*
19 *man or Degrading Treatment or*
20 *Punishment (done at New York on*
21 *December 10, 1984); and*

22 “(ee) *the United Nations*
23 *Convention Relating to the Status*
24 *of Refugees, done at Geneva July*
25 *28, 1951 (as made applicable by*

1 *the Protocol Relating to the Sta-*
2 *tus of Refugees, done at New York*
3 *January 31, 1967 (19*
4 *UST6223)).*

5 “(III) *An explanation of the na-*
6 *tional security interest addressed by*
7 *the project.*

8 “(iii) *APPROPRIATE CONGRESSIONAL*
9 *COMMITTEES DEFINED.—In this subpara-*
10 *graph, the term ‘appropriate congressional*
11 *committees’ means—*

12 “(I) *the congressional defense*
13 *committees; and*

14 “(II) *the Committee on Committee*
15 *on Foreign Relations of the Senate and*
16 *the Committee on Foreign Affairs of*
17 *the House of Representatives.*

18 “(C) *UPDATE TO PLAN AND COST ESTI-*
19 *MATE.—Upon obligation of any funds to carry*
20 *out a project with respect to which the exercise*
21 *of a waiver under subparagraph (A) applies, the*
22 *Secretary of Defense shall submit to the congres-*
23 *sional defense committees an update to the plan*
24 *and cost estimate for the project as required by*
25 *subparagraph (B)(i)(I).*

1 “(D) *SUNSET*.—*The waiver authority under*
 2 *this paragraph shall expire on December 31,*
 3 *2022.*”.

4 (d) *TECHNICAL AMENDMENT*.—*The table of contents*
 5 *for the Carl Levin and Howard P. “Buck” McKeon Na-*
 6 *tional Defense Authorization Act for Fiscal Year 2015 (Pub-*
 7 *lic Law 113–291; 127 Stat. 3293) is amended by striking*
 8 *the item relating to section 1209 and inserting the fol-*
 9 *lowing:*

 “*Sec. 1209. Authority to provide assistance to vetted Syrian groups and individ-*
 uals.”.

10 **SEC. 1222. DEFENSE AND DIPLOMATIC STRATEGY FOR**
 11 **SYRIA.**

12 (a) *REPORT REQUIRED*.—*Not later than 90 days after*
 13 *the date of the enactment of this Act, the President, acting*
 14 *through the Secretary of State and in coordination with*
 15 *the Secretary of Defense, shall submit to the appropriate*
 16 *congressional committees a report that contains a descrip-*
 17 *tion of the United States defense and diplomatic strategy*
 18 *for Syria.*

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

21 (1) *A United States diplomatic strategy for*
 22 *Syria, including a description of the desired diplo-*
 23 *matic objectives for advancing United States national*
 24 *interests in Syria, desired end-goals, and a descrip-*

1 *tion of the intended diplomatic and related foreign*
2 *policy means to achieve such objectives, including en-*
3 *gagement with key foreign actors operating in Syria*
4 *such as Russia and Turkey.*

5 *(2) A United States defense strategy for Syria,*
6 *including a description of the security objectives the*
7 *United States aims to achieve, including the objectives*
8 *and desired end-state for the United States military*
9 *presence in northeast Syria, envisioned transition*
10 *timeline for security responsibilities to the Syrian*
11 *Democratic Forces (SDF), and status of remaining*
12 *ISIS elements, strategy to mitigate Turkish-SDF ten-*
13 *sions, and a long-term approach to managing the*
14 *threat of Iranian-aligned militias and forces oper-*
15 *ating in Syria to United States partners and inter-*
16 *ests.*

17 *(3) A description of United States strategy and*
18 *objectives for United States military support to and*
19 *coordination with the Jaysh Maghawir al-Thawra*
20 *(“MaT”) including transition plan and operational*
21 *needs in and around Al-Tanf.*

22 *(4) A plan for enduring security of ISIS detain-*
23 *ees currently held in SDF secured facilities (including*
24 *so-called “third country fighters” as well as Iraqi and*

1 *Syrian national ISIS detainees) accounting for secu-*
2 *rity of personnel and facilities involved.*

3 *(5) A diplomatic strategy for securing the repa-*
4 *triation of remaining ISIS “third country fighters”*
5 *to countries of origin, including a comprehensive*
6 *breakdown of each country of origin and number of*
7 *detainees yet to be repatriated.*

8 *(6) A plan for the resettlement and disposition*
9 *of ISIS connected women and children in remaining*
10 *detention facilities, including roles and responsibil-*
11 *ities of counter-ISIS coalition partners.*

12 *(7) A detailed assessment of the security and hu-*
13 *manitarian situation at the internally displaced per-*
14 *sons camp at Rukban, including an overview of inter-*
15 *national efforts to reduce the camp’s population and*
16 *United States policy options to ameliorate the situa-*
17 *tion.*

18 *(8) A plan for diplomatic and humanitarian en-*
19 *gagement with regional partners and multilateral in-*
20 *stitutions to ensure successful and safe delivery of*
21 *continued humanitarian assistance to non-regime*
22 *held areas of Syria.*

23 *(9) An assessment of United States efforts to pre-*
24 *vent normalization and rehabilitation of the Assad re-*

1 *gime, to include addressing recent outreach to the*
2 *Assad regime by United States partners.*

3 (10) *An assessment of United States diplomatic*
4 *efforts to prevent Syria’s re-entry into the Arab*
5 *League.*

6 (11) *An assessment of progress towards meeting*
7 *the criteria specified in paragraphs (1) through (7) of*
8 *section 7431(a) of the Caesar Syria Civilian Protec-*
9 *tion Act of 2019 (Public Law 116–92; 133 Stat.*
10 *2297), required for suspension of sanctions against*
11 *the Assad regime.*

12 (12) *An assessment of United States efforts to*
13 *seek accountability for the Assad regime’s crimes*
14 *against the Syrian people, to include unlawful deten-*
15 *tion, forced disappearance, torture, starvation, and*
16 *the use of chemical weapons.*

17 (c) *FORM.—The report required by subsection (a) shall*
18 *be submitted in unclassified form, but may include a classi-*
19 *fied annex.*

20 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
21 *FINED.—In this section, the term “appropriate congres-*
22 *sional committees” means—*

23 (1) *the Committee on Armed Services, the Com-*
24 *mittee on Foreign Relations, and the Committee on*
25 *Appropriations of the Senate; and*

1 (2) *the Committee on Armed Services, the Com-*
2 *mittee on Foreign Affairs, and the Committee on Ap-*
3 *propriations of the House of Representatives.*

4 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
5 **TO PROVIDE ASSISTANCE TO COUNTER THE**
6 **ISLAMIC STATE OF IRAQ AND SYRIA.**

7 (a) *IN GENERAL.*—Subsection (a) of section 1236 of
8 *the Carl Levin and Howard P. “Buck” McKeon National*
9 *Defense Authorization Act for Fiscal Year 2015 (Public*
10 *Law 113–291; 128 Stat. 3558) is amended by striking “De-*
11 *cember 31, 2021” and inserting “December 31, 2022”.*

12 (b) *FUNDING.*—Subsection (g) of such section is
13 *amended—*

14 (1) *by striking “fiscal year 2021” and inserting*
15 *“fiscal year 2022”; and*

16 (2) *by striking “\$322,500,000” and inserting*
17 *“\$345,000,000”.*

18 (c) *ASSESSMENT AND AUTHORITY TO ASSIST DI-*
19 *RECTLY CERTAIN COVERED GROUPS.*—Subsection (l)(1)(B)
20 *of such section is amended—*

21 (1) *by striking clause (ii);*

22 (2)(A) *by redesignating clauses (iii) through (vi)*
23 *as clauses (ii) through (v), respectively; and*

24 (B) *by redesignating clause (vii) as clause (xi);*

1 (3) *in clause (iv), as redesignated, by striking “,*
2 *and once established, the Iraqi Sunni National*
3 *Guard”;* and

4 (4) *by inserting after clause (v), as redesignated,*
5 *the following:*

6 “(vi) *Whether the Shia militias are*
7 *gaining new malign capabilities or improv-*
8 *ing such capabilities, and whether the Gov-*
9 *ernment of Iraq is acting to counter or sup-*
10 *press those capabilities.*

11 “(vii) *Whether the Government of Iraq*
12 *is acting to ensure the safety of United*
13 *States Government personnel and citizens,*
14 *as well as the safety of United States facili-*
15 *ties.*

16 “(viii) *Whether the Government of Iraq*
17 *is ensuring the safe and voluntary return of*
18 *ethno-religious minority populations to*
19 *their home communities in the Nineveh*
20 *Plains region of Iraq.*

21 “(ix) *Whether the Government of Iraq*
22 *has provided support and funding to insti-*
23 *tutionalize and make permanent local, rep-*
24 *resentative, and regionally-based security*
25 *forces.*

1 “(x) *An assessment of the impact of the*
2 *Iraq and Syria Genocide Relief and Ac-*
3 *countability Act of 2018 (Public Law 115–*
4 *300) on return rates of vulnerable, indige-*
5 *nous, ethno-religious groups, including As-*
6 *syrians and Yazidis, in those areas of the*
7 *Nineveh Plains region of Iraq in which as-*
8 *stance has been provided pursuant to sub-*
9 *section (a).”.*

10 (d) *WAIVER AUTHORITY.—Such section, as so amend-*
11 *ed, is further amended by adding at the end the following:*

12 “(o) *WAIVER AUTHORITY.—*

13 “(1) *IN GENERAL.—The President may waive the*
14 *dollar amount limitation in subsection (a) with re-*
15 *spect to a construction, repair, or renovation project*
16 *for the purposes of providing the support described in*
17 *paragraph (2) if the President—*

18 “(A) *determines that the waiver is in the*
19 *national security interest of the United States;*
20 *and*

21 “(B) *submits to the appropriate congress-*
22 *sional committees a notification of the exercise of*
23 *the waiver.*

24 “(2) *SUPPORT DESCRIBED.—The support de-*
25 *scribed in this paragraph is support relating to tem-*

1 *porary humane detention of Islamic State of Iraq and*
2 *Syria foreign terrorist fighters in accordance with all*
3 *laws and obligations relating to the provision of such*
4 *support, including, as applicable—*

5 *“(A) the law of armed conflict;*

6 *“(B) internationally recognized human*
7 *rights;*

8 *“(C) the principle of non-refoulement;*

9 *“(D) the Convention Against Torture and*
10 *Other Cruel, Inhuman or Degrading Treatment*
11 *or Punishment (done at New York on December*
12 *10, 1984); and*

13 *“(E) the United Nations Convention Relat-*
14 *ing to the Status of Refugees, done at Geneva*
15 *July 28, 1951 (as made applicable by the Pro-*
16 *TOCOL Relating to the Status of Refugees, done at*
17 *New York January 31, 1967 (19 UST6223)).*

18 *“(3) NOTICE AND WAIT.—*

19 *“(A) IN GENERAL.—A project with respect*
20 *to which the exercise of a waiver under para-*
21 *graph (1) applies may only be carried out after*
22 *the end of a 15-day period beginning at the date*
23 *on which the appropriate congressional commit-*
24 *tees receive the notification required by para-*
25 *graph (1)(B).*

1 “(B) *MATTERS TO BE INCLUDED.*—*The no-*
2 *tification required by paragraph (1)(B) shall in-*
3 *clude the following:*

4 “(i) *A detailed plan and cost estimate*
5 *for the project.*

6 “(ii) *A certification by the President*
7 *that facilities and activities relating to the*
8 *project comply with the laws and obliga-*
9 *tions described in paragraph (2).*

10 “(iii) *An explanation of the national*
11 *security interest addressed by the project.*

12 “(C) *APPROPRIATE CONGRESSIONAL COM-*
13 *MITTEES DEFINED.*—*In this paragraph, the term*
14 *‘appropriate congressional committees’ means—*

15 “(i) *the congressional defense commit-*
16 *tees; and*

17 “(ii) *the Committee on Foreign Rela-*
18 *tions of the Senate and the Committee on*
19 *Foreign Affairs of the House of Representa-*
20 *tives.*

21 “(4) *UPDATE TO PLAN AND COST ESTIMATE.*—
22 *Upon obligation of any funds to carry out a project*
23 *with respect to which the exercise of a waiver under*
24 *paragraph (1) applies, the Secretary of Defense shall*
25 *submit to the congressional defense committees an up-*

1 *date to the plan and cost estimate for the project as*
2 *required by paragraph (3)(B)(i).*

3 *“(5) SUNSET.—The waiver authority under this*
4 *subsection shall expire on December 31, 2022.”.*

5 *(e) RESTRICTION ON COUNTER-ISIS TRAIN AND*
6 *EQUIP FUND.—Amounts authorized to be appropriated by*
7 *this Act or the amendments made by this Act or otherwise*
8 *made available for any fiscal year to the Counter-Islamic*
9 *State of Iraq and Syria Train and Equip Fund are author-*
10 *ized to be made available only in support of partner forces*
11 *eligible to receive assistance under section 1209(a) of the*
12 *Carl Levin and Howard P. “Buck” McKeon National De-*
13 *fense Authorization Act for Fiscal Year 2015 (Public Law*
14 *113–291; 128 Stat. 3541) or subsection (a) of section 1236*
15 *of such Act, as amended by subsection (a) of this section.*

16 *(f) REPORT.—*

17 *(1) IN GENERAL.—Not later than 180 days after*
18 *the date of the enactment of this Act, the Secretary of*
19 *Defense, in consultation with the heads of other rel-*
20 *evant Federal departments and agencies, shall submit*
21 *to appropriate congressional committees a report that*
22 *contains the following:*

23 *(A) A comprehensive strategy and plan to*
24 *train and build lasting and sustainable military*
25 *capabilities of the Iraqi security forces, including*

1 *the Kurdish Peshmerga, using existing authori-*
2 *ties, which may include a memorandum of un-*
3 *derstanding with the Ministry of Peshmerga Af-*
4 *fairs in coordination with the Government of*
5 *Iraq.*

6 *(B) A plan to engage the Government of*
7 *Iraq and the Kurdistan Regional Government in*
8 *security sector reform and strengthen and*
9 *sustainably build the capacity of Iraq’s national*
10 *defense and security institutions, including the*
11 *Kurdish Peshmerga.*

12 *(C) A description of the current status, ca-*
13 *pabilities, and operational capacity of remain-*
14 *ing Islamic State of Iraq and Syria elements ac-*
15 *tive in Iraq and Syria.*

16 *(2) APPROPRIATE CONGRESSIONAL COMMITTEES*
17 *DEFINED.—In this subsection, the term “appropriate*
18 *congressional committees” means—*

19 *(A) the congressional defense committees;*
20 *and*

21 *(B) the Committee on Foreign Affairs of the*
22 *House of Representatives and the Committee on*
23 *Foreign Relations of the Senate.*

1 **SEC. 1224. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO SUPPORT OPERATIONS AND ACTIVITIES**
3 **OF THE OFFICE OF SECURITY COOPERATION**
4 **IN IRAQ.**

5 (a) *LIMITATION ON AMOUNT.*—Subsection (c) of sec-
6 tion 1215 of the National Defense Authorization Act for Fis-
7 cal Year 2012 (10 U.S.C. 113 note) is amended by striking
8 “fiscal year 2021” and inserting “fiscal year 2022”.

9 (b) *SOURCE OF FUNDS.*—Subsection (d) of such section
10 is amended by striking “fiscal year 2021” and inserting
11 “fiscal year 2022”.

12 (c) *LIMITATION ON AVAILABILITY OF FUNDS.*—Sub-
13 section (h) of such section is amended to read as follows:

14 “(h) *LIMITATION ON AVAILABILITY OF FUNDS.*—Of the
15 amount authorized to be appropriated by this Act for fiscal
16 year 2022 to carry out this section, not more than
17 \$10,000,000 may be obligated or expended for the Office of
18 Security Cooperation in Iraq until the date on which the
19 Secretary of Defense provides to the congressional defense
20 committees, the Committee on Foreign Relations of the Sen-
21 ate, and the Committee on Foreign Affairs of the House of
22 Representatives a report that—

23 “(1) details further steps to reorganize the Office
24 in a manner similar to that of other security coopera-
25 tion offices in the region and indicates whether such
26 reorganization will be achieved by 2023;

1 “(2) describes progress made toward the continu-
2 ation of bilateral engagement with the Government of
3 Iraq, with the objective of establishing a joint mecha-
4 nism for security assistance planning;

5 “(3) includes a five-year security assistance
6 roadmap for developing sustainable military capacity
7 and capabilities and enabling defense institution
8 building and reform; and

9 “(4) describes progress made toward, and a
10 timeline for, the transition of the preponderance of
11 funding for the activities of the Office from current
12 sources to the Foreign Military Financing Adminis-
13 trative Fund and the Foreign Military Sales Trust
14 Fund Administrative Surcharge Account in future
15 years.”.

16 **SEC. 1225. PROHIBITION ON TRANSFERS TO BADR ORGANI-**
17 **ZATION.**

18 None of the amounts authorized to be appropriated by
19 this Act or otherwise made available to the Department of
20 Defense may be made available, directly or indirectly, to
21 the Badr Organization.

22 **SEC. 1226. PROHIBITION ON TRANSFERS TO IRAN.**

23 None of the amounts authorized to be appropriated by
24 this Act or otherwise made available to the Department of
25 Defense may be made available to transfer or facilitate a

1 *transfer of pallets of currency, currency, or other items of*
2 *value to the Government of Iran, any subsidiary of such*
3 *Government, or any agent or instrumentality of Iran.*

4 **SEC. 1227. REPORT ON THE MILITARY CAPABILITIES OF**
5 **IRAN AND RELATED ACTIVITIES.**

6 (a) *IN GENERAL.*—*Not later than 180 days after the*
7 *date of the enactment of this Act, the Director of National*
8 *Intelligence shall submit to the appropriate congressional*
9 *committees a report that includes the following:*

10 (1) *A detailed description of each of the fol-*
11 *lowing:*

12 (A) *Advancements in the military capabili-*
13 *ties of Iran, including capabilities of the Islamic*
14 *Revolutionary Guard Corps, the Quds Force, the*
15 *Artesh, and the Basij.*

16 (B) *All known instances of the supply, sale,*
17 *or transfer of arms or related materiel, including*
18 *spare parts, to or from Iran.*

19 (C) *All known instances of missile launches*
20 *by Iran, including for the purposes of testing*
21 *and development or use in military operations.*

22 (D) *Changes to the military capabilities of*
23 *Iran-backed groups, most notably Lebanese*
24 *Hezbollah, Asa'ib ahl al-Haq, Harakat Hezbollah*
25 *al-Nujaba, Kata'ib Sayyid al-Shuhada, Kata'ib*

1 *al-Imam Ali, Kata'ib Hezbollah, the Badr Orga-*
2 *nization, the Fatemiyoun, the Zainabiyoun, and*
3 *Ansar Allah (also known as the Houthis).*

4 (2) *An assessment of each of the following:*

5 (A) *Impacts that the imposition or revoca-*
6 *tion of unilateral United States economic sanc-*
7 *tions on Iran may have on the military capa-*
8 *bilities of entities described in subparagraphs*
9 *(A) and (D) of paragraph (1).*

10 (B) *Acts of violence and intimidation that*
11 *Iranian-backed militias in Iraq have committed*
12 *against Iraqi civilians.*

13 (C) *The threat that Iranian-backed militias*
14 *in Iraq pose to United States personnel in Iraq*
15 *and in the Middle East, including United States*
16 *Armed Forces and diplomats.*

17 (D) *The threat Iranian-backed militias in*
18 *Iraq pose to United States partners in the re-*
19 *gion.*

20 (E) *The role that Iranian-backed militias*
21 *in Iraq, including the Badr Organization, play*
22 *in Iraq's armed forces and security services, in-*
23 *cluding Iraq's Popular Mobilization Forces.*

24 (F) *The United Nations arms embargo on*
25 *Iran's ability to supply, sell, or transfer, directly*

1 or indirectly, arms or related materiel while the
2 embargo was in effect.

3 (G) Iran's use of kidnapping operations
4 against United States citizens and an analysis
5 of opportunities to counter such actions or im-
6 pose costs on Iran.

7 (b) *TIME PERIOD.*—Except as otherwise provided, the
8 report required by subsection (a) shall cover developments
9 during the period beginning in June 2018 and ending on
10 the day before the date on which the report is submitted.

11 (c) *FORM.*—The report required by subsection (a) shall
12 be submitted in unclassified form, but may include a classi-
13 fied annex.

14 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
15 *FINED.*—In this section, the term “appropriate congres-
16 sional committees” means—

17 (1) the congressional defense committees;

18 (2) the Committee on Foreign Relations and the
19 Select Committee on Intelligence of the Senate; and

20 (3) the Committee on Foreign Affairs and the
21 Permanent Select Committee on Intelligence of the
22 House of Representatives.

23 **SEC. 1228. SENSE OF CONGRESS ON ENRICHMENT OF URA-**
24 **NIUM BY IRAN.**

25 It is the sense of Congress that—

1 (1) *the Government of Iran’s decision to enrich*
2 *uranium up to 60 percent purity is a further esca-*
3 *lation and shortens the breakout time to produce*
4 *enough highly enriched uranium to develop a nuclear*
5 *weapon; and*

6 (2) *the Government of Iran should immediately*
7 *abandon any pursuit of a nuclear weapon.*

8 ***Subtitle D—Matters Relating to***
9 ***Russia***

10 ***SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-***
11 ***OPERATION BETWEEN THE UNITED STATES***
12 ***AND THE RUSSIAN FEDERATION.***

13 *Section 1232(a) of the National Defense Authorization*
14 *Act for Fiscal Year 2017 (Public Law 114–328) is amended*
15 *by striking “2020, or 2021” and inserting “2020, 2021, or*
16 *2022”.*

17 ***SEC. 1232. EXTENSION OF UKRAINE SECURITY ASSISTANCE***
18 ***INITIATIVE.***

19 *Section 1250 of the National Defense Authorization*
20 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*
21 *1068) is amended as follows:*

22 (1) *In subsection (c)—*

23 (A) *in paragraph (1), by striking “funds*
24 *available for fiscal year 2021 pursuant to sub-*

1 *section (f)(6)” and inserting “funds available for*
2 *fiscal year 2022 pursuant to subsection (f)(7)”;*

3 *(B) in paragraph (3), by striking “fiscal*
4 *year 2021” and inserting “fiscal year 2022”;*
5 *and*

6 *(C) in paragraph (5), by striking “Of the*
7 *funds available for fiscal year 2021 pursuant to*
8 *subsection (f)(6)” and inserting “Of the funds*
9 *available for fiscal year 2022 pursuant to sub-*
10 *section (f)(7)”.*

11 *(2) In subsection (f), by adding at the end the*
12 *following:*

13 *“(7) For fiscal year 2022, \$300,000,000.”.*

14 *(3) In subsection (h), by striking “December 31,*
15 *2023” and inserting “December 31, 2024”.*

16 **SEC. 1233. EXTENSION OF AUTHORITY FOR TRAINING FOR**
17 **EASTERN EUROPEAN NATIONAL SECURITY**
18 **FORCES IN THE COURSE OF MULTILATERAL**
19 **EXERCISES.**

20 *Subsection (h) of section 1251 of the National Defense*
21 *Authorization Act for Fiscal Year 2016 (10 U.S.C. 333*
22 *note) is amended—*

23 *(1) in the first sentence, by striking “December*
24 *31, 2023” and inserting “December 31, 2024”; and*

1 (2) *in the second sentence, by striking “the pe-*
2 *riod beginning on October 1, 2015, and ending on De-*
3 *cember 31, 2023” and inserting “the period beginning*
4 *on October 1, 2015, and ending on December 31,*
5 *2024.”.*

6 **SEC. 1234. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
7 **LATING TO SOVEREIGNTY OF THE RUSSIAN**
8 **FEDERATION OVER CRIMEA.**

9 (a) *PROHIBITION.*—*None of the funds authorized to be*
10 *appropriated by this Act or otherwise made available for*
11 *fiscal year 2022 for the Department of Defense may be obli-*
12 *gated or expended to implement any activity that recognizes*
13 *the sovereignty of the Russian Federation over Crimea.*

14 (b) *WAIVER.*—*The Secretary of Defense, with the con-*
15 *currence of the Secretary of State, may waive the prohibi-*
16 *tion under subsection (a) if the Secretary of Defense—*

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

19 (2) *on the date on which the waiver is invoked,*
20 *submits a notification of the waiver and a justifica-*
21 *tion of the reason for seeking the waiver to—*

22 (A) *the Committee on Armed Services and*
23 *the Committee on Foreign Relations of the Sen-*
24 *ate; and*

1 (B) *the Committee on Armed Services and*
2 *the Committee on Foreign Affairs of the House*
3 *of Representatives.*

4 **SEC. 1235. REPORT ON RUSSIAN INFLUENCE OPERATIONS**
5 **AND CAMPAIGNS TARGETING MILITARY ALLI-**
6 **ANCES AND PARTNERSHIPS OF WHICH THE**
7 **UNITED STATES IS A MEMBER.**

8 (a) *REPORT REQUIRED.*—*Not later than 180 days*
9 *after the date of the enactment of this Act and biennially*
10 *thereafter until April 1, 2024, the Secretary of Defense and*
11 *the Secretary of State, in coordination with the Director*
12 *of National Intelligence and the heads of any other appro-*
13 *priate departments or agencies, shall jointly submit to the*
14 *appropriate congressional committees a report on Russian*
15 *influence operations and campaigns that target United*
16 *States military alliances and partnerships.*

17 (b) *ELEMENTS.*—*The report required under subsection*
18 *(a) shall include each of the following:*

19 (1) *An assessment of Russia’s objectives for influ-*
20 *ence operations and campaigns targeting United*
21 *States military alliances and partnerships, including*
22 *the North Atlantic Treaty Organization, its allies,*
23 *and partner countries, and how such operations and*
24 *campaigns relate to Russia’s broader strategic aims.*

1 (2) *The activities and roles of the Department of*
2 *Defense and Department of State in the United States*
3 *Government strategy to counter such Russian influ-*
4 *ence operations and campaigns.*

5 (3) *A comprehensive list of specific Russian state*
6 *and non-state entities, or those of any other country*
7 *with which Russia may cooperate, involved in sup-*
8 *porting such Russian influence operations and cam-*
9 *paings and the role of each such entity in such sup-*
10 *port.*

11 (4) *An identification of the tactics, techniques,*
12 *and procedures used in previous Russian influence*
13 *operations and campaigns.*

14 (5) *An assessment of the impact of previous Rus-*
15 *sian influence operations and campaigns targeting*
16 *United States military alliances and partnerships,*
17 *including the views of senior Russian officials about*
18 *the effectiveness of such operations and campaigns in*
19 *achieving Russian objectives.*

20 (6) *An identification of each United States ally*
21 *and partner, and each military alliance of which the*
22 *United States is a member, that has been targeted by*
23 *Russian influence operations and campaigns.*

24 (7) *An identification of each United States ally*
25 *and partner, and each military alliance of which the*

1 *United States is a member, that may be targeted in*
2 *future Russian influence operations and campaigns,*
3 *and an assessment of the likelihood that each such*
4 *ally, partner, or alliance will be targeted.*

5 (8) *An assessment of the capacity and efforts of*
6 *each United States ally and partner, and each mili-*
7 *tary alliance of which the United States is a member,*
8 *to counter Russian influence operations and cam-*
9 *paigns.*

10 (9) *An identification of tactics, techniques, and*
11 *procedures likely to be used in future Russian influ-*
12 *ence operations and campaigns targeting United*
13 *States military alliances and partnerships.*

14 (10) *Recommended authorities or activities for*
15 *the Department of Defense and Department of State*
16 *in the United States Government strategy to counter*
17 *such Russian influence operations and campaigns.*

18 (11) *Any other matters the Secretaries determine*
19 *appropriate.*

20 (c) *FORM.*—*The report required under subsection (a)*
21 *shall be submitted in unclassified form and in a manner*
22 *appropriate for release to the public, but may include a*
23 *classified annex.*

24 (d) *DEFINITIONS.*—*In this section, the term “appro-*
25 *priate congressional committees” means—*

- 1 (1) *the congressional defense committees;*
2 (2) *the Permanent Select Committee on Intel-*
3 *ligence of the House of Representatives and the Select*
4 *Committee on Intelligence of the Senate; and*
5 (3) *the Committee on Foreign Affairs of the*
6 *House of Representatives and the Committee on For-*
7 *eign Relations of the Senate.*

8 ***Subtitle E—Matters Relating to the***
9 ***Indo-Pacific Region***

10 ***SEC. 1241. EXTENSION AND MODIFICATION OF INDO-PA-***
11 ***CIFIC MARITIME SECURITY INITIATIVE.***

12 (a) *ASSISTANCE AND TRAINING.*—*Subsection (a)(1) of*
13 *section 1263 of the National Defense Authorization Act for*
14 *Fiscal Year 2016 (10 U.S.C. 333 note) is amended, in the*
15 *matter preceding subparagraph (A), by striking “for the*
16 *purpose of” and all that follows through “Indian Ocean”*
17 *and inserting “with the primary goal of increasing multi-*
18 *lateral maritime security cooperation and maritime do-*
19 *main awareness of foreign countries in the area of responsi-*
20 *bility of the United States Indo-Pacific Command”.*

21 (b) *RECIPIENT COUNTRIES.*—*Subsection (b) of such*
22 *section is amended to read as follows:*

23 “(b) *RECIPIENT COUNTRIES.*—*The foreign countries*
24 *that may be provided assistance and training under sub-*

1 *section (a) are the countries located within the area of re-*
2 *sponsibility of the United States Indo-Pacific Command.”.*

3 *(c) TYPES OF ASSISTANCE AND TRAINING.—Sub-*
4 *section (c)(1) of such section is amended by striking “small-*
5 *scale military construction” and inserting “small-scale con-*
6 *struction (as defined in section 301 of title 10, United*
7 *States Code)”.*

8 *(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—*
9 *Subsection (d) of such section is amended to read as follows:*

10 *“(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—*
11 *In developing programs for assistance or training to be pro-*
12 *vided under subsection (a), the Secretary of Defense shall*
13 *prioritize assistance, training, or both, to enhance—*

14 *“(1) multilateral cooperation and coordination*
15 *among recipient countries; or*

16 *“(2) the capabilities of a recipient country to*
17 *more effectively participate in a regional organiza-*
18 *tion of which the recipient country is a member.”.*

19 *(e) INCREMENTAL EXPENSES OF PERSONNEL OF CER-*
20 *TAIN OTHER COUNTRIES FOR TRAINING.—Subsection (e) of*
21 *such section is amended to read as follows:*

22 *“(e) INCREMENTAL EXPENSES OF PERSONNEL OF RE-*
23 *CIPIENT COUNTRIES FOR TRAINING.—If the Secretary of*
24 *Defense determines that the payment of incremental ex-*
25 *penses (as defined in section 301 of title 10, United States*

1 Code) in connection with training described in subsection
2 (a)(1)(B) will facilitate the participation in such training
3 of organization personnel of recipient countries described
4 in subsection (b), the Secretary may use amounts available
5 under subsection (f) for assistance and training under sub-
6 section (a) for the payment of such incremental expenses.”.

7 (f) AVAILABILITY OF FUNDS.—Subsection (f) of such
8 section is amended to read as follows:

9 “(f) AVAILABILITY OF FUNDS.—Of the amounts au-
10 thorized to be appropriated for each of fiscal years 2022
11 through 2027 for the Department of Defense, Operation and
12 Maintenance, Defense-wide, \$50,000,000 may be made
13 available for the provision of assistance and training under
14 subsection (a).”.

15 (g) LIMITATIONS.—Such section is further amended—

16 (1) by striking subsection (i);

17 (2) by redesignating subsections (g) and (h) as
18 subsections (h) and (i), respectively; and

19 (3) by inserting after subsection (f) the following
20 new subsection (g):

21 “(g) LIMITATIONS.—

22 “(1) ASSISTANCE OTHERWISE PROHIBITED BY
23 LAW.—The Secretary of Defense may not use the au-
24 thority in subsection (a) to provide any type of assist-

1 *ance described in subsection (c) that is otherwise pro-*
2 *hibited by any provision of law.*

3 “(2) *PROHIBITION ON ASSISTANCE TO UNITS*
4 *THAT HAVE COMMITTED GROSS VIOLATIONS OF*
5 *HUMAN RIGHTS.—The provision of assistance pursu-*
6 *ant to a program under subsection (a) shall be subject*
7 *to the provisions of section 362 of title 10, United*
8 *States Code.*

9 “(3) *SECURITY COOPERATION.—Assistance,*
10 *training, and exercises with recipient countries de-*
11 *scribed in subsection (b) shall be planned and*
12 *prioritized consistent with applicable guidance relat-*
13 *ing to the security cooperation program and activities*
14 *of the Department of Defense.*

15 “(4) *ASSESSMENT, MONITORING, AND EVALUA-*
16 *TION.—The provision of assistance and training pur-*
17 *suant to a program under subsection (a) shall be sub-*
18 *ject to the provisions of section 383 of title 10, United*
19 *States Code.”.*

20 *(h) NOTICE TO CONGRESS ON ASSISTANCE AND TRAIN-*
21 *ING.—Subsection (h)(1) of such section, as so redesignated,*
22 *is amended—*

23 (1) *by amending subparagraph (B) to read as*
24 *follows:*

1 “(B) *A detailed justification of the program*
2 *for the provision of the assistance or training*
3 *concerned, its relationship to United States secu-*
4 *rity interests, and an explanation of the manner*
5 *in which such assistance or training will in-*
6 *crease multilateral maritime security coopera-*
7 *tion or maritime domain awareness.”; and*

8 (2) *in subparagraph (G) by striking “the geo-*
9 *graphic combatant command concerned” and insert-*
10 *ing “the United States Indo-Pacific Command”.*

11 (i) *ANNUAL MONITORING REPORT.—Subsection (i) of*
12 *such section, as so redesignated, is amended—*

13 (1) *in paragraph (1)—*

14 (A) *in the matter preceding subparagraph*
15 (A), *by striking “March 1, 2020” and inserting*
16 *“March 1, 2022”;*

17 (B) *by redesignating subparagraphs (A)*
18 *through (G) as subparagraphs (B) through (H),*
19 *respectively;*

20 (C) *by inserting before subparagraph (B),*
21 *as so redesignated, the following new subpara-*
22 *graph (A):*

23 “(A) *The overall strategy for improving*
24 *multilateral maritime security cooperation and*

1 *maritime domain awareness across the theater,*
2 *including an identification of the following:*

3 *“(i) Priority countries and associated*
4 *capabilities across the theater.*

5 *“(ii) Strategic objectives for the Indo-*
6 *Pacific Maritime Security Initiative across*
7 *the theater, lines of effort, and desired end*
8 *results for such lines of effort.*

9 *“(iii) Significant challenges to improv-*
10 *ing multilateral maritime security coopera-*
11 *tion and maritime domain awareness*
12 *across the theater and the manner in which*
13 *the United States Indo-Pacific Command is*
14 *seeking to address such challenges.”; and*

15 *(D) in subparagraph (B), as so redesign-*
16 *ated—*

17 *(i) in clause (ii), by striking the semi-*
18 *colon and inserting “; and”; and*

19 *(ii) by adding at the end the following*
20 *new clause:*

21 *“(iii) how such capabilities can be le-*
22 *veraged to improve multilateral maritime*
23 *security cooperation and maritime domain*
24 *awareness.”; and*

1 (2) in paragraph (2), by striking “subsection
2 (g)(2)” and inserting “subsection (h)(2)”.

3 (j) *EXPIRATION*.—Subsection (j) of such section is
4 amended by striking “December 31, 2025” and inserting
5 “December 31, 2027”.

6 **SEC. 1242. EXTENSION AND MODIFICATION OF PACIFIC DE-**
7 **TERRENCE INITIATIVE.**

8 (a) *EXTENSION*.—Subsection (c) of section 1251 of the
9 *National Defense Authorization Act for Fiscal Year 2021*
10 (*Public Law 116–283*) is amended to read as follows:

11 “(c) *FUNDING*.—Of the amounts authorized to be ap-
12 propriated by the *National Defense Authorization Act for*
13 *Fiscal Year 2022 for the Department of Defense for fiscal*
14 *year 2022, there is authorized to be appropriated for the*
15 *Pacific Deterrence Initiative such sums as may be nec-*
16 *essary, as indicated in sections 4101, 4201, 4301, and 4601*
17 *of such Act.*”.

18 (b) *REPORT ON RESOURCING UNITED STATES DE-*
19 *FENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION*
20 *AND STUDY ON COMPETITIVE STRATEGIES*.—Such section
21 is further amended—

22 (1) by redesignating subsections (d) through (g)
23 as subsections (e) through (h), respectively;

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

1 “(d) *REPORT ON RESOURCING UNITED STATES DE-*
2 *FENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION*
3 *AND STUDY ON COMPETITIVE STRATEGIES.*—

4 “(1) *REPORT REQUIRED.*—

5 “(A) *IN GENERAL.*—*At the same time as the*
6 *submission of the budget of the President (sub-*
7 *mitted to Congress pursuant to section 1105 of*
8 *title 31, United States Code) for each of fiscal*
9 *years 2023 and 2024, the Commander of the*
10 *United States Indo-Pacific Command shall sub-*
11 *mit to the congressional defense committees a re-*
12 *port containing the independent assessment of*
13 *the Commander with respect to the activities and*
14 *resources required, for the first fiscal year begin-*
15 *ning after the date of submission of the report*
16 *and the four following fiscal years, to achieve the*
17 *following objectives:*

18 “(i) *The implementation of the Na-*
19 *tional Defense Strategy with respect to the*
20 *Indo-Pacific region.*

21 “(ii) *The maintenance or restoration of*
22 *the comparative military advantage of the*
23 *United States with respect to the People’s*
24 *Republic of China.*

1 “(iii) *The reduction of the risk of exe-*
2 *cuting contingency plans of the Department*
3 *of Defense.*

4 “(B) *MATTERS TO BE INCLUDED.—The re-*
5 *port required under subparagraph (A) shall in-*
6 *clude the following:*

7 “(i) *With respect to the achievement of*
8 *the objectives described in subparagraph*
9 *(A), a description of the intended force*
10 *structure and posture of assigned and allo-*
11 *cated forces in each of the following:*

12 “(I) *West of the International*
13 *Date Line.*

14 “(II) *In States outside the contig-*
15 *uous United States east of the Inter-*
16 *national Date Line.*

17 “(III) *In the contiguous United*
18 *States.*

19 “(ii) *An assessment of capabilities re-*
20 *quirements to achieve such objectives.*

21 “(iii) *An assessment of logistics re-*
22 *quirements, including personnel, equipment,*
23 *supplies, storage, and maintenance needs to*
24 *achieve such objectives.*

1 “(iv) *An identification of required in-*
2 *frastructure and military construction in-*
3 *vestments to achieve such objectives.*

4 “(v) *An assessment of security coopera-*
5 *tion activities or resources required to*
6 *achieve such objectives.*

7 “(vi)(I) *A plan to fully resource*
8 *United States force posture and capabilities,*
9 *including—*

10 “(aa) *a detailed assessment*
11 *of the resources necessary to ad-*
12 *dress the elements described in*
13 *clauses (i) through (v), including*
14 *specific cost estimates for rec-*
15 *ommended investments or*
16 *projects—*

17 “(AA) *to modernize and*
18 *strengthen the presence of the*
19 *United States Armed Forces,*
20 *including those with ad-*
21 *vanced capabilities;*

22 “(BB) *to improve logis-*
23 *tics and maintenance capa-*
24 *bilities and the pre-posi-*

1 *tioning of equipment, muni-*
2 *tions, fuel, and materiel;*

3 *“(CC) to carry out a*
4 *program of exercises, train-*
5 *ing, experimentation, and in-*
6 *novation for the joint force;*

7 *“(DD) to improve infra-*
8 *structure to enhance the re-*
9 *sponsiveness and resiliency of*
10 *the United States Armed*
11 *Forces;*

12 *“(EE) to build the de-*
13 *fense and security capabili-*
14 *ties, capacity, and coopera-*
15 *tion of allies and partners;*
16 *and*

17 *“(FF) to improve capa-*
18 *bilities available to the*
19 *United States Indo-Pacific*
20 *Command;*

21 *“(bb) a detailed timeline to*
22 *achieve the intended force struc-*
23 *ture and posture described in*
24 *clause (i).*

1 “(II) *The specific cost estimates*
2 *required by subclause (I)(aa) shall, to*
3 *the maximum extent practicable, in-*
4 *clude the following:*

5 “(aa) *With respect to pro-*
6 *curement accounts—*

7 “(AA) *amounts dis-*
8 *played by account, budget ac-*
9 *tivity, line number, line*
10 *item, and line item title; and*

11 “(BB) *a description of*
12 *the requirements for each*
13 *such amount.*

14 “(bb) *With respect to re-*
15 *search, development, test, and*
16 *evaluation accounts—*

17 “(AA) *amounts dis-*
18 *played by account, budget ac-*
19 *tivity, line number, program*
20 *element, and program ele-*
21 *ment title; and*

22 “(BB) *a description of*
23 *the requirements for each*
24 *such amount.*

1 “(cc) *With respect to oper-*
2 *ation and maintenance ac-*
3 *counts—*

4 “(AA) *amounts dis-*
5 *played by account title,*
6 *budget activity title, line*
7 *number, and subactivity*
8 *group title; and*

9 “(BB) *a description of*
10 *the specific manner in which*
11 *each such amount would be*
12 *used.*

13 “(dd) *With respect to mili-*
14 *tary personnel accounts—*

15 “(AA) *amounts dis-*
16 *played by account, budget ac-*
17 *tivity, budget subactivity,*
18 *and budget subactivity title;*
19 *and*

20 “(BB) *a description of*
21 *the requirements for each*
22 *such amount.*

23 “(ee) *With respect to each*
24 *project under military construc-*
25 *tion accounts (including unspec-*

1 *ified minor military construction*
2 *and amounts for planning and*
3 *design), the country, location,*
4 *project title, and project amount*
5 *for each fiscal year.*

6 *“(ff) With respect to any ex-*
7 *penditure or proposed appropria-*
8 *tion not described in items (aa)*
9 *through (ee), a level of detail*
10 *equivalent to or greater than the*
11 *level of detail provided in the fu-*
12 *ture-years defense program sub-*
13 *mitted pursuant to section 221(a)*
14 *of title 10, United States Code.*

15 *“(C) FORM.—The report required under*
16 *subparagraph (A) may be submitted in classified*
17 *form, but shall include an unclassified summary.*

18 *“(D) AVAILABILITY.—Not later than Feb-*
19 *ruary 1 each year, the Commander of the United*
20 *States Indo-Pacific Command shall make the re-*
21 *port available to the Secretary of Defense, the*
22 *Under Secretary of Defense for Policy, the Under*
23 *Secretary of Defense (Comptroller), the Director*
24 *of Cost Assessment and Program Evaluation, the*
25 *Chairman of the Joint Chiefs of Staff, the Secre-*

1 *taries of the military departments, and the chiefs*
2 *of staff of each military service.*

3 “(2) *BRIEFINGS REQUIRED.*—

4 “(A) *INITIAL BRIEFING.*—Not later than 15
5 *days after the submission of the budget of the*
6 *President (submitted to Congress pursuant to*
7 *section 1105 of title 31, United States Code) for*
8 *each of fiscal years 2023 and 2024, the Secretary*
9 *of Defense (acting through the Under Secretary*
10 *of Defense for Policy, the Under Secretary of De-*
11 *fense (Comptroller), and the Director of Cost As-*
12 *essment and Program Evaluation) and the*
13 *Chairman of the Joint Chiefs of Staff shall pro-*
14 *vide to the congressional defense committees a*
15 *joint briefing, and any written comments the*
16 *Secretary of Defense and the Chairman of the*
17 *Joint Chiefs of Staff consider necessary, with re-*
18 *spect to their assessments of the report submitted*
19 *under paragraph (1), including their assessments*
20 *of the feasibility and advisability of the plan re-*
21 *quired by subparagraph (B)(vi) of that para-*
22 *graph.*

23 “(B) *SUBSEQUENT BRIEFING.*—Not later
24 *than 30 days after the submission of the budget*
25 *of the President (submitted to Congress pursuant*

1 to section 1105 of title 31, United States Code)
2 for each of fiscal years 2023 and 2024, the Sec-
3 retary of the Air Force, the Secretary of the
4 Army, and the Secretary of the Navy shall pro-
5 vide to the congressional defense committees a
6 joint briefing, and documents as appropriate,
7 with respect to their assessments of the report
8 submitted under paragraph (1), including their
9 assessments of the feasibility and advisability of
10 the plan required by subparagraph (B)(vi) of
11 that paragraph.”;

12 (3) by amending subsection (e), as redesignated,
13 to read as follows:

14 “(e) *PLAN REQUIRED.*—At the same time as the sub-
15 mission of the budget of the President (submitted to Con-
16 gress pursuant to section 1105 of title 31, United States
17 Code) for each of fiscal years 2023 and 2024, the Secretary,
18 in consultation with the Commander of the United States
19 Indo-Pacific Command, shall submit to the congressional
20 defense committees a report on future year activities and
21 resources for the Initiative that includes the following:

22 “(1) A description of the activities and resources
23 for the first fiscal year beginning after the date of
24 submission of the report and the plan for not fewer
25 than the four following fiscal years, organized—

1 “(A) functionally, by the activities described
2 in paragraphs (1) through (5) of subsection (b);
3 and

4 “(B) geographically by—

5 “(i) areas west of the International
6 Date Line;

7 “(ii) States outside the contiguous
8 United States east of the International Date
9 Line; and

10 “(iii) States in the contiguous United
11 States.

12 “(2) A summary of progress made toward
13 achieving the purposes of the Initiative.

14 “(3) A summary of the activity, resource, capa-
15 bility, infrastructure, and logistics requirements nec-
16 essary to achieve measurable progress in reducing risk
17 to the joint force’s ability to achieve objectives in the
18 region.

19 “(4) A detailed timeline to achieve the require-
20 ments identified under paragraph (3).

21 “(5) A detailed explanation of any significant
22 modifications to such requirements, as compared to
23 plans previously submitted under this subsection.

24 “(6) Any other matter, as determined by the Sec-
25 retary.”; and

1 (4) in subsection (g), as redesignated, by striking
2 “subsection (e)” and inserting “subsection (f)”.

3 **SEC. 1243. MODIFICATION OF ANNUAL REPORT ON MILI-**
4 **TARY AND SECURITY DEVELOPMENTS IN-**
5 **VOLVING THE PEOPLE’S REPUBLIC OF CHINA.**

6 Section 1202 of the National Defense Authorization
7 Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended
8 to read as follows:

9 **“SEC. 1202. ANNUAL REPORT ON MILITARY AND SECURITY**
10 **DEVELOPMENTS INVOLVING THE PEOPLE’S**
11 **REPUBLIC OF CHINA.**

12 “(a) *ANNUAL REPORT.*—Not later than January 31 of
13 each year through January 31, 2027, the Secretary of De-
14 fense, in consultation with the heads of other Federal de-
15 partments and agencies as appropriate, shall submit to the
16 specified congressional committees a report on military and
17 security developments involving the People’s Republic of
18 China.

19 “(b) *MATTERS TO BE INCLUDED.*—Each report under
20 this section shall include analyses and forecasts, through the
21 next 20 years, of the following:

22 “(1) The goals, factors, and trends shaping Chi-
23 nese security strategy and military strategy.

24 “(2) The role of the People’s Liberation Army in
25 the strategy, governance systems, and foreign and eco-

1 *conomic policies of the People’s Republic of China, in-*
2 *cluding the following:*

3 “(A) *Developments in the defense policy and*
4 *military strategy of the People’s Republic of*
5 *China, and the role and mission of the People’s*
6 *Liberation Army.*

7 “(B) *The role of the People’s Liberation*
8 *Army in the Chinese Communist Party, includ-*
9 *ing the structure and leadership of the Central*
10 *Military Commission.*

11 “(C) *The internal security role and affili-*
12 *ation of the People’s Liberation Army with the*
13 *People’s Armed Police and other law enforce-*
14 *ment, intelligence, and paramilitary entities of*
15 *the People’s Republic of China, including any*
16 *activities supporting or implementing mass sur-*
17 *veillance, mass detentions, forced labor, or gross*
18 *violations of human rights.*

19 “(3) *The role of the People’s Liberation Army in,*
20 *and its support of, the overall foreign policy of the*
21 *People’s Republic of China, as expressed through mili-*
22 *tary diplomacy and other external actions, activities,*
23 *and operations, including the following:*

24 “(A) *Chinese military-to-military relation-*
25 *ships with other countries, including—*

1 “(i) *Chinese military attache presence,*
2 *activities, exercises, and agreements with*
3 *the militaries of other countries; and*

4 “(ii) *military education programs con-*
5 *ducted—*

6 “(I) *in the People’s Republic of*
7 *China for militaries of other countries;*
8 *or*

9 “(II) *in other countries for per-*
10 *sonnel of the People’s Liberation Army.*

11 “(B) *Any significant sale or transfer of*
12 *military hardware, expertise, and technology to*
13 *or from the People’s Republic of China, includ-*
14 *ing—*

15 “(i) *a forecast of possible future sales*
16 *and transfers;*

17 “(ii) *the implications of such sales and*
18 *transfers for the security of the United*
19 *States and its partners and allies; and*

20 “(iii) *any significant assistance to and*
21 *from any selling state with military-related*
22 *research and development programs in the*
23 *People’s Republic of China.*

24 “(C) *Relations between the People’s Repub-*
25 *lic of China and the Russian Federation, and be-*

1 *tween the People’s Republic of China and Iran,*
2 *with respect to security and military matters.*

3 “(4) *Developments in the military doctrine,*
4 *operational concepts, joint command and organiza-*
5 *tional structures, and significant military operations*
6 *and deployments of the People’s Liberation Army.*

7 “(5) *Developments and future course of the serv-*
8 *ices, theater-level commands, and paramilitary orga-*
9 *nizations of the People’s Liberation Army, includ-*
10 *ing—*

11 “(A) *the specific roles and missions, organi-*
12 *zation, capabilities, force structure, readiness,*
13 *and modernization efforts of such services, the-*
14 *ater-level commands, and paramilitary organi-*
15 *zations;*

16 “(B) *A summary of the order of battle of the*
17 *People’s Liberation Army, including ballistic*
18 *and cruise missile inventories; and*

19 “(C) *developments relating to the Chinese*
20 *Coast Guard, including its interactions with the*
21 *Armed Forces of the United States, and the im-*
22 *PLICATIONS FOR ITS USE AS A COERCIVE TOOL IN MARI-*
23 *time disputes.*

24 “(7) *Developments in the People’s Liberation*
25 *Army as a global actor, such as overseas military bas-*

1 *ing, military logistics capabilities, and infrastructure*
2 *to project power, and the overseas command and con-*
3 *trol structure of the People’s Liberation Army, includ-*
4 *ing—*

5 “(A) *Chinese overseas investments or*
6 *projects likely, or with significant potential, to*
7 *be converted into military or intelligence assets*
8 *of the People’s Republic of China; and*

9 “(B) *efforts by the People’s Republic of*
10 *China to use the People’s Liberation Army to ex-*
11 *pand its presence and influence overseas and the*
12 *implications of such efforts on United States’ na-*
13 *tional defense and security interests in—*

14 “(i) *Latin America and the Caribbean;*

15 “(ii) *Africa; and*

16 “(iii) *the Indo-Pacific region, includ-*
17 *ing the Pacific Islands.*

18 “(8) *The strategy, policy, development, and mod-*
19 *ernization of key military capabilities of the People’s*
20 *Republic of China across the People’s Liberation*
21 *Army, including the following:*

22 “(A) *The cyberwarfare and electronic war-*
23 *fare capabilities (including details on the num-*
24 *ber of malicious cyber incidents originating from*
25 *the People’s Republic of China against Depart-*

1 *ment of Defense infrastructure) and associated*
2 *activities originating or suspected to have origi-*
3 *nated from the People’s Republic of China.*

4 “(B) *The space and counter-space programs*
5 *and capabilities.*

6 “(C) *The nuclear program and capabilities,*
7 *including—*

8 “(i) *its nuclear strategy and associated*
9 *doctrines;*

10 “(ii) *the size and state of its stockpile*
11 *and projections of its future arsenals;*

12 “(iii) *its civil and military production*
13 *capacities; and*

14 “(iv) *the modernization and force*
15 *structure of its strategic forces.*

16 “(D) *The anti-access and area denial capa-*
17 *bilities .*

18 “(E) *The command, control, communica-*
19 *tions, computers, intelligence, surveillance, and*
20 *reconnaissance modernization program and ca-*
21 *pabilities and the applications for such program*
22 *and capabilities for precision-guided weapons.*

23 “(9) *Trends and developments in the budget, re-*
24 *sources, strategies, and policies of the People’s Libera-*
25 *tion Army with respect to science and technology, de-*

1 *fense industry reform, and the use of espionage and*
2 *technology transfers by the People’s Republic of*
3 *China, including—*

4 “(A) *the relationship between Chinese over-*
5 *seas investment (including the Belt and Road*
6 *Initiative, the Digital Silk Road, and any state-*
7 *owned or state-controlled digital or physical in-*
8 *frastructure projects of the People’s Republic of*
9 *China) and Chinese security and military strat-*
10 *egy objectives, including—*

11 “(i) *any Chinese investment or project,*
12 *located in any other country, that is linked*
13 *to military or intelligence cooperation with*
14 *such country, such as cooperation on sat-*
15 *ellite navigation or arms production; and*

16 “(ii) *the implications for United States*
17 *military or governmental interests related*
18 *to denial of access, compromised intelligence*
19 *activities, and network advantages of Chi-*
20 *nese investments or projects in other coun-*
21 *tries, including in port or port-related in-*
22 *frastructure; and*

23 “(B) *efforts (including by espionage and*
24 *technology transfers through investment, indus-*
25 *trial espionage, cyber theft, academia, forced*

1 *technological transfers, and other means) to de-*
2 *velop, acquire, or gain access to information,*
3 *communication, space, and other advanced tech-*
4 *nologies that would enhance defense capabilities*
5 *or otherwise undermine the capability of the De-*
6 *partment of Defense to conduct information as-*
7 *surance, including an assessment of the damage*
8 *inflicted on the Department of Defense by such*
9 *efforts.*

10 “(10) *The strategy of the People’s Republic of*
11 *China regarding Taiwan and the security situation*
12 *in the Taiwan Strait, including—*

13 “(A) *the posture of the forces of the People’s*
14 *Liberation Army facing Taiwan; and*

15 “(B) *any challenges during the preceding*
16 *year to the deterrent forces of the Republic of*
17 *China on Taiwan, consistent with the commit-*
18 *ments made by the United States in the Taiwan*
19 *Relations Act (Public Law 96–8; 22 U.S.C. 3301*
20 *et seq.).*

21 “(11) *The maritime strategy and military and*
22 *nonmilitary activities in the South China Sea and*
23 *East China Sea of the People’s Republic of China, in-*
24 *cluding—*

1 “(A) *the role and activities of the People’s*
2 *Liberation Army and maritime law enforcement,*
3 *the People’s Armed Forces Maritime Militia or*
4 *other subset national militias, and paramilitary*
5 *entities of the People’s Republic of China; and*

6 “(B) *any such activities in the South China*
7 *Sea or East China Sea affecting United States*
8 *military activities or the military activities of a*
9 *United States ally or partner.*

10 “(12) *The current state of United States mili-*
11 *tary-to-military contacts with the People’s Liberation*
12 *Army, including the following:*

13 “(A) *A comprehensive and coordinated*
14 *strategy for such military-to-military contacts*
15 *and any necessary update to the strategy.*

16 “(B) *A summary of all such military-to-*
17 *military contacts during the preceding fiscal*
18 *year including a summary of topics discussed.*

19 “(C) *A description of such military-to-mili-*
20 *tary contacts scheduled for the 1-year period fol-*
21 *lowing the period covered by the report and the*
22 *plan for future contacts.*

23 “(D) *The Secretary’s assessment of the bene-*
24 *fits the Chinese expect to gain from such mili-*
25 *tary-to-military contacts.*

1 “(E) *The Secretary’s assessment of the bene-*
2 *fits the Department of Defense expects to gain*
3 *from such military-to-military contacts, and any*
4 *concerns regarding such contacts.*

5 “(F) *The Secretary’s assessment of how such*
6 *military-to-military contacts fit into the larger*
7 *security relationship between the United States*
8 *and the People’s Republic of China.*

9 “(G) *The Secretary’s certification whether*
10 *or not any military-to-military exchange or con-*
11 *tact was conducted during the period covered by*
12 *the report in violation of section 1201(a).*

13 “(13) *Any influence operations or campaigns by*
14 *the People’s Republic of China targeting military al-*
15 *liances and partnerships of which the United States*
16 *is a member, including—*

17 “(A) *United States military alliances and*
18 *partnerships targeted or that may be targeted;*

19 “(B) *the objectives of such operations;*

20 “(C) *the tactics, techniques, and procedures*
21 *used; and*

22 “(D) *the impact of such operations on mili-*
23 *tary alliances and partnerships of which the*
24 *United States is a member.*

1 **SEC. 1245. COOPERATIVE PROGRAM WITH VIETNAM TO AC-**
2 **COUNT FOR VIETNAMESE PERSONNEL MISS-**
3 **ING IN ACTION.**

4 (a) *IN GENERAL.*—*The Secretary of Defense, in coordi-*
5 *nation with the heads of other relevant Federal departments*
6 *and agencies, may carry out a cooperative program with*
7 *the Ministry of Defense of Vietnam and other entities of*
8 *the Government of Vietnam to assist in accounting for Viet-*
9 *namese personnel missing in action.*

10 (b) *PURPOSE.*—*The purpose of the cooperative pro-*
11 *gram under subsection (a) is to carry out the following ac-*
12 *tivities:*

13 (1) *Collection, digitization, and sharing of archi-*
14 *val information.*

15 (2) *Building the capacity of Vietnam to conduct*
16 *archival research, investigations, and excavations.*

17 (3) *Improving DNA analysis capacity.*

18 (4) *Increasing veteran-to-veteran exchanges.*

19 (5) *Other support activities the Secretary of De-*
20 *fense considers necessary and appropriate.*

21 (c) *TERMINATION.*—*The authority provided by sub-*
22 *section (a) shall terminate on October 1, 2026.*

23 **SEC. 1246. SENSE OF CONGRESS ON TAIWAN DEFENSE RE-**
24 **LATIONS.**

25 *It is the sense of Congress that—*

1 (1) *the Taiwan Relations Act (Public Law 96–*
2 *8; 22 U.S.C. 3301 et seq.) and the Six Assurances*
3 *provided by the United States to Taiwan in July*
4 *1982 are the foundation for United States-Taiwan re-*
5 *lations;*

6 (2) *as set forth in the Taiwan Relations Act, the*
7 *United States decision to establish diplomatic rela-*
8 *tions with the People’s Republic of China rests upon*
9 *the expectation that the future of Taiwan will be de-*
10 *termined by peaceful means, and that any effort to*
11 *determine the future of Taiwan by other than peaceful*
12 *means, including boycotts and embargoes, is of grave*
13 *concern to the United States;*

14 (3) *the increasingly coercive and aggressive be-*
15 *havior of the People’s Republic of China towards Tai-*
16 *wan is contrary to the expectation of a peaceful reso-*
17 *lution of the future of Taiwan;*

18 (4) *as set forth in the Taiwan Relations Act, the*
19 *capacity of the United States to resist any resort to*
20 *force or other forms of coercion that would jeopardize*
21 *the security, or the social or economic system, of the*
22 *people on Taiwan and the policy of the United States*
23 *to make available to Taiwan such defense articles and*
24 *defense services in such quantities as may be nec-*

1 *essary to enable Taiwan to maintain a sufficient self-*
2 *defense capability should be maintained; and*

3 *(5) the United States should continue to support*
4 *the development of capable, ready, and modern de-*
5 *fense forces necessary for Taiwan to maintain a suffi-*
6 *cient self-defense capability, including by—*

7 *(A) supporting acquisition by Taiwan of*
8 *defense articles and services through foreign mili-*
9 *tary sales, direct commercial sales, and indus-*
10 *trial cooperation, with an emphasis on capabili-*
11 *ties that support the asymmetric defense strategy*
12 *of Taiwan;*

13 *(B) ensuring timely review of and response*
14 *to requests by Taiwan for defense articles and*
15 *services;*

16 *(C) conducting practical training and mili-*
17 *tary exercises with Taiwan, including, as appro-*
18 *priate, inviting Taiwan to participate in the*
19 *Rim of the Pacific exercise conducted in 2022,*
20 *that enable Taiwan to maintain a sufficient self-*
21 *defense capability, as described in the Taiwan*
22 *Relations Act;*

23 *(D) deepening interoperability with Taiwan*
24 *in defensive capabilities, including maritime*

1 *and air domain awareness and integrated air*
2 *and missile defense systems;*

3 *(E) encouraging exchanges between defense*
4 *officials and officers of the United States and*
5 *Taiwan at the strategic, policy, and functional*
6 *levels, consistent with the Taiwan Travel Act*
7 *(Public Law 115-135; 132 Stat. 341), especially*
8 *for the purposes of—*

9 *(i) enhancing cooperation on defense*
10 *planning;*

11 *(ii) improving the interoperability of*
12 *the military forces of the United States and*
13 *Taiwan; and*

14 *(iii) improving the reserve force of Tai-*
15 *wan;*

16 *(F) identifying improvements in Taiwan's*
17 *ability to use asymmetric military capabilities*
18 *to enhance its defensive capabilities, as described*
19 *in the Taiwan Relations Act; and*

20 *(G) expanding cooperation in humani-*
21 *tarian assistance and disaster relief.*

22 **SEC. 1247. STATEMENT OF POLICY ON TAIWAN.**

23 *(a) STATEMENT OF POLICY.—Consistent with the Tai-*
24 *wan Relations Act (22 U.S.C. 3301 et. seq.), it shall be the*
25 *policy of the United States to maintain the capacity of the*

1 *United States to resist a fait accompli that would jeop-*
 2 *ardize the security of the people on Taiwan.*

3 (b) *DEFINITION.*—*In this section, the term “fait*
 4 *accompli” refers to the resort to force by the People’s Repub-*
 5 *lic of China to invade and seize control of Taiwan before*
 6 *the United States can respond effectively.*

7 **SEC. 1248. ANNUAL REPORT ON TAIWAN ASYMMETRIC CA-**
 8 **PABILITIES AND INTELLIGENCE SUPPORT.**

9 (a) *IN GENERAL.*—*The Secretary of Defense, in coordi-*
 10 *nation with the heads of other relevant Federal departments*
 11 *and agencies, shall each year through fiscal year 2027, con-*
 12 *sistent with the Taiwan Relations Act (Public Law 96-8;*
 13 *22 U.S.C. 3302(c)), perform an annual assessment of mat-*
 14 *ters related to Taiwan, including intelligence matters, Tai-*
 15 *wan’s asymmetric defensive capabilities, and how defensive*
 16 *shortcomings or vulnerabilities of Taiwan could be miti-*
 17 *gated through cooperation, modernization, or integration.*
 18 *At a minimum, the assessment shall include the following:*

19 (1) *An intelligence assessment regarding—*

20 (A) *conventional military threats to Tai-*
 21 *wan from China, including exercises intended to*
 22 *intimidate or coerce Taiwan; and*

23 (B) *irregular warfare activities, including*
 24 *influence operations, conducted by China to*

1 *interfere in or undermine the peace and stability*
2 *of the Taiwan Strait.*

3 (2) *The current defensive asymmetric capabili-*
4 *ties of Taiwan and the ability of Taiwan to defend*
5 *itself from external conventional and irregular mili-*
6 *tary threats.*

7 (3) *The interoperability of current and future*
8 *defensive asymmetric capabilities of Taiwan with the*
9 *military capabilities of the United States and its al-*
10 *lies and partners.*

11 (4) *The plans, tactics, techniques, and procedures*
12 *underpinning the defensive asymmetric capabilities of*
13 *Taiwan.*

14 (5) *A description of additional personnel, re-*
15 *sources, and authorities in Taiwan or in the United*
16 *States that may be required to meet any shortcomings*
17 *in the development of Taiwan's defensive capabilities*
18 *identified pursuant to this section.*

19 (6) *The applicability of Department of Defense*
20 *authorities for improving the defensive asymmetric*
21 *capabilities of Taiwan in accordance with the Tai-*
22 *wan Relations Act.*

23 (7) *The feasibility and advisability of assisting*
24 *Taiwan in the domestic production of defensive asym-*
25 *metric capabilities, including through the transfer of*

1 *intellectual property, co-development, or co-production*
2 *arrangements.*

3 (8) *An assessment of ways in which the United*
4 *States could enhance cooperation with on intelligence*
5 *matters with Taiwan.*

6 (9) *A description of any non-Department of De-*
7 *fense efforts by the United States Government to build*
8 *the capacity of Taiwan to disrupt external efforts that*
9 *degrade its free and democratic society.*

10 (10) *A description of any significant efforts by*
11 *the Defense Intelligence Enterprise and other elements*
12 *of the intelligence community to coordinate technical*
13 *and material support for Taiwan to identify, disrupt,*
14 *and combat influence operations referred to in this*
15 *subsection.*

16 (11) *Any other matter the Secretary of Defense*
17 *considers appropriate.*

18 (b) *PLAN.—The Secretary of Defense, in coordination*
19 *with the heads of other relevant Federal departments and*
20 *agencies, shall develop a plan for assisting Taiwan in im-*
21 *proving its defensive asymmetric capabilities and address-*
22 *ing vulnerabilities identified pursuant to subsection (a)*
23 *that includes—*

24 (1) *recommendations for new Department of De-*
25 *fense authorities, or modifications to existing Depart-*

1 *ment authorities, necessary to improve the defensive*
2 *asymmetric capabilities of Taiwan in accordance*
3 *with the Taiwan Relations Act (Public Law 96-8; 22*
4 *U.S.C. 3301 et seq.);*

5 *(2) an identification of opportunities for key*
6 *leader and subject matter expert engagement between*
7 *Department personnel and military and civilian*
8 *counterparts in Taiwan; and*

9 *(3) an identification of challenges and opportu-*
10 *nities for leveraging non-Department authorities, re-*
11 *sources, and capabilities to improve the defensive*
12 *asymmetric capabilities of Taiwan in accordance*
13 *with the Taiwan Relations Act.*

14 *(c) REPORT.—Not later than 180 days after the date*
15 *of the enactment of this Act, and annually through fiscal*
16 *year 2027, the Secretary of Defense shall submit to the ap-*
17 *propriate committees of Congress—*

18 *(1) a report on the results of the assessment re-*
19 *quired by subsection (a); and*

20 *(2) the plan required by subsection (b).*

21 *(d) FORM.—The report required by subsection (c) shall*
22 *be submitted in unclassified form, but may include a classi-*
23 *fied annex.*

24 *(e) DEFINITIONS.—In this section:*

1 (1) *The term “appropriate committees of Con-*
2 *gress” means—*

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

6 (B) *the Committee on Armed Services, the*
7 *Committee on Foreign Affairs, and the Perma-*
8 *nent Select Committee on Intelligence of the*
9 *House of Representatives.*

10 (2) *The term “defensive asymmetric capabilities”*
11 *means the capabilities necessary to defend Taiwan*
12 *against conventional external threats, including coast-*
13 *al defense missiles, naval mines, anti-aircraft capa-*
14 *bilities, cyber defenses, and special operations forces.*

15 **SEC. 1249. FEASIBILITY BRIEFING ON COOPERATION BE-**
16 **TWEEN THE NATIONAL GUARD AND TAIWAN.**

17 (a) *IN GENERAL.—Not later than February 15, 2022,*
18 *the Secretary of Defense shall provide to the congressional*
19 *defense committees a briefing on the feasibility and advis-*
20 *ability of enhanced cooperation between the National Guard*
21 *and Taiwan.*

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

24 (1) *A description of the cooperation between the*
25 *National Guard and Taiwan during the preceding*

1 *calendar year, including mutual visits, exercises,*
2 *training, and equipment opportunities.*

3 (2) *An evaluation of the feasibility of enhancing*
4 *cooperation between the National Guard and Taiwan*
5 *on a range of activities, including—*

6 (A) *disaster and emergency response;*

7 (B) *cyber defense and communications secu-*
8 *rity;*

9 (C) *military medical cooperation;*

10 (D) *Mandarin-language education and cul-*
11 *tural exchange; and*

12 (E) *programs for National Guard advisors*
13 *to assist in training the reserve components of*
14 *the military forces of Taiwan.*

15 (3) *Recommendations to enhance such coopera-*
16 *tion and improve interoperability, including through*
17 *familiarization visits, cooperative training and exer-*
18 *cises, and co-deployments.*

19 (4) *Any other matter the Secretary of Defense*
20 *considers appropriate.*

21 **SEC. 1250. FEASIBILITY REPORT ON ESTABLISHING MILI-**
22 **TARY-TO-MILITARY CRISIS COMMUNICATIONS**
23 **CAPABILITIES.**

24 (a) *IN GENERAL.—Not later than 180 days after the*
25 *date of the enactment of this Act, the Secretary of Defense,*

1 *in coordination with the heads of other relevant Federal de-*
2 *partments and agencies, shall submit to the appropriate*
3 *committees of Congress a report on the feasibility and ad-*
4 *visability of establishing military-to-military communica-*
5 *tions with a covered strategic competitor.*

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

8 (1) *An articulation of—*

9 (A) *the importance of military-to-military*
10 *communications with a covered strategic compet-*
11 *itor; and*

12 (B) *the utility of such communications to*
13 *enable clear transmission of messages from the*
14 *government of the United States, avoid mis-*
15 *understandings, and reduce the possibility of*
16 *miscalculation.*

17 (2) *A description of the current process and ca-*
18 *pabilities relating to communications with a covered*
19 *strategic competitor, including the means, levels of se-*
20 *niority, and timelines for such communications.*

21 (3) *An identification of opportunities for im-*
22 *proving military-to-military crisis communications*
23 *with a covered strategic competitor, including the pre-*
24 *ferred means, levels of seniority, and timelines for*
25 *such communications.*

1 (4) *An identification of challenges to establishing*
 2 *more military-to-military communications with a*
 3 *covered strategic competitor.*

4 (5) *Any other matter the Secretary of Defense*
 5 *considers appropriate.*

6 (c) *DEFINITIONS.—In this section:*

7 (1) *The term “covered strategic competitor”*
 8 *means a near-peer country identified by the Secretary*
 9 *of Defense and National Defense Strategy.*

10 (2) *The term “appropriate committees of Con-*
 11 *gress” means—*

12 (A) *the Committee on Armed Services, the*
 13 *Committee on Appropriations, and the Com-*
 14 *mittee on Foreign Relations of the Senate; and*

15 (B) *the Committee on Armed Services, the*
 16 *Committee on Appropriations, and the Com-*
 17 *mittee on Foreign Affairs of the House of Rep-*
 18 *resentatives.*

19 **SEC. 1251. COMPARATIVE ANALYSES AND REPORTS ON EF-**
 20 **FORTS BY THE UNITED STATES AND THE PEO-**
 21 **PLE’S REPUBLIC OF CHINA TO ADVANCE**
 22 **CRITICAL MODERNIZATION TECHNOLOGY**
 23 **WITH RESPECT TO MILITARY APPLICATIONS.**

24 (a) *COMPARATIVE ANALYSES.—*

25 (1) *DEVELOPMENT OF PROCEDURES.—*

1 (A) *IN GENERAL.*—Not later than 270 days
2 after the date of the enactment of this Act, the
3 Under Secretary of Defense for Research and En-
4 gineering, in coordination with the Director of
5 the Office of Net Assessment, shall develop proce-
6 dures by which comparative analyses, including
7 the assessments under paragraph (2), shall be
8 conducted.

9 (B) *ELEMENTS.*—The procedures developed
10 under subparagraph (A)—

11 (i) shall include processes—

12 (I) by which senior officials of the
13 Department of Defense may request
14 that such comparative analyses be con-
15 ducted with respect to a specific tech-
16 nology, sector, or system of interest;

17 (II) by which teams of technical,
18 industrial, policy, intelligence, and
19 operational experts consisting of per-
20 sonnel of the Department and private
21 sector organizations may be established
22 for the purpose of conducting such
23 comparative analyses;

1 (III) to ensure adequate funding
2 to support the conduct of such com-
3 parative analyses; and

4 (IV) by which classified and un-
5 classified information, including nec-
6 essary data, records, and technical in-
7 formation, may be shared with Depart-
8 ment personnel for the purpose of car-
9 rying out such comparative analyses;
10 and

11 (ii) may include the development of
12 quantitative and qualitative metrics for use
13 in, and new intelligence collection require-
14 ments to support, such comparative anal-
15 yses.

16 (2) *COMPARATIVE ANALYSIS ASSESSMENTS.*—

17 (A) *IN GENERAL.*—*The Under Secretary, in*
18 *coordination with the Director of the Office of*
19 *Net Assessment, shall conduct a comparative*
20 *analysis assessment of the efforts of the United*
21 *States Government and the Government of the*
22 *People’s Republic of China to develop and deploy*
23 *critical modernization technology with respect to*
24 *military applications in each of the following*
25 *areas of critical modernization technology:*

- 1 (i) *Directed energy systems.*
- 2 (ii) *Hypersonics.*
- 3 (iii) *Emerging biotechnologies.*
- 4 (iv) *Quantum science.*
- 5 (v) *Cyberspace capabilities.*

6 (B) *ELEMENTS.*—*Each comparative anal-*
7 *ysis assessment under subparagraph (A) shall*
8 *include an evaluation of each of the following:*

9 (i) *With respect to the applicable area*
10 *of critical modernization technology de-*
11 *scribed in subparagraph (A), research and*
12 *development activities carried out in the*
13 *United States and the People’s Republic of*
14 *China by governmental entities and non-*
15 *governmental entities.*

16 (ii) *The ability of research programs*
17 *carried out by the United States Govern-*
18 *ment and the Government of the People’s*
19 *Republic of China to achieve the goals of—*

20 (I) *transitioning emerging tech-*
21 *nologies into acquisition efforts and*
22 *operational use; and*

23 (II) *incorporating emerging tech-*
24 *nologies into military applications.*

1 (iii) *Operational effectiveness and suit-*
2 *ability of current or planned defense sys-*
3 *tems of the United States and the People's*
4 *Republic of China, including relevant oper-*
5 *ational concepts relating to the application*
6 *and operationalization of critical mod-*
7 *ernization technologies.*

8 (iv) *The ability of defense systems of*
9 *the United States and the People's Republic*
10 *of China to counter relevant threat capabili-*
11 *ties.*

12 (b) *REPORTS.—*

13 (1) *INITIAL REPORT.—Not later than March 15,*
14 *2022, the Under Secretary shall submit a report and*
15 *provide a briefing to the congressional defense com-*
16 *mittees on efforts to develop the procedures required*
17 *by subsection (a)(1).*

18 (2) *SUBSEQUENT REPORTS.—*

19 (A) *DIRECTED ENERGY SYSTEMS AND*
20 *HYPERSONICS.—Not later than December 31,*
21 *2023, the Under Secretary shall submit to the*
22 *congressional defense committees a report on the*
23 *results of the comparative analysis assessments*
24 *conducted under clauses (i) and (ii) of subsection*
25 *(a)(2)(A).*

1 (B) *EMERGING BIOTECHNOLOGIES, QUAN-*
2 *TUM SCIENCE, AND CYBERSPACE CAPABILI-*
3 *TIES.*—Not later than December 31, 2024, the
4 Under Secretary shall submit to the congress-
5 sional defense committees a report on the results
6 of the comparative analysis assessments con-
7 ducted under clauses (iii), (iv), and (v) of sub-
8 section (a)(2)(A).

9 (C) *ELEMENTS.*—The reports required by
10 subparagraphs (A) and (B) shall include the fol-
11 lowing for each such comparative analysis as-
12 sessment:

13 (i) *The results of the evaluation of each*
14 *element described in subsection (a)(2)(B).*

15 (ii) *An analysis of significant research*
16 *and development programs and activities*
17 *outside the United States or the People’s*
18 *Republic of China designed to advance the*
19 *applicable area of critical modernization*
20 *technology described in subsection (a)(2)(A),*
21 *and a discussion of such programs and ac-*
22 *tivities.*

23 (iii) *With respect to each such area of*
24 *critical modernization technology, an iden-*
25 *tification of any area in which the degree of*

1 *uncertainty due to an insufficient knowl-*
2 *edge base is such that an analysis of wheth-*
3 *er the United States or the People's Repub-*
4 *lic of China has an advantage would be in-*
5 *conclusive.*

6 *(iv) A description of the limitations,*
7 *constraints, and challenges encountered in*
8 *carrying out the comparative analysis as-*
9 *essment.*

10 *(v) A description of any other research*
11 *and development efforts or elements the*
12 *Under Secretary considers appropriate for*
13 *purposes of the comparative analysis assess-*
14 *ment.*

15 *(vi) Recommendations with respect to*
16 *additional activities by the Department nec-*
17 *essary to address the findings of the com-*
18 *parative analysis assessment.*

19 *(D) FORM.—The reports required by sub-*
20 *paragraphs (A) and (B) shall be submitted in*
21 *unclassified form but may contain a classified*
22 *annex.*

23 *(c) AGREEMENT WITH A FEDERALLY FUNDED RE-*
24 *SEARCH AND DEVELOPMENT CORPORATION AUTHOR-*
25 *IZED.—*

1 (1) *IN GENERAL.*—*The Under Secretary may*
2 *enter into an agreement with a federally funded re-*
3 *search and development corporation under which such*
4 *corporation may—*

5 (A) *carry out any part of a comparative*
6 *analysis assessment required by subsection (a);*

7 *or*

8 (B) *prepare the reports required by sub-*
9 *section (b)(2).*

10 (2) *NOTIFICATION.*—*If the Under Secretary en-*
11 *ters into an agreement under paragraph (1), the*
12 *Under Secretary shall submit to the congressional de-*
13 *fense committees a report that—*

14 (A) *identifies the federally funded research*
15 *and development corporation concerned; and*

16 (B) *describes the scope of work under the*
17 *agreement.*

18 **SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES**
19 **AND PARTNERSHIPS IN THE INDO-PACIFIC**
20 **REGION.**

21 *It is the sense of Congress that the Secretary of Defense*
22 *should recommit to and strengthen United States defense*
23 *alliances and partnerships in the Indo-Pacific region so as*
24 *to further the comparative advantage of the United States*

1 *in strategic competition with the People's Republic of*
2 *China, including by—*

3 (1) *enhancing cooperation with Japan, con-*
4 *sistent with the Treaty of Mutual Cooperation and*
5 *Security Between the United States of America and*
6 *Japan, including by developing advanced military*
7 *capabilities, fostering interoperability across all do-*
8 *main, and improving sharing of information and in-*
9 *telligence;*

10 (2) *reinforcing the United States alliance with*
11 *the Republic of Korea and maintaining the presence*
12 *of approximately 28,500 members of the United*
13 *States Armed Forces deployed to the country, con-*
14 *sistent with the Mutual Defense Treaty Between the*
15 *United States and the Republic of Korea, in support*
16 *of the shared objective of a peaceful and stable Korean*
17 *Peninsula;*

18 (3) *fostering bilateral and multilateral coopera-*
19 *tion with Australia, consistent with the Australia,*
20 *New Zealand, United States Security Treaty, to ad-*
21 *vance shared security objectives and build the capa-*
22 *bilities of emerging partners;*

23 (4) *advancing United States alliances with the*
24 *Philippines and Thailand and United States partner-*
25 *ships with other partners in the Association of South-*

1 *east Asian Nations to enhance maritime domain*
2 *awareness, promote sovereignty and territorial integ-*
3 *egrity, and collaborate on vetting Chinese investments*
4 *in strategic technology sectors and critical infrastruc-*
5 *ture;*

6 *(5) broadening the engagement of the United*
7 *States with India, including through the Quadrilat-*
8 *eral Security Dialogue—*

9 *(A) to advance the shared objective of a free*
10 *and open Indo-Pacific region through bilateral*
11 *and multilateral engagements and participation*
12 *in military exercises, expanded defense trade,*
13 *and collaboration on humanitarian aid and dis-*
14 *aster response; and*

15 *(B) to enable greater cooperation on mari-*
16 *time security and the threat of global pandemics,*
17 *including COVID–19;*

18 *(6) strengthening the United States partnership*
19 *with Taiwan, consistent with the Three Commu-*
20 *niques, the Taiwan Relations Act (Public Law 96-8;*
21 *22 U.S.C. 3301 et seq.), and the Six Assurances, with*
22 *the goal of improving Taiwan’s asymmetric defensive*
23 *capabilities and promoting peaceful cross- strait rela-*
24 *tions;*

1 (7) *reinforcing the status of the Republic of*
2 *Singapore as a Major Security Cooperation Partner*
3 *of the United States and continuing to strengthen de-*
4 *fense and security cooperation between the military*
5 *forces of the Republic of Singapore and the Armed*
6 *Forces of the United States, including through par-*
7 *ticipation in combined exercises and training, includ-*
8 *ing the use of the Foreign Military Sales Training*
9 *Center at Ebbing Air National Guard Base in Fort*
10 *Smith, Arkansas and a fighter training detachment*
11 *in Guam;*

12 (8) *engaging with the Federated States of Micro-*
13 *nesia, the Republic of the Marshall Islands, and the*
14 *Republic of Palau with the goal of strengthening re-*
15 *gional security and addressing issues of mutual con-*
16 *cern, including protecting fisheries from illegal, unre-*
17 *ported and unregulated fishing; and*

18 (9) *investing in enhanced military posture and*
19 *capabilities in the United States Indo-Pacific Com-*
20 *mand area of responsibility and strengthening co-*
21 *operation in bilateral relationships, multilateral part-*
22 *nerships, and other international fora to uphold glob-*
23 *al security and shared principles, with the goal of en-*
24 *sureing the maintenance of a free and open Indo-Pa-*
25 *cific region.*

1 **TITLE XIII—OTHER MATTERS RE-**
 2 **LATING TO FOREIGN NA-**
 3 **TIONS**

Subtitle A—Matters Relating to Europe and NATO

Sec. 1301. Sense of Congress on North Atlantic Treaty Organization allies and partners.

Sec. 1302. Report on Armenia-Azerbaijan conflict.

Sec. 1303. Report on the state of United States military investment in Europe, including the European Deterrence Initiative.

Subtitle B—United States-Greece Defense and Interparliamentary Partnership Act of 2021

Sec. 1311. Sense of Congress.

Sec. 1312. Funding for the European Recapitalization Incentive Program.

Sec. 1313. Sense of Congress on loan program.

Sec. 1314. Sense of Congress on transfer of F-35 Joint Strike Fighter aircraft to Greece.

Sec. 1315. IMET cooperation with Greece.

Sec. 1316. Cyprus, Greece, Israel, and the United States 3+1 Interparliamentary Group.

Sec. 1317. Appropriate congressional committees.

Subtitle C—Security Cooperation and Assistance

Sec. 1321. Clarification of requirements for contributions by participants in the American, British, Canadian, and Australian Armies' Program.

Sec. 1322. Foreign Area Officer assessment and review.

Sec. 1323. Study on certain security cooperation programs.

Sec. 1324. Notification relating to overseas humanitarian, disaster, and civic aid funds obligated in support of operation allies welcome.

Subtitle D—Other Matters

Sec. 1331. Extension and modification of authority for certain payments to redress injury and loss.

Sec. 1332. Secretary of Defense Strategic Competition Initiative.

Sec. 1333. Extension and modification of Department of Defense support for stabilization activities in national security interest of the United States.

Sec. 1334. Pilot program to support the implementation of the Women, Peace, and Security act of 2017.

Sec. 1335. Annual report on Comprehensive Nuclear-Test-Ban Treaty sensors.

Sec. 1336. Security assistance in Northern Triangle countries.

Sec. 1337. Report on human rights in Colombia.

Sec. 1338. Report on efforts by the People's Republic of China to expand its presence and influence in Latin America and the Caribbean.

Sec. 1339. Extension of prohibition on in-flight refueling to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen.

Sec. 1340. Statement of policy and report on Yemen.

Sec. 1341. Limitation on support to military forces of the Kingdom of Morocco for multilateral exercises.

1 ***Subtitle A—Matters Relating to***
2 ***Europe and NATO***

3 ***SEC. 1301. SENSE OF CONGRESS ON NORTH ATLANTIC***
4 ***TREATY ORGANIZATION ALLIES AND PART-***
5 ***NER.***

6 *It is the sense of Congress as follows:*

7 (1) *The North Atlantic Treaty Organization*
8 *(NATO) remains the strongest and most successful*
9 *military alliance in the world, founded on a commit-*
10 *ment by its members to uphold the principles of de-*
11 *mocracy, individual liberty, and the rule of law, and*
12 *its contributions to the collective defense are indispen-*
13 *sable to the security, prosperity, and freedom of its*
14 *members.*

15 (2) *The success of NATO is critical to achieving*
16 *United States national security objectives in Europe*
17 *and around the world, including deterring Russian*
18 *aggression, upholding territorial integrity and sov-*
19 *ereignty in Europe, addressing strategic competition*
20 *and mitigating shared security concerns, countering*
21 *malign efforts to undermine the rules-based inter-*
22 *national order and disrupt shared values, and fos-*
23 *tering international cooperation against collective*
24 *challenges.*

1 (3) *The United States reaffirms its ironclad*
2 *commitment to NATO as the foundation of trans-*
3 *atlantic security and to uphold its obligations under*
4 *the North Atlantic Treaty, including Article 5 of the*
5 *Treaty, and remains steadfastly committed to uphold-*
6 *ing and strengthening its defense alliances and part-*
7 *nerships in the European theater.*

8 (4) *The commitment of NATO allies in response*
9 *to the invocation of Article 5 of the North Atlantic*
10 *Treaty following attacks on the United States home-*
11 *land on September 11, 2001, and during years of*
12 *counterterrorism, humanitarian, and stabilization op-*
13 *erations in Afghanistan has been invaluable, and the*
14 *sacrifices of NATO allies deserve the highest order of*
15 *respect and gratitude.*

16 (5) *The national security challenges posed by the*
17 *Russian Government against NATO allies and part-*
18 *ners are of grave concern to the United States and a*
19 *top NATO defense priority. Since the invasion of*
20 *Ukraine in 2014, the Russian Government has not*
21 *improved its behavior and has, in many aspects, be-*
22 *come increasingly belligerent. Aggression against*
23 *NATO allies and United States partners is unaccept-*
24 *able, and Russia's willingness to engage in far-reach-*
25 *ing, risky actions contrary to the international order*

1 *poses major risks to United States national security*
2 *interests that must be met with sustained engagement,*
3 *investment in credible deterrence, and vigilance.*

4 *(6) The United States should continue to deepen*
5 *cooperation on defense issues with non-NATO Euro-*
6 *pean partners, bilaterally and as part of the NATO*
7 *alliance, encourage security sector cooperation be-*
8 *tween NATO and non-NATO defense partners that*
9 *complements and strengthens shared security goals,*
10 *interoperability, and allies' commitment to Article 3*
11 *of the North Atlantic Treaty, build on recent progress*
12 *in NATO allies achieving defense spending goals*
13 *agreed to at the 2014 Wales Summit and reaffirmed*
14 *at the 2016 Warsaw Summit and the 2021 Brussels*
15 *Summit, and build consensus to plan, organize, and*
16 *invest in the full range of defense capabilities nec-*
17 *essary to deter and defend against potential adver-*
18 *saries.*

19 *(7) The United States should continue to en-*
20 *hance United States and allied force posture in Eu-*
21 *rope in order to establish and sustain a credible deter-*
22 *rent against Russian aggression and long-term stra-*
23 *tegic competition by the Russian Government, includ-*
24 *ing continued robust support for the European Deter-*
25 *rence Initiative and other investments, ongoing use of*

1 *rotational deployments and robust exercises in the*
2 *European theater, improved forward-stationing of*
3 *forces to enhance deterrence and reduce cost, addi-*
4 *tional planning and efforts to mitigate contested lo-*
5 *gistics challenges, implementation of key initiatives to*
6 *enhance readiness, military mobility, and national*
7 *resilience, and effective investments in multi-service,*
8 *cyber, information, and air defense efforts to counter*
9 *modern military challenges.*

10 (8) *Following the end of the Resolute Support*
11 *Mission in Afghanistan, it is essential that the United*
12 *States consider ways to continue the benefits of com-*
13 *bined interaction alongside NATO allies and United*
14 *States partners to continue strengthening interoper-*
15 *ability and cooperation.*

16 (9) *The Black Sea is a strategically significant*
17 *region to United States interests and to the security*
18 *of United States allies and partners, especially in*
19 *light of Russia's actions in the region and illegal oc-*
20 *cupation of territory. The United States should con-*
21 *tinue security cooperation efforts, exercises, and train-*
22 *ing with regional allies and partners, regional pos-*
23 *ture enhancements, and support for those allies' and*
24 *partners' pursuit of their own defenses, as well as*

1 *joint efforts that enhance interoperability and infor-*
2 *mation sharing.*

3 (10) *Enhancing security and stability in the*
4 *Western Balkans is a goal that the United States*
5 *shares with European allies and partners. The United*
6 *States should continue its efforts to build interoper-*
7 *ability and support institutional reforms of the mili-*
8 *taries of the Western Balkan nations, including both*
9 *NATO allies and partners. The United States should*
10 *also support those nations' efforts to resist*
11 *disinformation campaigns, predatory investments, ef-*
12 *forts to promote instability, and other means by*
13 *which Russia and China may seek to influence this*
14 *region of Europe.*

15 (11) *Estonia, Latvia, and Lithuania are model*
16 *allies and play a critical role in strategic efforts to*
17 *ensure continued deterrence against aggression by*
18 *Russia and maintain the collective security of the*
19 *NATO alliance. The security of the Baltic region is*
20 *crucial to the security of the NATO alliance.*

21 (12) *The United States should continue to pur-*
22 *sue efforts consistent with the comprehensive, multi-*
23 *lateral Baltic Defense Assessment of the military re-*
24 *quirements of Estonia, Latvia, and Lithuania issued*
25 *in December 2020. Robust support to accomplish*

1 *United States strategic objectives, including by pro-*
2 *viding assistance to the Baltic countries through secu-*
3 *rity cooperation referred to as the Baltic Security*
4 *Initiative pursuant to sections 332 and 333 of title*
5 *10, United States Code, should be prioritized in the*
6 *years to come. Specifically, the continuation of—*

7 *(A) efforts to enhance interoperability*
8 *among Estonia, Latvia, and Lithuania and in*
9 *support of NATO efforts;*

10 *(B) infrastructure and other host-country*
11 *support improvements that will enhance United*
12 *States and allied military mobility across the re-*
13 *gion;*

14 *(C) efforts to improve resilience to hybrid*
15 *threats and cyber defenses in Estonia, Latvia,*
16 *and Lithuania; and*

17 *(D) support for planning and budgeting ef-*
18 *forts of Estonia, Latvia, and Lithuania that are*
19 *regionally synchronized.*

20 **SEC. 1302. REPORT ON ARMENIA-AZERBAIJAN CONFLICT.**

21 *(a) REPORT.—Not later than 180 days after the date*
22 *of the enactment of this Act, the Secretary of Defense, in*
23 *consultation with the heads of other Federal departments*
24 *and agencies as appropriate, shall submit to the relevant*

1 congressional committees a report on the 2020 conflict be-
2 tween Armenia and Azerbaijan.

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

5 (1) An assessment of the use of United States
6 weapon systems or controlled technology that were
7 employed in the 2020 conflict, including a list of the
8 origins of such items, if known.

9 (2) A description of the involvement of foreign
10 actors in the conflict, including a description of the
11 military activities, influence operations, foreign mili-
12 tary sales, and diplomatic engagement by foreign
13 countries before, during, and after the conflict, and ef-
14 forts by parties to the conflict or foreign actors to re-
15 cruit or employ foreign fighters or private military
16 organizations during the conflict. Such description
17 may include a classified annex, if necessary.

18 (3) Any violations of the November 9, 2020,
19 agreement, including the continued detention of pris-
20 oners of war or captured civilians.

21 (4) Any other matter the Secretary considers ap-
22 propriate.

23 (c) *RELEVANT CONGRESSIONAL COMMITTEES.*—In this
24 section, the term “relevant congressional committees” means
25 the Committee on Foreign Affairs and Committee on Armed

1 *Services of the House of Representatives and the Committee*
2 *on Foreign Relations and Committee on Armed Services of*
3 *the Senate.*

4 (d) *SENSE OF CONGRESS.—It is the sense of Congress*
5 *that—*

6 (1) *the parties to the conflict must adhere to*
7 *their obligations under the November 9, 2020, agree-*
8 *ment and international law, including to imme-*
9 *diately release all prisoners of war and captured ci-*
10 *vilians;*

11 (2) *the parties to the conflict must refrain from*
12 *the use of force and threats to use force in pursuit of*
13 *diplomatic resolutions to any outstanding disputes;*
14 *and*

15 (3) *the United States should engage with parties*
16 *to the conflict, including redoubling engagement with*
17 *the Minsk Group, to make clear the importance of ad-*
18 *hering to these obligations and advance diplomatic*
19 *progress.*

20 **SEC. 1303. REPORT ON THE STATE OF UNITED STATES MILI-**
21 **TARY INVESTMENT IN EUROPE, INCLUDING**
22 **THE EUROPEAN DETERRENCE INITIATIVE.**

23 *Not later than 180 days after the date of the enactment*
24 *of this Act, the Secretary of Defense shall submit to the con-*
25 *gressional defense committees a report assessing the current*

1 *state of United States defense investment in Europe, with*
2 *particular focus on United States military infrastructure*
3 *requirements, including the European Deterrence Initia-*
4 *tive. Such report shall include the following elements:*

5 (1) *An assessment of the progress made by the*
6 *Department of Defense toward achieving the stated*
7 *objectives of the European Deterrence Initiative*
8 *(EDI) over its lifetime, and the extent to which EDI*
9 *funding has aligned with such objectives.*

10 (2) *An assessment of the current state of the*
11 *United States defense posture in Europe.*

12 (3) *An assessment of further investments re-*
13 *quired to improve United States military mobility in*
14 *the United States European Command area of re-*
15 *sponsibility, including efforts to—*

16 (A) *address contested logistics; and*

17 (B) *improve physical impediments and reg-*
18 *ulatory challenges to movement by air, rail,*
19 *road, or waterway across such area of responsi-*
20 *bility.*

21 (4) *An assessment of the current state of United*
22 *States prepositioned stocks in Europe, including a de-*
23 *scription of both completed and underway projects,*
24 *timelines for completion of underway projects, and es-*

1 *timated sustainment costs upon completion of such*
2 *projects.*

3 *(5) An assessment of the current state of United*
4 *States munitions in Europe, including the adequacy*
5 *to satisfy United States needs in a European contin-*
6 *gency, and a description of any plans to adjust muni-*
7 *tions stocks.*

8 *(6) An assessment of the current state of United*
9 *States antisubmarine warfare assets, organization,*
10 *and resources in the United States European Com-*
11 *mand and Second Fleet areas of responsibility, in-*
12 *cluding—*

13 *(A) the sufficiency of such assets, organiza-*
14 *tion, and resources to counter Russian sub-*
15 *marine threats; and*

16 *(B) the sufficiency of United States sono-*
17 *buoy stocks, antisubmarine warfare platforms,*
18 *and undersea sensing equipment.*

19 *(7) An assessment of the current state of the*
20 *United States naval presence in the United States*
21 *European Command area of responsibility and the*
22 *ability of such presence to respond to future challenges*
23 *in the Black Sea, Mediterranean Sea, and Arctic re-*
24 *gion, including a description of any future plans re-*

1 *garding increased naval force structure forward sta-*
2 *tioned in Europe and associated timelines.*

3 *(8) An assessment of the current state of United*
4 *States Air Force operational planning and resourcing*
5 *in the European theater, including the current state*
6 *of prepositioned Air Force equipment, activities, and*
7 *relevant infrastructure.*

8 *(9) An assessment of the current state of United*
9 *States defense information operations capabilities*
10 *dedicated to the United States European Command*
11 *area of responsibility, and any defense resources re-*
12 *quired or policies needed to strengthen such capabili-*
13 *ties.*

14 *(10) An assessment of all purchases, investments,*
15 *and expenditures made by any Armed Force under*
16 *the jurisdiction of the Secretary of a military depart-*
17 *ment and identified as part of the EDI, since its in-*
18 *ception, that have been diverted for purposes or uses*
19 *other than the objectives of the EDI, including a list*
20 *of all purchases, investments, and expenditures that*
21 *were requested to support the EDI since its inception*
22 *that were not ultimately employed for the objectives of*
23 *the EDI and the respective dollar values of such*
24 *purchaes, investments, and expenditures.*

1 (11) *An assessment of the current state of EDI*
2 *military construction efforts in Europe.*

3 (12) *An assessment of United States European*
4 *Command's planned exercise schedule in coming*
5 *years, the estimated resourcing requirements to fulfill*
6 *such schedule, and what percentage of such resourcing*
7 *is expected to come from EDI.*

8 (13) *Any other information the Secretary deter-*
9 *mines relevant.*

10 ***Subtitle B—United States-Greece***
11 ***Defense and Interparliamentary***
12 ***Partnership Act of 2021***

13 ***SEC. 1311. SENSE OF CONGRESS.***

14 *It is the sense of Congress that—*

15 (1) *Greece is a pillar of stability in the Eastern*
16 *Mediterranean region and the United States should*
17 *remain committed to supporting its security and*
18 *prosperity;*

19 (2) *the 3+1 format of cooperation among Cy-*
20 *prus, Greece, Israel, and the United States has been*
21 *a successful forum to cooperate on energy issues and*
22 *should be expanded to include other areas of common*
23 *concern to the members;*

1 (3) *the United States should increase and deepen*
2 *efforts to partner with and support the modernization*
3 *of the Greek military;*

4 (4) *it is in the interests of the United States that*
5 *Greece continue to transition its military equipment*
6 *away from Russian-produced platforms and weapons*
7 *systems through the European Recapitalization In-*
8 *centive Program;*

9 (5) *the naval partnerships with Greece at Souda*
10 *Bay and Alexandroupolis are mutually beneficial to*
11 *the national security of the United States and Greece;*

12 (6) *the United States should, as appropriate,*
13 *support the sale of F-35 Joint Strike Fighters to*
14 *Greece;*

15 (7) *the United States Government should con-*
16 *tinue to invest in International Military Education*
17 *and Training programs in Greece;*

18 (8) *the United States Government should support*
19 *joint maritime security cooperation exercises with Cy-*
20 *prus, Greece, and Israel;*

21 (9) *in accordance with its legal authorities and*
22 *project selection criteria, the United States Develop-*
23 *ment Finance Corporation should consider supporting*
24 *private investment in strategic infrastructure projects*
25 *in Greece, to include shipyards and ports that con-*

1 *tribute to the security of the region and Greece's prosper-*
2 *perity;*

3 *(10) the extension of the Mutual Defense Co-*
4 *operation Agreement with Greece for a period of five*
5 *years includes deepened partnerships at Greek mili-*
6 *tary facilities throughout the country and is a wel-*
7 *come development; and*

8 *(11) the United States Government should estab-*
9 *lish the United States-Eastern Mediterranean Energy*
10 *Center, as authorized by section 204 of the Eastern*
11 *Mediterranean Energy and Security Partnership Act*
12 *of 2019 (22 U.S.C. 2373 note).*

13 **SEC. 1312. FUNDING FOR THE EUROPEAN RECAPITALIZA-**
14 **TION INCENTIVE PROGRAM.**

15 *(a) IN GENERAL.—To the maximum extent feasible,*
16 *amounts appropriated or otherwise made available for the*
17 *European Recapitalization Incentive Program should be*
18 *considered for Greece as appropriate to assist the country*
19 *in meeting its defense needs and transitioning away from*
20 *Russian-produced military equipment.*

21 *(b) REPORT.—Not later than 180 days after the date*
22 *of the enactment of this Act, the Secretary of State shall*
23 *submit to the appropriate congressional committees a report*
24 *that provides a full accounting of all funds distributed*

1 *under the European Recapitalization Incentive Program,*
2 *including—*

3 *(1) identification of each recipient country;*

4 *(2) a description of how the funds were used;*

5 *and*

6 *(3) an accounting of remaining equipment in re-*
7 *ipient countries that was provided by the then-Soviet*
8 *Union or Russian Federation.*

9 **SEC. 1313. SENSE OF CONGRESS ON LOAN PROGRAM.**

10 *It is the sense of Congress that, as appropriate, the*
11 *United States Government should provide direct loans to*
12 *Greece for the procurement of defense articles, defense serv-*
13 *ices, and design and construction services pursuant to the*
14 *authority of section 23 of the Arms Export Control Act (22*
15 *U.S.C. 2763) to support the further development of Greece's*
16 *military forces.*

17 **SEC. 1314. SENSE OF CONGRESS ON TRANSFER OF F-35**

18 **JOINT STRIKE FIGHTER AIRCRAFT TO**
19 **GREECE.**

20 *It is the sense of Congress that the President has the*
21 *authority to expedite delivery of any future F-35 aircraft*
22 *to Greece once Greece is prepared to move forward with such*
23 *a purchase on such terms and conditions as the President*
24 *may require, pursuant to the certification requirements*

1 *under section 36 of the Arms Export Control Act (22 U.S.C.*
2 *2776).*

3 **SEC. 1315. IMET COOPERATION WITH GREECE.**

4 *For each of fiscal years 2022 through 2026, there is*
5 *authorized to be appropriated \$1,800,000 for International*
6 *Military Education and Training assistance for Greece,*
7 *which may be made available for the following purposes:*

8 *(1) Training of future leaders.*

9 *(2) Fostering a better understanding of the*
10 *United States.*

11 *(3) Establishing a rapport between the United*
12 *States Armed Forces and Greece's military to build*
13 *partnerships for the future.*

14 *(4) Enhancement of interoperability and capa-*
15 *bilities for joint operations.*

16 *(5) Focusing on professional military education,*
17 *civilian control of the military, and protection of*
18 *human rights.*

19 **SEC. 1316. CYPRUS, GREECE, ISRAEL, AND THE UNITED**
20 **STATES 3+1 INTERPARLIAMENTARY GROUP.**

21 *(a) ESTABLISHMENT.—There is established a group, to*
22 *be known as the “Cyprus, Greece, Israel, and the United*
23 *States 3+1 Interparliamentary Group”, to serve as a legis-*
24 *lative component to the 3+1 process launched in Jerusalem*
25 *in March 2019.*

1 (b) *MEMBERSHIP.*—*The Cyprus, Greece, Israel, and*
2 *the United States 3+1 Interparliamentary Group shall in-*
3 *clude a group of not more than 6 United States Senators,*
4 *to be known as the “United States group”, who shall be*
5 *appointed in equal numbers by the majority leader and the*
6 *minority leader of the Senate. The majority leader and the*
7 *minority leader of the Senate shall also serve as ex officio*
8 *members of the United States group.*

9 (c) *MEETINGS.*—*Not less frequently than once each*
10 *year, the United States group shall meet with members of*
11 *the 3+1 group to discuss issues on the agenda of the 3+1*
12 *deliberations of the Governments of Greece, Israel, Cyprus,*
13 *and the United States to include maritime security, defense*
14 *cooperation, energy initiatives, and countering malign in-*
15 *fluence efforts by the People’s Republic of China and the*
16 *Russian Federation.*

17 (d) *AUTHORIZATION OF APPROPRIATIONS.*—

18 (1) *IN GENERAL.*—*There is authorized to be ap-*
19 *propriated \$100,000 for each fiscal year to assist in*
20 *meeting the expenses of the United States group.*

21 (2) *AVAILABILITY OF FUNDS.*—*Amounts appro-*
22 *priated pursuant to the authorization under this sub-*
23 *section are authorized to remain available until ex-*
24 *pended.*

1 “(1) *IN GENERAL.*—*An agreement under sub-*
2 *section (a) shall provide that—*

3 “(A) *the United States, as the host country*
4 *for the Program, shall provide office facilities*
5 *and related office equipment and supplies for the*
6 *Program; and*

7 “(B) *each participating country shall con-*
8 *tribute its equitable share of the remaining costs*
9 *for the Program, including—*

10 “(i) *the agreed upon share of adminis-*
11 *trative costs related to the Program, except*
12 *the costs for facilities and equipment and*
13 *supplies described in subparagraph (A);*
14 *and*

15 “(ii) *any amount allocated against the*
16 *country for monetary claims as a result of*
17 *participation in the Program, in accord-*
18 *ance with the agreement.*

19 “(2) *EQUITABLE CONTRIBUTIONS.*—*The con-*
20 *tributions, as allocated under paragraph (1) and set*
21 *forth in an agreement under subsection (a), shall be*
22 *considered equitable for purposes of this subsection*
23 *and section 27(c) of the Arms Export Control Act (22*
24 *U.S.C. 2767(c)).*

1 “(3) *AUTHORIZED CONTRIBUTION.*—*An agree-*
2 *ment under subsection (a) shall provide that each*
3 *participating country may provide its contribution*
4 *in funds, in personal property, in services required*
5 *for the Program, or any combination thereof.*

6 “(4) *FUNDING FOR UNITED STATES CONTRIBU-*
7 *TION.*—*Any monetary contribution by the United*
8 *States to the Program that is provided in funds shall*
9 *be made from funds available to the Department of*
10 *Defense for operation and maintenance.*

11 “(5) *CONTRIBUTIONS AND REIMBURSEMENTS*
12 *FROM OTHER PARTICIPATING COUNTRIES.*—

13 “(A) *IN GENERAL.*—*The Secretary of De-*
14 *fense may accept from any other participating*
15 *country a contribution or reimbursement of*
16 *funds, personal property, or services made by the*
17 *participating country in furtherance of the Pro-*
18 *gram.*

19 “(B) *CREDIT TO APPROPRIATIONS.*—*Any*
20 *contribution or reimbursement of funds received*
21 *by the United States from any other partici-*
22 *pating country to meet that country’s share of*
23 *the costs of the Program shall be credited to the*
24 *appropriations available to the appropriate*

1 *military department, as determined by the Sec-*
2 *retary of Defense.*

3 “(C) *TREATMENT OF PERSONAL PROP-*
4 *ERTY.—Any contribution or reimbursement of*
5 *personal property received under this paragraph*
6 *may be—*

7 “(i) *retained and used by the Program*
8 *in the form in which it was contributed;*

9 “(ii) *sold or otherwise disposed of in*
10 *accordance with such terms, conditions, and*
11 *procedures as the members of the Program*
12 *consider appropriate, and any resulting*
13 *proceeds shall be credited to appropriations*
14 *of the appropriate military department, as*
15 *described in subparagraph (B); or*

16 “(iii) *converted into a form usable by*
17 *the Program.*

18 “(D) *USE OF CREDITED FUNDS.—*

19 “(i) *IN GENERAL.—Amounts credited*
20 *under subparagraph (B) or (C)(ii) shall*
21 *be—*

22 “(I) *merged with amounts in the*
23 *appropriation concerned;*

1 “(II) subject to the same condi-
2 tions and limitations as amounts in
3 such appropriation; and

4 “(III) available for payment of
5 Program expenses described in clause
6 (ii).

7 “(ii) PROGRAM EXPENSES DE-
8 SCRIBED.—The Program expenses described
9 in this clause include—

10 “(I) payments to contractors and
11 other suppliers, including the Depart-
12 ment of Defense and participating
13 countries acting as suppliers, for nec-
14 essary goods and services of the Pro-
15 gram;

16 “(II) payments for any damages
17 or costs resulting from the performance
18 or cancellation of any contract or other
19 obligation in support of the Program;

20 “(III) payments or reimburse-
21 ments for other Program expenses; or

22 “(IV) refunds to other partici-
23 pating countries.”; and

24 (2) by striking subsection (g).

1 **SEC. 1322. FOREIGN AREA OFFICER ASSESSMENT AND RE-**
2 **VIEW.**

3 (a) *FINDINGS.*—Congress finds the following:

4 (1) *Foreign Area Officers of the Army and their*
5 *equivalent positions in the other Armed Forces (in*
6 *this section referred to as “FAOs”)* are trained to
7 *manage, grow, and enhance security cooperation rela-*
8 *tionships between the United States and foreign part-*
9 *ners and to build the overall military capacity and*
10 *capabilities of foreign partners.*

11 (2) *At present, some senior defense official posi-*
12 *tions in United States embassies are filled by officers*
13 *lacking the necessary skills, training, and experience*
14 *to strengthen the relationships between the United*
15 *States and its critical partners and allies.*

16 (3) *FAOs are trained to fill those positions, and*
17 *deficiencies in the equitable use, assessment, pro-*
18 *motion, diversity and inclusion of such officers, as*
19 *well as limitations on career opportunities, under-*
20 *mine the ability of the Department of Defense to*
21 *strengthen partnerships and alliances of the United*
22 *States.*

23 (4) *A federally funded research and development*
24 *center can provide a roadmap to correcting these defi-*
25 *ciencies, strengthening the FAO branch, and placing*

1 *qualified FAOs in positions of positive influence over*
2 *United States partnerships and alliances.*

3 *(b) ASSESSMENT AND REVIEW REQUIRED.—*

4 *(1) IN GENERAL.—Not later than 60 days after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense shall enter into an agreement with a federally*
7 *funded research and development center to conduct an*
8 *independent assessment and comprehensive review of*
9 *the process by which Foreign Area Officers and their*
10 *equivalent positions in the other Armed Forces (in*
11 *this section referred to as “FAOs”) are recruited, se-*
12 *lected, trained, assigned, organized, promoted, re-*
13 *tained, and used in security cooperation offices, sen-*
14 *ior defense roles in U.S. embassies, and in other crit-*
15 *ical roles of engagement with allies and partners.*

16 *(2) ELEMENTS.—The assessment and review con-*
17 *ducted under paragraph (1) shall include the fol-*
18 *lowing:*

19 *(A) Identification and assessment of the*
20 *number and location of senior defense official*
21 *billets, including their grade structure and avail-*
22 *ability to FAOs.*

23 *(B) A review of the cultural, racial, and*
24 *ethnic diversity of FAOs.*

1 (C) *An assessment of the assignment process*
2 *for FAOs.*

3 (D) *A review and assessment of the pro-*
4 *motion criteria, process, and possible pathways*
5 *for career advancement for FAOs.*

6 (E) *A review of the organization and cat-*
7 *egorization of FAOs by geographic region.*

8 (F) *An assessment of the training program*
9 *for FAOs and its effectiveness.*

10 (G) *An assessment of the available career*
11 *paths for FAOs.*

12 (H) *An assessment of the criteria used to*
13 *determine staffing requirements for senior de-*
14 *fense official positions and security cooperation*
15 *roles for uniformed officers.*

16 (I) *A review of the staffing of senior defense*
17 *official and security cooperation roles and assess-*
18 *ment to determine whether requirements are*
19 *being met through the staffing process.*

20 (J) *An assessment of how the broader utili-*
21 *zation of FAOs in key security cooperation and*
22 *embassy defense leadership billets would improve*
23 *the quality and professionalism of the security*
24 *cooperation workforce under section 384 of title*
25 *10, United States Code.*

1 (K) *A review of how many FAO opportuni-*
2 *ties are joint-qualifying and an assessment of*
3 *whether increasing the number of joint-qualified*
4 *opportunities for FAOs would increase recruit-*
5 *ment, retention, and promotion.*

6 (L) *Any other matters the Secretary deter-*
7 *mines relevant.*

8 (c) *RESULTS.—The federally funded research and de-*
9 *velopment center conducting the assessment and review de-*
10 *scribed in subsection (b) shall submit to the Secretary the*
11 *results of such assessment and review, which shall include*
12 *the following:*

13 (1) *A summary of the research and activities un-*
14 *dertaken to carry out the assessment required by sub-*
15 *section (b).*

16 (2) *Considerations and recommendations, in-*
17 *cluding legislative recommendations, to achieve the*
18 *following:*

19 (A) *Improving the assessment, promotion,*
20 *assignment selection, retention, and diversity of*
21 *FAOs.*

22 (B) *Assigning additional FAOs to positions*
23 *as senior defense officials.*

24 (d) *SUBMISSION TO CONGRESS.—*

1 (1) *IN GENERAL.*—Not later than December 31,
2 2022, the Secretary shall submit to the Committees on
3 Armed Services of the Senate and the House of Rep-
4 resentatives—

5 (A) *an unaltered copy of the results sub-*
6 *mitted pursuant to subsection (c); and*

7 (B) *the written responses of the Secretary*
8 *and the Chairman of the Joint Chiefs of Staff to*
9 *such results.*

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

13 **SEC. 1323. STUDY ON CERTAIN SECURITY COOPERATION**
14 **PROGRAMS.**

15 (a) *IN GENERAL.*—Not later than 60 days after the
16 date of the enactment of this Act, the Secretary of Defense
17 shall enter into a contract with a federally funded research
18 and development center with the appropriate expertise and
19 analytical capability to carry out the study described in
20 subsection (b).

21 (b) *STUDY.*—The study described in this subsection
22 shall—

23 (1) *provide for a comprehensive assessment of*
24 *strategic and operational lessons collected from the*

1 *war in Afghanistan that can be applied to existing*
2 *and future security cooperation programs;*

3 *(2) identify metrics used in the war in Afghani-*
4 *stan to measure progress in partner capacity building*
5 *and defense institution building and whether such*
6 *metrics are sufficient for measuring progress in future*
7 *security cooperation programs;*

8 *(3) assess challenges related to strategic planning*
9 *for capacity building, baseline assessments of partner*
10 *capacity, and issues related to project sustainment,*
11 *and recommendations for how to manage such chal-*
12 *lenges;*

13 *(4) assess Department of Defense coordination*
14 *with coalition partners engaged in partner capacity*
15 *building and defense institution building efforts, and*
16 *recommendations for how to improve such coordina-*
17 *tion;*

18 *(5) identify risks posed by rapid expansion or*
19 *reductions in security cooperation, and recommenda-*
20 *tions for how to manage such risks;*

21 *(6) identify risks posed by corruption in security*
22 *cooperation programs and recommendations for how*
23 *to manage such risks;*

24 *(7) assess best practices and training improve-*
25 *ments for managing cultural barriers in partner*

1 *countries, and recommendations for how to promote*
2 *cultural competency;*

3 *(8) assess the effectiveness of the Department of*
4 *Defense in promoting the rights of women, including*
5 *incorporating a gender perspective in security co-*
6 *operation programs, in accordance with the Women,*
7 *Peace and Security Strategic Framework and Imple-*
8 *mentation Plan issued by the Department of Defense*
9 *in June 2020 and the Women, Peace, and Security*
10 *Act of 2017 (Public Law 115–68);*

11 *(9) identify best practices to promote partner*
12 *country ownership of long-term objectives of the*
13 *United States including with respect to human rights,*
14 *democratic governance, and the rule of law;*

15 *(10) assess challenges related to contractors of the*
16 *Department of Defense, including cost, limited func-*
17 *tions, and oversight; and*

18 *(11) assess best practices for sharing lessons on*
19 *security cooperation with allies and partners.*

20 *(c) REPORT.—*

21 *(1) TO SECRETARY OF DEFENSE.—Not later than*
22 *two years after the date on which a federally funded*
23 *research and development center enters into a con-*
24 *tract described in subsection (a), such center shall*
25 *submit to the Secretary of Defense a report con-*

1 *taining the results of the study required under this*
2 *section.*

3 (2) *TO CONGRESS.— Not later than 30 days*
4 *after the receipt of the report under paragraph (1),*
5 *the Secretary of Defense shall submit to Congress such*
6 *report, which shall be made public, together with any*
7 *additional views or recommendations of the Sec-*
8 *retary, which may be transmitted in a classified*
9 *annex.*

10 **SEC. 1324. NOTIFICATION RELATING TO OVERSEAS HUMAN-**
11 **ITARIAN, DISASTER, AND CIVIC AID FUNDS**
12 **OBLIGATED IN SUPPORT OF OPERATION AL-**
13 **LIES WELCOME.**

14 *Not later than 30 days after the date of the enactment*
15 *of this Act and every 120 days thereafter until all applica-*
16 *ble funds have been obligated in support of Operation Allies*
17 *Welcome or any successor operation, the Secretary of De-*
18 *fense shall submit to the congressional defense committees*
19 *a notification that includes—*

20 (1) *the costs associated with the provision of*
21 *transportation, housing, medical services, and other*
22 *sustainment expenses for Afghan special immigrant*
23 *visa applicants and other Afghans at risk; and*

24 (2) *whether such funds were obligated under a*
25 *reimbursable or nonreimbursable basis.*

1 ***Subtitle D—Other Matters***

2 ***SEC. 1331. EXTENSION AND MODIFICATION OF AUTHORITY***
 3 ***FOR CERTAIN PAYMENTS TO REDRESS IN-***
 4 ***JURY AND LOSS.***

5 (a) *EXTENSION.*—*Subsection (a) of section 1213 of the*
 6 *National Defense Authorization Act for Fiscal Year 2020*
 7 *(Public Law 116–92; 10 U.S.C. 2731 note) is amended by*
 8 *striking “December 31, 2022” and inserting “December 31,*
 9 *2023”.*

10 (b) *MODIFICATION TO CONDITIONS ON PAYMENT.*—
 11 *Subsection (b) of such section is amended—*

12 (1) *in paragraph (1) to read as follows:*

13 “*(1) the prospective foreign civilian recipient is*
 14 *not otherwise ineligible for payment under any other*
 15 *provision of law;”;*

16 (2) *in paragraph (2), by striking “a claim” and*
 17 *inserting “a request”;*

18 (3) *in paragraph (4), by striking “the claimant”*
 19 *and inserting “the prospective foreign civilian recipi-*
 20 *ent”;* *and*

21 (4) *in paragraph (5), by striking “the claimant”*
 22 *and inserting “the prospective foreign civilian recipi-*
 23 *ent”.*

24 (c) *MODIFICATIONS TO QUARTERLY REPORT RE-*
 25 *QUIREMENT.*—*Subsection (g) of such section is amended—*

1 (1) in paragraph (1)(B), by striking “claims”
2 and inserting “requests”; and

3 (2) by adding at the end the following:

4 “(3) The status of Department of Defense efforts
5 to establish the requests procedures required under
6 subsection (d)(1) and to otherwise implement this sec-
7 tion.”.

8 (d) *MODIFICATION TO PROCEDURE TO SUBMIT RE-*
9 *QUESTS.—Such section is further amended—*

10 (1) by redesignating subsections (d) through (h)
11 as subsections (e) through (i), respectively; and

12 (2) by inserting after subsection (c) the fol-
13 lowing:

14 “(d) *PROCEDURES TO REVIEW ALLEGATIONS.—*

15 “(1) *PROCEDURES REQUIRED.—Not later than*
16 *180 days after the date of enactment of this sub-*
17 *section, the Secretary of Defense shall establish proce-*
18 *dures to receive, evaluate, and respond to allegations*
19 *of civilian harm resulting from military operations*
20 *involving the United States Armed Forces, a coalition*
21 *that includes the United States, or a military organi-*
22 *zation supporting the United States. Such responses*
23 *may include—*

24 “(A) a formal acknowledgement of such
25 harm;

1 “(B) a nonmonetary expression of con-
2 dence; or

3 “(C) an *ex gratia* payment.

4 “(2) *CONSULTATION*.—In establishing the proce-
5 dures under paragraph (1), the Secretary of Defense
6 shall consult with the Secretary of State and with
7 nongovernmental organizations that focus on address-
8 ing civilian harm in conflict.

9 “(3) *POLICY UPDATES*.—Not later than one year
10 after the date of the enactment of this subsection, the
11 Secretary of Defense shall ensure that procedures es-
12 tablished under paragraph (1) are formalized through
13 updates to the policy referred to in section 936 of the
14 John S. McCain National Defense Authorization Act
15 for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
16 134 note).”.

17 “(e) *RULE OF CONSTRUCTION*.—Nothing in this section
18 or the amendments made by this section may be construed
19 to require the Secretary of Defense to pause, suspend, or
20 otherwise alter the provision of *ex gratia* payments in ac-
21 cordance with section 1213 of the National Defense Author-
22 ization Act for Fiscal Year 2020, as amended, in the course
23 of developing the procedures required by subsection (d) of
24 such section (as added by subsection (d) of this section).

1 **SEC. 1332. SECRETARY OF DEFENSE STRATEGIC COMPETI-**
2 **TION INITIATIVE.**

3 (a) *IN GENERAL.*—*The Secretary of Defense, with the*
4 *concurrence of the Secretary of State, may provide funds*
5 *for one or more Department of Defense activities or pro-*
6 *grams described in subsection (b) that advance United*
7 *States national security objectives for strategic competition*
8 *by supporting Department of Defense efforts to compete*
9 *below the threshold of armed conflict and by supporting*
10 *other Federal departments and agencies in advancing*
11 *United States strategic interests.*

12 (b) *AUTHORIZED ACTIVITIES AND PROGRAMS.*—*Ac-*
13 *tivities and programs for which funds may be provided*
14 *under subsection (a) are the following:*

15 (1) *The provision of funds to pay for personnel*
16 *expenses of foreign defense or security personnel for*
17 *bilateral or regional security cooperation programs*
18 *and joint exercises, in accordance with section 321 of*
19 *title 10, United States Code.*

20 (2) *Activities to build the institutional capacity*
21 *of foreign national security forces, including efforts to*
22 *counter corruption, in accordance with section 332 of*
23 *title 10, United States Code.*

24 (3) *Activities to build the capabilities of the*
25 *United States joint force and the security forces of*

1 *United States allies and partners relating to irreg-*
2 *ular warfare.*

3 *(4) Activities to expose and disprove foreign ma-*
4 *lign influence and disinformation, and to expose and*
5 *deter coercion and subversion.*

6 *(c) FUNDING.—Amounts made available for activities*
7 *carried out pursuant to subsection (a) in a fiscal year may*
8 *be derived only from amounts authorized to be appropriated*
9 *for such fiscal year for the Department of Defense for oper-*
10 *ation and maintenance, Defense-wide.*

11 *(d) RELATIONSHIP TO OTHER FUNDING.—Any*
12 *amount provided by the Secretary of Defense during any*
13 *fiscal year pursuant to subsection (a) for an activity or pro-*
14 *gram described in subsection (b) shall be in addition to*
15 *amounts otherwise available for that activity or program*
16 *for that fiscal year.*

17 *(e) USE OF FUNDS.—*

18 *(1) LIMITATIONS.—Of funds made available*
19 *under this section for any fiscal year—*

20 *(A) not more than \$20,000,000 in each fis-*
21 *cal year is authorized to be obligated and ex-*
22 *pended under this section; and*

23 *(B) not more than \$3,000,000 may be used*
24 *to pay for personnel expenses under subsection*
25 *(b)(1).*

1 (2) *PROHIBITION.*—*Funds may not be provided*
2 *under this section for any activity that has been de-*
3 *nied authorization by Congress.*

4 (f) *ANNUAL REPORT.*—*Not less frequently than annu-*
5 *ally, the Secretary of Defense shall submit to the congres-*
6 *sional defense committees and the Committee on Foreign*
7 *Relations of the Senate and the Committee on Foreign Af-*
8 *airs of the House of Representatives a report on the use*
9 *of the authority under subsection (a).*

10 (g) *PLAN FOR STRATEGIC COMPETITION INITIATIVE*
11 *FOR U.S. SOUTHERN COMMAND AND U.S. AFRICA COM-*
12 *MAND.*—

13 (1) *IN GENERAL.*—*The Secretary of Defense shall*
14 *develop and submit to the congressional defense com-*
15 *mittees a plan for an initiative to support programs*
16 *and activities for strategic competition in the areas of*
17 *responsibility of United States Southern Command*
18 *and United States Africa Command.*

19 (2) *REPORT.*—*Not later than 120 days after the*
20 *date of the enactment of this Act, the Secretary of De-*
21 *fense shall submit to the congressional defense com-*
22 *mittees the plan developed under paragraph (1).*

23 (h) *TERMINATION.*—*The authority under subsection*
24 (i) *shall terminate on September 30, 2024.*

1 **SEC. 1333. EXTENSION AND MODIFICATION OF DEPART-**
2 **MENT OF DEFENSE SUPPORT FOR STABILIZA-**
3 **TION ACTIVITIES IN NATIONAL SECURITY IN-**
4 **TEREST OF THE UNITED STATES.**

5 *Section 1210A of the National Defense Authorization*
6 *Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*
7 *1626) is amended—*

8 *(1) in subsection (a), by striking “for the sta-*
9 *bilization activities of other Federal agencies specified*
10 *in subsection (c)(1)” and inserting “to other Federal*
11 *agencies specified in subsection (c)(1) for the sta-*
12 *bilization activities of such agencies”;*

13 *(2) in subsection (b), by amending paragraph*
14 *(1) to read as follows:*

15 *“(1) IN GENERAL.—Amounts authorized to be*
16 *provided pursuant to this section shall be available*
17 *only for support for stabilization activities—*

18 *“(A)(i) in a country specified in paragraph*
19 *(2); and*

20 *“(ii) that the Secretary of Defense, with the*
21 *concurrence of the Secretary of State, has deter-*
22 *mined are in the national security interest of the*
23 *United States; or*

24 *“(B) in a country that—*

1 “(i)(I) has been selected as a priority
2 country under section 505 of the Global
3 Fragility Act of 2019 (22 U.S.C. 9804); or

4 “(II) is located in a region that has
5 been selected as a priority region under sec-
6 tion 505 of such Act; and

7 “(ii) has Department of Defense re-
8 source or personnel presence to support such
9 activities.”;

10 (3) in the first sentence of subsection (c)(1), by
11 striking “Support may be provided for stabilization
12 activities under subsection (a)” and inserting “Sup-
13 port under subsection (a) may be provided”;

14 (4) in subsection (g)(1), by striking “, Defense-
15 wide”; and

16 (5) in subsection (h), by striking “December 31,
17 2021” and inserting “December 31, 2023”.

18 **SEC. 1334. PILOT PROGRAM TO SUPPORT THE IMPLEMEN-**
19 **TATION OF THE WOMEN, PEACE, AND SECUR-**
20 **RITY ACT OF 2017.**

21 Section 1210E of the William M. (Mac) Thornberry
22 National Defense Authorization Act for Fiscal Year 2021
23 (Public Law 116–283) is amended by—

24 (1) redesignating subsection (f) as subsection (h);
25 and

1 (2) *by inserting after subsection (e) the following*
2 *new subsections (f) and (g):*

3 “(f) *PILOT PROGRAM.—*

4 “(1) *ESTABLISHMENT.—The Secretary of De-*
5 *fense, in consultation with the Secretary of State,*
6 *shall establish and carry out a pilot program for the*
7 *purpose of conducting partner country assessments*
8 *described in subsection (b)(2).*

9 “(2) *CONTRACT AUTHORITY.—The Secretary of*
10 *Defense, in consultation with the Secretary of State,*
11 *shall seek to enter into one or more contracts with a*
12 *nonprofit organization or a federally funded research*
13 *and development center independent of the Depart-*
14 *ment for the purpose of conducting such partner*
15 *country assessments.*

16 “(3) *SELECTION OF COUNTRIES.—*

17 “(A) *IN GENERAL.—The Secretary of De-*
18 *fense, in consultation with the commanders of*
19 *the combatant commands and relevant United*
20 *States ambassadors, shall select one partner*
21 *country within the area of responsibility of each*
22 *geographic combatant command for participa-*
23 *tion in the pilot program.*

1 “(B) *CONSIDERATIONS.*—*In making the se-*
2 *lection under subparagraph (A), the Secretary of*
3 *Defense shall consider—*

4 “(i) *the demonstrated political commit-*
5 *ment of the partner country to increasing*
6 *the participation of women in the security*
7 *sector; and*

8 “(ii) *the national security priorities*
9 *and theater campaign strategies of the*
10 *United States.*

11 “(4) *PARTNER COUNTRY ASSESSMENTS.*—*Part-*
12 *ner country assessments conducted under the pilot*
13 *program shall be—*

14 “(A) *adapted to the local context of the*
15 *partner country being assessed;*

16 “(B) *conducted in collaboration with the se-*
17 *curity sector of the partner country being as-*
18 *essed; and*

19 “(C) *based on tested methodologies.*

20 “(5) *REVIEW AND ASSESSMENT.*—*With respect to*
21 *each partner country assessment conducted under the*
22 *pilot program, the Secretary of Defense, in consulta-*
23 *tion with the Secretary of State, shall—*

24 “(A) *review the methods of research and*
25 *analysis used by any entity contracted with*

1 *under paragraph (2) in conducting the assess-*
2 *ment and identify lessons learned from such re-*
3 *view; and*

4 *“(B) assess the ability of the Department to*
5 *conduct future partner country assessments with-*
6 *out entering into such a contract, including by*
7 *assessing potential costs and benefits for the De-*
8 *partment that may arise in conducting such fu-*
9 *ture assessments.*

10 “(6) *FINDINGS.—*

11 *“(A) IN GENERAL.—The Secretary of De-*
12 *fense, in consultation with the Secretary of*
13 *State, shall use findings from each partner coun-*
14 *try assessment to inform effective security co-*
15 *operation activities and security sector assist-*
16 *ance interventions by the United States in the*
17 *partner country assessed, which shall be designed*
18 *to substantially increase opportunities for the re-*
19 *ruitment, employment, development, retention,*
20 *deployment, and promotion of women in the na-*
21 *tional security forces of such partner country*
22 *(including for deployments to peace operations*
23 *and for participation in counterterrorism oper-*
24 *ations and activities).*

1 “(B) *MODEL METHODOLOGY.*—*The Sec-*
2 *retary of Defense, in consultation with the Sec-*
3 *retary of State, shall develop, based on the find-*
4 *ings of the pilot program, a model barrier assess-*
5 *ment methodology for use across the geographic*
6 *combatant commands.*

7 “(7) *REPORTS.*—

8 “(A) *IN GENERAL.*—*Not later than 2 years*
9 *after the date of the enactment of the National*
10 *Defense Authorization Act for Fiscal Year 2022,*
11 *the Secretary of Defense, in consultation with the*
12 *Secretary of State, shall submit to the appro-*
13 *priate committees of Congress an initial report*
14 *on the implementation of the pilot program*
15 *under this subsection that includes an identifica-*
16 *tion of the partner countries selected for partici-*
17 *pation in the program and the justifications for*
18 *such selections.*

19 “(B) *METHODOLOGY.*—*On the date on*
20 *which the Secretary of Defense determines the*
21 *pilot program to be complete, the Secretary of*
22 *Defense, in consultation with the Secretary of*
23 *State, shall submit to the appropriate committees*
24 *of Congress a report on the model barrier assess-*

1 *ment methodology developed under paragraph*
2 *(6)(B).*

3 “(g) *BRIEFING.*—*Not later than 1 year after the date*
4 *of the enactment of the National Defense Authorization Act*
5 *for Fiscal Year 2022, the Director of the Defense Security*
6 *Cooperation Agency shall provide to the appropriate com-*
7 *mittees of Congress a briefing on the efforts to build partner*
8 *defense institution and security force capacity pursuant to*
9 *this section.*”.

10 **SEC. 1335. ANNUAL REPORT ON COMPREHENSIVE NU-**
11 **CLEAR-TEST-BAN TREATY SENSORS.**

12 (a) *REQUIREMENT.*—*Not later than 90 days after the*
13 *date of the enactment of this Act, and not later than Sep-*
14 *tember 1 of each subsequent year, the Secretary of State*
15 *shall submit to the appropriate congressional committees a*
16 *report on the sensors used in the international monitoring*
17 *system of the Comprehensive Nuclear-Test-Ban Treaty Or-*
18 *ganization. Each such report shall include, with respect to*
19 *the period covered by the report—*

20 (1) *the number of incidents where such sensors*
21 *are disabled, turned off, or experience “technical dif-*
22 *ficulties”;* and

23 (2) *with respect to each such incident—*

24 (A) *the location of the sensor;*

25 (B) *the duration of the incident; and*

1 (C) *whether the Secretary determines there*
2 *is reason to believe that the incident was a delib-*
3 *erate act on the part of the host nation.*

4 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
5 *FINED.—In this section, the term “appropriate congres-*
6 *sional committees” means—*

7 (1) *the Committee on Foreign Affairs and the*
8 *Committee on Armed Services of the House of Rep-*
9 *resentatives; and*

10 (2) *the Committee on Foreign Relations and the*
11 *Committee on Armed Services of the Senate.*

12 **SEC. 1336. SECURITY ASSISTANCE IN NORTHERN TRIANGLE**
13 **COUNTRIES.**

14 (a) *CERTIFICATION RELATING TO ASSISTANCE FOR*
15 *GUATEMALA.—Prior to the transfer of any vehicles by the*
16 *Department of Defense to a joint task force of the Ministry*
17 *of Defense or Ministry of the Interior of Guatemala during*
18 *fiscal year 2022, the Secretary of Defense shall certify to*
19 *the congressional defense committees that such ministries*
20 *have made a credible commitment to use such equipment*
21 *only for the uses for which they were intended.*

22 (b) *REPORT ON SECURITY COOPERATION WITH*
23 *NORTHERN TRIANGLE COUNTRIES.—*

24 (1) *IN GENERAL.—Not later than June 30, 2022,*
25 *the Secretary of Defense shall submit to the congres-*

1 sional defense committees a report that includes the
2 following:

3 (A) A description of any ongoing or
4 planned security cooperation activities between
5 the United States and the Northern Triangle
6 countries focused on protection of human rights
7 and adherence to the rule of law.

8 (B) A description of efforts to investigate
9 credible information on gross violations of
10 human rights by the military or national secu-
11 rity forces of the governments of Northern Tri-
12 angle countries since January 1, 2017, consistent
13 with applicable law, including the possible use
14 in committing such violations of defense articles
15 provided by the United States.

16 (2) *FORM.*—The report required by paragraph
17 (1) shall be submitted in unclassified form but may
18 contain a classified annex.

19 (c) *GAO REPORT.*—

20 (1) Not later than June 30, 2022, the Comp-
21 troller General shall submit to the congressional de-
22 fense committees a report containing an evaluation of
23 the Department of Defense’s end-use monitoring pro-
24 cedures for tracking credible information regarding
25 the misuse by Northern Triangle countries of equip-

1 *ment provided by the Department of Defense, includ-*
2 *ing—*

3 *(A) the Department’s review of any credible*
4 *information related to the misuse of Department*
5 *of Defense-provided vehicles to Northern Triangle*
6 *countries since 2018; and*

7 *(B) a description of any remediation activi-*
8 *ties undertaken by the Department of Defense*
9 *and Northern Triangle countries in response to*
10 *any such misuse.*

11 *(d) STRATEGIC EVALUATION OF SECURITY COOPERA-*
12 *TION WITH NORTHERN TRIANGLE COUNTRIES.—*

13 *(1) IN GENERAL.—Not later than March 31,*
14 *2022, the Secretary of Defense shall enter into an*
15 *agreement with an appropriate federally funded re-*
16 *search and development center to complete an evalua-*
17 *tion, not later than June 30, 2024, of Department of*
18 *Defense security cooperation programs in United*
19 *States Southern Command area of responsibility that*
20 *includes—*

21 *(A) how such programs in general and in*
22 *Northern Triangle countries in particular ad-*
23 *vance U.S. Southern Command’s Theater Cam-*
24 *paign Plan;*

1 (B) *how such programs in general and in*
2 *Northern Triangle countries in particular pro-*
3 *mote the rule of law and human rights in the*
4 *United States Southern Command area of re-*
5 *sponsibility;*

6 (C) *how such programs in general and in*
7 *Northern Triangle countries in particular ad-*
8 *vance the objectives of the National Defense*
9 *Strategy; and*

10 (D) *any other matters the Secretary deems*
11 *appropriate.*

12 (2) *REPORT.—The Secretary of Defense shall*
13 *submit to the congressional defense committees a re-*
14 *port that includes the evaluation completed by the*
15 *federally funded research and development center se-*
16 *lected pursuant to paragraph (1) within 30 days of*
17 *receiving such evaluation.*

18 (3) *FORM.—The report required by subsection*
19 *(2) shall be submitted in unclassified form and posted*
20 *on the Department of Defense’s public website, but*
21 *may contain a classified annex.*

22 (e) *NORTHERN TRIANGLE COUNTRIES DEFINED.—In*
23 *this section, the term “Northern Triangle countries” means*
24 *El Salvador, Guatemala, and Honduras.*

1 **SEC. 1337. REPORT ON HUMAN RIGHTS IN COLOMBIA.**

2 (a) *IN GENERAL.*—Not later than 180 days after the
3 date of the enactment of this Act, the Secretary of Defense,
4 in coordination with the Secretary of State, shall submit
5 to the appropriate congressional committees a report that
6 includes the following:

7 (1) *A detailed summary of the security coopera-*
8 *tion relationship between the United States and Co-*
9 *lombia, including a description of United States ob-*
10 *jectives, any ongoing or planned security cooperation*
11 *activities with the military or other security forces of*
12 *Colombia, an assessment of the capabilities of the*
13 *military or other security forces of Colombia, and a*
14 *description of the capabilities of the military or other*
15 *security forces of Colombia that the Department of*
16 *Defense has identified as a priority for further capa-*
17 *bility building efforts.*

18 (2) *A description of any ongoing or planned co-*
19 *operative activities between the United States and Co-*
20 *lombia focused on human rights and adherence to the*
21 *rule of law, and a description of the manner and ex-*
22 *tent to which the security cooperation strategy be-*
23 *tween the United States and Colombia seeks to build*
24 *the institutional capacity of the Colombian military*
25 *or other Colombian security forces to respect human*
26 *rights and encourage accountability.*

1 (b) *DEFINITION.*—*In this section, the term “appropriate congressional committees” means—*

3 (1) *the Committee on Armed Services and the*
4 *Committee on Foreign Affairs of the House of Rep-*
5 *resentatives; and*

6 (2) *the Committee on Armed Services and the*
7 *Committee on Foreign Relations of the Senate.*

8 **SEC. 1338. REPORT ON EFFORTS BY THE PEOPLE’S REPUB-**
9 **LIC OF CHINA TO EXPAND ITS PRESENCE AND**
10 **INFLUENCE IN LATIN AMERICA AND THE CAR-**
11 **IBBEAN.**

12 (a) *REPORT.*—*Not later than June 30, 2022, the Sec-*
13 *retary of State, in coordination with the Secretary of De-*
14 *fense and in consultation with the heads of other appro-*
15 *priate Federal departments and agencies, as necessary,*
16 *shall submit to the appropriate congressional committees a*
17 *report that identifies efforts by the Government of the Peo-*
18 *ple’s Republic of China to expand its presence and influence*
19 *in Latin America and the Caribbean through diplomatic,*
20 *military, economic, and other means, and describes the im-*
21 *plications of such efforts on the national defense and secu-*
22 *rity interests of the United States.*

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

25 (1) *An identification of—*

1 (A) *the countries of Latin America and the*
2 *Caribbean with which the Government of the*
3 *People’s Republic of China maintains especially*
4 *close diplomatic, military, and economic rela-*
5 *tionships;*

6 (B) *the number and contents of strategic*
7 *partnership agreements or similar agreements,*
8 *including any non-public, secret, or informal*
9 *agreements, that the Government of the People’s*
10 *Republic of China has established with countries*
11 *and regional organizations of Latin America*
12 *and the Caribbean;*

13 (C) *the countries of Latin America and the*
14 *Caribbean that have joined the Belt and Road*
15 *Initiative or the Asian Infrastructure Investment*
16 *Bank;*

17 (D) *the countries of Latin America and the*
18 *Caribbean to which the Government of the Peo-*
19 *ple’s Republic of China provides foreign assist-*
20 *ance or disaster relief (including access to*
21 *COVID–19 vaccines), including a description of*
22 *the amount and purpose of, and any conditions*
23 *attached to, such assistance;*

24 (E) *countries and regional organizations of*
25 *Latin America and the Caribbean in which the*

1 *Government of the People’s Republic of China,*
2 *including its state-owned or state-directed enter-*
3 *prises and banks, have undertaken significant*
4 *investments, or infrastructure projects, and cor-*
5 *respondent banking and lending activities, at the*
6 *regional, national, or subnational levels;*

7 *(F) recent visits by senior officials of the*
8 *Government of the People’s Republic of China,*
9 *including its state-owned or state-directed enter-*
10 *prises, to Latin America and the Caribbean, and*
11 *visits by senior officials from Latin America and*
12 *the Caribbean to the People’s Republic of China;*

13 *(G) the existence of any defense exchanges,*
14 *military or police education or training, and ex-*
15 *ercises between any military or police organiza-*
16 *tion of the Government of the People’s Republic*
17 *of China and military, police, or security-ori-*
18 *ented organizations of countries of Latin Amer-*
19 *ica and the Caribbean;*

20 *(H) countries and regional organizations of*
21 *Latin America and the Caribbean that maintain*
22 *diplomatic relations with Taiwan; and*

23 *(I) any steps that the Government of the*
24 *People’s Republic of China has taken to encour-*
25 *age countries and regional organizations of*

1 *Latin America and the Caribbean to switch dip-*
2 *lomatic relations to the People's Republic of*
3 *China instead of Taiwan.*

4 (2) *A detailed description of—*

5 (A) *the relationship between the Govern-*
6 *ment of the People's Republic of China and the*
7 *Government of Venezuela and the Government of*
8 *Cuba;*

9 (B) *military installations, assets, and ac-*
10 *tivities of the Government of the People's Repub-*
11 *lic of China in Latin America and the Carib-*
12 *bean that currently exist or are planned for the*
13 *future;*

14 (C) *sales or transfers of defense articles and*
15 *services by the Government of the People's Re-*
16 *public of China to countries of Latin America*
17 *and the Caribbean;*

18 (D) *a comparison of sales and transfers of*
19 *defense articles and services to countries of Latin*
20 *America and the Caribbean by the Government*
21 *of the People's Republic of China, the Russian*
22 *Federation, and the United States;*

23 (E) *any other form of military, para-*
24 *military, or security cooperation between the*
25 *Government of the People's Republic of China*

1 *and the governments of countries of Latin Amer-*
2 *ica and the Caribbean;*

3 *(F) the nature, extent, and purpose of the*
4 *Government of the People's Republic of China's*
5 *intelligence activities in Latin America and the*
6 *Caribbean;*

7 *(G) the role of the Government of the Peo-*
8 *ple's Republic of China in transnational crime*
9 *in Latin America and the Caribbean, including*
10 *trafficking and money laundering, as well as*
11 *any links to the People's Liberation Army;*

12 *(H) efforts by the Government of the Peo-*
13 *ple's Republic of China to expand the reach and*
14 *influence of its financial system within Latin*
15 *America and the Caribbean, through banking ac-*
16 *tivities and payments systems and through goods*
17 *and services related to the use of the digital*
18 *yuan; and*

19 *(I) efforts by the Government of the People's*
20 *Republic of China to build its media presence in*
21 *Latin America and the Caribbean, and any gov-*
22 *ernment-directed disinformation or information*
23 *warfare campaigns in the region, including for*
24 *military purposes or with ties to the People's*
25 *Liberation Army.*

1 (3) *An assessment of—*

2 (A) *the specific objectives that the Govern-*
3 *ment of the People’s Republic of China seeks to*
4 *achieve by expanding its presence and influence*
5 *in Latin America and the Caribbean, including*
6 *any objectives articulated in official documents*
7 *or statements;*

8 (B) *whether certain investments by the Gov-*
9 *ernment of the People’s Republic of China, in-*
10 *cluding in port projects, canal projects, and tele-*
11 *communications projects in Latin America and*
12 *the Caribbean, could have military uses or dual*
13 *use capability or could enable the Government of*
14 *the People’s Republic of China to monitor or*
15 *intercept United States or host nation commu-*
16 *nications;*

17 (C) *the degree to which the Government of*
18 *the People’s Republic of China uses its presence*
19 *and influence in Latin America and the Carib-*
20 *bean to encourage, pressure, or coerce govern-*
21 *ments in the region to support its defense and*
22 *national security goals, including policy posi-*
23 *tions taken by the Government of the People’s*
24 *Republic of China at international institutions;*

1 (D) documented instances of governments of
2 countries of Latin America and the Caribbean
3 silencing, or attempting to silence, local critics of
4 the Government of the People's Republic of
5 China, including journalists, academics, and
6 civil society representatives, in order to placate
7 the Government of the People's Republic of
8 China;

9 (E) the rationale for the Government of the
10 People's Republic of China becoming an observer
11 at the Organization of American States;

12 (F) the relationship between the Govern-
13 ment of the People's Republic of China and the
14 Community of Latin American and Caribbean
15 States (CELAC), a regional organization that
16 excludes the United States, and the role of the
17 China-CELAC Forum in coordinating such rela-
18 tionship; and

19 (G) the specific actions and activities un-
20 dertaken by the Government of the People's Re-
21 public of China in Latin America and the Car-
22ibbean that present the greatest threat or chal-
23 lenge to the United States' defense and national
24 security interests in the region.

1 (4) *Any other matters the Secretary of State de-*
2 *termines is appropriate.*

3 (c) *FORM.—The report required by subsection (a) shall*
4 *be submitted in unclassified form without any designation*
5 *relating to dissemination control, but may include a classi-*
6 *fied annex.*

7 (d) *DEFINITIONS.—In this section:*

8 (1) *The term “appropriate congressional com-*
9 *mittees” means—*

10 (A) *the Committee on Armed Services and*
11 *the Committee on Foreign Affairs of the House*
12 *of Representatives; and*

13 (B) *the Committee on Armed Services and*
14 *the Committee on Foreign Relations of the Sen-*
15 *ate.*

16 (2) *The terms “Latin America and the Carib-*
17 *bean” and “countries of Latin America and the Car-*
18 *ibbean” mean the countries and non-United States*
19 *territories of South America, Central America, the*
20 *Caribbean, and Mexico.*

1 **SEC. 1339. EXTENSION OF PROHIBITION ON IN-FLIGHT RE-**
2 **FUELING TO NON-UNITED STATES AIRCRAFT**
3 **THAT ENGAGE IN HOSTILITIES IN THE ONGO-**
4 **ING CIVIL WAR IN YEMEN.**

5 *Section 1273(a) of the National Defense Authorization*
6 *Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*
7 *1699) is amended by striking “two-year period” and insert-*
8 *ing “four-year period”.*

9 **SEC. 1340. STATEMENT OF POLICY AND REPORT ON YEMEN.**

10 *(a) STATEMENT OF POLICY.—It is the policy of the*
11 *United States—*

12 *(1) to continue to support and further efforts to*
13 *bring an end to the conflict in Yemen;*

14 *(2) to support efforts so that United States de-*
15 *fense articles and services are not used for military*
16 *operations resulting in civilian casualties; and*

17 *(3) to work with allies and partners to address*
18 *the ongoing humanitarian needs of Yemeni civilians.*

19 *(b) REPORT.—*

20 *(1) IN GENERAL.—Not later than 90 days after*
21 *the date of the enactment of this Act, the Secretary of*
22 *State, in coordination with the Secretary of Defense,*
23 *shall submit to the appropriate congressional commit-*
24 *tees a report on whether the Government of Saudi*
25 *Arabia has undertaken offensive airstrikes inside*

1 *Yemen in the preceding year resulting in civilian cas-*
2 *ualties.*

3 (2) *MATTERS TO BE INCLUDED.*—*The report re-*
4 *quired by this subsection shall include the following:*

5 (A) *A full description of any such air-*
6 *strikes, including a detailed accounting of civil-*
7 *ian casualties incorporating information from*
8 *non-governmental sources.*

9 (B) *An identification of Government of*
10 *Saudi Arabia air units responsible for any such*
11 *airstrikes.*

12 (C) *A description of aircraft and munitions*
13 *used in any such airstrikes.*

14 (3) *FORM.*—*The report required by this sub-*
15 *section shall be submitted in unclassified form, but*
16 *may contain a classified annex if necessary.*

17 (4) *APPROPRIATE CONGRESSIONAL COMMITTEES*
18 *DEFINED.*—*In this subsection, the term “appropriate*
19 *congressional committees” means—*

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

23 (B) *the Committee on Foreign Affairs, the*
24 *Committee on Armed Services, and the Perma-*

1 *ment Select Committee on Intelligence of the*
 2 *House of Representatives.*

3 **SEC. 1341. LIMITATION ON SUPPORT TO MILITARY FORCES**
 4 **OF THE KINGDOM OF MOROCCO FOR MULTI-**
 5 **LATERAL EXERCISES.**

6 (a) *IN GENERAL.*—None of the funds authorized to be
 7 *appropriated by this Act or otherwise made available to the*
 8 *Department of Defense for fiscal year 2022 may be used*
 9 *by the Secretary of Defense to support the participation of*
 10 *the military forces of the Kingdom of Morocco in any multi-*
 11 *lateral exercise administered by the Department of Defense*
 12 *unless the Secretary determines, in consultation with the*
 13 *Secretary of State, that the Kingdom of Morocco is com-*
 14 *mitted to seeking a mutually acceptable political solution*
 15 *in Western Sahara.*

16 (b) *WAIVER.*—The Secretary may waive application
 17 *of the limitation under subsection (a) if the Secretary sub-*
 18 *mits to the congressional defense committees a written deter-*
 19 *mination and justification that the waiver is important to*
 20 *the national security interests of the United States.*

21 **TITLE XIV—OTHER**
 22 **AUTHORIZATIONS**

Subtitle A—Military Programs

Sec. 1401. Working capital funds.

Sec. 1402. Chemical Agents and Munitions Destruction, Defense.

Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-Wide.

Sec. 1404. Defense Inspector General.

Sec. 1405. Defense Health Program.

Subtitle B—Other Matters

Sec. 1411. Acquisition of strategic and critical materials from the national technology and industrial base.

Sec. 1412. Authorization to loan materials in National Defense Stockpile.

Sec. 1413. 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. 1414. Authorization of appropriations for Armed Forces Retirement Home.

1 ***Subtitle A—Military Programs***

2 ***SEC. 1401. WORKING CAPITAL FUNDS.***

3 *Funds are hereby authorized to be appropriated for fis-*
4 *cal year 2022 for the use of the Armed Forces and other*
5 *activities and agencies of the Department of Defense for*
6 *providing capital for working capital and revolving funds,*
7 *as specified in the funding table in section 4501.*

8 ***SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-***
9 ***TION, DEFENSE.***

10 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
11 *hereby authorized to be appropriated for the Department*
12 *of Defense for fiscal year 2022 for expenses, not otherwise*
13 *provided for, for Chemical Agents and Munitions Destruc-*
14 *tion, Defense, as specified in the funding table in section*
15 *4501.*

16 *(b) USE.—Amounts authorized to be appropriated*
17 *under subsection (a) are authorized for—*

18 *(1) the destruction of lethal chemical agents and*
19 *munitions in accordance with section 1412 of the De-*
20 *partment of Defense Authorization Act, 1986 (50*
21 *U.S.C. 1521); and*

Subtitle B—Other Matters**SEC. 1411. ACQUISITION OF STRATEGIC AND CRITICAL MATERIALS FROM THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.**

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) is amended—

(1) *in section 6(b)(2), by inserting “to consult with producers and processors of such materials” before “to avoid”;*

(2) *in section 12, by adding at the end the following new paragraph:*

“(3) The term ‘national technology and industrial base’ has the meaning given such term in section 2500 of title 10, United States Code.”; and

(3) *in section 15(a)—*

(A) *in paragraph (3), by striking “and” at the end;*

(B) *in paragraph (4), by striking the period at the end and inserting “; and”; and*

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

“(5) if domestic sources are unavailable to meet the requirements defined in paragraphs (1) through (4), by making efforts to prioritize the purchase of

1 *strategic and critical materials from the national*
2 *technology and industrial base.”.*

3 **SEC. 1412. AUTHORIZATION TO LOAN MATERIALS IN NA-**
4 **TIONAL DEFENSE STOCKPILE.**

5 *Section 6 of the Strategic and Critical Materials Stock*
6 *Piling Act (50 U.S.C. 98e) is amended by adding at the*
7 *end the following new subsection:*

8 *“(f) The President may loan stockpile materials to the*
9 *Department of Energy or the military departments if the*
10 *President—*

11 *“(1) has a reasonable assurance that stockpile*
12 *materials of a similar or superior quantity and qual-*
13 *ity to the materials loaned will be returned to the*
14 *stockpile or paid for;*

15 *“(2) notifies the congressional defense committees*
16 *(as defined in section 101(a) of title 10, United States*
17 *Code), in writing, not less than 30 days before mak-*
18 *ing any such loan; and*

19 *“(3) includes in the written notification under*
20 *paragraph (2) sufficient support for the assurance de-*
21 *scribed in paragraph (1).”.*

1 **SEC. 1413. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
2 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
3 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
4 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
5 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

6 (a) *AUTHORITY FOR TRANSFER OF FUNDS.*—Of the
7 funds authorized to be appropriated for section 1405 and
8 available for the Defense Health Program for operation and
9 maintenance, \$137,000,000 may be transferred by the Sec-
10 retary of Defense to the Joint Department of Defense–De-
11 partment of Veterans Affairs Medical Facility Demonstra-
12 tion Fund established by subsection (a)(1) of section 1704
13 of the National Defense Authorization Act for Fiscal Year
14 2010 (Public Law 111–84; 123 Stat. 2571). For purposes
15 of subsection (a)(2) of such section 1704, any funds so
16 transferred shall be treated as amounts authorized and ap-
17 propriated specifically for the purpose of such a transfer.

18 (b) *USE OF TRANSFERRED FUNDS.*—For the purposes
19 of subsection (b) of such section 1704, facility operations
20 for which funds transferred under subsection (a) may be
21 used are operations of the Captain James A. Lovell Federal
22 Health Care Center, consisting of the North Chicago Vet-
23 erans Affairs Medical Center, the Navy Ambulatory Care
24 Center, and supporting facilities designated as a combined
25 Federal medical facility under an operational agreement
26 covered by section 706 of the Duncan Hunter National De-

1 *fense Authorization Act for Fiscal Year 2009 (Public Law*
 2 *110–417; 122 Stat. 4500).*

3 **SEC. 1414. AUTHORIZATION OF APPROPRIATIONS FOR**
 4 **ARMED FORCES RETIREMENT HOME.**

5 *There is hereby authorized to be appropriated for fiscal*
 6 *year 2022 from the Armed Forces Retirement Home Trust*
 7 *Fund the sum of \$75,300,000 for the operation of the Armed*
 8 *Forces Retirement Home.*

9 **TITLE XV—CYBERSPACE-**
 10 **RELATED MATTERS**

Subtitle A—Matters Related to Cyber Operations and Cyber Forces

- Sec. 1501. Development of taxonomy of cyber capabilities.*
- Sec. 1502. Extension of sunset for pilot program on regional cybersecurity training center for the Army National Guard.*
- Sec. 1503. Modification of the Principal Cyber Advisor.*
- Sec. 1504. Evaluation of Department of Defense cyber governance.*
- Sec. 1505. Operational technology and mission-relevant terrain in cyberspace.*
- Sec. 1506. Matters concerning cyber personnel requirements.*
- Sec. 1507. Assignment of certain budget control responsibilities to commander of United States Cyber Command.*
- Sec. 1508. Coordination between United States Cyber Command and private sector.*
- Sec. 1509. Assessment of cyber posture and operational assumptions and development of targeting strategies and supporting capabilities.*
- Sec. 1510. Assessing capabilities to counter adversary use of ransomware, capabilities, and infrastructure.*
- Sec. 1511. Comparative analysis of cybersecurity capabilities.*
- Sec. 1512. Eligibility of owners and operators of critical infrastructure to receive certain Department of Defense support and services.*
- Sec. 1513. Report on potential Department of Defense support and assistance for increasing the awareness of the Cybersecurity and Infrastructure Security Agency of cyber threats and vulnerabilities affecting critical infrastructure.*

Subtitle B—Matters Related to Department of Defense Cybersecurity and Information Technology

- Sec. 1521. Enterprise-wide procurement of cyber data products and services.*
- Sec. 1522. Legacy information technologies and systems accountability.*
- Sec. 1523. Update relating to responsibilities of Chief Information Officer.*
- Sec. 1524. Protective Domain Name System within the Department of Defense.*
- Sec. 1525. Cybersecurity of weapon systems.*
- Sec. 1526. Assessment of controlled unclassified information program.*

- Sec. 1527. *Cyber data management.*
- Sec. 1528. *Zero trust strategy, principles, model architecture, and implementation plans.*
- Sec. 1529. *Demonstration program for automated security validation tools.*
- Sec. 1530. *Improvements to consortium of universities to advise Secretary of Defense on cybersecurity matters.*
- Sec. 1531. *Digital development infrastructure plan and working group.*
- Sec. 1532. *Study regarding establishment within the Department of Defense of a designated central program office to oversee academic engagement programs relating to establishing cyber talent across the Department.*
- Sec. 1533. *Report on the Cybersecurity Maturity Model Certification program.*
- Sec. 1534. *Deadline for reports on assessment of cyber resiliency of nuclear command and control system.*

Subtitle C—Matters Related to Federal Cybersecurity

- Sec. 1541. *Capabilities of the Cybersecurity and Infrastructure Security Agency to identify threats to industrial control systems.*
- Sec. 1542. *Cybersecurity vulnerabilities.*
- Sec. 1543. *Report on cybersecurity vulnerabilities.*
- Sec. 1544. *Competition relating to cybersecurity vulnerabilities.*
- Sec. 1545. *Strategy.*
- Sec. 1546. *Cyber incident response plan.*
- Sec. 1547. *National cyber exercise program.*
- Sec. 1548. *CyberSentry program of the Cybersecurity and Infrastructure Security Agency.*
- Sec. 1549. *Strategic assessment relating to innovation of information systems and cybersecurity threats.*
- Sec. 1550. *Pilot program on public-private partnerships with internet ecosystem companies to detect and disrupt adversary cyber operations.*
- Sec. 1551. *United States-Israel cybersecurity cooperation.*
- Sec. 1552. *Authority for National Cyber Director to accept details on nonreimbursable basis.*

1 ***Subtitle A—Matters Related to***
 2 ***Cyber Operations and Cyber Forces***

3 ***SEC. 1501. DEVELOPMENT OF TAXONOMY OF CYBER CAPA-***
 4 ***BILITIES.***

5 (a) *IN GENERAL.*—Not later than 180 days after the
 6 date of the enactment of this Act, the Secretary of Defense
 7 shall develop a taxonomy of cyber capabilities, including
 8 software, hardware, middleware, code, other information
 9 technology, and accesses, designed for use in cyber effects
 10 operations.

1 **(b) REPORT.**—

2 **(1) IN GENERAL.**—*Not later than 30 days after*
3 *the development of the taxonomy of cyber capabilities*
4 *required under subsection (a), the Secretary of De-*
5 *fense shall submit to the congressional defense com-*
6 *mittees a report regarding such taxonomy.*

7 **(2) ELEMENTS.**—*The report required under*
8 *paragraph (1) shall include the following:*

9 **(A)** *The definitions associated with each*
10 *category contained within the taxonomy of cyber*
11 *capabilities developed pursuant to subsection (a).*

12 **(B)** *Recommendations for improved report-*
13 *ing mechanisms to Congress regarding such tax-*
14 *onomy of cyber capabilities, using amounts from*
15 *the Cyberspace Activities Budget of the Depart-*
16 *ment of Defense.*

17 **(C)** *Recommendations for modifications to*
18 *the notification requirement under section 396 of*
19 *title 10, United States Code, in order that such*
20 *notifications would include information relating*
21 *to such taxonomy of cyber capabilities, including*
22 *with respect to both physical and nonphysical*
23 *cyber effects.*

24 **(D)** *Any other elements the Secretary deter-*
25 *mines appropriate.*

1 **SEC. 1502. EXTENSION OF SUNSET FOR PILOT PROGRAM ON**
2 **REGIONAL CYBERSECURITY TRAINING CEN-**
3 **TER FOR THE ARMY NATIONAL GUARD.**

4 *Section 1651(e) of the John S. McCain National De-*
5 *fense Authorization Act for Fiscal Year 2019 (Public Law*
6 *115–232; 32 U.S.C. 501 note) is amended by striking*
7 *“2022” and inserting “2024”.*

8 **SEC. 1503. MODIFICATION OF THE PRINCIPAL CYBER ADVI-**
9 **SOR.**

10 *(a) IN GENERAL.—Paragraph (1) of section 932(c) of*
11 *the National Defense Authorization Act for Fiscal Year*
12 *2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended*
13 *to read as follows:*

14 *“(1) DESIGNATION.—(A) The Secretary shall*
15 *designate, from among the personnel of the Office of*
16 *the Under Secretary of Defense for Policy, a Prin-*
17 *cipal Cyber Advisor to act as the principal advisor to*
18 *the Secretary on military cyber forces and activities.*

19 *“(B) The Secretary may only designate an offi-*
20 *cial under this paragraph if such official was ap-*
21 *pointed to the position in which such official serves*
22 *by and with the advice and consent of the Senate.”.*

23 *(b) DESIGNATION OF DEPUTY PRINCIPAL CYBER ADVI-*
24 *SOR.—Section 905(a)(1) of the National Defense Authoriza-*
25 *tion Act for Fiscal Year 2020 (Public Law 116–92; 10*
26 *U.S.C. 391 note) is amended by striking “Office of the Sec-*

1 *retary of Defense” and inserting “Office of the Under Sec-*
2 *retary of Defense for Policy”.*

3 (c) *BRIEFING.*—*Not later than 90 days after the date*
4 *of the enactment of this Act, the Deputy Secretary of De-*
5 *fense shall brief the Committee on Armed Services of the*
6 *Senate and the Committee on Armed Services of the House*
7 *of Representatives on such recommendations as the Deputy*
8 *Secretary may have for alternate reporting structures for*
9 *the Principal Cyber Advisor and the Deputy Principal*
10 *Cyber Advisor within the Office of the Under Secretary for*
11 *Policy.*

12 **SEC. 1504. EVALUATION OF DEPARTMENT OF DEFENSE**
13 **CYBER GOVERNANCE.**

14 (a) *IN GENERAL.*—*Not later than 180 days after the*
15 *date of the enactment of this Act, the Secretary of Defense*
16 *shall complete an evaluation and review of the Department*
17 *of Defense’s current cyber governance construct.*

18 (b) *SCOPE.*—*The evaluation and review conducted*
19 *pursuant to subsection (a) shall—*

20 (1) *assess the performance of the Department of*
21 *Defense in carrying out the pillars of the cyber strat-*
22 *egy and lines of efforts established in the most recent*
23 *cyber posture review, including—*

1 (A) *conducting military cyberspace oper-*
2 *ations of offensive, defensive, and protective na-*
3 *tures;*

4 (B) *securely operating technologies associ-*
5 *ated with information networks, industrial con-*
6 *trol systems, operational technologies, weapon*
7 *systems, and weapon platforms; and*

8 (C) *enabling, encouraging, and supporting*
9 *the security of international, industrial, and*
10 *academic partners;*

11 (2) *analyze and assess the current institutional*
12 *constructs across the Office of the Secretary of De-*
13 *fense, Joint Staff, military services, and combatant*
14 *commands involved with and responsible for the exe-*
15 *cution of and civilian oversight for the responsibilities*
16 *specified in paragraph (1);*

17 (3) *analyze and assess the delineation of respon-*
18 *sibilities within the current institutional construct*
19 *within the Office of the Secretary of Defense for ad-*
20 *ressing the objectives of the 2018 Department of De-*
21 *fense Cyber Strategy and any superseding strategies,*
22 *as well as identifying potential seams in responsi-*
23 *bility;*

24 (4) *examine the Department's policy, legislative,*
25 *and regulatory regimes related to cyberspace and cy-*

1 *bersecurity matters, including the 2018 Department*
2 *of Defense Cyber Strategy and any superseding strat-*
3 *egies, for sufficiency in carrying out the responsibil-*
4 *ities specified in paragraph (1);*

5 *(5) examine the Office of the Secretary of De-*
6 *fense's current alignment for the integration and co-*
7 *ordination of cyberspace activities with other aspects*
8 *of information operations, including information*
9 *warfare and electromagnetic spectrum operations;*

10 *(6) examine the current roles and responsibilities*
11 *of each Principal Staff Assistant to the Secretary of*
12 *Defense as such relate to the responsibilities specified*
13 *in paragraph (1), and identify redundancy, duplica-*
14 *tion, or matters requiring deconfliction or clarifica-*
15 *tion;*

16 *(7) evaluate and, as appropriate, implement rel-*
17 *evant managerial innovation from the private sector*
18 *in the management of complex missions, including*
19 *enhanced cross-functional teaming;*

20 *(8) evaluate the state of collaboration among*
21 *each Principal Staff Assistant in matters related to*
22 *acquisition of cyber capabilities and other enabling*
23 *technologies supporting the responsibilities specified*
24 *in paragraph (1);*

1 (9) analyze and assess the Department's per-
2 formance in and posture for building and retaining
3 the requisite workforce necessary to perform the re-
4 sponsibilities specified in paragraph (1);

5 (10) determine optimal governance structures re-
6 lated to the management and advancement of the De-
7 partment's cyber workforce, including those structures
8 defined under and evaluated pursuant to section 1649
9 of the National Defense Authorization Act for Fiscal
10 Year 2020 (Public Law 116-92) and section 1726 of
11 the National Defense Authorization Act for Fiscal
12 Year 2021 (Public Law 116-283);

13 (11) develop policy and legislative recommenda-
14 tions, as appropriate, to delineate and deconflict the
15 roles and responsibilities of United States Cyber Com-
16 mand in defending and protecting the Department of
17 Defense Information Network (DoDIN), with the re-
18 sponsibility of the Chief Information Officer, the De-
19 fense Information Systems Agency, and the military
20 services to securely operate technologies described in
21 paragraph (1)(B);

22 (12) develop policy and legislative recommenda-
23 tions to enhance the authority of the Chief Informa-
24 tion Officers within the military services, specifically
25 as such relates to executive and budgetary control over

1 *matters related to such services' information tech-*
2 *nology security, acquisition, and value;*

3 *(13) develop policy and legislative recommenda-*
4 *tions, as appropriate, for optimizing the institutional*
5 *constructs across the Office of the Secretary of De-*
6 *fense, Joint Staff, military services, and combatant*
7 *commands involved with and responsible for the re-*
8 *sponsibilities specified in paragraph (1); and*

9 *(14) make recommendations for any legislation*
10 *determined appropriate.*

11 *(c) INTERIM BRIEFINGS.—Not later than 90 days after*
12 *the commencement of the evaluation and review conducted*
13 *pursuant to subsection (a) and every 30 days thereafter,*
14 *the Secretary of Defense shall brief the congressional defense*
15 *committees on interim findings of such evaluation and re-*
16 *view.*

17 *(d) REPORT.—Not later than 30 days after the comple-*
18 *tion of the evaluation and review conducted pursuant to*
19 *subsection (a), the Secretary of Defense shall submit to the*
20 *congressional defense committees a report on such evalua-*
21 *tion and review.*

22 **SEC. 1505. OPERATIONAL TECHNOLOGY AND MISSION-REL-**
23 **EVANT TERRAIN IN CYBERSPACE.**

24 *(a) MISSION-RELEVANT TERRAIN.—Not later than*
25 *January 1, 2025, the Secretary of Defense shall complete*

1 *mapping of mission-relevant terrain in cyberspace for De-*
2 *fense Critical Assets and Task Critical Assets at sufficient*
3 *granularity to enable mission thread analysis and situa-*
4 *tional awareness, including required—*

5 (1) *decomposition of missions reliant on such As-*
6 *sets;*

7 (2) *identification of access vectors;*

8 (3) *internal and external dependencies;*

9 (4) *topology of networks and network segments;*

10 (5) *cybersecurity defenses across information and*
11 *operational technology on such Assets; and*

12 (6) *identification of associated or reliant weapon*
13 *systems.*

14 (b) *COMBATANT COMMAND RESPONSIBILITIES.—Not*
15 *later than January 1, 2024, the Commanders of United*
16 *States European Command, United States Indo-Pacific*
17 *Command, United States Northern Command, United*
18 *States Strategic Command, United States Space Command,*
19 *United States Transportation Command, and other rel-*
20 *evant Commands, in coordination with the Commander of*
21 *United States Cyber Command, in order to enable effective*
22 *mission thread analysis, cyber situational awareness, and*
23 *effective cyber defense of Defense Critical Assets and Task*
24 *Critical Assets under their control or in their areas of re-*

1 *sponsibility, shall develop, institute, and make necessary*
2 *modifications to—*

3 (1) *internal combatant command processes, re-*
4 *sponsibilities, and functions;*

5 (2) *coordination with service components under*
6 *their operational control, United States Cyber Com-*
7 *mand, Joint Forces Headquarters-Department of De-*
8 *fense Information Network, and the service cyber com-*
9 *ponents;*

10 (3) *combatant command headquarters' situa-*
11 *tional awareness posture to ensure an appropriate*
12 *level of cyber situational awareness of the forces, fa-*
13 *cilities, installations, bases, critical infrastructure,*
14 *and weapon systems under their control or in their*
15 *areas of responsibility, including, in particular, De-*
16 *fense Critical Assets and Task Critical Assets; and*

17 (4) *documentation of their mission-relevant ter-*
18 *rain in cyberspace.*

19 (c) *DEPARTMENT OF DEFENSE CHIEF INFORMATION*
20 *OFFICER RESPONSIBILITIES.—*

21 (1) *IN GENERAL.—Not later than November 1,*
22 *2023, the Chief Information Officer of the Department*
23 *of Defense shall establish or make necessary changes*
24 *to policy, control systems standards, risk management*
25 *framework and authority to operate policies, and cy-*

1 *bersecurity reference architectures to provide baseline*
2 *cybersecurity requirements for operational technology*
3 *in forces, facilities, installations, bases, critical infra-*
4 *structure, and weapon systems across the Department*
5 *of Defense Information Network.*

6 (2) *IMPLEMENTATION OF POLICIES.—The Chief*
7 *Information Officer of the Department of Defense*
8 *shall leverage acquisition guidance, concerted assess-*
9 *ment of the Department’s operational technology en-*
10 *terprise, and coordination with the military depart-*
11 *ment principal cyber advisors and chief information*
12 *officers to drive necessary change and implementation*
13 *of relevant policy across the Department’s forces, fa-*
14 *ilities, installations, bases, critical infrastructure,*
15 *and weapon systems.*

16 (3) *ADDITIONAL RESPONSIBILITIES.—The Chief*
17 *Information Officer of the Department of Defense*
18 *shall ensure that policies, control systems standards,*
19 *and cybersecurity reference architectures—*

20 (A) *are implementable by components of the*
21 *Department;*

22 (B) *limit adversaries’ ability to reach or*
23 *manipulate control systems through cyberspace;*

24 (C) *appropriately balance non-connectivity*
25 *and monitoring requirements;*

1 (D) include data collection and flow re-
2 quirements;

3 (E) interoperate with and are informed by
4 the operational community's workflows for de-
5 fense of information and operational technology
6 in the forces, facilities, installations, bases, crit-
7 ical infrastructure, and weapon systems across
8 the Department;

9 (F) integrate and interoperate with Depart-
10 ment mission assurance construct; and

11 (G) are implemented with respect to Defense
12 Critical Assets and Task Critical Assets.

13 (d) UNITED STATES CYBER COMMAND OPERATIONAL
14 RESPONSIBILITIES.—Not later than January 1, 2025, the
15 Commander of United States Cyber Command shall make
16 necessary modifications to the mission, scope, and posture
17 of Joint Forces Headquarters-Department of Defense Infor-
18 mation Network to ensure that Joint Forces Head-
19 quarters—

20 (1) has appropriate visibility of operational
21 technology in the forces, facilities, installations, bases,
22 critical infrastructure, and weapon systems across the
23 Department of Defense Information Network, includ-
24 ing, in particular, Defense Critical Assets and Task
25 Critical Assets;

1 (2) *can effectively command and control forces to*
2 *defend such operational technology; and*

3 (3) *has established processes for—*

4 (A) *incident and compliance reporting;*

5 (B) *ensuring compliance with Department*
6 *of Defense cybersecurity policy; and*

7 (C) *ensuring that cyber vulnerabilities, at-*
8 *tack vectors, and security violations, including,*
9 *in particular, those specific to Defense Critical*
10 *Assets and Task Critical Assets, are appro-*
11 *priately managed.*

12 (e) *UNITED STATES CYBER COMMAND FUNCTIONAL*
13 *RESPONSIBILITIES.—Not later than January 1, 2025, the*
14 *Commander of United States Cyber Command shall—*

15 (1) *ensure in its role of Joint Forces Trainer for*
16 *the Cyberspace Operations Forces that operational*
17 *technology cyber defense is appropriately incorporated*
18 *into training for the Cyberspace Operations Forces;*

19 (2) *delineate the specific force composition re-*
20 *quirements within the Cyberspace Operations Forces*
21 *for specialized cyber defense of operational technology,*
22 *including the number, size, scale, and responsibilities*
23 *of defined Cyber Operations Forces elements;*

24 (3) *develop and maintain, or support the devel-*
25 *opment and maintenance of, a joint training cur-*

1 *riculum for operational technology-focused Cyberspace*
2 *Operations Forces;*

3 (4) *support the Chief Information Officer of the*
4 *Department of Defense as the Department's senior of-*
5 *ficial for the cybersecurity of operational technology*
6 *under this section;*

7 (5) *develop and institutionalize, or support the*
8 *development and institutionalization of, tradecraft for*
9 *defense of operational technology across local defend-*
10 *ers, cybersecurity service providers, cyber protection*
11 *teams, and service-controlled forces;*

12 (6) *develop and institutionalize integrated con-*
13 *cepts of operation, operational workflows, and cyber-*
14 *security architectures for defense of information and*
15 *operational technology in the forces, facilities, instal-*
16 *lations, bases, critical infrastructure, and weapon sys-*
17 *tems across the Department of Defense Information*
18 *Network, including, in particular, Defense Critical*
19 *Assets and Task Critical Assets, including—*

20 (A) *deliberate and strategic sensing of*
21 *such Network and Assets;*

22 (B) *instituting policies governing connec-*
23 *tions across and between such Network and As-*
24 *sets;*

1 (C) *modelling of normal behavior across*
2 *and between such Network and Assets;*

3 (D) *engineering data flows across and be-*
4 *tween such Network and Assets;*

5 (E) *developing local defenders, cybersecurity*
6 *service providers, cyber protection teams, and*
7 *service-controlled forces' operational workflows*
8 *and tactics, techniques, and procedures opti-*
9 *mized for the designs, data flows, and policies of*
10 *such Network and Assets;*

11 (F) *instituting of model defensive cyber op-*
12 *erations and Department of Defense Information*
13 *Network operations tradecraft; and*

14 (G) *integrating of such operations to ensure*
15 *interoperability across echelons; and*

16 (7) *advance the integration of the Department of*
17 *Defense's mission assurance, cybersecurity compli-*
18 *ance, cybersecurity operations, risk management*
19 *framework, and authority to operate programs and*
20 *policies.*

21 (f) *SERVICE RESPONSIBILITIES.—Not later than Jan-*
22 *uary 1, 2025, the Secretaries of the military departments,*
23 *through the service principal cyber advisors, chief informa-*
24 *tion officers, the service cyber components, and relevant*
25 *service commands, shall make necessary investments in*

1 *operational technology in the forces, facilities, installations,*
2 *bases, critical infrastructure, and weapon systems across*
3 *the Department of Defense Information Network and the*
4 *service-controlled forces responsible for defense of such oper-*
5 *ational technology to—*

6 (1) *ensure that relevant local network and cyber-*
7 *security forces are responsible for defending oper-*
8 *ational technology across the forces, facilities, instal-*
9 *lations, bases, critical infrastructure, and weapon sys-*
10 *tems, including, in particular, Defense Critical Assets*
11 *and Task Critical Assets;*

12 (2) *ensure that relevant local operational tech-*
13 *nology-focused system operators, network and cyberse-*
14 *curity forces, mission defense teams and other service-*
15 *retained forces, and cyber protection teams are appro-*
16 *priately trained, including through common training*
17 *and use of cyber ranges, as appropriate, to execute the*
18 *specific requirements of cybersecurity operations in*
19 *operational technology;*

20 (3) *ensure that all Defense Critical Assets and*
21 *Task Critical Assets are monitored and defended by*
22 *Cybersecurity Service Providers;*

23 (4) *ensure that operational technology is appro-*
24 *priately sensed and appropriate cybersecurity de-*
25 *fenses, including technologies associated with the More*

1 *Situational Awareness for Industrial Control Systems*
2 *Joint Capability Technology Demonstration, are em-*
3 *ployed to enable defense of Defense Critical Assets and*
4 *Task Critical Assets;*

5 (5) *implement Department of Defense Chief In-*
6 *formation Officer policy germane to operational tech-*
7 *nology, including, in particular, with respect to De-*
8 *fense Critical Assets and Task Critical Assets;*

9 (6) *plan for, designate, and train dedicated*
10 *forces to be utilized in operational technology-centric*
11 *roles across the military services and United States*
12 *Cyber Command; and*

13 (7) *ensure that operational technology, as appro-*
14 *priate, is not easily accessible via the internet and*
15 *that cybersecurity investments accord with mission*
16 *risk to and relevant access vectors for Defense Critical*
17 *Assets and Task Critical Assets.*

18 (g) *OFFICE OF THE SECRETARY OF DEFENSE RESPON-*
19 *SIBILITIES.—Not later than January 1, 2023, the Secretary*
20 *of Defense shall—*

21 (1) *assess and finalize Office of the Secretary of*
22 *Defense components' roles and responsibilities for the*
23 *cybersecurity of operational technology in the forces,*
24 *facilities, installations, bases, critical infrastructure,*

1 *and weapon systems across the Department of Defense*
2 *Information Network;*

3 (2) *assess the need to establish centralized or*
4 *dedicated funding for remediation of cybersecurity*
5 *gaps in operational technology across the Department*
6 *of Defense Information Network;*

7 (3) *make relevant modifications to the Depart-*
8 *ment of Defense's mission assurance construct, Mis-*
9 *sion Assurance Coordination Board, and other rel-*
10 *evant bodies to drive—*

11 (A) *prioritization of kinetic and non-kinetic*
12 *threats to the Department's missions and mini-*
13 *mization of mission risk in the Department's*
14 *war plans;*

15 (B) *prioritization of relevant mitigations*
16 *and investments to harden and assure the De-*
17 *partment's missions and minimize mission risk*
18 *in the Department's war plans; and*

19 (C) *completion of mission relevant terrain*
20 *mapping of Defense Critical Assets and Task*
21 *Critical Assets and population of associated as-*
22 *essment and mitigation data in authorized re-*
23 *positories;*

24 (4) *make relevant modifications to the Strategic*
25 *Cybersecurity Program; and*

1 (5) *drive and provide oversight of the implemen-*
2 *tation of this section.*

3 (h) *BUDGET ROLLOUT BRIEFINGS.—*

4 (1) *IN GENERAL.—Beginning not later than 30*
5 *days after the date of the enactment of this Act, each*
6 *of the Secretaries of the military departments, the*
7 *Commander of United States Cyber Command, and*
8 *the Chief Information Officer of the Department of*
9 *Defense shall provide annual updates to the Com-*
10 *mittee on Armed Services of the Senate and the Com-*
11 *mittee on Armed Services of the House of Representa-*
12 *tives on activities undertaken and progress made to*
13 *carry out this section.*

14 (2) *ANNUAL BRIEFINGS.—Not later than one*
15 *year after the date of the enactment of this Act and*
16 *not less frequently than annually thereafter until*
17 *January 1, 2024, the Under Secretary of Defense for*
18 *Policy, the Under Secretary of Defense for Acquisition*
19 *and Sustainment, the Chief Information Officer, and*
20 *the Joint Staff J6, representing the combatant com-*
21 *mands, shall individually or together provide brief-*
22 *ings to the Committee on Armed Services of the Sen-*
23 *ate and the Committee on Armed Services of the*
24 *House of Representatives on activities undertaken and*
25 *progress made to carry out this section.*

1 (i) *IMPLEMENTATION.*—

2 (1) *IN GENERAL.*—*In implementing this section,*
3 *the Secretary of Defense shall prioritize the cybersecu-*
4 *rity and cyber defense of Defense Critical Assets and*
5 *Task Critical Assets and shape cyber investments, pol-*
6 *icy, operations, and deployments to ensure cybersecu-*
7 *rity and cyber defense.*

8 (2) *APPLICATION.*—*This section shall apply to*
9 *assets owned and operated by the Department of De-*
10 *fense, as well as to applicable non-Department assets*
11 *essential to the projection, support, and sustainment*
12 *of military forces and operations worldwide.*

13 (j) *DEFINITION.*—*In this section:*

14 (1) *MISSION-RELEVANT TERRAIN IN CYBER-*
15 *SPACE.*—*“mission-relevant terrain in cyberspace” has*
16 *the meaning given such term as specified in Joint*
17 *Publication 6-0.*

18 (2) *OPERATIONAL TECHNOLOGY.*—*The term*
19 *“operational technology” means control systems or*
20 *controllers, communication architectures, and user*
21 *interfaces that monitor or control infrastructure and*
22 *equipment operating in various environments, such*
23 *as weapon systems, utility or energy production and*
24 *distribution, or medical, logistics, nuclear, biological,*
25 *chemical, or manufacturing facilities.*

1 **SEC. 1506. MATTERS CONCERNING CYBER PERSONNEL RE-**
2 **QUIREMENTS.**

3 (a) *IN GENERAL.*—*The Secretary of Defense, acting*
4 *through the Under Secretary of Defense for Personnel and*
5 *Readiness and the Chief Information Officer of the Depart-*
6 *ment of Defense, in consultation with Secretaries of the*
7 *military departments and the head of any other organiza-*
8 *tion or element of the Department the Secretary determines*
9 *appropriate, shall—*

10 (1) *determine the overall workforce requirement*
11 *of the Department for cyberspace and information*
12 *warfare military personnel across the active and re-*
13 *serve components of the Armed Forces (other than the*
14 *Coast Guard) and for civilian personnel, and in*
15 *doing so shall—*

16 (A) *consider personnel in positions securing*
17 *the Department of Defense Information Network*
18 *and associated enterprise information tech-*
19 *nology, defense agencies and field activities, and*
20 *combatant commands, including current billets*
21 *primarily associated with the Department of De-*
22 *fense Cyber Workforce Framework;*

23 (B) *consider the mix between military and*
24 *civilian personnel, active and reserve compo-*
25 *nents, and the use of the National Guard;*

1 (C) develop a talent management strategy
2 that covers accessions, training, and education;
3 and

4 (D) consider such other elements as the Sec-
5 retary determines appropriate;

6 (2) assess current and future cyber education
7 curriculum and requirements for military and civil-
8 ian personnel, including—

9 (A) acquisition personnel;

10 (B) accessions and recruits to the military
11 services;

12 (C) cadets and midshipmen at the military
13 service academies and enrolled in the Senior Re-
14 serve Officers' Training Corps;

15 (D) information environment and cyber-
16 space military and civilian personnel; and

17 (E) non-information environment cyber-
18 space military and civilian personnel;

19 (3) identify appropriate locations for informa-
20 tion warfare and cyber education for military and ci-
21 vilian personnel, including—

22 (A) the military service academies;

23 (B) the senior level service schools and in-
24 termediate level service schools specified in sec-
25 tion 2151(b) of title 10, United States Code;

- 1 (C) *the Air Force Institute of Technology;*
2 (D) *the National Defense University;*
3 (E) *the Joint Special Operations Univer-*
4 *sity;*
5 (F) *the Command and General Staff Col-*
6 *leges;*
7 (G) *the War Colleges;*
8 (H) *any military education institution at-*
9 *tached to or operating under any institution*
10 *specified in this paragraph;*
11 (I) *any other military educational institu-*
12 *tion of the Department identified by the Sec-*
13 *retary for purposes of this section;*
14 (J) *the Cyber Centers of Academic Excel-*
15 *lence; and*
16 (K) *potential future educational institutions*
17 *of the Federal Government in accordance with*
18 *the assessment required under subsection (b); and*
19 (4) *determine—*
20 (A) *whether the cyberspace domain mission*
21 *requires a graduate level professional military*
22 *education college on par with and distinct from*
23 *the war colleges for the Army, Navy, and Air*
24 *Force as in existence on the day before the date*
25 *of the enactment of this Act;*

1 (B) *whether such a college should be joint;*

2 *and*

3 (C) *where such a college should be located.*

4 (b) *ASSESSMENT.—In identifying appropriate loca-*
5 *tions for information warfare and cyber education for mili-*
6 *tary and civilian personnel at potential future educational*
7 *institutions of the Federal Government pursuant to sub-*
8 *section (a)(3)(K), the Secretary of Defense, acting through*
9 *the Under Secretary of Defense for Personnel and Readiness*
10 *and the Chief Information Officer of the Department of De-*
11 *fense, in consultation with Secretaries of the military de-*
12 *partments, the head of any other organization or element*
13 *of the Department the Secretary determines appropriate,*
14 *the Secretary of Homeland Security, and the National*
15 *Cyber Director, shall assess the feasibility and advisability*
16 *of establishing a National Cyber Academy or similar insti-*
17 *tute for the purpose of educating and training civilian and*
18 *military personnel for service in cyber, information, and*
19 *related fields throughout the Federal Government.*

20 (c) *REPORTS REQUIRED.—*

21 (1) *EDUCATION.—Not later than November 1,*
22 *2022, the Secretary of Defense shall provide the Com-*
23 *mittee on Armed Services of the Senate and the Com-*
24 *mittee on Armed Services of the House of Representa-*
25 *tives a briefing and, not later than January 1, 2023,*

1 *the Secretary shall submit to such committees a re-*
2 *port, on—*

3 *(A) talent strategy to satisfy future cyber*
4 *education requirements at appropriate locations*
5 *referred to in subsection (a)(3); and*

6 *(B) the findings of the Secretary in assess-*
7 *ing cyber education curricula and identifying*
8 *such locations.*

9 *(2) WORKFORCE.—Not later than November 1,*
10 *2024, the Secretary of Defense shall provide the Com-*
11 *mittee on Armed Services of the Senate and the Com-*
12 *mittee on Armed Services of the House of Representa-*
13 *tives a briefing and, not later than January 1, 2025,*
14 *the Secretary shall submit to such committees a re-*
15 *port, on—*

16 *(A) the findings of the Secretary in deter-*
17 *mining pursuant to subsection (a)(1) the overall*
18 *workforce requirement of the Department of De-*
19 *fense for cyberspace and information warfare*
20 *military personnel across the active and reserve*
21 *components of the Armed Forces (other than the*
22 *Coast Guard) and for civilian personnel;*

23 *(B) such recommendations as the Secretary*
24 *may have relating to such requirement; and*

1 (C) such legislative or administrative action
2 as the Secretary identifies as necessary to effec-
3 tively satisfy such requirement.

4 (d) *EDUCATION DESCRIBED.*—In this section, the term
5 “education” includes formal education requirements, such
6 as degrees and certification in targeted subject areas, as well
7 as general training, including—

- 8 (1) upskilling;
- 9 (2) knowledge, skills, and abilities; and
- 10 (3) nonacademic professional development.

11 **SEC. 1507. ASSIGNMENT OF CERTAIN BUDGET CONTROL RE-**
12 **SPONSIBILITIES TO COMMANDER OF UNITED**
13 **STATES CYBER COMMAND.**

14 (a) *ASSIGNMENT OF RESPONSIBILITIES.*—

15 (1) *IN GENERAL.*—The Commander of United
16 States Cyber Command shall, subject to the authority,
17 direction, and control of the Principal Cyber Advisor
18 of the Department of Defense, be responsible for di-
19 rectly controlling and managing the planning, pro-
20 gramming, budgeting, and execution of resources to
21 train, equip, operate, and sustain the Cyber Mission
22 Forces.

23 (2) *EFFECTIVE DATE AND APPLICABILITY.*—
24 Paragraph (1) shall take effect on the date of the en-
25 actment of this Act and apply—

1 (A) on January 1, 2022, for controlling and
2 managing budget execution; and

3 (B) beginning with fiscal year 2024 and
4 each fiscal year thereafter for directly controlling
5 and managing the planning, programming,
6 budgeting, and execution of resources.

7 (b) *ELEMENTS.*—

8 (1) *IN GENERAL.*—*The responsibilities assigned*
9 *to the Commander of United States Cyber Command*
10 *pursuant to subsection (a)(1) shall include the fol-*
11 *lowing:*

12 (A) *Preparation of a program objective*
13 *memorandum and budget estimate submission*
14 *for the resources required to train, equip, oper-*
15 *ate, and sustain the Cyber Mission Forces.*

16 (B) *Preparation of budget materials per-*
17 *taining to United States Cyber Command for in-*
18 *clusion in the budget justification materials that*
19 *are submitted to Congress in support of the De-*
20 *partment of Defense budget for a fiscal year (as*
21 *submitted with the budget of the President for a*
22 *fiscal year under section 1105(a) of title 31,*
23 *United States Code) that is separate from any*
24 *other military service or component of the De-*
25 *partment.*

1 (2) *RESPONSIBILITIES NOT DELEGATED.*—*The*
2 *responsibilities assigned to the Commander of United*
3 *States Cyber Command pursuant to subsection (a)(1)*
4 *shall not include the following:*

5 (A) *Military pay and allowances.*

6 (B) *Funding for facility support that is*
7 *provided by the military services.*

8 (c) *IMPLEMENTATION PLAN.*—

9 (1) *IN GENERAL.*—*Not later than the date that*
10 *is 30 days after the date of the enactment of this Act,*
11 *the Comptroller General of the Department of Defense*
12 *and the Commander of United States Cyber Com-*
13 *mand, in coordination with Chief Information Officer*
14 *of the Department, the Principal Cyber Advisor, the*
15 *Under Secretary of Defense for Acquisition and*
16 *Sustainment, Cost Assessment and Program Evalua-*
17 *tion, and the Secretaries of the military departments,*
18 *shall jointly develop an implementation plan for the*
19 *transition of responsibilities assigned to the Com-*
20 *mander of United States Cyber Command pursuant*
21 *to subsection (a)(1).*

22 (2) *ELEMENTS.*—*The implementation plan de-*
23 *veloped under paragraph (1) shall include the fol-*
24 *lowing:*

1 (A) *A budgetary review to identify appro-*
2 *priate resources for transfer to the Commander*
3 *of United States Cyber Command for carrying*
4 *out responsibilities assigned pursuant to sub-*
5 *section (a)(1).*

6 (B) *Definitions of appropriate roles and re-*
7 *sponsibilities.*

8 (C) *Specification of all program elements*
9 *and sub-elements, and the training, equipment,*
10 *Joint Cyber Warfighting Architecture capabili-*
11 *ties, other enabling capabilities and infrastruc-*
12 *ture, intelligence support, operations, and*
13 *sustainment investments in each such program*
14 *element and sub-element for which the Com-*
15 *mander of United States Cyber Command is re-*
16 *sponsible.*

17 (D) *Specification of all program elements*
18 *and sub-elements, and the training, equipment,*
19 *Joint Cyber Warfighting Architecture capabili-*
20 *ties, other enabling capabilities and infrastruc-*
21 *ture, intelligence support, operations, and*
22 *sustainment investments in each such program*
23 *element and sub-element relevant to or that sup-*
24 *port the Cyber Mission Force for which the Sec-*

1 retaries of the military departments are respon-
2 sible.

3 (E) *Required levels of civilian and military*
4 *staffing within United States Cyber Command*
5 *to carry out subsection (a)(1), and an estimate*
6 *of when such levels of staffing will be achieved.*

7 (d) *BRIEFING.—*

8 (1) *IN GENERAL.—Not later than the earlier of*
9 *the date on which the implementation plan under*
10 *subsection (c) is developed or the date that is 90 days*
11 *after the date of the enactment of this Act, the Sec-*
12 *retary of Defense shall provide the congressional de-*
13 *fense committees a briefing on the implementation*
14 *plan.*

15 (2) *ELEMENTS.—The briefing required by para-*
16 *graph (1) shall address any recommendations for*
17 *when and how the Secretary of Defense should dele-*
18 *gate to the Commander of United States Cyber Com-*
19 *mand budget authority for the Cyber Operations*
20 *Forces (as such term is defined in the memorandum*
21 *issued by the Secretary of Defense on December 12,*
22 *2019, relating to the definition of “Department of De-*
23 *fense Cyberspace Operations Forces (DoD COF)”*
24 *after successful implementation of the responsibilities*

1 *described in subsection (a) relating to the Cyber Mis-*
2 *sion Forces.*

3 **SEC. 1508. COORDINATION BETWEEN UNITED STATES**
4 **CYBER COMMAND AND PRIVATE SECTOR.**

5 *(a) VOLUNTARY PROCESS.—Not later than January 1,*
6 *2023, the Commander of United States Cyber Command*
7 *shall establish a voluntary process to engage with private*
8 *sector information technology and cybersecurity entities to*
9 *explore and develop methods and plans through which the*
10 *capabilities, knowledge, and actions of—*

11 *(1) private sector entities operating inside the*
12 *United States to defend against foreign malicious*
13 *cyber actors could assist, or be coordinated with, the*
14 *actions of United States Cyber Command operating*
15 *outside the United States against such foreign mali-*
16 *cious cyber actors; and*

17 *(2) United States Cyber Command operating*
18 *outside the United States against foreign malicious*
19 *cyber actors could assist, or be coordinated with, the*
20 *actions of private sector entities operating inside the*
21 *United States against such foreign malicious cyber*
22 *actors.*

23 *(b) ANNUAL BRIEFING.—*

24 *(1) IN GENERAL.—During the period beginning*
25 *on March 1, 2022, and ending on March 1, 2026, the*

1 *Commander of United States Cyber Command shall,*
2 *not less frequently than once each year, provide to the*
3 *Committee on Armed Services of the Senate and the*
4 *Committee on Armed Services of the House of Rep-*
5 *resentatives a briefing on the status of any activities*
6 *conducted pursuant to subsection (a).*

7 (2) *ELEMENTS.—Each briefing provided under*
8 *paragraph (1) shall include the following:*

9 (A) *Such recommendations for legislative or*
10 *administrative action as the Commander of*
11 *United States Cyber Command considers appro-*
12 *priate to improve and facilitate the exploration*
13 *and development of methods and plans under*
14 *subsection (a).*

15 (B) *Such recommendations as the Com-*
16 *mander may have for increasing private sector*
17 *participation in such exploration and develop-*
18 *ment.*

19 (C) *A description of the challenges encoun-*
20 *tered in carrying out subsection (a), including*
21 *any concerns expressed to the Commander by*
22 *private sector partners regarding participation*
23 *in such exploration and development.*

24 (D) *Information relating to how such explo-*
25 *ration and development with the private sector*

1 *could assist military planning by United States*
2 *Cyber Command.*

3 *(E) Such other matters as the Commander*
4 *considers appropriate.*

5 *(c) CONSULTATION.—In developing the process de-*
6 *scribed in subsection (a), the Commander of United States*
7 *Cyber Command shall consult with the Director of the Cy-*
8 *bersecurity and Infrastructure Security Agency of the De-*
9 *partment of Homeland Security and the heads of any other*
10 *Federal agencies the Commander considers appropriate.*

11 *(d) INTEGRATION WITH OTHER EFFORTS.—The Com-*
12 *mander of United States Cyber Command shall ensure that*
13 *the process described in subsection (a) makes use of, builds*
14 *upon, and, as appropriate, integrates with and does not du-*
15 *plicate, other efforts of the Department of Homeland Secu-*
16 *rity and the Department of Defense relating to cybersecu-*
17 *rity, including the following:*

18 *(1) The Joint Cyber Defense Collaborative of the*
19 *Cybersecurity and Infrastructure Security Agency.*

20 *(2) The Cybersecurity Collaboration Center and*
21 *Enduring Security Framework of the National Secu-*
22 *rity Agency.*

23 *(3) The office for joint cyber planning of the De-*
24 *partment of Homeland Security.*

1 (e) *PROTECTION OF TRADE SECRETS AND PROPRI-*
2 *ETARY INFORMATION.*—*The Commander of United States*
3 *Cyber Command shall ensure that any trade secret or pro-*
4 *prietary information of a private sector entity engaged with*
5 *the Department of Defense through the process established*
6 *under subsection (a) that is made known to the Department*
7 *pursuant to such process remains private and protected un-*
8 *less otherwise explicitly authorized by such entity.*

9 (f) *RULE OF CONSTRUCTION.*—*Nothing in this section*
10 *may be construed to authorize United States Cyber Com-*
11 *mand to conduct operations inside the United States or for*
12 *private sector entities to conduct offensive cyber activities*
13 *outside the United States, except to the extent such oper-*
14 *ations or activities are permitted by a provision of law in*
15 *effect on the day before the date of the enactment of this*
16 *Act.*

17 **SEC. 1509. ASSESSMENT OF CYBER POSTURE AND OPER-**
18 **ATIONAL ASSUMPTIONS AND DEVELOPMENT**
19 **OF TARGETING STRATEGIES AND SUP-**
20 **PORTING CAPABILITIES.**

21 (a) *ASSESSMENT OF CYBER POSTURE OF ADVER-*
22 *SARIES AND OPERATIONAL ASSUMPTIONS OF UNITED*
23 *STATES GOVERNMENT.*—

24 (1) *IN GENERAL.*—*Not later than one year after*
25 *the date of the enactment of this Act, the Commander*

1 *of United States Cyber Command, the Under Sec-*
2 *retary of Defense for Policy, and the Under Secretary*
3 *of Defense for Intelligence and Security, shall jointly*
4 *sponsor or conduct an assessment, including, if ap-*
5 *propriate, a war-game or tabletop exercise, of the cur-*
6 *rent and emerging offensive and defensive cyber pos-*
7 *ture of adversaries of the United States and the cur-*
8 *rent operational assumptions and plans of the Armed*
9 *Forces for offensive cyber operations during potential*
10 *crises or conflict.*

11 (2) *ELEMENTS.—The assessment required under*
12 *paragraph (1) shall include consideration of the fol-*
13 *lowing:*

14 (A) *Changes to strategies, operational con-*
15 *cepts, operational preparation of the environ-*
16 *ment, and rules of engagement.*

17 (B) *Opportunities provided by armed forces*
18 *in theaters of operations and other innovative al-*
19 *ternatives.*

20 (C) *Changes in intelligence community (as*
21 *such term is defined in section 3 of the National*
22 *Security Act of 1947 (50 U.S.C. 3003)) targeting*
23 *and operations in support of the Department of*
24 *Defense.*

1 (D) *Adversary capabilities to deny or de-*
2 *grade United States activities in cyberspace.*

3 (E) *Adversaries' targeting of United States*
4 *critical infrastructure and implications for*
5 *United States policy.*

6 (F) *Potential effect of emerging technologies,*
7 *such as fifth generation mobile networks, ex-*
8 *panded use of cloud information technology serv-*
9 *ices, and artificial intelligence.*

10 (G) *Changes in Department of Defense or-*
11 *ganizational design.*

12 (H) *The effect of private sector cybersecurity*
13 *research.*

14 (F) *Adequacy of intelligence support to*
15 *cyberspace operations by Combat Support Agen-*
16 *cies and Service Intelligence Centers.*

17 (b) *DEVELOPMENT OF TARGETING STRATEGIES, SUP-*
18 *PORTING CAPABILITIES, AND OPERATIONAL CONCEPTS.—*

19 (1) *IN GENERAL.—Not later than one year after*
20 *the date of the enactment of this Act, the Commander*
21 *of United States Cyber Command shall—*

22 (A) *assess and establish the capabilities, ca-*
23 *pacities, tools, and tactics required to support*
24 *targeting strategies for—*

1 (i) day-to-day persistent engagement of
2 adversaries, including support to informa-
3 tion operations;

4 (ii) support to geographic combatant
5 commanders at the onset of hostilities and
6 during sustained conflict; and

7 (iii) deterrence of attacks on United
8 States critical infrastructure, including the
9 threat of counter value responses;

10 (B) develop future cyber targeting strategies
11 and capabilities across the categories of cyber
12 missions and targets with respect to which—

13 (i) time-consuming and human effort-
14 intensive stealthy operations are required to
15 acquire and maintain access to targets, and
16 the mission is so important it is worthwhile
17 to expend such efforts to hold such targets at
18 risk;

19 (ii) target prosecution requires unique
20 access and exploitation tools and tech-
21 nologies, and the target importance justifies
22 the efforts, time, and expense relating there-
23 to;

24 (iii) operational circumstances do not
25 allow for and do not require spending the

1 *time and human effort required for stealthy,*
2 *nonattributable, and continuous access to*
3 *targets;*

4 *(iv) capabilities are needed to rapidly*
5 *prosecute targets that have not been pre-*
6 *viously planned and that can be accessed*
7 *and exploited using known, available tools*
8 *and techniques; and*

9 *(v) targets may be prosecuted with the*
10 *aid of automated techniques to achieve*
11 *speed, mass, and scale;*

12 *(C) develop strategies for appropriate utili-*
13 *zation of Cyber Mission Teams in support of*
14 *combatant command objectives as—*

15 *(i) adjuncts to or substitutes for kinetic*
16 *operations; or*

17 *(ii) independent means to achieve*
18 *novel tactical, operational, and strategic ob-*
19 *jectives; and*

20 *(D) develop collection and analytic support*
21 *strategies for the service intelligence centers to*
22 *assist operations by United States Cyber Com-*
23 *mand and the Service Cyber Components.*

24 *(2) BRIEFING REQUIRED.—*

1 (A) *IN GENERAL.*—Not later than 30 days
2 after the date on which all activities required
3 under paragraph (1) have been completed, the
4 Commander of United States Cyber Command
5 shall provide the congressional defense commit-
6 tees a briefing on such activities.

7 (B) *ELEMENTS.*—The briefing provided
8 pursuant to subparagraph (A) shall include the
9 following:

10 (i) *Recommendations for such legisla-*
11 *tive or administrative action as the Com-*
12 *mander of United States Cyber Command*
13 *considers necessary to address capability*
14 *shortcomings.*

15 (ii) *Plans to address such capability*
16 *shortcomings.*

17 (c) *COUNTRY-SPECIFIC ACCESS STRATEGIES.*—

18 (1) *IN GENERAL.*—Not later than one year after
19 the date on which all activities required under sub-
20 section (b)(1) have been completed, the Commander of
21 United States Cyber Command shall complete devel-
22 opment of country-specific access strategies for the
23 Russian Federation, the People’s Republic of China,
24 the Democratic People’s Republic of Korea, and the
25 Islamic Republic of Iran.

1 (2) *ELEMENTS.*—*Each country-specific access*
2 *strategy developed under paragraph (1) shall include*
3 *the following:*

4 (A) *Specification of desired and required—*

5 (i) *outcomes;*

6 (ii) *cyber warfighting architecture, in-*
7 *cluding—*

8 (I) *tools and redirectors;*

9 (II) *access platforms; and*

10 (III) *data analytics, modeling,*
11 *and simulation capacity;*

12 (iii) *specific means to achieve and*
13 *maintain persistent access and conduct*
14 *command and control and exfiltration*
15 *against hard targets and in operationally*
16 *challenging environments across the con-*
17 *tinuum of conflict;*

18 (iv) *intelligence, surveillance, and re-*
19 *connnaissance support;*

20 (v) *operational partnerships with al-*
21 *lies;*

22 (vi) *rules of engagement;*

23 (vii) *personnel, training, and equip-*
24 *ment; and*

1 (viii) *targeting strategies, including*
2 *strategies that do not demand deliberate*
3 *targeting and precise access to achieve ef-*
4 *fects; and*

5 (B) *recommendations for such policy or*
6 *resourcing changes as the Commander of United*
7 *States Cyber Command considers appropriate to*
8 *address access shortfalls.*

9 (3) *CONSULTATION REQUIRED.—The Com-*
10 *mander of United States Cyber Command shall de-*
11 *velop the country-specific access strategies under*
12 *paragraph (1) independently but in consultation with*
13 *the following:*

14 (A) *The Director of the National Security*
15 *Agency.*

16 (B) *The Director of the Central Intelligence*
17 *Agency.*

18 (C) *The Director of the Defense Advanced*
19 *Research Projects Agency.*

20 (D) *The Director of the Strategic Capabili-*
21 *ties Office.*

22 (E) *The Under Secretary of Defense for Pol-*
23 *icy.*

24 (F) *The Principal Cyber Advisor to the Sec-*
25 *retary of Defense.*

1 (A) *an assessment of the current and poten-*
2 *tial threats and risks to national and economic*
3 *security posed by—*

4 (i) *large-scale and sophisticated crimi-*
5 *nal cyber enterprises that provide large-*
6 *scale and sophisticated cyber attack capa-*
7 *bilities and infrastructure used to conduct*
8 *ransomware attacks; and*

9 (ii) *organizations that conduct or*
10 *could conduct ransomware attacks or other*
11 *attacks that use the capabilities and infra-*
12 *structure described in clause (i) on a large*
13 *scale against important assets and systems*
14 *in the United States, including critical in-*
15 *frastructure;*

16 (B) *an assessment of—*

17 (i) *the threat posed to the Department*
18 *of Defense Information Network and the*
19 *United States by the large-scale and sophis-*
20 *ticated criminal cyber enterprises, capabili-*
21 *ties, and infrastructure described in sub-*
22 *paragraph (A); and*

23 (ii) *the current and potential role of*
24 *United States Cyber Command in address-*

1 *ing the threat referred to in clause (i) in-*
2 *cluding—*

3 *(I) the threshold at which United*
4 *States Cyber Command should respond*
5 *to such a threat; and*

6 *(II) the capacity for United*
7 *States Cyber Command to respond to*
8 *such a threat without harmful effects*
9 *on other United States Cyber Com-*
10 *mand missions;*

11 *(C) an identification of the current and po-*
12 *tential Department efforts, processes, and capa-*
13 *bilities to deter and counter the threat referred to*
14 *in subparagraph (B)(i), including through offen-*
15 *sive cyber effects operations;*

16 *(D) an assessment of the application of the*
17 *defend forward and persistent engagement oper-*
18 *ational concepts and capabilities of the Depart-*
19 *ment to deter and counter the threat of*
20 *ransomware attacks against the United States;*

21 *(E) a description of the efforts of the De-*
22 *partment in interagency processes, and joint col-*
23 *laboration with allies and partners of the United*
24 *States, to address the growing threat from large-*
25 *scale and sophisticated criminal cyber enter-*

1 *prises that conduct ransomware attacks and*
2 *could conduct attacks with other objectives;*

3 *(F) a determination of the extent to which*
4 *the governments of countries in which large-scale*
5 *and sophisticated criminal cyber enterprises are*
6 *principally located are tolerating the activities of*
7 *such enterprises, have interactions with such en-*
8 *terprises, could direct their operations, and could*
9 *suppress such enterprises;*

10 *(G) an assessment as to whether the large-*
11 *scale and sophisticated criminal cyber enter-*
12 *prises described in subparagraph (F) are per-*
13 *fecting and practicing attack techniques and ca-*
14 *pabilities at scale that can be co-opted and*
15 *placed in the service of the country in which*
16 *such enterprises are principally located; and*

17 *(H) identification of such legislative or ad-*
18 *ministrative action as may be necessary to more*
19 *effectively counter the threat of ransomware at-*
20 *tacks; and*

21 *(2) develop recommendations for the Department*
22 *to build capabilities to develop and execute innovative*
23 *methods to deter and counter the threat of*
24 *ransomware attacks prior to and in response to the*
25 *launching of such attacks.*

1 (b) *BRIEFING.*—Not later than 210 days after the date
2 of the enactment of this Act, the Secretary of Defense shall
3 brief the congressional defense committees on the com-
4 prehensive assessment completed under paragraph (1) of
5 subsection (a) and the recommendations developed under
6 paragraph (2) of such subsection.

7 (c) *DEFINITION.*—In this section, the term “critical in-
8 frastructure” has the meaning given such term in section
9 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

10 **SEC. 1511. COMPARATIVE ANALYSIS OF CYBERSECURITY**
11 **CAPABILITIES.**

12 (a) *COMPARATIVE ANALYSIS REQUIRED.*—Not later
13 than 180 days after the date of the enactment of this Act,
14 the Chief Information Officer and the Director of Cost As-
15 sessment and Program Evaluation (CAPE) of the Depart-
16 ment of Defense, in consultation with the Principal Cyber
17 Advisor to the Secretary of Defense and the Chief Informa-
18 tion Officers of each of the military departments, shall
19 jointly sponsor a comparative analysis, to be conducted by
20 the Director of the National Security Agency and the Direc-
21 tor of the Defense Information Systems Agency, of the fol-
22 lowing:

23 (1) *The cybersecurity tools, applications, and ca-*
24 *pabilities offered as options on enterprise software*
25 *agreements for cloud-based productivity and collabo-*

1 *ration suites, such as is offered under the Defense En-*
2 *terprise Office Solution and Enterprise Software*
3 *Agreement contracts with Department of Defense com-*
4 *ponents, relative to the cybersecurity tools, applica-*
5 *tions, and capabilities that are currently deployed in,*
6 *or required by, the Department to conduct—*

7 *(A) asset discovery;*

8 *(B) vulnerability scanning;*

9 *(C) conditional access (also known as “com-*
10 *ply-to-connect”);*

11 *(D) event correlation;*

12 *(E) patch management and remediation;*

13 *(F) endpoint query and control;*

14 *(G) endpoint detection and response;*

15 *(H) data rights management;*

16 *(I) data loss prevention;*

17 *(J) data tagging;*

18 *(K) data encryption;*

19 *(L) security information and event manage-*
20 *ment; and*

21 *(M) security orchestration, automation, and*
22 *response.*

23 *(2) The identity, credential, and access manage-*
24 *ment (ICAM) system, and associated capabilities to*
25 *enforce the principle of least privilege access, offered*

1 *as an existing option on an enterprise software agree-*
2 *ment described in paragraph (1), relative to—*

3 *(A) the requirements of such system de-*
4 *scribed in the Zero Trust Reference Architecture*
5 *of the Department; and*

6 *(B) the requirements of such system under*
7 *development by the Defense Information Systems*
8 *Agency.*

9 *(3) The artificial intelligence and machine-learn-*
10 *ing capabilities associated with the tools, applica-*
11 *tions, and capabilities described in paragraphs (1)*
12 *and (2), and the ability to host Government or third-*
13 *party artificial intelligence and machine-learning al-*
14 *gorithms pursuant to contracts referred to in para-*
15 *graph (1) for such tools, applications, and capabili-*
16 *ties.*

17 *(4) The network consolidation and segmentation*
18 *capabilities offered on the enterprise software agree-*
19 *ments described in paragraph (1) relative to capabili-*
20 *ties projected in the Zero Trust Reference Architec-*
21 *ture.*

22 *(5) The automated orchestration and interoper-*
23 *ability among the tools, applications, and capabilities*
24 *described in paragraphs (1) through (4).*

1 (b) *ELEMENTS OF COMPARATIVE ANALYSIS.*—The
2 comparative analysis conducted under subsection (a) shall
3 include an assessment of the following:

4 (1) *Costs.*

5 (2) *Performance.*

6 (3) *Sustainment.*

7 (4) *Scalability.*

8 (5) *Training requirements.*

9 (6) *Maturity.*

10 (7) *Human effort requirements.*

11 (8) *Speed of integrated operations.*

12 (9) *Ability to operate on multiple operating sys-*
13 *tems and in multiple cloud environments.*

14 (10) *Such other matters as the Chief Information*
15 *Officer and the Director of Cost Assessment and Pro-*
16 *gram Evaluation consider appropriate.*

17 (c) *BRIEFING REQUIRED.*—Not later than 30 days
18 after the date on which the comparative analysis required
19 under subsection (a) is completed, the Chief Information Of-
20 ficer and the Director of Cost Assessment and Program
21 Evaluation (CAPE) of the Department of Defense shall
22 jointly provide the congressional defense committees with a
23 briefing on the findings of the Chief Information Officer
24 and the Director with respect to such analysis, together with
25 such recommendations for legislative or administrative ac-

1 *tion as the Chief Information Officer and the Director may*
2 *have with respect to the matters covered by such analysis.*

3 **SEC. 1512. ELIGIBILITY OF OWNERS AND OPERATORS OF**
4 **CRITICAL INFRASTRUCTURE TO RECEIVE**
5 **CERTAIN DEPARTMENT OF DEFENSE SUP-**
6 **PORT AND SERVICES.**

7 *Section 2012 of title 10, United States Code is amend-*
8 *ed—*

9 *(1) in subsection (e)—*

10 *(A) by redesignating paragraph (3) as*
11 *paragraph (4); and*

12 *(B) by inserting after paragraph (2) the fol-*
13 *lowing new paragraph:*

14 *“(3) Owners and operators of critical infrastruc-*
15 *ture (as such term is defined in section 1016(e) of*
16 *Public Law 107–56 (42 U.S.C. 5195c(e)).”;* and

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

19 *“(5) Procedures to ensure that assistance pro-*
20 *vided to an entity specified in subsection (e)(3) is*
21 *provided in a manner that is consistent with similar*
22 *assistance provided under authorities applicable to*
23 *other Federal departments and agencies, including the*
24 *authorities of the Cybersecurity and Infrastructure*
25 *Security Agency of the Department of Homeland Se-*

1 *curity pursuant to title XXII of the Homeland Secu-*
2 *urity Act of 2002 (6 U.S.C. 651 et seq.).”*

3 **SEC. 1513. REPORT ON POTENTIAL DEPARTMENT OF DE-**
4 **FENSE SUPPORT AND ASSISTANCE FOR IN-**
5 **CREASING THE AWARENESS OF THE CYBER-**
6 **SECURITY AND INFRASTRUCTURE SECURITY**
7 **AGENCY OF CYBER THREATS AND**
8 **VULNERABILITIES AFFECTING CRITICAL IN-**
9 **FRASTRUCTURE.**

10 *(a) REPORT REQUIRED.—Not later than 270 days*
11 *after the date of the enactment of this Act, the Secretary*
12 *of Defense, in consultation with the Secretary of Homeland*
13 *Security and the National Cyber Director, shall submit to*
14 *the Committee on Armed Services of the Senate and the*
15 *Committee on Armed Services of the House of Representa-*
16 *tives a report that provides recommendations on how the*
17 *Department of Defense can improve support and assistance*
18 *to the Cybersecurity and Infrastructure Security Agency of*
19 *the Department of Homeland Security to increase aware-*
20 *ness of cyber threats and vulnerabilities affecting informa-*
21 *tion technology and networks supporting critical infrastruc-*
22 *ture within the United States, including critical infrastruc-*
23 *ture of the Department and critical infrastructure relating*
24 *to the defense of the United States.*

1 (b) *ELEMENTS OF REPORT.*—The report required by
2 subsection (a) shall—

3 (1) *assess and identify areas in which the De-*
4 *partment of Defense could provide support or assist-*
5 *ance, including through information sharing and vol-*
6 *untary network monitoring programs, to the Cyberse-*
7 *curity and Infrastructure Security Agency to expand*
8 *or increase technical understanding and awareness of*
9 *cyber threats and vulnerabilities affecting critical in-*
10 *frastructure;*

11 (2) *identify and assess any legal, policy, organi-*
12 *zational, or technical barriers to carrying out para-*
13 *graph (1);*

14 (3) *assess and describe any legal or policy*
15 *changes necessary to enable the Department to carry*
16 *out paragraph (1) while preserving privacy and civil*
17 *liberties;*

18 (4) *assess and describe the budgetary and other*
19 *resource effects on the Department of carrying out*
20 *paragraph (1); and*

21 (5) *provide a notional time-phased plan, includ-*
22 *ing milestones, to enable the Department to carry out*
23 *paragraph (1).*

24 (c) *CRITICAL INFRASTRUCTURE DEFINED.*—In this
25 section, the term “critical infrastructure” has the meaning

1 *given such term in section 1016(e) of Public Law 107–56*
2 *(42 U.S.C. 5195c(e)).*

3 ***Subtitle B—Matters Related to De-***
4 ***partment of Defense Cybersecu-***
5 ***riety and Information Technology***

6 ***SEC. 1521. ENTERPRISE-WIDE PROCUREMENT OF CYBER***
7 ***DATA PRODUCTS AND SERVICES.***

8 *(a) PROGRAM.—Not later than one year after the date*
9 *of the enactment of this Act, the Secretary of Defense shall*
10 *designate an executive agent for Department of Defense-*
11 *wide procurement of cyber data products and services. The*
12 *executive agent shall establish a program management office*
13 *responsible for such procurement, and the program manager*
14 *of such program office shall be responsible for the following:*

15 *(1) Surveying components of the Department for*
16 *the cyber data products and services needs of such*
17 *components.*

18 *(2) Conducting market research of cyber data*
19 *products and services.*

20 *(3) Developing or facilitating development of re-*
21 *quirements, both independently and through consulta-*
22 *tion with components, for the acquisition of cyber*
23 *data products and services.*

24 *(4) Developing and instituting model contract*
25 *language for the acquisition of cyber data products*

1 *and services, including contract language that facili-*
2 *tates components' requirements for ingesting, sharing,*
3 *using and reusing, structuring, and analyzing data*
4 *derived from such products and services.*

5 *(5) Conducting procurement of cyber data prod-*
6 *ucts and services on behalf of the Department of De-*
7 *fense, including negotiating contracts with a fixed*
8 *number of licenses based on aggregate component de-*
9 *mand and negotiation of extensible contracts.*

10 *(6) Carrying out the responsibilities specified in*
11 *paragraphs (1) through (5) with respect to the cyber*
12 *data products and services needs of the Cyberspace*
13 *Operations Forces, such as cyber data products and*
14 *services germane to cyberspace topology and identi-*
15 *fication of adversary threat activity and infrastruc-*
16 *ture, including—*

17 *(A) facilitating the development of cyber*
18 *data products and services requirements for the*
19 *Cyberspace Operations Forces, conducting mar-*
20 *ket research regarding the future cyber data*
21 *products and services needs of the Cyberspace*
22 *Operations Forces, and conducting acquisitions*
23 *pursuant to such requirements and market re-*
24 *search;*

1 (B) coordinating cyber data products and
2 services acquisition and management activities
3 with Joint Cyber Warfighting Architecture ac-
4 quisition and management activities, including
5 activities germane to data storage, data manage-
6 ment, and development of analytics;

7 (C) implementing relevant Department of
8 Defense and United States Cyber Command pol-
9 icy germane to acquisition of cyber data prod-
10 ucts and services;

11 (D) leading or informing the integration of
12 relevant datasets and services, including Govern-
13 ment-produced threat data, commercial cyber
14 threat information, collateral telemetry data, to-
15 pology-relevant data, sensor data, and partner-
16 provided data; and

17 (E) facilitating the development of
18 tradecraft and operational workflows based on
19 relevant cyber data products and services.

20 (b) COORDINATION.—In implementing this section,
21 each component of the Department of Defense shall coordi-
22 nate its cyber data products and services requirements and
23 potential procurement plans relating to such products and
24 services with the program management office established
25 pursuant to subsection (a) so as to enable such office to de-

1 *termine if satisfying such requirements or procurement of*
2 *such products and services on an enterprise-wide basis*
3 *would serve the best interests of the Department.*

4 *(c) PROHIBITION.—Beginning not later than 540 days*
5 *after the date of the enactment of this Act, no component*
6 *of the Department of Defense may independently procure*
7 *a cyber data product or service that has been procured by*
8 *the program management office established pursuant to sub-*
9 *section (a), unless—*

10 *(1) such component is able to procure such prod-*
11 *uct or service at a lower per-unit price than that*
12 *available through such office; or*

13 *(2) such office has approved such independent*
14 *purchase.*

15 *(d) EXCEPTION.—United States Cyber Command and*
16 *the National Security Agency may conduct joint procure-*
17 *ments of products and services, including cyber data prod-*
18 *ucts and services, except that the requirements of subsections*
19 *(b) and (c) shall not apply to the National Security Agency.*

20 *(e) DEFINITION.—In this section, the term “cyber data*
21 *products and services” means commercially-available*
22 *datasets and analytic services germane to offensive cyber,*
23 *defensive cyber, and DODIN operations, including products*
24 *and services that provide technical data, indicators, and*
25 *analytic services relating to the targets, infrastructure,*

1 *tools, and tactics, techniques, and procedures of cyber*
2 *threats.*

3 **SEC. 1522. LEGACY INFORMATION TECHNOLOGIES AND SYS-**
4 **TEMS ACCOUNTABILITY.**

5 *(a) IN GENERAL.—Not later than 270 days after the*
6 *date of the enactment of this Act, the Secretaries of the*
7 *Army, Navy, and Air Force shall each initiate efforts to*
8 *identify legacy applications, software, and information*
9 *technology within their respective Departments and elimi-*
10 *nate any such application, software, or information tech-*
11 *nology that is no longer required.*

12 *(b) SPECIFICATIONS.—To carry out subsection (a),*
13 *that Secretaries of the Army, Navy, and Air Force shall*
14 *each document the following:*

15 *(1) An identification of the applications, soft-*
16 *ware, and information technologies that are consid-*
17 *ered active or operational, but which are judged to no*
18 *longer be required by the respective Department.*

19 *(2) Information relating to the sources of fund-*
20 *ing for the applications, software, and information*
21 *technologies identified pursuant to paragraph (1).*

22 *(3) An identification of the senior official re-*
23 *sponsible for each such application, software, or infor-*
24 *mation technology.*

1 *rectorate, or any successor organization, of the*
2 *National Security Agency, funded through the*
3 *Information Systems Security Program;”.*

4 **SEC. 1524. PROTECTIVE DOMAIN NAME SYSTEM WITHIN**
5 **THE DEPARTMENT OF DEFENSE.**

6 *(a) IN GENERAL.—Not later than 120 days after the*
7 *date of the enactment of this Act, the Secretary of Defense*
8 *shall ensure each component of the Department of Defense*
9 *uses a Protective Domain Name System (PDNS)*
10 *instantiation offered by the Department.*

11 *(b) EXEMPTIONS.—The Secretary of Defense may ex-*
12 *empt a component of the Department from using a PDNS*
13 *instantiation for any reason except with respect to cost or*
14 *technical application.*

15 *(c) REPORT TO CONGRESS.—Not later than 150 days*
16 *after the date of the enactment of this Act, the Secretary*
17 *of Defense shall submit to the congressional defense commit-*
18 *tees a report that includes information relating to—*

19 *(1) each component of the Department of Defense*
20 *that uses a PDNS instantiation offered by the De-*
21 *partment;*

22 *(2) each component exempt from using a PDNS*
23 *instantiation pursuant to subsection (b); and*

1 (3) efforts to ensure that each PDNS
2 instantiation offered by the Department connects and
3 shares relevant and timely data.

4 **SEC. 1525. CYBERSECURITY OF WEAPON SYSTEMS.**

5 Section 1640 of the National Defense Authorization
6 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
7 2224 note), is amended by adding at the end the following
8 new subsection:

9 “(f) ANNUAL REPORTS.—Not later than August 30,
10 2022, and annually thereafter through 2024, the Secretary
11 of Defense shall provide to the congressional defense commit-
12 tees a report on the work of the Program, including infor-
13 mation relating to staffing and accomplishments.”.

14 **SEC. 1526. ASSESSMENT OF CONTROLLED UNCLASSIFIED**
15 **INFORMATION PROGRAM.**

16 Section 1648 of the National Defense Authorization
17 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
18 2224 note), is amended—

19 (1) in subsection (a), by striking “February 1,
20 2020” and inserting “180 days after the date of the
21 enactment of the National Defense Authorization Act
22 for Fiscal Year 2022”; and

23 (2) in subsection (b), by amending paragraph
24 (4) to read as follows:

1 “(4) *Definitions for ‘Controlled Unclassified In-*
2 *formation’ (CUI) and ‘For Official Use Only’*
3 *(FOUO), policies regarding protecting information*
4 *designated as either of such, and an explanation of*
5 *the ‘DoD CUI Program’ and Department of Defense*
6 *compliance with the responsibilities specified in De-*
7 *partment of Defense Instruction (DoDI) 5200.48,*
8 *‘Controlled Unclassified Information (CUI),’ includ-*
9 *ing the following:*

10 “(A) *The extent to which the Department of*
11 *Defense is identifying whether information is*
12 *CUI via a contracting vehicle and marking doc-*
13 *uments, material, and media containing such in-*
14 *formation in a clear and consistent manner.*

15 “(B) *Recommended regulatory or policy*
16 *changes to ensure consistency and clarity in CUI*
17 *identification and marking requirements.*

18 “(C) *Circumstances under which commer-*
19 *cial information is considered CUI, and any im-*
20 *pacts to the commercial supply chain associated*
21 *with security and marking requirements pursu-*
22 *ant to this paragraph.*

23 “(D) *Benefits and drawbacks of requiring*
24 *all CUI to be marked with a unique CUI legend,*

1 *versus requiring that all data marked with an*
2 *appropriate restricted legend be handled as CUI.*

3 “(E) *The extent to which the Department of*
4 *Defense clearly delineates Federal Contract In-*
5 *formation (FCI) from CUI.*”

6 “(F) *Examples or scenarios to illustrate in-*
7 *formation that is and is not CUI.*”

8 **SEC. 1527. CYBER DATA MANAGEMENT.**

9 (a) *IN GENERAL.—The Commander of United States*
10 *Cyber Command and the Secretaries of the military depart-*
11 *ments, in coordination with the Principal Cyber Advisor*
12 *to the Secretary, the Chief Information Officer and the Chief*
13 *Data Officer of the Department of Defense, and the Chair-*
14 *man of the Joint Chiefs of Staff, shall—*

15 (1) *access, acquire, and use mission-relevant*
16 *data to support offensive cyber, defensive cyber, and*
17 *DODIN operations from the intelligence community,*
18 *other elements of the Department of Defense, and the*
19 *private sector;*

20 (2) *develop policy, processes, and operating pro-*
21 *cedures governing the access, ingest, structure, storage,*
22 *analysis, and combination of mission-relevant data,*
23 *including—*

24 (A) *intelligence data;*

1 (B) internet traffic, topology, and activity
2 data;

3 (C) cyber threat information;

4 (D) Department of Defense Information
5 Network sensor, tool, routing infrastructure, and
6 endpoint data; and

7 (E) other data management and analytic
8 platforms pertinent to United States Cyber Com-
9 mand missions that align with the principles of
10 Joint All Domain Command and Control;

11 (3) pilot efforts to develop operational workflows
12 and tactics, techniques, and procedures for the oper-
13 ational use of mission-relevant data by the Cyber-
14 space Operations Forces; and

15 (4) evaluate data management platforms used to
16 carry out paragraphs (1), (2), and (3) to ensure such
17 platforms operate consistently with the Deputy Sec-
18 retary of Defense's Data Decrees signed on May 5,
19 2021.

20 (b) *ROLES AND RESPONSIBILITIES.*—

21 (1) *IN GENERAL.*—Not later than 270 days after
22 the date of the enactment of this Act, the Commander
23 of United States Cyber Command and the Secretaries
24 of the military departments, in coordination with the
25 Principal Cyber Advisor to the Secretary, the Chief

1 *Information Officer and Chief Data Officer of the De-*
2 *partment of Defense, and the Chairman of the Joint*
3 *Chiefs of Staff, shall establish the specific roles and*
4 *responsibilities of the following in implementing each*
5 *of the tasks required under subsection (a):*

6 *(A) United States Cyber Command.*

7 *(B) Program offices responsible for the com-*
8 *ponents of the Joint Cyber Warfighting Architec-*
9 *ture.*

10 *(C) The military services.*

11 *(D) Entities in the Office of the Secretary*
12 *of Defense.*

13 *(E) Any other program office, headquarters*
14 *element, or operational component newly*
15 *instantiated or determined relevant by the Sec-*
16 *retary.*

17 *(2) BRIEFING.—Not later than 300 days after*
18 *the date of the enactment of this Act, the Secretary of*
19 *Defense shall provide to the congressional defense com-*
20 *mittees a briefing on the roles and responsibilities es-*
21 *tablished under paragraph (1).*

22 **SEC. 1528. ZERO TRUST STRATEGY, PRINCIPLES, MODEL AR-**
23 **CHITECTURE, AND IMPLEMENTATION PLANS.**

24 *(a) IN GENERAL.—Not later than 270 days after the*
25 *date of the enactment of this Act, the Chief Information Of-*

1 *ficer of the Department of Defense and the Commander of*
2 *United States Cyber Command shall jointly develop a zero*
3 *trust strategy, principles, and a model architecture to be*
4 *implemented across the Department of Defense Information*
5 *Network, including classified networks, operational tech-*
6 *nology, and weapon systems.*

7 **(b) STRATEGY, PRINCIPLES, AND MODEL ARCHITEC-**
8 *TURE ELEMENTS.—The zero trust strategy, principles, and*
9 *model architecture required under subsection (a) shall in-*
10 *clude, at a minimum, the following elements:*

11 **(1) Prioritized policies and procedures for estab-**
12 *lishing implementations of mature zero trust enabling*
13 *capabilities within on-premises, hybrid, and pure*
14 *cloud environments, including access control policies*
15 *that determine which persona or device shall have ac-*
16 *cess to which resources and the following:*

17 **(A) Identity, credential, and access manage-**
18 *ment.*

19 **(B) Macro and micro network segmentation,**
20 *whether in virtual, logical, or physical environ-*
21 *ments.*

22 **(C) Traffic inspection.**

23 **(D) Application security and containment.**

1 (E) *Transmission, ingest, storage, and real-*
2 *time analysis of cybersecurity metadata*
3 *endpoints, networks, and storage devices.*

4 (F) *Data management, data rights manage-*
5 *ment, and access controls.*

6 (G) *End-to-end encryption.*

7 (H) *User access and behavioral monitoring,*
8 *logging, and analysis.*

9 (I) *Data loss detection and prevention*
10 *methodologies.*

11 (J) *Least privilege, including system or net-*
12 *work administrator privileges.*

13 (K) *Endpoint cybersecurity, including se-*
14 *ecure host, endpoint detection and response, and*
15 *comply-to-connect requirements.*

16 (L) *Automation and orchestration.*

17 (M) *Configuration management of virtual*
18 *machines, devices, servers, routers, and similar*
19 *to be maintained on a single virtual device ap-*
20 *proved list (VDL).*

21 (2) *Policies specific to operational technology,*
22 *critical data, infrastructures, weapon systems, and*
23 *classified networks.*

1 (3) *Specification of enterprise-wide acquisitions*
2 *of capabilities conducted or to be conducted pursuant*
3 *to the policies referred to in paragraph (2).*

4 (4) *Specification of standard zero trust prin-*
5 *ciples supporting reference architectures and metrics-*
6 *based assessment plan.*

7 (5) *Roles, responsibilities, functions, and oper-*
8 *ational workflows of zero trust cybersecurity architec-*
9 *ture and information technology personnel—*

10 (A) *at combatant commands, military serv-*
11 *ices, and defense agencies; and*

12 (B) *Joint Forces Headquarters-Department*
13 *of Defense Information Network.*

14 (c) *ARCHITECTURE DEVELOPMENT AND IMPLEMENTA-*
15 *TION.—In developing and implementing the zero trust*
16 *strategy, principles, and model architecture required under*
17 *subsection (a), the Chief Information Officer of the Depart-*
18 *ment of Defense and the Commander of United States Cyber*
19 *Command shall—*

20 (1) *coordinate with—*

21 (A) *the Principal Cyber Advisor to the Sec-*
22 *retary of Defense;*

23 (B) *the Director of the National Security*
24 *Agency Cybersecurity Directorate;*

1 (C) *the Director of the Defense Advanced*
2 *Research Projects Agency;*

3 (D) *the Chief Information Officer of each*
4 *military service;*

5 (E) *the Commanders of the cyber compo-*
6 *nents of the military services;*

7 (F) *the Principal Cyber Advisor of each*
8 *military service;*

9 (G) *the Chairman of the Joints Chiefs of*
10 *Staff; and*

11 (H) *any other component of the Department*
12 *of Defense as determined by the Chief Informa-*
13 *tion Officer and the Commander;*

14 (2) *assess the utility of the Joint Regional Secu-*
15 *rity Stacks, automated continuous endpoint moni-*
16 *toring program, assured compliance assessment solu-*
17 *tion, and each of the defenses at the Internet Access*
18 *Points for their relevance and applicability to the*
19 *zero trust architecture and opportunities for integra-*
20 *tion or divestment;*

21 (3) *employ all available resources, including on-*
22 *line training, leveraging commercially available zero*
23 *trust training material, and other Federal agency*
24 *training, where feasible, to implement cybersecurity*
25 *training on zero trust at the—*

1 (A) executive level;

2 (B) cybersecurity professional or imple-
3 menter level; and

4 (C) general knowledge levels for Department
5 of Defense users;

6 (4) facilitate cyber protection team and cyberse-
7 curity service provider threat hunting and discovery
8 of novel adversary activity;

9 (5) assess and implement means to effect Joint
10 Force Headquarters-Department of Defense Informa-
11 tion Network's automated command and control of
12 the entire Department of Defense Information Net-
13 work;

14 (6) assess the potential of and, as appropriate,
15 encourage, use of third-party cybersecurity-as-a-serv-
16 ice models;

17 (7) engage with and conduct outreach to indus-
18 try, academia, international partners, and other de-
19 partments and agencies of the Federal Government on
20 issues relating to deployment of zero trust architec-
21 tures;

22 (8) assess the current Comply-to-Connect Plan;
23 and

24 (9) review past and conduct additional pilots to
25 guide development, including—

1 (A) utilization of networks designated for
2 testing and accreditation under section 1658 of
3 the National Defense Authorization Act for Fis-
4 cal Year 2020 (Public Law 116–92; 10 U.S.C.
5 2224 note);

6 (B) use of automated red team products for
7 assessment of pilot architectures; and

8 (C) accreditation of piloted cybersecurity
9 products for enterprise use in accordance with
10 the findings on enterprise accreditation stand-
11 ards conducted pursuant to section 1654 of such
12 Act (Public Law 116–92).

13 (d) IMPLEMENTATION PLANS.—

14 (1) IN GENERAL.—Not later than one year after
15 the finalization of the zero trust strategy, principles,
16 and model architecture required under subsection (a),
17 the head of each military department and the head of
18 each component of the Department of Defense shall
19 transmit to the Chief Information Officer of the De-
20 partment and the Commander of Joint Forces Head-
21 quarters-Department of Defense Information Network
22 a draft plan to implement such zero trust strategy,
23 principles, and model architecture across the networks
24 of their respective components and military depart-
25 ments.

1 (2) *ELEMENTS.*—*Each implementation plan*
2 *transmitted pursuant to paragraph (1) shall include,*
3 *at a minimum, the following:*

4 (A) *Specific acquisitions, implementations,*
5 *instrumentations, and operational workflows to*
6 *be implemented across unclassified and classified*
7 *networks, operational technology, and weapon*
8 *systems.*

9 (B) *A detailed schedule with target mile-*
10 *stones and required expenditures.*

11 (C) *Interim and final metrics, including a*
12 *phase migration plan.*

13 (D) *Identification of additional funding,*
14 *authorities, and policies, as may be required.*

15 (E) *Requested waivers, exceptions to De-*
16 *partment of Defense policy, and expected delays.*

17 (e) *IMPLEMENTATION OVERSIGHT.*—

18 (1) *IN GENERAL.*—*The Chief Information Officer*
19 *of the Department of Defense shall—*

20 (A) *assess the implementation plans trans-*
21 *mitted pursuant to subsection (d)(1) for—*

22 (i) *adequacy and responsiveness to the*
23 *zero trust strategy, principles, and model*
24 *architecture required under subsection (a);*
25 *and*

1 (ii) appropriate use of enterprise-wide
2 acquisitions;

3 (B) ensure, at a high level, the interoper-
4 ability and compatibility of individual compo-
5 nents' Solutions Architectures, including the
6 leveraging of enterprise capabilities where appro-
7 priate through standards derivation, policy, and
8 reviews;

9 (C) use the annual investment guidance of
10 the Chief to ensure appropriate implementation
11 of such plans, including appropriate use of en-
12 terprise-wide acquisitions;

13 (D) track use of waivers and exceptions to
14 policy;

15 (E) use the Cybersecurity Scorecard to track
16 and drive implementation of Department compo-
17 nents; and

18 (F) leverage the authorities of the Com-
19 mander of Joint Forces Headquarters-Depart-
20 ment of Defense Information Network and the
21 Director of the Defense Information Systems
22 Agency to begin implementation of such zero
23 trust strategy, principles, and model architec-
24 ture.

1 (2) *ASSESSMENTS OF FUNDING.*—Not later than
2 *March 31, 2024, and annually thereafter, each Prin-*
3 *icipal Cyber Advisor of a military service shall in-*
4 *clude in the annual budget certification of such mili-*
5 *tary service, as required by section 1657(d) of the Na-*
6 *tional Defense Authorization Act for Fiscal Year 2020*
7 *(Public Law 116–92; 10 U.S.C. 391 note), an assess-*
8 *ment of the adequacy of funding requested for each*
9 *proposed budget for the purposes of carrying out the*
10 *implementation plan for such military service under*
11 *subsection (d)(1).*

12 (f) *INITIAL BRIEFINGS.*—

13 (1) *ON MODEL ARCHITECTURE.*—Not later than
14 *90 days after finalizing the zero trust strategy, prin-*
15 *ciples, and model architecture required under sub-*
16 *section (a), the Chief Information Officer of the De-*
17 *partment of Defense and the Commander of Joint*
18 *Forces Headquarters-Department of Defense Informa-*
19 *tion Network shall provide to the congressional de-*
20 *fense committees a briefing on such zero trust strat-*
21 *egy, principles, and model architecture.*

22 (2) *ON IMPLEMENTATION PLANS.*—Not later than
23 *90 days after the receipt by the Chief Information Of-*
24 *ficer of the Department of Defense of an implementa-*
25 *tion plan transmitted pursuant to subsection (d)(1),*

- 1 (1) *mitigating cyber hygiene challenges;*
- 2 (2) *supporting ongoing efforts of the Department*
3 *to assess weapon systems resiliency;*
- 4 (3) *quantifying enterprise security effectiveness*
5 *of enterprise security controls, to inform future acqui-*
6 *sition decisions of the Department;*
- 7 (4) *assisting portfolio managers with balancing*
8 *capability costs and capability coverage of the threat*
9 *landscape; and*
- 10 (5) *supporting the Department's Cybersecurity*
11 *Analysis and Review threat framework.*

12 (b) *CONSIDERATIONS.—In developing capabilities for*
13 *the demonstration program required under subsection (a),*
14 *the Chief Information Officer shall consider—*

- 15 (1) *integration into automated security valida-*
16 *tion tools of advanced commercially available threat*
17 *intelligence;*
- 18 (2) *metrics and scoring of security controls;*
- 19 (3) *cyber analysis, cyber campaign tracking, and*
20 *cybersecurity information sharing;*
- 21 (4) *integration into cybersecurity enclaves and*
22 *existing cybersecurity controls of security instrumen-*
23 *tation and testing capability;*
- 24 (5) *endpoint sandboxing; and*
- 25 (6) *use of actual adversary attack methodologies.*

1 (c) *COORDINATION WITH MILITARY SERVICES.*—In
2 carrying out the demonstration program required under
3 subsection (a), the Chief Information Officer, acting through
4 the Director of the Defense Information Systems Agency,
5 shall coordinate demonstration program activities with
6 complementary efforts on-going within the military serv-
7 ices, defense agencies, and field agencies.

8 (d) *INDEPENDENT CAPABILITY ASSESSMENT.*—In car-
9 rying out the demonstration program required under sub-
10 section (a), the Chief Information Officer, acting through
11 the Director of the Defense Information Systems Agency
12 and in coordination with the Director, Operational Test
13 and Evaluation, shall perform operational testing to evalu-
14 ate the operational effectiveness, suitability, and cybersecu-
15 rity of the capabilities developed under the demonstration
16 program.

17 (e) *BRIEFING.*—

18 (1) *INITIAL BRIEFING.*—Not later than April 1,
19 2022, the Chief Information Officer shall brief the
20 Committee on Armed Services of the Senate and the
21 Committee on Armed Services of the House of Rep-
22 resentatives on the plans and status of the Chief In-
23 formation Officer with respect to the demonstration
24 program required under subsection (a).

1 (2) *FINAL BRIEFING*.—Not later than October 31,
2 2024, the Chief Information Officer shall brief the
3 Committee on Armed Services of the Senate and the
4 Committee on Armed Services of the House of Rep-
5 resentatives on the results and findings of the Chief
6 Information Officer with respect to the demonstration
7 program required under subsection (a).

8 **SEC. 1530. IMPROVEMENTS TO CONSORTIUM OF UNIVER-**
9 **SITIES TO ADVISE SECRETARY OF DEFENSE**
10 **ON CYBERSECURITY MATTERS.**

11 Section 1659 of the National Defense Authorization
12 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
13 391 note) is amended—

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph (1),
16 by striking “one or more consortia” and insert-
17 ing “a consortium”; and

18 (B) in paragraph (1), by striking “or con-
19 sortia”;

20 (2) in subsection (b), by striking “or consortia”;

21 (3) in subsection (c)—

22 (A) by amending paragraph (1) to read as
23 follows:

24 “(1) *DESIGNATION OF ADMINISTRATIVE CHAIR*.—

25 The Secretary of Defense shall designate the National

1 *Defense University College of Information and Cyber-*
2 *space to function as the administrative chair of the*
3 *consortium established pursuant to subsection (a).”;*

4 *(B) by striking paragraph (2);*

5 *(C) by redesignating paragraphs (3) and*
6 *(4) as paragraphs (2) and (3), respectively;*

7 *(D) in paragraph (2), as so redesignated—*

8 *(i) in the matter preceding subpara-*
9 *graph (A)—*

10 *(I) by striking “Each administra-*
11 *tive” and inserting “The administra-*
12 *tive”;* and

13 *(II) by striking “a consortium”*
14 *and inserting “the consortium”;* and

15 *(ii) in subparagraph (A), by striking*
16 *“for the term specified by the Secretary*
17 *under paragraph (1)”;* and

18 *(E) by amending paragraph (3), as so re-*
19 *designated, to read as follows:*

20 *“(3) EXECUTIVE COMMITTEE.—The Secretary, in*
21 *consultation with the administrative chair, may form*
22 *an executive committee for the consortium that is*
23 *comprised of representatives of the Federal Govern-*
24 *ment to assist the chair with the management and*
25 *functions of the consortium.”;* and

1 (4) *by amending subsection (d) to read as fol-*
2 *lows:*

3 “(d) *CONSULTATION.—The Secretary shall meet with*
4 *such members of the consortium as the Secretary considers*
5 *appropriate, not less frequently than twice each year or at*
6 *such periodicity as is agreed to by the Secretary and the*
7 *consortium.”.*

8 **SEC. 1531. DIGITAL DEVELOPMENT INFRASTRUCTURE PLAN**
9 **AND WORKING GROUP.**

10 (a) *PLAN REQUIRED.—Not later than one year after*
11 *the date of the enactment of this Act, the Secretary of De-*
12 *fense, acting through the working group established under*
13 *subsection (d)(1), shall develop a plan for the establishment*
14 *of a modern information technology infrastructure that*
15 *supports state of the art tools and modern processes to en-*
16 *able effective and efficient development, testing, fielding,*
17 *and continuous updating of artificial intelligence-capabili-*
18 *ties.*

19 (b) *CONTENTS OF PLAN.—The plan developed pursu-*
20 *ant to subsection (a) shall include at a minimum the fol-*
21 *lowing:*

22 (1) *A technical plan and guidance for necessary*
23 *technical investments in the infrastructure described*
24 *in subsection (a) that address critical technical issues,*
25 *including issues relating to common interfaces, au-*

1 *thentication, applications, platforms, software, hard-*
2 *ware, and data infrastructure.*

3 (2) *A governance structure, together with associ-*
4 *ated policies and guidance, to support the implemen-*
5 *tation throughout the Department of such plan.*

6 (3) *Identification and minimum viable*
7 *instantiations of prototypical development and plat-*
8 *form environments with such infrastructure, includ-*
9 *ing enterprise data sets assembled under subsection*
10 *(e).*

11 (c) *HARMONIZATION WITH DEPARTMENTAL EF-*
12 *FORTS.—The plan developed pursuant to subsection (a)*
13 *shall include a description of the aggregated and consoli-*
14 *dated financial and personnel requirements necessary to*
15 *implement each of the following Department of Defense doc-*
16 *uments:*

17 (1) *The Department of Defense Digital Mod-*
18 *ernization Strategy.*

19 (2) *The Department of Defense Data Strategy.*

20 (3) *The Department of Defense Cloud Strategy.*

21 (4) *The Department of Defense Software Mod-*
22 *ernization Strategy.*

23 (5) *The Department-wide software science and*
24 *technology strategy required under section 255 of the*

1 *National Defense Authorization Act for Fiscal Year*
2 *2020 (10 U.S.C. 2223a note).*

3 (6) *The Department of Defense Artificial Intel-*
4 *ligence Data Initiative.*

5 (7) *The Joint All-Domain Command and Con-*
6 *trol Strategy.*

7 (8) *Such other documents as the Secretary deter-*
8 *mines appropriate.*

9 (d) *WORKING GROUP.—*

10 (1) *ESTABLISHMENT.—Not later than 60 days*
11 *after the date of the enactment of this Act, the Sec-*
12 *retary of Defense shall establish a working group on*
13 *digital development infrastructure implementation to*
14 *develop the plan required under subsection (a).*

15 (2) *MEMBERSHIP.—The working group estab-*
16 *lished under paragraph (1) shall be composed of indi-*
17 *viduals selected by the Secretary of Defense to rep-*
18 *resent each of the following:*

19 (A) *The Office of Chief Data Officer (CDO).*

20 (B) *The Component Offices of Chief Infor-*
21 *mation Officer and Chief Digital Officer.*

22 (C) *The Joint Artificial Intelligence Center*
23 *(JAIC).*

1 (D) *The Office of the Under Secretary of*
2 *Defense for Research & Engineering (OUSD*
3 *(R&E)).*

4 (E) *The Office of the Under Secretary of*
5 *Defense for Acquisition & Sustainment (OUSD*
6 *(A&S)).*

7 (F) *The Office of the Under Secretary of De-*
8 *fense for Intelligence & Security (OUSD (I&S)).*

9 (G) *Service Acquisition Executives.*

10 (H) *The Office of the Director of Oper-*
11 *ational Test and Evaluation (DOT&E).*

12 (I) *The office of the Director of the Defense*
13 *Advanced Research Projects Agency (DARPA).*

14 (J) *Digital development infrastructure pro-*
15 *grams, including the appropriate activities of the*
16 *military services and defense agencies.*

17 (K) *Such other officials of the Department*
18 *of Defense as the Secretary determines appro-*
19 *priate.*

20 (3) *CHAIRPERSON.—The chairperson of the*
21 *working group established under paragraph (1) shall*
22 *be the Chief Information Officer of the Department of*
23 *Defense, or such other official as the Secretary of De-*
24 *fense considers appropriate.*

1 (4) *CONSULTATION.*—*The working group shall*
2 *consult with such experts outside of the Department*
3 *of Defense as the working group considers necessary*
4 *to develop the plan required under subsection (a).*

5 (e) *STRATEGIC DATA NODE.*—*To enable efficient ac-*
6 *cess to enterprise data sets referred to in subsection (b)(3)*
7 *for users with authorized access, the Secretary of Defense*
8 *shall assemble such enterprise data sets in the following*
9 *areas:*

10 (1) *Human resources.*

11 (2) *Budget and finance.*

12 (3) *Acquisition.*

13 (4) *Logistics.*

14 (5) *Real estate.*

15 (6) *Health care.*

16 (7) *Such other areas as the Secretary considers*
17 *appropriate.*

18 (f) *REPORT.*—*Not later than 180 days after the date*
19 *of the enactment of this Act, the Secretary of Defense shall*
20 *submit to the congressional defense committees a report on*
21 *the status of the development of the plan required under*
22 *subsection (a).*

1 **SEC. 1532. STUDY REGARDING ESTABLISHMENT WITHIN**
2 **THE DEPARTMENT OF DEFENSE OF A DES-**
3 **IGNATED CENTRAL PROGRAM OFFICE TO**
4 **OVERSEE ACADEMIC ENGAGEMENT PRO-**
5 **GRAMS RELATING TO ESTABLISHING CYBER**
6 **TALENT ACROSS THE DEPARTMENT.**

7 *(a) IN GENERAL.—Not later than 270 days after the*
8 *date of the enactment of this Act, the Secretary of Defense*
9 *shall submit to the congressional defense committees a study*
10 *regarding the need, feasibility, and advisability of estab-*
11 *lishing within the Department of Defense a designated cen-*
12 *tral program office responsible for overseeing covered aca-*
13 *demic engagement programs across the Department. Such*
14 *study shall examine the following:*

15 *(1) Whether the Department’s cyber-focused aca-*
16 *demic engagement needs more coherence, additional*
17 *coordination, or improved management, and whether*
18 *a designated central program office would provide*
19 *such benefits.*

20 *(2) How such a designated central program of-*
21 *fice would coordinate and harmonize Department*
22 *programs relating to covered academic engagement*
23 *programs.*

24 *(3) Metrics such office would use to measure the*
25 *effectiveness of covered academic engagement pro-*
26 *grams.*

1 (4) *Whether such an office is necessary to serve*
2 *as an identifiable entry point to the Department by*
3 *the academic community.*

4 (5) *Whether the cyber discipline with respect to*
5 *academic engagement should be treated separately*
6 *from other STEM fields.*

7 (6) *How such an office would interact with the*
8 *consortium universities (established pursuant to sec-*
9 *tion 1659 of the National Defense Authorization Act*
10 *for Fiscal Year 2020 (10 U.S.C. 391 note)) to assist*
11 *the Secretary on cybersecurity matters.*

12 (7) *Whether the establishment of such an office*
13 *would have an estimated net savings for the Depart-*
14 *ment.*

15 (b) *CONSULTATION.*—*In conducting the study required*
16 *under subsection (a), the Secretary of Defense shall consult*
17 *with and solicit recommendations from academic institu-*
18 *tions and stakeholders, including primary, secondary, and*
19 *post-secondary educational institutions.*

20 (c) *DETERMINATION.*—

21 (1) *IN GENERAL.*—*Upon completion of the study*
22 *required under subsection (a), the Secretary of De-*
23 *fense shall make a determination regarding the estab-*
24 *lishment within the Department of Defense of a des-*
25 *ignated central program office responsible for over-*

1 *seeing covered academic engagement programs across*
2 *the Department.*

3 (2) *IMPLEMENTATION.—If the Secretary of De-*
4 *fense makes an affirmative determination in accord-*
5 *ance with paragraph (1), the Secretary shall establish*
6 *within the Department of Defense a designated cen-*
7 *tral program office responsible for overseeing covered*
8 *academic programs across the Department. Not later*
9 *than 180 days after such a determination, the Sec-*
10 *retary shall promulgate such rules and regulations as*
11 *are necessary to so establish such an office.*

12 (3) *NEGATIVE DETERMINATION.—If the Sec-*
13 *retary of Defense makes a negative determination in*
14 *accordance with paragraph (1), the Secretary shall*
15 *submit to the congressional defense committees notice*
16 *of such determination, together with a justification*
17 *for such determination. Such justification shall in-*
18 *clude—*

19 (A) *how the Secretary intends to coordinate*
20 *and harmonize covered academic engagement*
21 *programs; and*

22 (B) *measures to determine effectiveness of*
23 *covered academic engagement programs absent a*
24 *designated central program office responsible for*

1 *overseeing covered academic programs across the*
2 *Department.*

3 *(d) REPORT.—Not later than 270 days after the date*
4 *of the enactment of this Act, the Secretary of Defense shall*
5 *submit to the congressional defense committees a report that*
6 *updates the matters required for inclusion in the reports*
7 *required pursuant to section 1649 of the National Defense*
8 *Authorization Act for Fiscal Year 2020 (Public Law 116–*
9 *92) and section 1726(c) of the William M. (Mac) Thorn-*
10 *berry National Defense Authorization Act for Fiscal Year*
11 *2021 (Public Law 116–283).*

12 *(e) DEFINITION.—In this section, the term “covered*
13 *academic engagement program” means each of the fol-*
14 *lowing:*

15 *(1) Primary, secondary, or post-secondary edu-*
16 *cation programs with a cyber focus.*

17 *(2) Recruitment or retention programs for De-*
18 *partment of Defense cyberspace personnel, including*
19 *scholarship programs.*

20 *(3) Academic partnerships focused on estab-*
21 *lishing cyber talent.*

22 *(4) Cyber enrichment programs.*

1 **SEC. 1533. REPORT ON THE CYBERSECURITY MATURITY**
2 **MODEL CERTIFICATION PROGRAM.**

3 (a) *REPORT REQUIRED.*—Not later than 90 days after
4 the date of the enactment of this Act, the Secretary of De-
5 fense shall submit to the Committee on Armed Services of
6 the Senate and the Committee on Armed Services of the
7 House of Representatives a report on the plans and rec-
8 ommendations of the Secretary for the Cyber Maturity
9 Model Certification program.

10 (b) *CONTENTS.*—The report submitted under sub-
11 section (a) shall include the following:

12 (1) *The programmatic changes required in the*
13 *Cyber Maturity Model Certification program to ad-*
14 *dress the plans and recommendations of the Secretary*
15 *of Defense referred to in such subsection.*

16 (2) *The strategy of the Secretary for rulemaking*
17 *for such program and the process for the Cybersecu-*
18 *rity Maturity Model Certification rule.*

19 (3) *The budget and resources required to support*
20 *such program.*

21 (4) *A plan for communication and coordination*
22 *with the defense industrial base regarding such pro-*
23 *gram.*

24 (5) *The coordination needed within the Depart-*
25 *ment of Defense and between Federal agencies for*
26 *such program.*

1 (6) *The applicability of such program require-*
2 *ments to universities and academic partners of the*
3 *Department.*

4 (7) *A plan for communication and coordination*
5 *with such universities and academic partners regard-*
6 *ing such program.*

7 (8) *Plans and explicit public announcement of*
8 *processes for reimbursement of cybersecurity compli-*
9 *ance expenses for small and non-traditional busi-*
10 *nesses in the defense industrial base.*

11 (9) *Plans for ensuring that persons seeking a De-*
12 *partment contract for the first time are not required*
13 *to expend funds to acquire cybersecurity capabilities*
14 *and a certification required to perform under a con-*
15 *tract as a precondition for bidding on such a contract*
16 *without reimbursement in the event that such persons*
17 *do not receive a contract award.*

18 (10) *Clarification of roles and responsibilities of*
19 *prime contractors for assisting and managing cyber-*
20 *security performance of subcontractors.*

21 (11) *Such additional matters as the Secretary*
22 *considers appropriate.*

1 **SEC. 1534. DEADLINE FOR REPORTS ON ASSESSMENT OF**
2 **CYBER RESILIENCY OF NUCLEAR COMMAND**
3 **AND CONTROL SYSTEM.**

4 *Subsection (c) of section 499 of title 10, United States*
5 *Code, is amended—*

6 *(1) in the heading, by striking “REPORT” and*
7 *inserting “REPORTS”;*

8 *(2) in paragraph (1), in the matter preceding*
9 *subparagraph (A)—*

10 *(A) by striking “The Commanders” and in-*
11 *serting “For each assessment conducted under*
12 *subsection (a), the Commanders”;* and

13 *(B) by striking “the assessment required by*
14 *subsection (a)” and inserting “the assessment”;*

15 *(3) in paragraph (2), by striking “the report”*
16 *and inserting “each report”;* and

17 *(4) in paragraph (3)—*

18 *(A) by striking “The Secretary” and insert-*
19 *ing “Not later than 90 days after the date of the*
20 *submission of a report under paragraph (1), the*
21 *Secretary”;* and

22 *(B) by striking “required by paragraph*
23 *(1)”.*

1 ***Subtitle C—Matters Related to***
2 ***Federal Cybersecurity***

3 ***SEC. 1541. CAPABILITIES OF THE CYBERSECURITY AND IN-***
4 ***FRASTRUCTURE SECURITY AGENCY TO IDEN-***
5 ***TIFY THREATS TO INDUSTRIAL CONTROL***
6 ***SYSTEMS.***

7 *(a) IN GENERAL.—Section 2209 of the Homeland Se-*
8 *curity Act of 2002 (6 U.S.C. 659) is amended—*

9 *(1) in subsection (e)(1)—*

10 *(A) in subparagraph (G), by striking*
11 *“and;” after the semicolon;*

12 *(B) in subparagraph (H), by inserting*
13 *“and” after the semicolon; and*

14 *(C) by adding at the end the following new*
15 *subparagraph:*

16 *“(I) activities of the Center address the se-*
17 *curity of both information technology and oper-*
18 *ational technology, including industrial control*
19 *systems;”; and*

20 *(2) by adding at the end the following new sub-*
21 *section:*

22 *“(q) INDUSTRIAL CONTROL SYSTEMS.—The Director*
23 *shall maintain capabilities to identify and address threats*
24 *and vulnerabilities to products and technologies intended*
25 *for use in the automated control of critical infrastructure*

1 *processes. In carrying out this subsection, the Director*
2 *shall—*

3 “(1) *lead Federal Government efforts, in con-*
4 *sultation with Sector Risk Management Agencies, as*
5 *appropriate, to identify and mitigate cybersecurity*
6 *threats to industrial control systems, including super-*
7 *visory control and data acquisition systems;*

8 “(2) *maintain threat hunting and incident re-*
9 *sponse capabilities to respond to industrial control*
10 *system cybersecurity risks and incidents;*

11 “(3) *provide cybersecurity technical assistance to*
12 *industry end-users, product manufacturers, Sector*
13 *Risk Management Agencies, other Federal agencies,*
14 *and other industrial control system stakeholders to*
15 *identify, evaluate, assess, and mitigate vulnerabilities;*

16 “(4) *collect, coordinate, and provide vulner-*
17 *ability information to the industrial control systems*
18 *community by, as appropriate, working closely with*
19 *security researchers, industry end-users, product man-*
20 *ufacturers, Sector Risk Management Agencies, other*
21 *Federal agencies, and other industrial control systems*
22 *stakeholders; and*

23 “(5) *conduct such other efforts and assistance as*
24 *the Secretary determines appropriate.”.*

1 **(b) REPORT TO CONGRESS.**—Not later than 180 days
2 after the date of the enactment of this Act and every six
3 months thereafter during the subsequent 4-year period, the
4 Director of the Cybersecurity and Infrastructure Security
5 Agency of the Department of Homeland Security shall pro-
6 vide to the Committee on Homeland Security of the House
7 of Representatives and the Committee on Homeland Secu-
8 rity and Governmental Affairs of the Senate a briefing on
9 the industrial control systems capabilities of the Agency
10 under section 2209 of the Homeland Security Act of 2002
11 (6 U.S.C. 659), as amended by subsection (a).

12 **(c) GAO REVIEW.**—Not later than two years after the
13 date of the enactment of this Act, the Comptroller General
14 of the United States shall review implementation of the re-
15 quirements of subsections (e)(1)(I) and (p) of section 2209
16 of the Homeland Security Act of 2002 (6 U.S.C. 659), as
17 amended by subsection (a), and submit to the Committee
18 on Homeland Security of the House of Representatives and
19 the Committee on Homeland Security and Governmental
20 Affairs of the Senate a report that includes findings and
21 recommendations relating to such implementation. Such re-
22 port shall include information on the following:

23 (1) Any interagency coordination challenges to
24 the ability of the Director of the Cybersecurity and
25 Infrastructure Security Agency of the Department of

1 *Homeland Security to lead Federal efforts to identify*
2 *and mitigate cybersecurity threats to industrial con-*
3 *trol systems pursuant to subsection (p)(1) of such sec-*
4 *tion.*

5 (2) *The degree to which the Agency has adequate*
6 *capacity, expertise, and resources to carry out threat*
7 *hunting and incident response capabilities to mitigate*
8 *cybersecurity threats to industrial control systems*
9 *pursuant to subsection (p)(2) of such section, as well*
10 *as additional resources that would be needed to close*
11 *any operational gaps in such capabilities.*

12 (3) *The extent to which industrial control system*
13 *stakeholders sought cybersecurity technical assistance*
14 *from the Agency pursuant to subsection (p)(3) of such*
15 *section, and the utility and effectiveness of such tech-*
16 *nical assistance.*

17 (4) *The degree to which the Agency works with*
18 *security researchers and other industrial control sys-*
19 *tems stakeholders, pursuant to subsection (p)(4) of*
20 *such section, to provide vulnerability information to*
21 *the industrial control systems community.*

22 **SEC. 1542. CYBERSECURITY VULNERABILITIES.**

23 *Section 2209 of the Homeland Security Act of 2002*
24 *(6 U.S.C. 659) is amended—*

25 (1) *in subsection (a)—*

1 (A) by redesignating paragraphs (4)
2 through (8) as paragraphs (5) through (9), re-
3 spectively; and

4 (B) by inserting after paragraph (3) the fol-
5 lowing new paragraph:

6 “(4) the term ‘cybersecurity vulnerability’ has
7 the meaning given the term ‘security vulnerability’ in
8 section 102 of the Cybersecurity Information Sharing
9 Act of 2015 (6 U.S.C. 1501);”.

10 (2) in subsection (c)—

11 (A) in paragraph (5)—

12 (i) in subparagraph (A), by striking
13 “and” after the semicolon at the end;

14 (ii) by redesignating subparagraph (B)
15 as subparagraph (C);

16 (iii) by inserting after subparagraph
17 (A) the following new subparagraph:

18 “(B) sharing mitigation protocols to counter cy-
19 bersecurity vulnerabilities pursuant to subsection (n),
20 as appropriate; and”;

21 (iv) in subparagraph (C), as so redес-
22 igned, by inserting “and mitigation pro-
23 tocols to counter cybersecurity
24 vulnerabilities in accordance with subpara-

1 *graph (B), as appropriate,” before “with*
2 *Federal”;*

3 *(B) in paragraph (7)(C), by striking “shar-*
4 *ing” and inserting “share”; and*

5 *(C) in paragraph (9), by inserting “mitiga-*
6 *tion protocols to counter cybersecurity*
7 *vulnerabilities, as appropriate,” after “meas-*
8 *ures,”;*

9 *(3) by redesignating subsection (o) as subsection*
10 *(p); and*

11 *(4) by inserting after subsection (n) following*
12 *new subsection:*

13 *“(o) PROTOCOLS TO COUNTER CERTAIN CYBERSECU-*
14 *RITY VULNERABILITIES.—The Director may, as appro-*
15 *priate, identify, develop, and disseminate actionable proto-*
16 *cols to mitigate cybersecurity vulnerabilities to information*
17 *systems and industrial control systems, including in cir-*
18 *cumstances in which such vulnerabilities exist because soft-*
19 *ware or hardware is no longer supported by a vendor.”.*

20 **SEC. 1543. REPORT ON CYBERSECURITY VULNERABILITIES.**

21 *(a) REPORT.—Not later than one year after the date*
22 *of the enactment of this Act, the Director of the Cybersecu-*
23 *rity and Infrastructure Security Agency of the Department*
24 *of Homeland Security shall submit to the Committee on*
25 *Homeland Security of the House of Representatives and the*

1 *Committee on Homeland Security and Governmental Af-*
2 *fairs of the Senate a report on how the Agency carries out*
3 *subsection (n) of section 2209 of the Homeland Security Act*
4 *of 2002 to coordinate vulnerability disclosures, including*
5 *disclosures of cybersecurity vulnerabilities (as such term is*
6 *defined in such section), and subsection (o) of such section*
7 *to disseminate actionable protocols to mitigate cybersecu-*
8 *rity vulnerabilities to information systems and industrial*
9 *control systems, that include the following:*

10 (1) *A description of the policies and procedures*
11 *relating to the coordination of vulnerability disclo-*
12 *tures.*

13 (2) *A description of the levels of activity in fur-*
14 *therance of such subsections (n) and (o) of such sec-*
15 *tion 2209.*

16 (3) *Any plans to make further improvements to*
17 *how information provided pursuant to such sub-*
18 *sections can be shared (as such term is defined in*
19 *such section 2209) between the Department and in-*
20 *dustry and other stakeholders.*

21 (4) *Any available information on the degree to*
22 *which such information was acted upon by industry*
23 *and other stakeholders.*

1 (5) *A description of how privacy and civil lib-*
2 *erties are preserved in the collection, retention, use,*
3 *and sharing of vulnerability disclosures.*

4 (b) *FORM.—The report required under subsection (b)*
5 *shall be submitted in unclassified form but may contain*
6 *a classified annex.*

7 **SEC. 1544. COMPETITION RELATING TO CYBERSECURITY**

8 **VULNERABILITIES.**

9 *The Under Secretary for Science and Technology of the*
10 *Department of Homeland Security, in consultation with the*
11 *Director of the Cybersecurity and Infrastructure Security*
12 *Agency of the Department, may establish an incentive-based*
13 *program that allows industry, individuals, academia, and*
14 *others to compete in identifying remediation solutions for*
15 *cybersecurity vulnerabilities (as such term is defined in sec-*
16 *tion 2209 of the Homeland Security Act of 2002) to infor-*
17 *mation systems (as such term is defined in such section*
18 *2209) and industrial control systems, including supervisory*
19 *control and data acquisition systems.*

20 **SEC. 1545. STRATEGY.**

21 *Section 2210 of the Homeland Security Act of 2002*
22 *(6 U.S.C. 660) is amended by adding at the end the fol-*
23 *lowing new subsection:*

1 “(e) *HOMELAND SECURITY STRATEGY TO IMPROVE*
2 *THE CYBERSECURITY OF STATE, LOCAL, TRIBAL, AND TER-*
3 *RITORIAL GOVERNMENTS.—*

4 “(1) *IN GENERAL.—*

5 “(A) *REQUIREMENT.—Not later than one*
6 *year after the date of the enactment of this sub-*
7 *section, the Secretary, acting through the Direc-*
8 *tor, shall, in coordination with the heads of ap-*
9 *propriate Federal agencies, State, local, Tribal,*
10 *and territorial governments, and other stake-*
11 *holders, as appropriate, develop and make pub-*
12 *licly available a Homeland Security Strategy to*
13 *Improve the Cybersecurity of State, Local, Trib-*
14 *al, and Territorial Governments.*

15 “(B) *RECOMMENDATIONS AND REQUIRE-*
16 *MENTS.—The strategy required under subpara-*
17 *graph (A) shall provide recommendations relat-*
18 *ing to the ways in which the Federal Govern-*
19 *ment should support and promote the ability of*
20 *State, local, Tribal, and territorial governments*
21 *to identify, mitigate against, protect against, de-*
22 *tect, respond to, and recover from cybersecurity*
23 *risks (as such term is defined in section 2209),*
24 *cybersecurity threats, and incidents (as such*
25 *term is defined in section 2209).*

1 “(2) *CONTENTS.*—*The strategy required under*
2 *paragraph (1) shall—*

3 “(A) *identify capability gaps in the ability*
4 *of State, local, Tribal, and territorial govern-*
5 *ments to identify, protect against, detect, respond*
6 *to, and recover from cybersecurity risks, cyberse-*
7 *curity threats, incidents, and ransomware inci-*
8 *dents;*

9 “(B) *identify Federal resources and capa-*
10 *bilities that are available or could be made*
11 *available to State, local, Tribal, and territorial*
12 *governments to help those governments identify,*
13 *protect against, detect, respond to, and recover*
14 *from cybersecurity risks, cybersecurity threats,*
15 *incidents, and ransomware incidents;*

16 “(C) *identify and assess the limitations of*
17 *Federal resources and capabilities available to*
18 *State, local, Tribal, and territorial governments*
19 *to help those governments identify, protect*
20 *against, detect, respond to, and recover from cy-*
21 *bersecurity risks, cybersecurity threats, incidents,*
22 *and ransomware incidents and make rec-*
23 *ommendations to address such limitations;*

24 “(D) *identify opportunities to improve the*
25 *coordination of the Agency with Federal and*

1 *non-Federal entities, such as the Multi-State In-*
2 *formation Sharing and Analysis Center, to im-*
3 *prove—*

4 “(i) *incident exercises, information*
5 *sharing and incident notification proce-*
6 *dures;*

7 “(ii) *the ability for State, local, Tribal,*
8 *and territorial governments to voluntarily*
9 *adapt and implement guidance in Federal*
10 *binding operational directives; and*

11 “(iii) *opportunities to leverage Federal*
12 *schedules for cybersecurity investments*
13 *under section 502 of title 40, United States*
14 *Code;*

15 “(E) *recommend new initiatives the Federal*
16 *Government should undertake to improve the*
17 *ability of State, local, Tribal, and territorial*
18 *governments to identify, protect against, detect,*
19 *respond to, and recover from cybersecurity risks,*
20 *cybersecurity threats, incidents, and ransomware*
21 *incidents;*

22 “(F) *set short-term and long-term goals that*
23 *will improve the ability of State, local, Tribal,*
24 *and territorial governments to identify, protect*
25 *against, detect, respond to, and recover from cy-*

1 *bersecurity risks, cybersecurity threats, incidents,*
2 *and ransomware incidents; and*

3 “(G) *set dates, including interim bench-*
4 *marks, as appropriate for State, local, Tribal,*
5 *and territorial governments to establish baseline*
6 *capabilities to identify, protect against, detect,*
7 *respond to, and recover from cybersecurity risks,*
8 *cybersecurity threats, incidents, and ransomware*
9 *incidents.*

10 “(3) *CONSIDERATIONS.—In developing the strat-*
11 *egy required under paragraph (1), the Director, in co-*
12 *ordination with the heads of appropriate Federal*
13 *agencies, State, local, Tribal, and territorial govern-*
14 *ments, and other stakeholders, as appropriate, shall*
15 *consider—*

16 “(A) *lessons learned from incidents that*
17 *have affected State, local, Tribal, and territorial*
18 *governments, and exercises with Federal and*
19 *non-Federal entities;*

20 “(B) *the impact of incidents that have af-*
21 *ected State, local, Tribal, and territorial govern-*
22 *ments, including the resulting costs to such gov-*
23 *ernments;*

24 “(C) *the information related to the interest*
25 *and ability of state and non-state threat actors*

1 to compromise information systems (as such
2 term is defined in section 102 of the Cybersecu-
3 rity Act of 2015 (6 U.S.C. 1501)) owned or oper-
4 ated by State, local, Tribal, and territorial gov-
5 ernments; and

6 “(D) emerging cybersecurity risks and cy-
7 bersecurity threats to State, local, Tribal, and
8 territorial governments resulting from the de-
9 ployment of new technologies.

10 “(4) EXEMPTION.—Chapter 35 of title 44,
11 United States Code (commonly known as the ‘Paper-
12 work Reduction Act’), shall not apply to any action
13 to implement this subsection.”.

14 **SEC. 1546. CYBER INCIDENT RESPONSE PLAN.**

15 Subsection (c) of section 2210 of the Homeland Secu-
16 rity Act of 2002 (6 U.S.C. 660) is amended—

17 (1) by striking “regularly update” and inserting
18 “update not less often than biennially”; and

19 (2) by adding at the end the following new sen-
20 tence: “The Director, in consultation with relevant
21 Sector Risk Management Agencies and the National
22 Cyber Director, shall develop mechanisms to engage
23 with stakeholders to educate such stakeholders regard-
24 ing Federal Government cybersecurity roles and re-
25 sponsibilities for cyber incident response.”.

1 **SEC. 1547. NATIONAL CYBER EXERCISE PROGRAM.**

2 (a) *IN GENERAL.*—*Subtitle A of title XXII of the*
3 *Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is*
4 *amended by adding at the end the following new section:*

5 **“SEC. 2220B. NATIONAL CYBER EXERCISE PROGRAM.**

6 *“(a) ESTABLISHMENT OF PROGRAM.—*

7 *“(1) IN GENERAL.—There is established in the*
8 *Agency the National Cyber Exercise Program (re-*
9 *ferred to in this section as the ‘Exercise Program’) to*
10 *evaluate the National Cyber Incident Response Plan,*
11 *and other related plans and strategies.*

12 *“(2) REQUIREMENTS.—*

13 *“(A) IN GENERAL.—The Exercise Program*
14 *shall be—*

15 *“(i) based on current risk assessments,*
16 *including credible threats, vulnerabilities,*
17 *and consequences;*

18 *“(ii) designed, to the extent prac-*
19 *ticable, to simulate the partial or complete*
20 *incapacitation of a government or critical*
21 *infrastructure network resulting from a*
22 *cyber incident;*

23 *“(iii) designed to provide for the sys-*
24 *tematic evaluation of cyber readiness and*
25 *enhance operational understanding of the*

1 *cyber incident response system and relevant*
2 *information sharing agreements; and*

3 “(iv) *designed to promptly develop*
4 *after-action reports and plans that can*
5 *quickly incorporate lessons learned into fu-*
6 *ture operations.*

7 “(B) *MODEL EXERCISE SELECTION.—The*
8 *Exercise Program shall—*

9 “(i) *include a selection of model exer-*
10 *cises that government and private entities*
11 *can readily adapt for use; and*

12 “(ii) *aid such governments and private*
13 *entities with the design, implementation,*
14 *and evaluation of exercises that—*

15 “(I) *conform to the requirements*
16 *described in subparagraph (A);*

17 “(II) *are consistent with any ap-*
18 *licable national, State, local, or Trib-*
19 *al strategy or plan; and*

20 “(III) *provide for systematic eval-*
21 *uation of readiness.*

22 “(3) *CONSULTATION.—In carrying out the Exer-*
23 *cise Program, the Director may consult with appro-*
24 *priate representatives from Sector Risk Management*
25 *Agencies, the Office of the National Cyber Director,*

1 *cybersecurity research stakeholders, and Sector Co-*
 2 *ordinating Councils.*

3 “(b) *DEFINITIONS.—In this section:*

4 “(1) *STATE.—The term ‘State’ means any State*
 5 *of the United States, the District of Columbia, the*
 6 *Commonwealth of Puerto Rico, the Northern Mariana*
 7 *Islands, the United States Virgin Islands, Guam,*
 8 *American Samoa, and any other territory or posses-*
 9 *sion of the United States.*

10 “(2) *PRIVATE ENTITY.—The term ‘private entity’*
 11 *has the meaning given such term in section 102 of the*
 12 *Cybersecurity Information Sharing Act of 2015 (6*
 13 *U.S.C. 1501).*

14 “(c) *RULE OF CONSTRUCTION.—Nothing in this sec-*
 15 *tion shall be construed to affect the authorities or respon-*
 16 *sibilities of the Administrator of the Federal Emergency*
 17 *Management Agency pursuant to section 648 of the Post-*
 18 *Katrina Emergency Management Reform Act of 2006 (6*
 19 *U.S.C. 748).”.*

20 (b) *TITLE XXII TECHNICAL AND CLERICAL AMEND-*
 21 *MENTS.—*

22 (1) *TECHNICAL AMENDMENTS.—*

23 (A) *HOMELAND SECURITY ACT OF 2002.—*
 24 *Subtitle A of title XXII of the Homeland Secu-*

1 *urity Act of 2002 (6 U.S.C. 651 et seq.) is amend-*
2 *ed—*

3 *(i) in section 2202(c) (6 U.S.C.*
4 *652(c))—*

5 *(I) in paragraph (11), by striking*
6 *“and” after the semicolon;*

7 *(II) in the first paragraph (12)*
8 *(relating to appointment of a Cyberse-*
9 *curity State Coordinator) by striking*
10 *“as described in section 2215; and”*
11 *and inserting “as described in section*
12 *2217;”;*

13 *(III) by redesignating the second*
14 *paragraph (12) (relating to the .gov*
15 *internet domain) as paragraph (13);*
16 *and*

17 *(IV) by redesignating the third*
18 *paragraph (12) (relating to carrying*
19 *out such other duties and responsibil-*
20 *ities) as paragraph (14);*

21 *(ii) in the first section 2215 (6 U.S.C.*
22 *665; relating to the duties and authorities*
23 *relating to .gov internet domain), by*
24 *amending the section enumerator and head-*
25 *ing to read as follows:*

1 **“SEC. 2215. DUTIES AND AUTHORITIES RELATING TO .GOV**
2 **INTERNET DOMAIN.”;**

3 *(iii) in the second section 2215 (6*
4 *U.S.C. 665b; relating to the joint cyber*
5 *planning office), by amending the section*
6 *enumerator and heading to read as follows:*

7 **“SEC. 2216. JOINT CYBER PLANNING OFFICE.”;**

8 *(iv) in the third section 2215 (6 U.S.C.*
9 *665c; relating to the Cybersecurity State*
10 *Coordinator), by amending the section enu-*
11 *merator and heading to read as follows:*

12 **“SEC. 2217. CYBERSECURITY STATE COORDINATOR.”;**

13 *(v) in the fourth section 2215 (6 U.S.C.*
14 *665d; relating to Sector Risk Management*
15 *Agencies), by amending the section enu-*
16 *merator and heading to read as follows:*

17 **“SEC. 2218. SECTOR RISK MANAGEMENT AGENCIES.”;**

18 *(vi) in section 2216 (6 U.S.C. 665e; re-*
19 *lating to the Cybersecurity Advisory Com-*
20 *mittee), by amending the section enu-*
21 *merator and heading to read as follows:*

22 **“SEC. 2219. CYBERSECURITY ADVISORY COMMITTEE.”;**

23 *(vii) in section 2217 (6 U.S.C. 665f;*
24 *relating to Cybersecurity Education and*
25 *Training Programs), by amending the sec-*

1 *tion enumerator and heading to read as fol-*
 2 *lows:*

3 **“SEC. 2220. CYBERSECURITY EDUCATION AND TRAINING**
 4 **PROGRAMS.”; and**

5 *(viii) in section 2218 (6 U.S.C. 665g;*
 6 *relating to the State and Local Cybersecu-*
 7 *rity Grant Program), by amending the sec-*
 8 *tion enumerator and heading to read as fol-*
 9 *lows:*

10 **“SEC. 2220A. STATE AND LOCAL CYBERSECURITY GRANT**
 11 **PROGRAM.”.**

12 *(B) CONSOLIDATED APPROPRIATIONS ACT,*
 13 *2021.—Paragraph (1) of section 904(b) of divi-*
 14 *sion U of the Consolidated Appropriations Act,*
 15 *2021 (Public Law 116–260) is amended, in the*
 16 *matter preceding subparagraph (A), by inserting*
 17 *“of 2002” after “Homeland Security Act”.*

18 *(2) CLERICAL AMENDMENT.—The table of con-*
 19 *tents in section 1(b) of the Homeland Security Act of*
 20 *2002 is further amended by striking the items relat-*
 21 *ing to sections 2214 through 2218 and inserting the*
 22 *following new items:*

“Sec. 2214. National Asset Database.

“Sec. 2215. Duties and authorities relating to .gov internet domain.

“Sec. 2216. Joint cyber planning office.

“Sec. 2217. Cybersecurity State Coordinator.

“Sec. 2218. Sector Risk Management Agencies.

“Sec. 2219. Cybersecurity Advisory Committee.

“Sec. 2220. Cybersecurity Education and Training Programs.

“Sec. 2220A. State and Local Cybersecurity Grant Program.

“Sec. 2220B. National cyber exercise program.”.

1 **SEC. 1548. CYBERSENTRY PROGRAM OF THE CYBERSECU-**
 2 **RITY AND INFRASTRUCTURE SECURITY**
 3 **AGENCY.**

4 *(a) IN GENERAL.—Title XXII of the Homeland Secu-*
 5 *rity Act of 2002 (6 U.S.C. 651 et seq.) is further amended*
 6 *by adding at the end the following new section:*

7 **“SEC. 2220C. CYBERSENTRY PROGRAM.**

8 *“(a) ESTABLISHMENT.—There is established in the*
 9 *Agency a program, to be known as ‘CyberSentry’, to provide*
 10 *continuous monitoring and detection of cybersecurity risks*
 11 *to critical infrastructure entities that own or operate indus-*
 12 *trial control systems that support national critical func-*
 13 *tions, upon request and subject to the consent of such owner*
 14 *or operator.*

15 *“(b) ACTIVITIES.—The Director, through CyberSentry,*
 16 *shall—*

17 *“(1) enter into strategic partnerships with crit-*
 18 *ical infrastructure owners and operators that, in the*
 19 *determination of the Director and subject to the avail-*
 20 *ability of resources, own or operate regionally or na-*
 21 *tionally significant industrial control systems that*
 22 *support national critical functions, in order to pro-*
 23 *vide technical assistance in the form of continuous*
 24 *monitoring of industrial control systems and the in-*

1 *formation systems that support such systems and de-*
2 *tection of cybersecurity risks to such industrial con-*
3 *trol systems and other cybersecurity services, as ap-*
4 *propriate, based on and subject to the agreement and*
5 *consent of such owner or operator;*

6 *“(2) leverage sensitive or classified intelligence*
7 *about cybersecurity risks regarding particular sectors,*
8 *particular adversaries, and trends in tactics, tech-*
9 *niques, and procedures to advise critical infrastruc-*
10 *ture owners and operators regarding mitigation*
11 *measures and share information as appropriate;*

12 *“(3) identify cybersecurity risks in the informa-*
13 *tion technology and information systems that support*
14 *industrial control systems which could be exploited by*
15 *adversaries attempting to gain access to such indus-*
16 *trial control systems, and work with owners and oper-*
17 *ators to remediate such vulnerabilities;*

18 *“(4) produce aggregated, anonymized analytic*
19 *products, based on threat hunting and continuous*
20 *monitoring and detection activities and partnerships,*
21 *with findings and recommendations that can be dis-*
22 *seminated to critical infrastructure owners and oper-*
23 *ators; and*

1 “(5) support activities authorized in accordance
2 with section 1501 of the National Defense Authoriza-
3 tion Act for Fiscal Year 2022.

4 “(c) *PRIVACY REVIEW*.—Not later than 180 days after
5 the date of enactment of this section, the Privacy Officer
6 of the Agency under section 2202(h) shall—

7 “(1) review the policies, guidelines, and activities
8 of CyberSentry for compliance with all applicable
9 privacy laws, including such laws governing the ac-
10 quisition, interception, retention, use, and disclosure
11 of communities; and

12 “(2) submit to the Committee on Homeland Se-
13 curity of the House of Representatives and the Com-
14 mittee on Homeland Security and Governmental Af-
15 fairs of the Senate a report certifying compliance
16 with all applicable privacy laws as referred to in
17 paragraph (1), or identifying any instances of non-
18 compliance with such privacy laws.

19 “(d) *REPORT TO CONGRESS*.—Not later than one year
20 after the date of the enactment of this section, the Director
21 shall provide to the Committee on Homeland Security of
22 the House of Representatives and the Committee on Home-
23 land Security and Governmental Affairs of the Senate a
24 briefing and written report on implementation of this sec-
25 tion.

1 “(e) SAVINGS.—Nothing in this section may be con-
2 strued to permit the Federal Government to gain access to
3 information of a remote computing service provider to the
4 public or an electronic service provider to the public, the
5 disclosure of which is not permitted under section 2702 of
6 title 18, United States Code.

7 “(f) DEFINITIONS.—In this section:

8 “(1) CYBERSECURITY RISK.—The term ‘cyberse-
9 curity risk’ has the meaning given such term in sec-
10 tion 2209(a).

11 “(2) INDUSTRIAL CONTROL SYSTEM.—The term
12 ‘industrial control system’ means an information sys-
13 tem used to monitor and/or control industrial proc-
14 esses such as manufacturing, product handling, pro-
15 duction, and distribution, including supervisory con-
16 trol and data acquisition (SCADA) systems used to
17 monitor and/or control geographically dispersed as-
18 sets, distributed control systems (DCSs), Human-Ma-
19 chine Interfaces (HMIs), and programmable logic
20 controllers that control localized processes.

21 “(3) INFORMATION SYSTEM.—The term ‘informa-
22 tion system’ has the meaning given such term in sec-
23 tion 102 of the Cybersecurity Act of 2015 (enacted as
24 division N of the Consolidated Appropriations Act,
25 2016 (Public Law 114–113; 6 U.S.C. 1501(9)).

1 “(g) *TERMINATION*.—The authority to carry out a pro-
2 gram under this section shall terminate on the date that
3 is seven years after the date of the enactment of this sec-
4 tion.”.

5 (b) *CLERICAL AMENDMENT*.—The table of contents in
6 section 1(b) of the Homeland Security Act of 2002 is further
7 amended by adding after the item relating to section 2220B
8 the following new item:

 “Sec. 2220C. *CyberSentry* program.”.

9 (c) *CONTINUOUS MONITORING AND DETECTION*.—Sec-
10 tion 2209(c)(6) of the Homeland Security Act of 2002 (6
11 U.S.C. 659) is amended by inserting “, which may take
12 the form of continuous monitoring and detection of cyberse-
13 curity risks to critical infrastructure entities that own or
14 operate industrial control systems that support national
15 critical functions” after “mitigation, and remediation”.

16 **SEC. 1549. STRATEGIC ASSESSMENT RELATING TO INNOVA-**
17 **TION OF INFORMATION SYSTEMS AND CYBER-**
18 **SECURITY THREATS.**

19 (a) *RESPONSIBILITIES OF DIRECTOR*.—Section
20 2202(c)(3) of the Homeland Security Act of 2002 (6 U.S.C.
21 652) is amended by striking the semicolon at the end and
22 adding the following: “, including by carrying out a peri-
23 odic strategic assessment of the related programs and activi-
24 ties of the Agency to ensure such programs and activities

1 *contemplate the innovation of information systems and*
2 *changes in cybersecurity risks and cybersecurity threats;”*

3 *(b) REPORT.—*

4 *(1) IN GENERAL.—Not later than 240 days after*
5 *the date of the enactment of this Act and not fewer*
6 *than once every three years thereafter, the Director of*
7 *the Cybersecurity and Infrastructure Security Agency*
8 *shall submit to the Committee on Homeland Security*
9 *of the House of Representatives and the Committee on*
10 *Homeland Security and Governmental Affairs of the*
11 *Senate a strategic assessment for the purposes de-*
12 *scribed in paragraph (2).*

13 *(2) PURPOSES.—The purposes described in this*
14 *paragraph are the following:*

15 *(A) A description of the existing programs*
16 *and activities administered in furtherance of sec-*
17 *tion 2202(c)(3) of the Homeland Security Act of*
18 *2002 (6 U.S.C. 652).*

19 *(B) An assessment of the capability of exist-*
20 *ing programs and activities administered by the*
21 *Agency in furtherance of such section to monitor*
22 *for, manage, mitigate, and defend against cyber-*
23 *security risks and cybersecurity threats.*

24 *(C) An assessment of past or anticipated*
25 *technological trends or innovation of information*

1 *systems or information technology that have the*
2 *potential to affect the efficacy of the programs*
3 *and activities administered by the Agency in*
4 *furtherance of such section.*

5 *(D) A description of any changes in the*
6 *practices of the Federal workforce, such as in-*
7 *creased telework, affect the efficacy of the pro-*
8 *grams and activities administered by the Agency*
9 *in furtherance of section 2202(c)(3).*

10 *(E) A plan to integrate innovative security*
11 *tools, technologies, protocols, activities, or pro-*
12 *grams to improve the programs and activities*
13 *administered by the Agency in furtherance of*
14 *such section.*

15 *(F) A description of any research and devel-*
16 *opment activities necessary to enhance the pro-*
17 *grams and activities administered by the Agency*
18 *in furtherance of such section.*

19 *(G) A description of proposed changes to ex-*
20 *isting programs and activities administered by*
21 *the Agency in furtherance of such section, includ-*
22 *ing corresponding milestones for implementation.*

23 *(H) Information relating to any new re-*
24 *sources or authorities necessary to improve the*

1 *programs and activities administered by the*
2 *Agency in furtherance of such section.*

3 *(c) DEFINITIONS.—In this section:*

4 *(1) The term “Agency” means the Cybersecurity*
5 *and Infrastructure Security Agency.*

6 *(2) The term “cybersecurity purpose” has the*
7 *meaning given such term in section 102(4) of the Cy-*
8 *bersecurity Information Sharing Act of 2015 (6*
9 *U.S.C. 1501(4)).*

10 *(3) The term “cybersecurity risk” has the mean-*
11 *ing given such term in section 2209(a)(2) of the*
12 *Homeland Security Act of 2002 (U.S.C. 659(a)(2)).*

13 *(4) The term “information system” has the*
14 *meaning given such term in section 3502(8) of title*
15 *44, United States Code.*

16 *(5) The term “information technology” has the*
17 *meaning given such term in 3502(9) of title 44,*
18 *United States Code.*

19 *(6) The term “telework” has the meaning given*
20 *the term in section 6501(3) of title 5, United States*
21 *Code.*

1 **SEC. 1550. PILOT PROGRAM ON PUBLIC-PRIVATE PARTNER-**
2 **SHIPS WITH INTERNET ECOSYSTEM COMPA-**
3 **NIES TO DETECT AND DISRUPT ADVERSARY**
4 **CYBER OPERATIONS.**

5 (a) *PILOT REQUIRED.*—Not later than one year after
6 the date of the enactment of this Act, the Secretary, acting
7 through the Director of the Cybersecurity and Infrastruc-
8 ture Security Agency of the Department of Homeland Secu-
9 rity and in coordination with the Secretary of Defense and
10 the National Cyber Director, shall commence a pilot pro-
11 gram to assess the feasibility and advisability of entering
12 into public-private partnerships with internet ecosystem
13 companies to facilitate, within the bounds of applicable pro-
14 visions of law and such companies' terms of service, poli-
15 cies, procedures, contracts, and other agreements, actions by
16 such companies to discover and disrupt use by malicious
17 cyber actors of the platforms, systems, services, and infra-
18 structure of such companies.

19 (b) *PUBLIC-PRIVATE PARTNERSHIPS.*—

20 (1) *IN GENERAL.*—In carrying out the pilot pro-
21 gram under subsection (a), the Secretary shall seek to
22 enter into one or more public-private partnerships
23 with internet ecosystem companies.

24 (2) *VOLUNTARY PARTICIPATION.*—

25 (A) *IN GENERAL.*—Participation by an
26 internet ecosystem company in a public-private

1 *partnership under the pilot program, including*
2 *in any activity described in subsection (c), shall*
3 *be voluntary.*

4 (B) *PROHIBITION.*—*No funds appropriated*
5 *by any Act may be used to direct, pressure, co-*
6 *erce, or otherwise require that any internet eco-*
7 *system company take any action on their plat-*
8 *forms, systems, services, or infrastructure as part*
9 *of the pilot program.*

10 (c) *AUTHORIZED ACTIVITIES.*—*In carrying out the*
11 *pilot program under subsection (a), the Secretary may—*

12 (1) *provide assistance to a participating internet*
13 *ecosystem company to develop effective know-your-cus-*
14 *tomers processes and requirements;*

15 (2) *provide information, analytics, and technical*
16 *assistance to improve the ability of participating*
17 *companies to detect and prevent illicit or suspicious*
18 *procurement, payment, and account creation on their*
19 *own platforms, systems, services, or infrastructure;*

20 (3) *develop and socialize best practices for the*
21 *collection, retention, and sharing of data by partici-*
22 *pating internet ecosystem companies to support dis-*
23 *covery of malicious cyber activity, investigations, and*
24 *attribution on the platforms, systems, services, or in-*
25 *frastructure of such companies;*

1 (4) provide to participating internet ecosystem
2 companies actionable, timely, and relevant informa-
3 tion, such as information about ongoing operations
4 and infrastructure, threats, tactics, and procedures,
5 and indicators of compromise, to enable such compa-
6 nies to detect and disrupt the use by malicious cyber
7 actors of the platforms, systems, services, or infra-
8 structure of such companies;

9 (5) provide recommendations for (but not design,
10 develop, install, operate, or maintain) operational
11 workflows, assessment and compliance practices, and
12 training that participating internet ecosystem compa-
13 nies can implement to reliably detect and disrupt the
14 use by malicious cyber actors of the platforms, sys-
15 tems, services, or infrastructure of such companies;

16 (6) provide recommendations for accelerating, to
17 the greatest extent practicable, the automation of ex-
18 isting or implemented operational workflows to oper-
19 ate at line-rate in order to enable real-time mitiga-
20 tion without the need for manual review or action;

21 (7) provide recommendations for (but not design,
22 develop, install, operate, or maintain) technical capa-
23 bilities to enable participating internet ecosystem
24 companies to collect and analyze data on malicious
25 activities occurring on the platforms, systems, serv-

1 ices, or infrastructure of such companies to detect and
2 disrupt operations of malicious cyber actors; and

3 (8) provide recommendations regarding relevant
4 mitigations for suspected or discovered malicious
5 cyber activity and thresholds for action.

6 (d) *COMPETITION CONCERNS.*—Consistent with section
7 1905 of title 18, United States Code, the Secretary shall
8 ensure that any trade secret or proprietary information of
9 a participating internet ecosystem company made known
10 to the Federal Government pursuant to a public-private
11 partnership under the pilot program remains private and
12 protected unless explicitly authorized by such company.

13 (e) *IMPARTIALITY.*—In carrying out the pilot program
14 under subsection (a), the Secretary may not take any action
15 that is intended primarily to advance the particular busi-
16 ness interests of an internet ecosystem company but is au-
17 thorized to take actions that advance the interests of the
18 United States, notwithstanding differential impact or ben-
19 efit to a given company's or given companies' business in-
20 terests.

21 (f) *RESPONSIBILITIES.*—

22 (1) *SECRETARY OF HOMELAND SECURITY.*—The
23 Secretary shall exercise primary responsibility for the
24 pilot program under subsection (a), including orga-
25 nizing and directing authorized activities with par-

1 *ticipating Federal Government organizations and*
2 *internet ecosystem companies to achieve the objectives*
3 *of the pilot program.*

4 (2) *NATIONAL CYBER DIRECTOR.*—*The National*
5 *Cyber Director shall support prioritization and cross-*
6 *agency coordination for the pilot program, including*
7 *ensuring appropriate participation by participating*
8 *agencies and the identification and prioritization of*
9 *key private sector entities and initiatives for the pilot*
10 *program.*

11 (3) *SECRETARY OF DEFENSE.*—*The Secretary of*
12 *Defense shall provide support and resources to the*
13 *pilot program, including the provision of technical*
14 *and operational expertise drawn from appropriate*
15 *and relevant officials and components of the Depart-*
16 *ment of Defense, including the National Security*
17 *Agency, United States Cyber Command, the Chief In-*
18 *formation Officer, the Office of the Secretary of De-*
19 *fense, military department Principal Cyber Advisors,*
20 *and the Defense Advanced Research Projects Agency.*

21 (g) *PARTICIPATION OF OTHER FEDERAL GOVERNMENT*
22 *COMPONENTS.*—*The Secretary may invite to participate in*
23 *the pilot program required under subsection (a) the heads*
24 *of such departments or agencies as the Secretary considers*
25 *appropriate.*

1 *(h) INTEGRATION WITH OTHER EFFORTS.—The Sec-*
2 *retary shall ensure that the pilot program required under*
3 *subsection (a) makes use of, builds upon, and, as appro-*
4 *priate, integrates with and does not duplicate other efforts*
5 *of the Department of Homeland Security and the Depart-*
6 *ment of Defense relating to cybersecurity, including the fol-*
7 *lowing:*

8 *(1) The Joint Cyber Defense Collaborative of the*
9 *Cybersecurity and Infrastructure Security Agency of*
10 *the Department of Homeland Security.*

11 *(2) The Cybersecurity Collaboration Center and*
12 *Enduring Security Framework of the National Secu-*
13 *rity Agency.*

14 *(i) RULES OF CONSTRUCTION.—*

15 *(1) LIMITATION ON GOVERNMENT ACCESS TO*
16 *DATA.—Nothing in this section authorizes sharing of*
17 *information, including information relating to cus-*
18 *tomers of internet ecosystem companies or private in-*
19 *dividuals, from an internet ecosystem company to an*
20 *agency, officer, or employee of the Federal Govern-*
21 *ment unless otherwise authorized by another provision*
22 *of law.*

23 *(2) STORED COMMUNICATIONS ACT.—Nothing in*
24 *this section may be construed to permit or require*
25 *disclosure by a provider of a remote computing serv-*

1 *ice or a provider of an electronic communication serv-*
2 *ice to the public of information not otherwise per-*
3 *mitted or required to be disclosed under chapter 121*
4 *of title 18, United States Code (commonly known as*
5 *the “Stored Communications Act”).*

6 (3) *THIRD PARTY CUSTOMERS.—Nothing in this*
7 *section may be construed to require a third party,*
8 *such as a customer or managed service provider of an*
9 *internet ecosystem company, to participate in the*
10 *pilot program under subsection (a).*

11 (j) *BRIEFINGS.—*

12 (1) *INITIAL.—*

13 (A) *IN GENERAL.—Not later than one year*
14 *after the date of the enactment of this Act, the*
15 *Secretary, in coordination with the Secretary of*
16 *Defense and the National Cyber Director, shall*
17 *brief the appropriate committees of Congress on*
18 *the pilot program required under subsection (a).*

19 (B) *ELEMENTS.—The briefing required*
20 *under subparagraph (A) shall include the fol-*
21 *lowing:*

22 (i) *The plans of the Secretary for the*
23 *implementation of the pilot program.*

24 (ii) *Identification of key priorities for*
25 *the pilot program.*

1 (iii) *Identification of any potential*
2 *challenges in standing up the pilot program*
3 *or impediments, such as a lack of liability*
4 *protection, to private sector participation*
5 *in the pilot program.*

6 (iv) *A description of the roles and re-*
7 *sponsibilities in the pilot program of each*
8 *participating Federal entity.*

9 (2) *ANNUAL.—*

10 (A) *IN GENERAL.—Not later than two years*
11 *after the date of the enactment of this Act and*
12 *annually thereafter for three years, the Secretary,*
13 *in coordination with the Secretary of Defense*
14 *and the National Cyber Director, shall brief the*
15 *appropriate committees of Congress on the*
16 *progress of the pilot program required under*
17 *subsection (a).*

18 (B) *ELEMENTS.—Each briefing required*
19 *under subparagraph (A) shall include the fol-*
20 *lowing:*

21 (i) *Recommendations for addressing*
22 *relevant policy, budgetary, and legislative*
23 *gaps to increase the effectiveness of the pilot*
24 *program.*

1 (ii) *Recommendations, such as pro-*
2 *viding liability protection, for increasing*
3 *private sector participation in the pilot*
4 *program.*

5 (iii) *A description of the challenges en-*
6 *countered in carrying out the pilot pro-*
7 *gram, including any concerns expressed by*
8 *internet ecosystem companies regarding*
9 *participation in the pilot program.*

10 (iv) *The findings of the Secretary with*
11 *respect to the feasibility and advisability of*
12 *extending or expanding the pilot program.*

13 (v) *Such other matters as the Secretary*
14 *considers appropriate.*

15 (k) *TERMINATION.—The pilot program required under*
16 *subsection (a) shall terminate on the date that is five years*
17 *after the date of the enactment of this Act.*

18 (l) *DEFINITIONS.—In this section:*

19 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*
20 *The term “appropriate committees of Congress”*
21 *means—*

22 (A) *the Committee on Homeland Security*
23 *and Governmental Affairs and the Committee on*
24 *Armed Services of the Senate; and*

1 *graph (2), shall establish a grant program at the De-*
2 *partment to support—*

3 *(A) cybersecurity research and development;*

4 *and*

5 *(B) demonstration and commercialization*
6 *of cybersecurity technology.*

7 *(2) REQUIREMENTS.—*

8 *(A) APPLICABILITY.—Notwithstanding sec-*
9 *tion 317 of the Homeland Security Act of 2002*
10 *(6 U.S.C. 195c), in carrying out a research, de-*
11 *velopment, demonstration, or commercial appli-*
12 *cation program or activity that is authorized*
13 *under this section, the Secretary shall require*
14 *cost sharing in accordance with this paragraph.*

15 *(B) RESEARCH AND DEVELOPMENT.—*

16 *(i) IN GENERAL.—Except as provided*
17 *in clause (ii), the Secretary shall require*
18 *not less than 50 percent of the cost of a re-*
19 *search, development, demonstration, or com-*
20 *mercial application program or activity de-*
21 *scribed in subparagraph (A) to be provided*
22 *by a non-Federal source.*

23 *(ii) REDUCTION.—The Secretary may*
24 *reduce or eliminate, on a case-by-case basis,*
25 *the percentage requirement specified in*

1 *clause (i) if the Secretary determines that*
2 *such reduction or elimination is necessary*
3 *and appropriate.*

4 (C) *MERIT REVIEW.*—*In carrying out a re-*
5 *search, development, demonstration, or commer-*
6 *cial application program or activity that is au-*
7 *thorized under this section, awards shall be made*
8 *only after an impartial review of the scientific*
9 *and technical merit of the proposals for such*
10 *awards has been carried out by or for the De-*
11 *partment.*

12 (D) *REVIEW PROCESSES.*—*In carrying out*
13 *a review under subparagraph (C), the Secretary*
14 *may use merit review processes developed under*
15 *section 302(14) of the Homeland Security Act of*
16 *2002 (6 U.S.C. 182(14)).*

17 (3) *ELIGIBLE APPLICANTS.*—*An applicant is eli-*
18 *gible to receive a grant under this subsection if—*

19 (A) *the project of such applicant—*

20 (i) *addresses a requirement in the area*
21 *of cybersecurity research or cybersecurity*
22 *technology, as determined by the Secretary;*
23 *and*

24 (ii) *is a joint venture between—*

1 (I)(aa) a for-profit business enti-
2 ty, academic institution, National
3 Laboratory, or nonprofit entity in the
4 United States; and

5 (bb) a for-profit business entity,
6 academic institution, or nonprofit en-
7 tity in Israel; or

8 (II)(aa) the Federal Government;
9 and

10 (bb) the Government of Israel; and

11 (B) neither such applicant nor the project of
12 such applicant pose a counterintelligence threat,
13 as determined by the Director of National Intel-
14 ligence.

15 (4) APPLICATIONS.—To be eligible to receive a
16 grant under this subsection, an applicant shall sub-
17 mit to the Secretary an application for such grant in
18 accordance with procedures established by the Sec-
19 retary, in consultation with the advisory board estab-
20 lished under paragraph (5).

21 (5) ADVISORY BOARD.—

22 (A) ESTABLISHMENT.—The Secretary shall
23 establish an advisory board to—

1 (i) monitor the method by which
2 grants are awarded under this subsection;
3 and

4 (ii) provide to the Secretary periodic
5 performance reviews of actions taken to
6 carry out this subsection.

7 (B) COMPOSITION.—The advisory board es-
8 tablished under subparagraph (A) shall be com-
9 posed of three members, to be appointed by the
10 Secretary, of whom—

11 (i) one shall be a representative of the
12 Federal Government;

13 (ii) one shall be selected from a list of
14 nominees provided by the United States-
15 Israel Binational Science Foundation; and

16 (iii) one shall be selected from a list of
17 nominees provided by the United States-
18 Israel Binational Industrial Research and
19 Development Foundation.

20 (6) CONTRIBUTED FUNDS.—Notwithstanding sec-
21 tion 3302 of title 31, United States Code, the Sec-
22 retary may, only to the extent provided in advance in
23 appropriations Acts, accept or retain funds contrib-
24 uted by any person, government entity, or organiza-
25 tion for purposes of carrying out this subsection. Such

1 *funds shall be available, subject to appropriation,*
2 *without fiscal year limitation.*

3 (7) *REPORTS.*—

4 (A) *GRANT RECIPIENTS.*—*Not later than*
5 *180 days after the date of completion of a project*
6 *for which a grant is provided under this sub-*
7 *section, the grant recipient shall submit to the*
8 *Secretary a report that contains—*

9 (i) *a description of how the grant*
10 *funds were used by the recipient; and*

11 (ii) *an evaluation of the level of success*
12 *of each project funded by the grant.*

13 (B) *SECRETARY.*—*Not later than one year*
14 *after the date of the enactment of this Act and*
15 *annually thereafter until the grant program es-*
16 *tablished under this subsection terminates, the*
17 *Secretary shall submit to the Committees on*
18 *Homeland Security and Governmental Affairs*
19 *and Foreign Relations of the Senate and the*
20 *Committees on Homeland Security and Foreign*
21 *Affairs of the House of Representatives a report*
22 *on grants awarded and projects completed under*
23 *such program.*

24 (8) *CLASSIFICATION.*—*Grants shall be awarded*
25 *under this subsection only for projects that are con-*

1 *sidered to be unclassified by both the United States*
2 *and Israel.*

3 *(b) AUTHORIZATION OF APPROPRIATIONS.—There is*
4 *authorized to be appropriated to carry out this section not*
5 *less than \$6,000,000 for each of fiscal years 2022 through*
6 *2026.*

7 *(c) DEFINITIONS.—In this section—*

8 *(1) the term “cybersecurity research” means re-*
9 *search, including social science research, into ways to*
10 *identify, protect against, detect, respond to, and re-*
11 *cover from cybersecurity threats;*

12 *(2) the term “cybersecurity technology” means*
13 *technology intended to identify, protect against, de-*
14 *tect, respond to, and recover from cybersecurity*
15 *threats;*

16 *(3) the term “cybersecurity threat” has the*
17 *meaning given such term in section 102 of the Cyber-*
18 *security Information Sharing Act of 2015 (6 U.S.C.*
19 *1501; enacted as title I of the Cybersecurity Act of*
20 *2015 (division N of the Consolidated Appropriations*
21 *Act, 2016 (Public Law 114–113)));*

22 *(4) the term “Department” means the Depart-*
23 *ment of Homeland Security;*

1 (5) the term “National Laboratory” has the
2 meaning given such term in section 2 of the Energy
3 Policy Act of 2005 (42 U.S.C. 15801); and

4 (6) the term “Secretary” means the Secretary of
5 Homeland Security.

6 **SEC. 1552. AUTHORITY FOR NATIONAL CYBER DIRECTOR TO**
7 **ACCEPT DETAILS ON NONREIMBURSABLE**
8 **BASIS.**

9 Section 1752(e) of the William M. (Mac) Thornberry
10 National Defense Authorization Act for Fiscal Year 2021
11 (Public Law 116–283) is amended—

12 (1) by redesignating paragraphs (1) through (8)
13 as subparagraphs (A) through (H), respectively, and
14 indenting such subparagraphs two ems to the right;

15 (2) in the matter preceding subparagraph (A), as
16 redesignated by paragraph (1), by striking “The Di-
17 rector may” and inserting the following:

18 “(1) *IN GENERAL.*—The Director may”;

19 (3) in paragraph (1)—

20 (A) as redesignated by paragraph (2), by
21 redesignating subparagraphs (C) through (H) as
22 subparagraphs (D) through (I), respectively; and

23 (B) by inserting after subparagraph (B) the
24 following new subparagraph:

1 “(C) accept officers or employees of the
2 United States or members of the Armed Forces
3 on a detail from an element of the intelligence
4 community (as such term is defined in section
5 3(4) of the National Security Act of 1947 (50
6 U.S.C. 3003(4))) or from another element of the
7 Federal Government on a nonreimbursable basis,
8 as jointly agreed to by the heads of the receiving
9 and detailing elements, for a period not to exceed
10 three years;” and

11 (4) by adding at the end the following new para-
12 graph:

13 “(2) *RULES OF CONSTRUCTION REGARDING DE-*
14 *TAILS.—Nothing in paragraph (1)(C) may be con-*
15 *strued as imposing any limitation on any other au-*
16 *thority for reimbursable or nonreimbursable details. A*
17 *nonreimbursable detail made pursuant to such para-*
18 *graph shall not be considered an augmentation of the*
19 *appropriations of the receiving element of the Office*
20 *of the National Cyber Director.”.*

21 **TITLE XVI—SPACE ACTIVITIES,**
22 **STRATEGIC PROGRAMS, AND**
23 **INTELLIGENCE MATTERS**

Subtitle A—Space Activities

Sec. 1601. National security space launch program.

- Sec. 1602. Redesignation of Space Force Acquisition Council; modifications relating to Assistant Secretary of the Air Force for Space Acquisition and Integration.*
- Sec. 1603. Delegation of Authorities to Space Development Agency.*
- Sec. 1604. Extension and modification of Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.*
- Sec. 1605. Improvements to tactically responsive space launch program.*
- Sec. 1606. Clarification of domestic services and capabilities in leveraging commercial satellite remote sensing.*
- Sec. 1607. Programs of record of Space Force and commercial capabilities.*
- Sec. 1608. Extension and modification of certifications regarding integrated tactical warning and attack assessment mission of the Air Force.*
- Sec. 1609. Classification review of programs of the Space Force.*
- Sec. 1610. Report on Range of the Future initiative of the Space Force.*
- Sec. 1611. Space policy review.*
- Sec. 1612. Annual briefing on threats to space operations.*
- Sec. 1613. National Security Council briefing on potential harmful interference to Global Positioning System.*
- Sec. 1614. Non-geostationary orbit satellite constellations.*
- Sec. 1615. Briefing on prototype program for multiglobal navigation satellite system receiver development.*

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1621. Notification of certain threats to United States Armed Forces by foreign governments.*
- Sec. 1622. Strategy and plan to implement certain defense intelligence reforms.*
- Sec. 1623. Annual briefing by Director of the Defense Intelligence Agency on electronic warfare threat to operations of the Department of Defense.*
- Sec. 1624. Report on explosive ordnance intelligence matters.*

Subtitle C—Nuclear Forces

- Sec. 1631. Participation in United States Strategic Command strategic deterrence exercises.*
- Sec. 1632. Modification to requirements relating to nuclear force reductions.*
- Sec. 1633. Modifications to requirements relating to unilateral changes in nuclear weapons stockpile of the United States.*
- Sec. 1634. Deadline for reports on modification of force structure for strategic nuclear weapons delivery systems.*
- Sec. 1635. Modification of deadline for notifications relating to reduction, consolidation, or withdrawal of nuclear forces based in Europe.*
- Sec. 1636. Procurement authority for certain parts of the ground-based strategic deterrent cryptographic device.*
- Sec. 1637. Capability of B-21 bomber aircraft with long-range standoff weapon.*
- Sec. 1638. Mission-design series popular name for ground-based strategic deterrent.*
- Sec. 1639. Prohibition on reduction of the intercontinental ballistic missiles of the United States.*
- Sec. 1640. Limitation on availability of certain funds until submission of information relating to proposed budget for nuclear-armed sea-launched cruise missile.*
- Sec. 1641. Limitation on availability of certain funds until submission of information relating to nuclear-armed sea-launched cruise missile.*
- Sec. 1642. Annual certification on readiness of Minuteman III intercontinental ballistic missiles.*

- Sec. 1643. Revised nuclear posture review.*
- Sec. 1644. Review of safety, security, and reliability of nuclear weapons and related systems.*
- Sec. 1645. Long-range standoff weapon.*
- Sec. 1646. Ground-based strategic deterrent development program accountability matrices.*
- Sec. 1647. Information regarding review of Minuteman III service life extension program or options for the future of the intercontinental ballistic missile force.*
- Sec. 1648. Notification regarding intercontinental ballistic missiles of China.*
- Sec. 1649. Independent review of nuclear command, control, and communications system.*
- Sec. 1650. Review of engineering and manufacturing development contract for ground-based strategic deterrent program.*
- Sec. 1651. Report on re-alerting long-range bombers.*
- Sec. 1652. Comptroller General study and updated report on nuclear weapons capabilities and force structure requirements.*
- Sec. 1653. Briefing on consultations with United States allies regarding Nuclear Posture Review.*

Subtitle D—Missile Defense Programs

- Sec. 1661. Notification of changes to non-standard acquisition and requirements processes and responsibilities of Missile Defense Agency.*
- Sec. 1662. Limitation on Missile Defense Agency production of satellites and ground systems associated with operation of such satellites.*
- Sec. 1663. Extension of period for transition of ballistic missile defense programs to military departments.*
- Sec. 1664. Directed energy programs for ballistic and hypersonic missile defense.*
- Sec. 1665. Guam integrated air and missile defense system.*
- Sec. 1666. Missile defense radar in Hawaii.*
- Sec. 1667. Certification required for Russia and China to tour certain missile defense sites.*
- Sec. 1668. Next generation interceptors for missile defense of the United States homeland.*
- Sec. 1669. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.*
- Sec. 1670. Update of study on discrimination capabilities of the ballistic missile defense system.*
- Sec. 1671. Semiannual updates on meetings held by the Missile Defense Executive Board.*
- Sec. 1672. Matters regarding Integrated Deterrence Review.*
- Sec. 1673. Semiannual notifications regarding missile defense tests and costs.*
- Sec. 1674. Report on senior leadership of Missile Defense Agency.*
- Sec. 1675. Independent study of roles and responsibilities of Department of Defense components relating to missile defense.*

Subtitle E—Other Matters

- Sec. 1681. Cooperative threat reduction funds.*
- Sec. 1682. Modification to estimate of damages from Federal Communications Commission Order 20–48.*
- Sec. 1683. Establishment of office, organizational structure, and authorities to address unidentified aerial phenomena.*
- Sec. 1684. Determination on certain activities with unusually hazardous risks.*

Sec. 1685. Study by Public Interest Declassification Board relating to certain tests in the Marshall Islands.

Sec. 1686. Protection of Major Range and Test Facility Base.

Sec. 1687. Congressional Commission on the Strategic Posture of the United States.

1 **Subtitle A—Space Activities**

2 **SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

3 (a) *DISCLOSURE OF NATIONAL SECURITY SPACE* 4 *LAUNCH PROGRAM CONTRACT PRICING TERMS.*—

5 (1) *IN GENERAL.*—Chapter 135 of title 10,
6 *United States Code, is amended by inserting after sec-*
7 *tion 2276 the following new section 2277:*

8 “§2277. *Disclosure of National Security Space* 9 *Launch program contract pricing terms*

10 “(a) *IN GENERAL.*—With respect to any contract
11 *awarded by the Secretary of the Air Force for the launch*
12 *of a national security payload under the National Security*
13 *Space Launch program, not later than 30 days after enter-*
14 *ing into such a contract, the Secretary shall submit to the*
15 *congressional defense committees a description of the pric-*
16 *ing terms of the contract. For those contracts that include*
17 *the launch of assets of the National Reconnaissance Office,*
18 *the Secretary shall also submit the pricing terms to the con-*
19 *gressional intelligence committees (as defined by section 3*
20 *of the National Security Act of 1947 (50 U.S.C. 3003)).*

21 “(b) *COMPETITIVELY SENSITIVE TRADE SECRET*
22 *DATA.*—The congressional defense committees and the con-
23 *gressional intelligence committees shall—*

1 “(1) *treat a description of pricing terms sub-*
2 *mitted under subsection (a) as competitively sensitive*
3 *trade secret data; and*

4 “(2) *use the description solely for committee pur-*
5 *poses, subject to appropriate restrictions to maintain*
6 *the confidentiality of the description.*

7 “(c) *RULE OF CONSTRUCTION.—For purposes of sec-*
8 *tion 1905 of title 18, a disclosure of contract pricing terms*
9 *under subsection (a) shall be construed as a disclosure au-*
10 *thorized by law.”.*

11 “(2) *CONFORMING AMENDMENT.—The table of sec-*
12 *tions at the beginning of such chapter is amended by*
13 *inserting after the item relating to section 2276 the*
14 *following new item:*

 “2277. *Disclosure of National Security Space Launch program contract pricing*
 terms.”.

15 “(b) *POLICY.—With respect to entering into contracts*
16 *for launch services during the period beginning on the date*
17 *of the enactment of this Act and ending September 30, 2024,*
18 *it shall be the policy of the Department of Defense and the*
19 *National Reconnaissance Office to—*

20 “(1) *use the National Security Space Launch pro-*
21 *gram to the extent practical to procure launch serv-*
22 *ices only from launch service providers that can meet*
23 *Federal requirements with respect to delivering re-*

1 *quired payloads to reference orbits covered under the*
2 *requirements of phase two; and*

3 (2) *maximize continuous competition for launch*
4 *services as the Space Force initiates planning for*
5 *phase three, specifically for those technology areas*
6 *that are unique to existing and emerging national se-*
7 *curity requirements.*

8 (c) *NOTIFICATION.*—*If the Secretary of Defense or the*
9 *Director of the National Reconnaissance Office determines*
10 *that a program requiring launch services that could be met*
11 *using phase two contracts will instead use an alternative*
12 *launch procurement approach, not later than seven days*
13 *after the date of such determination, the Secretary of De-*
14 *fense or, as appropriate, the Director of National Intel-*
15 *ligence, shall submit to the appropriate congressional com-*
16 *mittees—*

17 (1) *a notification of such determination;*

18 (2) *a certification that the alternative launch*
19 *procurement approach is in the national security in-*
20 *terest of the United States; and*

21 (3) *an outline of the cost analysis and any other*
22 *rationale for such determination.*

23 (d) *REPORT.*—

24 (1) *REQUIREMENT.*—*Not later than 90 days*
25 *after the date of the enactment of this Act, the Sec-*

1 *retary of Defense, in coordination with the Chief of*
2 *Space Operations and the Director of the Space De-*
3 *velopment Agency, and in consultation with the Di-*
4 *rector of National Intelligence (including with respect*
5 *to the views of the Director of the National Recon-*
6 *naissance Office), shall submit to the appropriate con-*
7 *gressional committees a report on the emerging*
8 *launch requirements in the areas of space access, mo-*
9 *bility, and logistics that will not be met by phase two*
10 *capabilities.*

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

13 (A) *An examination of potential benefits of*
14 *competing one or more launches that are outside*
15 *of phase two capabilities, focused on accelerating*
16 *the rapid development and on-orbit deployment*
17 *of enabling and transformational technologies re-*
18 *quired to address any emerging requirements, in-*
19 *cluding with respect to—*

20 (i) *delivery of in-space transportation,*
21 *logistics, and on-orbit servicing capabilities*
22 *to enhance the persistence, sensitivity, and*
23 *resiliency of national security space mis-*
24 *sions in a contested space environment;*

1 (ii) routine access to extended orbits
2 beyond geostationary orbits, including
3 cislunar orbits;

4 (iii) greater cislunar awareness capa-
5 bilities;

6 (iv) vertical integration and standard-
7 ized payload mating;

8 (v) increased responsiveness for heavy
9 lift capability;

10 (vi) the ability to transfer orbits, in-
11 cluding point-to-point orbital transfers;

12 (vii) capacity and capability to execute
13 secondary deployments;

14 (viii) high-performance upper stages;
15 and

16 (ix) other new missions that are out-
17 side the parameters of the nine design ref-
18 erence missions that exist as of the date of
19 the enactment of this Act.

20 (B) A description of how competing space
21 access, mobility, and logistics launches could aid
22 in establishing a new acquisition framework
23 to—

1 (i) promote the potential for additional
2 open and sustainable competition for phase
3 three; and

4 (ii) re-examine the balance of mission
5 assurance versus risk tolerance to reflect
6 new resilient spacecraft architectures and
7 reduce workload on the Federal Government
8 and industry to perform mission assurance
9 where appropriate.

10 (C) An analysis of how the matters under
11 subparagraphs (A) and (B) may help continue to
12 reduce the cost per launch of national security
13 payloads.

14 (D) An examination of the effects to the Na-
15 tional Security Space Launch program if con-
16 tracted launch providers cannot meet all phase
17 two requirements, including with respect to—

18 (i) the effects to national security
19 launch resiliency; and

20 (ii) the cost effects of a launch market
21 that lacks full competition.

22 (3) FORM.—The report under paragraph (1)
23 shall be submitted in unclassified form, but may in-
24 clude a classified appendix.

1 (4) *BRIEFING.*—Not later than 30 days after the
2 date of the enactment of this Act, the Secretary, in
3 consultation with the Director of National Intel-
4 ligence, shall provide to the appropriate congressional
5 committees a briefing on the report under paragraph
6 (1).

7 (e) *DEFINITIONS.*—In this section:

8 (1) The term “appropriate congressional com-
9 mittees” means—

10 (A) the congressional defense committees;

11 and

12 (B) the Permanent Select Committee on In-
13 telligence of the House of Representatives and the
14 Select Committee on Intelligence of the Senate.

15 (2) The term “phase three” means, with respect
16 to the National Security Space Launch program,
17 launch missions ordered under the program after fis-
18 cal year 2024.

19 (3) The term “phase two” means, with respect to
20 the National Security Space Launch program, launch
21 missions ordered under the program during fiscal
22 years 2020 through 2024.

1 **SEC. 1602. REDESIGNATION OF SPACE FORCE ACQUISITION**
2 **COUNCIL; MODIFICATIONS RELATING TO AS-**
3 **SISTANT SECRETARY OF THE AIR FORCE FOR**
4 **SPACE ACQUISITION AND INTEGRATION.**

5 (a) *MODIFICATIONS TO SPACE FORCE ACQUISITION*
6 *COUNCIL.*—

7 (1) *DESIGNATION.*—*Section 9021 of title 10,*
8 *United States Code, is amended—*

9 (A) *in the section heading, by striking*
10 **“FORCE”**;

11 (B) *in subsection (a), by striking “Space*
12 *Force Acquisition Council” and inserting “Space*
13 *Acquisition Council”*; and

14 (C) *in subsection (c), by striking “of the Air*
15 *Force for space systems and programs” and in-*
16 *serting “space systems and programs of the*
17 *armed forces”*.

18 (2) *CONFORMING AMENDMENT.*—*Section*
19 *9016(b)(6)(B)(ii) of title 10, United States Code, is*
20 *amended by striking “Space Force Acquisition Coun-*
21 *cil” and inserting “Space Acquisition Council”*.

22 (3) *CLERICAL AMENDMENT.*—*The table of sec-*
23 *tions for chapter 903 of title 10, United States Code,*
24 *is amended by striking the item relating to section*
25 *9021 and inserting the following new item:*

“9021. Space Acquisition Council.”

1 (4) *REFERENCES.*—Any reference to the Space
2 *Force Acquisition Council* in any law, regulation,
3 map, document, record, or other paper of the United
4 States shall be deemed to be a reference to the Space
5 Acquisition Council.

6 (b) *MODIFICATIONS RELATING TO THE ASSISTANT*
7 *SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION*
8 *AND INTEGRATION.*—

9 (1) *SPACE FORCE ACQUISITION COUNCIL REVIEW*
10 *AND CERTIFICATION OF DETERMINATIONS OF THE AS-*
11 *SISTANT SECRETARY OF THE AIR FORCE FOR SPACE*
12 *ACQUISITION AND INTEGRATION.*—Section 9021(c) of
13 title 10, United States Code, as amended by sub-
14 section (a), is further amended—

15 (A) by striking “The Council” and insert-
16 ing “(1) The Council”; and

17 (B) by adding at the end the following new
18 paragraph:

19 “(2)(A) The Council shall promptly—

20 “(i) review any determination made by the As-
21 sistant Secretary of the Air Force for Space Acquisi-
22 tion and Integration with respect to architecture for
23 the space systems and programs of the armed forces
24 under section 9016(b)(6)(B)(i) of this title, including

1 *the requirements for operating such space systems or*
2 *programs; and*

3 “(i) either—

4 “(I) if the Council finds such a determina-
5 *tion to be warranted, certify the determination;*
6 *or*

7 “(II) if the Council finds such a determina-
8 *tion not to be warranted, decline to certify the*
9 *determination.*

10 “(B) Not later than 10 business days after the date
11 *on which the Council makes a finding with respect to a*
12 *certification under subparagraph (A), the Council shall sub-*
13 *mit to the congressional defense committees a notification*
14 *of the finding, including a detailed justification for the*
15 *finding.*

16 “(C) Except as provided in subparagraph (D), the As-
17 *stant Secretary of the Air Force for Space Acquisition and*
18 *Integration may not take any action to implement a deter-*
19 *mination referred to in subparagraph (A)(i) until 30 days*
20 *has elapsed following the date on which the Council submits*
21 *the notification under subparagraph (B).*

22 “(D)(i) The Secretary of Defense may waive subpara-
23 *graph (C) in the event of an urgent national security re-*
24 *quirement.*

1 “(i) *The Secretary of Defense shall submit to the con-*
2 *gressional defense committees a notification of any waiver*
3 *granted under clause (i), including a justification for the*
4 *waiver.*”.

5 (2) *DEPARTMENT OF DEFENSE SPACE SYSTEMS*
6 *AND PROGRAMS.—Clause (i) of section 9016(b)(6)(B)*
7 *of title 10, United States Code, is amended to read as*
8 *follows:*

9 “(i) *Be responsible for and oversee all architec-*
10 *ture and integration with respect to the acquisition of*
11 *the space systems and programs of the armed forces,*
12 *including in support of the Chief of Space Operations*
13 *under section 9082 of this title.*”.

14 (3) *TRANSFER OF ACQUISITION PROJECTS FOR*
15 *SPACE SYSTEMS AND PROGRAMS.—Section 956(b)(3)*
16 *of the National Defense Authorization Act for Fiscal*
17 *Year 2020 (Public Law 116–92; 133 Stat. 1566; 10*
18 *U.S.C. 9016 note) is amended by striking “of the Air*
19 *Force” and inserting “of the Armed Forces”.*

20 (4) *DESIGNATION OF FORCE DESIGN ARCHITECT*
21 *FOR DEPARTMENT OF DEFENSE SPACE SYSTEMS.—*
22 *Not later than 90 days after the date of the enactment*
23 *of this Act, the Secretary of Defense shall—*

1 (A) designate the Chief of Space Operations
2 the force design architect for space systems of the
3 Armed Forces; and

4 (B) submit to the congressional defense com-
5 mittees a certification of such designation.

6 **SEC. 1603. DELEGATION OF AUTHORITIES TO SPACE DEVEL-**
7 **OPMENT AGENCY.**

8 Section 9086 of title 10, United States Code, as reded-
9 ignated by section 1081, is amended by adding at the end
10 the following new subsection:

11 “(d) *DELEGATION OF AUTHORITIES.*—(1) *With respect*
12 *to tranche 0 capabilities and tranche 1 capabilities, to the*
13 *extent practicable, the Secretary of the Air Force, acting*
14 *through the Service Acquisition Executive for Space Sys-*
15 *tems and Programs, shall ensure the delegation to the Agen-*
16 *cy of—*

17 “(A) *head of contracting authority; and*

18 “(B) *milestone decision authority for the middle*
19 *tier of acquisition programs.*

20 “(2)(A) *The Service Acquisition Executive for Space*
21 *Systems and Programs may rescind the delegation of au-*
22 *thority under paragraph (1) for cause or on a case-by-case*
23 *basis.*

24 “(B) *Not later than 30 days after the date of a rescis-*
25 *sion under subparagraph (A), the Secretary of the Air Force*

1 *shall notify the congressional defense committees of such re-*
2 *scission.*

3 “(3) *In this subsection:*

4 “(A) *The term ‘tranche 0 capabilities’ means ca-*
5 *pabilities relating to transport, battle management,*
6 *tracking, custody, navigation, deterrence, and sup-*
7 *port, that are intended to be achieved by September*
8 *30, 2022.*

9 “(B) *The term ‘tranche 1 capabilities’ means ca-*
10 *pabilities relating to transport, battle management,*
11 *tracking, custody, navigation, deterrence, and sup-*
12 *port, that are intended to be achieved by September*
13 *30, 2024.’.*

14 **SEC. 1604. EXTENSION AND MODIFICATION OF COUNCIL ON**
15 **OVERSIGHT OF THE DEPARTMENT OF DE-**
16 **FENSE POSITIONING, NAVIGATION, AND TIM-**
17 **ING ENTERPRISE.**

18 *Section 2279b of title 10, United States Code, is*
19 *amended—*

20 *(1) in subsection (d)(2)—*

21 *(A) by redesignating subparagraphs (D)*
22 *and (E) as subparagraphs (E) and (F), respec-*
23 *tively; and*

24 *(B) by inserting after subparagraph (C) the*
25 *following new subparagraph (D):*

1 “(D) *Alternative methods to perform position*
2 *navigation and timing.*”; and

3 (2) *in subsection (h), by striking “National De-*
4 *fense Authorization Act for Fiscal Year 2016” and in-*
5 *serting “National Defense Authorization Act for Fis-*
6 *cal Year 2022”.*

7 **SEC. 1605. IMPROVEMENTS TO TACTICALLY RESPONSIVE**
8 **SPACE LAUNCH PROGRAM.**

9 *Section 1609 of the William M. (Mac) Thornberry Na-*
10 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
11 *lic Law 116–283; 134 Stat. 4048) is amended—*

12 (1) *by striking “The Secretary” and inserting*
13 *“(a) PROGRAM.—The Secretary”; and*

14 (2) *by adding at the end the following new sub-*
15 *section:*

16 “(b) *SUPPORT.—*

17 “(1) *ELEMENTS.—The Secretary of Defense, in*
18 *consultation with the Director of National Intel-*
19 *ligence, shall support the tactically responsive launch*
20 *program under subsection (a) during the period cov-*
21 *ered by the future-years defense program submitted to*
22 *Congress under section 221 of title 10, United States*
23 *Code, in 2022 to ensure that the program addresses*
24 *the following:*

1 “(A) *The ability to rapidly place on-orbit*
2 *systems to respond to urgent needs of the com-*
3 *manders of the combatant commands or to recon-*
4 *stitute space assets and capabilities to support*
5 *national security priorities if such assets and ca-*
6 *pabilities are degraded, attacked, or otherwise*
7 *impaired, including such assets and capabilities*
8 *relating to protected communications and intel-*
9 *ligence, surveillance, and reconnaissance.*

10 “(B) *The entire launch process, including*
11 *with respect to launch services, satellite bus and*
12 *payload availability, and operations and*
13 *sustainment on-orbit.*

14 “(2) *PLAN.—As a part of the defense budget ma-*
15 *terials (as defined in section 239 of title 10, United*
16 *States Code) for fiscal year 2023, the Secretary of De-*
17 *fense, in consultation with the Director of National*
18 *Intelligence, shall submit to Congress a plan for the*
19 *tactically responsive launch program to address the*
20 *elements under paragraph (1). Such plan shall in-*
21 *clude the following:*

22 “(A) *Lessons learned from the Space Safari*
23 *tactically responsive launch-2 mission of the*
24 *Space Systems Command of the Space Force,*

1 *and how to incorporate such lessons into future*
2 *efforts regarding tactically responsive launches.*

3 “(B) *How to achieve responsive acquisition*
4 *timelines within the adaptive acquisition frame-*
5 *work for space acquisition pursuant to section*
6 *807.*”

7 “(C) *Plans to address supply chain issues*
8 *and leverage commercial capabilities to support*
9 *future reconstitution and urgent space require-*
10 *ments leveraging the tactically responsive launch*
11 *program under subsection (a).”.*

12 **SEC. 1606. CLARIFICATION OF DOMESTIC SERVICES AND**
13 **CAPABILITIES IN LEVERAGING COMMERCIAL**
14 **SATELLITE REMOTE SENSING.**

15 *Section 1612(c) of the William M. (Mac) Thornberry*
16 *National Defense Authorization Act for Fiscal Year 2021*
17 *(Public Law 116–283; 10 U.S.C. 441 note) is amended—*

18 (1) *by redesignating paragraph (4) as para-*
19 *graph (5); and*

20 (2) *by inserting after paragraph (3) the fol-*
21 *lowing new paragraph (4):*

22 “(4) *The term ‘domestic’ includes, with respect to*
23 *commercial capabilities or services covered by this*
24 *section, capabilities or services provided by companies*
25 *that operate in the United States and have active*

1 *mitigation agreements pursuant to the National In-*
2 *dustrial Security Program, unless the Director of the*
3 *National Reconnaissance Office or the Director of the*
4 *National Geospatial-Intelligence Agency submits to*
5 *the appropriate congressional committees a written*
6 *determination that excluding such companies is war-*
7 *ranted on the basis of national security or strategic*
8 *policy needs.”.*

9 **SEC. 1607. PROGRAMS OF RECORD OF SPACE FORCE AND**
10 **COMMERCIAL CAPABILITIES.**

11 *(a) SERVICE ACQUISITION EXECUTIVE FOR SPACE*
12 *SYSTEMS AND PROGRAMS.—Section 957(c) of the National*
13 *Defense Authorization Act for Fiscal Year 2020 (Public*
14 *Law 116–92; 10 U.S.C. 9016 note) is amended by adding*
15 *at the end the following new paragraph:*

16 *“(5) PROGRAMS OF RECORD AND COMMERCIAL*
17 *CAPABILITIES.—Prior to establishing a program of*
18 *record, the Service Acquisition Executive for Space*
19 *Systems and Programs shall determine whether exist-*
20 *ing or planned commercially available capabilities*
21 *could meet all or a portion of the requirements for*
22 *that proposed program. Not later than 30 days after*
23 *the date on which the Service Acquisition Executive*
24 *makes such a positive determination, the Service Ac-*
25 *quisition Executive shall submit to the congressional*

1 *defense committees a notification of the results of the*
2 *determination.”.*

3 *(b) LIMITATION.—*

4 *(1) IN GENERAL.—Except as provided by para-*
5 *graph (2), the Secretary of Defense may not rely sole-*
6 *ly on the use of commercial satellite services and asso-*
7 *ciated systems to carry out operational requirements,*
8 *including command and control requirements, tar-*
9 *geting requirements, or other requirements that are*
10 *necessary to execute strategic and tactical operations.*

11 *(2) MITIGATION MEASURES.—The Secretary may*
12 *rely solely on the use of commercial satellite services*
13 *and associated systems to carry out an operational*
14 *requirement described in paragraph (1) if the Sec-*
15 *retary has taken measures to mitigate the vulner-*
16 *ability of any such requirement.*

17 *(c) BRIEFINGS.—*

18 *(1) REQUIREMENT.—Not less frequently than*
19 *quarterly through fiscal year 2025, the Secretary shall*
20 *provide to the congressional defense committees a*
21 *briefing on the use and extent of the reliance of the*
22 *Department of Defense on commercial satellite serv-*
23 *ices and associated systems to provide capability and*
24 *additional capacity across the Department.*

1 (2) *ELEMENTS.*—*Each briefing under paragraph*
2 *(1) shall include the following for the preceding quar-*
3 *ter:*

4 (A) *A summary of commercial data and*
5 *services used to fulfill requirements of the De-*
6 *partment or to augment the systems and capa-*
7 *bilities of the Department.*

8 (B) *An assessment of any reliance on, and*
9 *the resulting vulnerabilities of, such data and*
10 *services.*

11 (C) *An analysis of potential measures to*
12 *mitigate such vulnerabilities.*

13 (D) *A description of mitigation measures*
14 *taken by the Secretary under subsection (b)(2).*

15 (d) *STUDY.*—*The Secretary of the Air Force shall seek*
16 *to enter into an agreement with a federally funded research*
17 *and development center that is not closely affiliated with*
18 *the Air Force or the Space Force to conduct a study on—*

19 (1) *the extent of commercial support of, and in-*
20 *tegration into, the space operations of the Armed*
21 *Forces; and*

22 (2) *measures to ensure that such operations, par-*
23 *ticularly operations that are mission critical, con-*
24 *tinue to be carried out in the most effective manner*
25 *possible during a time of conflict.*

1 **SEC. 1608. EXTENSION AND MODIFICATION OF CERTIFI-**
2 **CATIONS REGARDING INTEGRATED TACTICAL**
3 **WARNING AND ATTACK ASSESSMENT MIS-**
4 **SION OF THE AIR FORCE.**

5 *Section 1666 of the National Defense Authorization*
6 *Act for Fiscal Year 2017 (Public Law 114–328; 113 Stat.*
7 *2617), as amended by section 1604 of the William M. (Mac)*
8 *Thornberry National Defense Authorization Act for Fiscal*
9 *Year 2021 (Public Law 116–283), is further amended—*

10 *(1) in the section heading, by striking “**THE AIR***
11 ***FORCE”** and inserting “**THE DEPARTMENT OF***
12 ***THE AIR FORCE”**;*

13 *(2) in subsection (a)—*

14 *(A) in the matter preceding paragraph*
15 *(1)—*

16 *(i) by striking “each year thereafter*
17 *through 2020” and inserting “each year*
18 *thereafter through 2026”;* and

19 *(ii) by inserting “, in consultation*
20 *with the Commander of the United States*
21 *Strategic Command and the Commander of*
22 *the United States Northern Command,”*
23 *after “the Commander of the United States*
24 *Space Command”;*

25 *(B) in paragraph (1)—*

1 (i) by striking “the Air Force is” and
2 inserting “the Department of the Air Force
3 is”; and

4 (ii) by inserting “and the Space
5 Force” after “to the Air Force”; and

6 (C) in paragraph (2), by striking “the Air
7 Force” and inserting “the Department of the Air
8 Force”; and

9 (3) in subsection (b)—

10 (A) by inserting “of the United States
11 Space Command” after “Commander”;

12 (B) by striking “system of the Air Force”
13 and inserting “system of the Department of the
14 Air Force”;

15 (C) by striking “command of the Air Force”
16 and inserting “command of the Department of
17 the Air Force”; and

18 (D) by striking “aspects of the Air Force”
19 and inserting “aspects of the Department of the
20 Air Force”.

21 **SEC. 1609. CLASSIFICATION REVIEW OF PROGRAMS OF THE**
22 **SPACE FORCE.**

23 (a) *CLASSIFICATION REVIEW.*—The Secretary of De-
24 *fense shall—*

1 (1) *not later than 120 days after the date of the*
2 *enactment of this Act, conduct a review of each classi-*
3 *fied program managed under the authority of the*
4 *Space Force to determine whether—*

5 (A) *the level of classification of the program*
6 *could be changed to a lower level; or*

7 (B) *the program could be declassified; and*

8 (2) *not later than 90 days after the date on*
9 *which the Secretary completes such review, commence*
10 *the change to the classification level or the declas-*
11 *sification as determined in such review.*

12 (b) *COORDINATION.—The Secretary shall carry out the*
13 *review under subsection (a)(1) in coordination with the As-*
14 *sistant Secretary of Defense for Space Policy and, as the*
15 *Secretary determines appropriate, the heads of other ele-*
16 *ments of the Department of Defense.*

17 (c) *REPORT.—Not later than 60 days after the date*
18 *on which the Secretary completes the review under sub-*
19 *section (a)(1), the Secretary, in coordination with the As-*
20 *sistant Secretary of Defense for Space Policy, shall submit*
21 *to the congressional defense committees a report identifying*
22 *each program managed under the authority of the Space*
23 *Force covered by a determination regarding changing the*
24 *classification level of the program or declassifying the pro-*
25 *gram, including—*

1 (1) *the timeline for implementing such change or*
2 *declassification; and*

3 (2) *any risks that exist in implementing such*
4 *change or declassification.*

5 **SEC. 1610. REPORT ON RANGE OF THE FUTURE INITIATIVE**
6 **OF THE SPACE FORCE.**

7 *Not later than 90 days after the date of the enactment*
8 *of this Act, the Chief of Space Operations shall submit to*
9 *the congressional defense committees a report containing the*
10 *following:*

11 (1) *A detailed plan to carry out the Space Force*
12 *“Range of the Future” initiative, including the esti-*
13 *mated funding required to implement the plan.*

14 (2) *Identification of any specific authorities the*
15 *Chief determines need to be modified by law to im-*
16 *prove the ability of the Space Force to address long-*
17 *term challenges to the physical infrastructure at the*
18 *launch ranges of the Space Force, and an explanation*
19 *for why such modified authorities are needed.*

20 (3) *Any additional proposals that would support*
21 *improved infrastructure at the launch ranges of the*
22 *Space Force, including recommendations for legisla-*
23 *tive action to carry out such proposals.*

1 **SEC. 1611. SPACE POLICY REVIEW.**

2 (a) *IN GENERAL.*—*The Secretary of Defense, in con-*
3 *sultation with the Director of National Intelligence, shall*
4 *carry out a review of the space policy of the Department*
5 *of Defense.*

6 (b) *ELEMENTS.*—*The review under subsection (a) shall*
7 *include the following:*

8 (1) *With respect to the five-year period following*
9 *the date of the review, an assessment of the threat to*
10 *the space operations of the United States and the al-*
11 *lies of the United States.*

12 (2) *An assessment of the national security objec-*
13 *tives of the Department relating to space.*

14 (3) *An evaluation of the policy changes and*
15 *funding necessary to accomplish such objectives dur-*
16 *ing such five-year period.*

17 (4) *An assessment of the policy of the Depart-*
18 *ment with respect to deterring, responding to, and*
19 *countering threats to the space operations of the*
20 *United States and the allies of the United States.*

21 (5) *An analysis of such policy with respect to*
22 *normative behaviors in space, including the commer-*
23 *cial use of space.*

24 (6) *An analysis of the extent to which such pol-*
25 *icy is coordinated with other ongoing policy reviews,*

1 *including reviews regarding nuclear, missile defense,*
2 *and cyber operations.*

3 *(7) A description of the organization and space*
4 *doctrine of the Department to carry out the space pol-*
5 *icy of the Department.*

6 *(8) An assessment of the space systems and ar-*
7 *chitectures to implement such space policy.*

8 *(9) Any other matters the Secretary considers*
9 *appropriate.*

10 *(c) REPORT.—*

11 *(1) REQUIREMENT.—Not later than 180 days*
12 *after the date of the enactment of this Act, the Sec-*
13 *retary, in consultation with the Director, shall submit*
14 *to the appropriate congressional committees a report*
15 *on the results of the review under subsection (a).*

16 *(2) ANNUAL UPDATES.—Concurrent with the*
17 *submission to Congress of the budget of the President*
18 *for each of fiscal years 2024 through 2026 pursuant*
19 *to section 1105(a) of title 31, United States Code, and*
20 *more frequently during such period as the Secretary*
21 *determines appropriate, the Secretary, in consultation*
22 *with the Director, shall submit to the appropriate*
23 *congressional committees a report describing any up-*
24 *date to the assessments, analyses, and evaluations*
25 *carried out pursuant to such review.*

1 (1) *A review of the current posture of threats de-*
2 *scribed in such subsection and anticipated advances*
3 *in such threats over the subsequent five-year period.*

4 (2) *A description of potential measures to*
5 *counter such threats.*

6 (c) *DISTRIBUTION OF BRIEFING.—On or about the*
7 *same day as the Chief of Space Operations provides to the*
8 *appropriate congressional committees a briefing under sub-*
9 *section (a), the Chief shall also provide to the National*
10 *Space Council, the Secretary of Commerce, the Secretary*
11 *of Transportation, and the Administrator of the National*
12 *Aeronautics and Space Administration the briefing at the*
13 *highest level of classification possible.*

14 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
15 *FINED.—In this section, the term “appropriate congres-*
16 *sional committees” means—*

17 (1) *the Committees on Armed Services, Energy*
18 *and Commerce, Transportation and Infrastructure,*
19 *and Science, Space, and Technology, and the Perma-*
20 *nent Select Committee on Intelligence of the House of*
21 *Representatives; and*

22 (2) *the Committees on Armed Services and Com-*
23 *merce, Science, and Transportation, and the Select*
24 *Committee on Intelligence of the Senate.*

1 **SEC. 1613. NATIONAL SECURITY COUNCIL BRIEFING ON PO-**
2 **TENTIAL HARMFUL INTERFERENCE TO GLOB-**
3 **AL POSITIONING SYSTEM.**

4 (a) *REQUIREMENT.*—Not later than 30 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall provide to the National Security Council, the Sec-
7 retary of Commerce, and the Commissioners of the Federal
8 Communications Commission a briefing at the highest level
9 of classification on the current assessment of the Depart-
10 ment of Defense, as of the date of the briefing, regarding
11 the potential for harmful interference to the Global Posi-
12 tioning System, mobile satellite services, or other tactical
13 or strategic systems of the Department of Defense, from
14 commercial terrestrial operations and mobile satellite serv-
15 ices using the 1525–1559 megahertz band and the 1626.5–
16 1660.5 megahertz band.

17 (b) *MATTERS INCLUDED.*—The briefing under sub-
18 section (a) shall include—

19 (1) *potential operational impacts that have been*
20 *studied within the megahertz bands specified in such*
21 *subsection; and*

22 (2) *impacts that could be mitigated, if any, in-*
23 *cluding how such mitigations could be implemented.*

24 (c) *CONGRESSIONAL BRIEFING.*—Not later than seven
25 days after the date on which the Secretary provides the

1 *briefing under subsection (a), the Secretary shall provide*
2 *to the appropriate congressional committees such briefing.*

3 (d) *INDEPENDENT TECHNICAL REVIEW.*—The Sec-
4 *retary shall carry out subsections (a) and (c) regardless of*
5 *whether the independent technical review conducted pursu-*
6 *ant to section 1663 of the William M. (Mac) Thornberry*
7 *National Defense Authorization Act for Fiscal Year 2021*
8 *(Public Law 116–283) has been completed.*

9 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
10 *FINED.*—In this section, the term “appropriate congres-
11 *sional committees” means—*

12 (1) *the congressional defense committees; and*

13 (2) *the Committee on Energy and Commerce of*
14 *the House of Representatives and the Committee on*
15 *Commerce, Science, and Transportation of the Senate.*

16 **SEC. 1614. NON-GEOSTATIONARY ORBIT SATELLITE CON-**
17 **STELLATIONS.**

18 (a) *REPORT.*—Not later than 180 days after the date
19 *of the enactment of this Act, the Secretary of Defense, in*
20 *consultation with the Secretaries of the military depart-*
21 *ments and the heads of the Defense Agencies, shall submit*
22 *to the congressional defense committees a report on current*
23 *commercial satellite communication initiatives, including*
24 *with respect to new non-geostationary orbit satellite tech-*
25 *nologies that the Department of Defense has employed to*

1 *increase satellite communication throughput to existing*
2 *platforms of the military departments currently constrained*
3 *by legacy capabilities.*

4 (b) *MATTERS INCLUDED.—The report under subsection*
5 *(a) shall include the following:*

6 (1) *A potential investment strategy concerning*
7 *how to operationalize commercial satellite commu-*
8 *nication capabilities using non-geostationary orbit*
9 *satellites across each of the military departments, in-*
10 *cluding—*

11 (A) *requisite funding required to adequately*
12 *prioritize and accelerate the integration of such*
13 *capabilities into the warfighting systems of the*
14 *departments; and*

15 (B) *future-year spending projections for*
16 *such efforts that align with other satellite com-*
17 *munication investments of the Department of*
18 *Defense.*

19 (2) *An integrated satellite communications ref-*
20 *erence architecture roadmap for the Department of*
21 *Defense to achieve a resilient, secure network for*
22 *operationalizing commercial satellite communication*
23 *capabilities, including through the use of non-geo-*
24 *stationary orbit satellites, across the Department that*
25 *is capable of leveraging multi-band and multi-orbit*

1 *enactment of this Act, an official of a foreign government*
2 *has taken a substantial step that is intended to cause the*
3 *death of, or serious bodily injury to, any member of the*
4 *United States Armed Forces, whether through direct means*
5 *or indirect means, including through a promise or agree-*
6 *ment by the foreign government to pay anything of pecu-*
7 *niary value to an individual or organization in exchange*
8 *for causing such death or serious bodily injury.*

9 (b) *NOTICE TO CONGRESS.—*

10 (1) *NOTIFICATION.—Except as provided by para-*
11 *graph (2), not later than 14 days after making a de-*
12 *termination under subsection (a), the Secretary shall*
13 *notify the congressional defense committees of such de-*
14 *termination. Such notification shall include, at a*
15 *minimum, the following:*

16 (A) *A description of the nature and extent*
17 *of the effort by the foreign government to target*
18 *members of the United States Armed Forces.*

19 (B) *An assessment of what specific officials,*
20 *agents, entities, and departments within the for-*
21 *ign government authorized the effort.*

22 (C) *An assessment of the motivations of the*
23 *foreign government for undertaking such an ef-*
24 *fort.*

1 (D) *An assessment of whether the effort of*
2 *the foreign government was a substantial factor*
3 *in the death or serious bodily injury of any*
4 *member of the United States Armed Forces.*

5 (E) *Any other information the Secretary de-*
6 *termines appropriate.*

7 (2) *WAIVER.—On a case-by-case basis, the Sec-*
8 *retary may waive the notification requirement under*
9 *paragraph (1) if the Secretary—*

10 (A) *determines that the waiver is in the na-*
11 *tional security interests of the United States;*
12 *and*

13 (B) *submits to the congressional defense*
14 *committees a written justification of such deter-*
15 *mination.*

16 (c) *DEFINITIONS.—In this section:*

17 (1) *The term “anything of pecuniary value” has*
18 *the meaning given that term in section 1958(b)(1) of*
19 *title 18, United States Code.*

20 (2) *The term “determines with high con-*
21 *fidence”—*

22 (A) *means that the official making the de-*
23 *termination—*

24 (i) *has concluded that the judgments in*
25 *the determination are based on sound ana-*

1 *lytic argumentation and high-quality, con-*
2 *sistent reporting from multiple sources, in-*
3 *cluding through clandestinely obtained doc-*
4 *uments, clandestine and open source report-*
5 *ing, and in-depth expertise;*

6 *(ii) with respect to such judgments, has*
7 *concluded that the intelligence community*
8 *has few intelligence gaps and few assump-*
9 *tions underlying the analytic line and that*
10 *the intelligence community has concluded*
11 *that the potential for deception is low; and*

12 *(iii) has examined long-standing ana-*
13 *lytic judgments and considered alternatives*
14 *in making the determination; but*

15 *(B) does not mean that the official making*
16 *the determination has concluded that the judg-*
17 *ments in the determination are fact or certainty.*

18 *(3) The term “direct means” means without the*
19 *use of intermediaries.*

20 *(4) The term “foreign government” means the*
21 *government of a foreign country with which the*
22 *United States is at peace.*

23 *(5) The term “indirect means” means through,*
24 *or with the assistance of, intermediaries.*

1 **SEC. 1622. STRATEGY AND PLAN TO IMPLEMENT CERTAIN**
2 **DEFENSE INTELLIGENCE REFORMS.**

3 (a) *STRATEGY AND PLAN.*—The Secretary of Defense,
4 in coordination with the Director of National Intelligence,
5 shall develop and implement a strategy and plan to enable
6 the Defense Intelligence Enterprise to more effectively fulfill
7 the intelligence and information requirements of the com-
8 manders of the combatant commands with respect to efforts
9 by the combatant commands to expose and counter foreign
10 malign influence, coercion, and subversion activities under-
11 taken by, or at the direction, on behalf, or with substantial
12 support of the governments of, covered foreign countries.

13 (b) *MATTERS INCLUDED IN PLAN.*—The plan under
14 subsection (a) shall include the following:

15 (1) A plan to improve policies and procedures of
16 the Defense Intelligence Enterprise to assemble and
17 release facts about the foreign malign influence, coer-
18 cion, and subversion activities of a covered foreign
19 country described in such subsection in a timely way
20 and in forms that allow for greater distribution and
21 release.

22 (2) A plan to develop and publish validated pri-
23 ority intelligence requirements of the commanders of
24 the combatant commands.

25 (3) A plan to better leverage open-source and
26 commercially available information and independent

1 *analyses to support the efforts by the combatant com-*
2 *mands described in such subsection.*

3 *(4) A review by each element of the Defense In-*
4 *telligence Enterprise of the approaches used by that*
5 *element—*

6 *(A) with respect to intelligence that has not*
7 *been processed or analyzed, to separate out data*
8 *from the sources and methods by which the data*
9 *is obtained (commonly known as “tearlining”);*
10 *and*

11 *(B) with respect to finished intelligence*
12 *products that relate to foreign malign influence,*
13 *coercion, and subversion activities of a covered*
14 *foreign country described in such subsection, to*
15 *downgrade the classification level of the product.*

16 *(6) An identification of any additional resources*
17 *or legislative authority necessary to better meet the*
18 *intelligence and information requirements described*
19 *in such subsection.*

20 *(7) An assignment of responsibilities and*
21 *timelines for the implementation of the plans de-*
22 *scribed in paragraphs (1), (2), and (3).*

23 *(8) Any other matters the Secretary determines*
24 *relevant.*

1 (c) *SUBMISSION*.—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary of Defense,
3 in coordination with the Director of National Intelligence,
4 shall submit to the appropriate congressional committees
5 and the Comptroller General of the United States the plan
6 developed under subsection (a).

7 (d) *COMPTROLLER GENERAL REVIEW*.—

8 (1) *REQUIREMENT*.—The Comptroller General
9 shall conduct a review of—

10 (A) the plan submitted under subsection (c);

11 and

12 (B) the activities and future plans of the
13 Defense Intelligence Enterprise for meeting the
14 intelligence and information requirements de-
15 scribed in subsection (a).

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

18 (A) The extent to which the plan submitted
19 under subsection (c) includes the elements identi-
20 fied in subsection (b).

21 (B) The extent to which the Defense Intel-
22 ligence Enterprise has clearly assigned roles, re-
23 sponsibilities, and processes for fulfilling the in-
24 telligence and information requirements de-
25 scribed in subsection (a).

1 (C) *The extent to which the Defense Intel-*
2 *ligence Enterprise is planning to obtain addi-*
3 *tional capabilities and resources to improve the*
4 *quality and timeliness of intelligence and infor-*
5 *mation provided to the commanders of the com-*
6 *batant commands to aid in the efforts described*
7 *in subsection (a).*

8 (D) *The extent to which the Defense Intel-*
9 *ligence Enterprise is identifying, obtaining, and*
10 *using commercial and publicly available infor-*
11 *mation to aid in such efforts.*

12 (E) *Any other related issues that the Comp-*
13 *troller General determines appropriate.*

14 (3) *BRIEFING AND REPORT.*—*Not later than 120*
15 *days after the date on which the Comptroller General*
16 *receives the plan under subsection (c), the Comptroller*
17 *General shall provide to the appropriate congressional*
18 *committees a briefing on any initial findings about*
19 *the plan. After such briefing, the Comptroller General*
20 *shall submit to the committees a report on the plan*
21 *at a date mutually agreed upon by the Comptroller*
22 *General and the committees.*

23 (e) *CONGRESSIONAL BRIEFING.*—*Not later than 90*
24 *days after the date of the enactment of this Act, and annu-*
25 *ally thereafter through December 31, 2026, the Secretary,*

1 *in coordination with the Director of National Intelligence,*
2 *shall provide to the appropriate congressional committees*
3 *a briefing on the strategy and plan under subsection (a).*

4 (f) *DEFINITIONS.—In this section:*

5 (1) *The term “appropriate congressional com-*
6 *mittees” means the following:*

7 (A) *The congressional defense committees.*

8 (B) *The Permanent Select Committee on In-*
9 *telligence of the House of Representatives and the*
10 *Select Committee on Intelligence of the Senate.*

11 (2) *The term “covered foreign country” means*
12 *any of the following:*

13 (A) *The People’s Republic of China.*

14 (B) *The Russian Federation.*

15 (C) *The Islamic Republic of Iran.*

16 (D) *The Democratic People’s Republic of*
17 *Korea.*

18 (E) *Any other foreign country the Secretary*
19 *of Defense and the Director of National Intel-*
20 *ligence determine appropriate.*

21 (3) *The term “Defense Intelligence Enterprise”*
22 *has the meaning given that term in section 426(b)(4)*
23 *of title 10, United States Code.*

1 **SEC. 1623. ANNUAL BRIEFING BY DIRECTOR OF THE DE-**
2 **FENSE INTELLIGENCE AGENCY ON ELEC-**
3 **TRONIC WARFARE THREAT TO OPERATIONS**
4 **OF THE DEPARTMENT OF DEFENSE.**

5 (a) *REQUIREMENT.*—Not later than March 31, 2022,
6 and annually thereafter through 2026, the Director of the
7 Defense Intelligence Agency shall provide the congressional
8 defense committees, the Select Committee on Intelligence of
9 the Senate, and the Permanent Select Committee on Intel-
10 ligence of the House of Representatives a briefing on the
11 electronic warfare threat to operations of the Department
12 of Defense by Russia, China, and other countries relevant
13 to the conduct of such operations.

14 (b) *CONTENTS.*—Each briefing provided under sub-
15 section (a) shall include a review of the following:

16 (1) *Current electronic warfare capabilities of the*
17 *armed forces of Russia, the armed forces of China,*
18 *and the armed forces of such other countries as the*
19 *Director considers appropriate.*

20 (2) *With respect to the five-year period begin-*
21 *ning after the date of the briefing, an estimate of—*

22 (A) *advances in electronic warfare threats*
23 *to the operations of the Department from the*
24 *countries referred to in paragraph (1); and*

1 (B) the order of battle for Russia, China,
2 and each other country the Secretary considers
3 appropriate.

4 **SEC. 1624. REPORT ON EXPLOSIVE ORDNANCE INTEL-**
5 **LIGENCE MATTERS.**

6 Not later than 180 days after the date of the enactment
7 of this Act, the Secretary of Defense shall submit to the con-
8 gressional defense committees a report on the feasibility and
9 advisability of—

10 (1) designating the Director of the Defense Intel-
11 ligence Agency as the executive agent for explosive
12 ordnance intelligence; and

13 (2) including in the responsibilities of the Direc-
14 tor of the Defense Intelligence Agency pursuant to sec-
15 tion 105 of the National Security Act of 1947 (50
16 U.S.C. 3038) explosive ordnance intelligence, includ-
17 ing with respect to the processing, production, dis-
18 semination, integration, exploitation, evaluation,
19 feedback, and analysis of explosive ordnance using the
20 skills, techniques, principles, and knowledge of explo-
21 sive ordnance disposal personnel regarding fuzing,
22 firing systems, ordnance disassembly, and develop-
23 ment of render safe techniques, procedures and tools,
24 publications, and applied technologies.

1 ***Subtitle C—Nuclear Forces***

2 ***SEC. 1631. PARTICIPATION IN UNITED STATES STRATEGIC***
3 ***COMMAND STRATEGIC DETERRENCE EXER-***
4 ***CISES.***

5 *Chapter 24 of title 10, United States Code, is amended*
6 *by adding at the end the following new section (and con-*
7 *forming the table of sections at the beginning of such chap-*
8 *ter accordingly):*

9 ***“SEC. 499b. PARTICIPATION IN UNITED STATES STRATEGIC***
10 ***COMMAND STRATEGIC DETERRENCE EXER-***
11 ***CISES.***

12 *“(a) PARTICIPATION.—In the case of annual strategic*
13 *deterrence exercises held by the United States Strategic*
14 *Command during fiscal years 2022 through 2032—*

15 *“(1) the Assistant to the President for National*
16 *Security Affairs is encouraged to participate in each*
17 *such exercise that occurs during an even-numbered*
18 *year;*

19 *“(2) the Deputy Assistant to the President for*
20 *National Security Affairs is encouraged to participate*
21 *in each such exercise that occurs during an odd-num-*
22 *bered year;*

23 *“(3) the Under Secretary of Defense for Policy*
24 *shall participate, in whole or in part, in each such*
25 *exercise;*

1 “(4) *the Vice Chairman of the Joint Chiefs of*
2 *Staff shall participate, in whole or in part, in each*
3 *such exercise;*

4 “(5) *appropriate senior staff of the Executive Of-*
5 *fice of the President or appropriate organizations*
6 *supporting the White House relating to continuity of*
7 *government activities are encouraged to participate in*
8 *each such exercise;*

9 “(6) *appropriate general or flag officers of the*
10 *military departments, and appropriate employees of*
11 *Federal agencies in Senior Executive Service posi-*
12 *tions (as defined in section 3132 of title 5), shall par-*
13 *ticipate, in whole or in part, in each such exercise,*
14 *to provide relevant expertise to the Assistant to the*
15 *President for National Security Affairs and the Dep-*
16 *uty Assistant to the President for National Security*
17 *Affairs; and*

18 “(7) *in the case of such an exercise for which a*
19 *unified combatant command has a geographic area of*
20 *responsibility relevant to the scenario planned to be*
21 *used for the exercise, not fewer than two of the fol-*
22 *lowing individuals from that command shall partici-*
23 *pate, in whole or in part, in the exercise:*

24 “(A) *The Commander.*

25 “(B) *The Deputy Commander.*

1 “(C) *The Director of the Joint Staff for Op-*
2 *erations.*

3 “(D) *The Director of the Joint Staff for*
4 *Strategic Plans and Policy.*

5 “(b) *BRIEFING.—Not fewer than once every four years*
6 *(or more frequently if appropriate) during the period speci-*
7 *fied in subsection (a), the President shall be provided a*
8 *briefing on the annual strategic deterrence exercise held by*
9 *the United States Strategic Command during the year in*
10 *which the briefing is provided, including the principal find-*
11 *ings resulting from the exercise.*

12 “(c) *REPORTS.—(1) Not later than 30 days after the*
13 *completion of an annual strategic deterrence exercise de-*
14 *scribed in subsection (a), the Commander of the United*
15 *States Strategic Command shall submit to the Chairman*
16 *of the Joint Chiefs of Staff and the Secretary of Defense*
17 *a report on the exercise, which, at a minimum, shall include*
18 *the following:*

19 “(A) *A description of the purpose and scope*
20 *of the exercise.*

21 “(B) *An identification of the principal per-*
22 *sonnel participating in the exercise.*

23 “(C) *A statement of the principal findings*
24 *resulting from the exercise that specifically relate*
25 *to the nuclear command, control, and commu-*

1 *nications or senior leader decision-making proc-*
2 *ess and a description of any deficiencies in that*
3 *process identified a result of the exercise.*

4 *“(D) Whether the President was briefed on*
5 *the exercise and the principal findings resulting*
6 *from the exercise.*

7 *“(2) Not later than 60 days after the completion of*
8 *an annual strategic deterrence exercise described in sub-*
9 *section (a), the Secretary shall submit to the congressional*
10 *defense committees—*

11 *“(A) an unedited copy of the report of the Com-*
12 *mander submitted under paragraph (1); and*

13 *“(B) any additional recommendations or other*
14 *matters the Secretary considers appropriate.”.*

15 **SEC. 1632. MODIFICATION TO REQUIREMENTS RELATING**
16 **TO NUCLEAR FORCE REDUCTIONS.**

17 *Section 494(c) of title 10, United States Code, is*
18 *amended—*

19 *(1) by striking “December 31, 2011” each place*
20 *it appears and inserting “December 31, 2021”; and*

21 *(2) in paragraph (3), by striking “December 31,*
22 *2017” and inserting “February 1, 2025”.*

1 **SEC. 1633. MODIFICATIONS TO REQUIREMENTS RELATING**
2 **TO UNILATERAL CHANGES IN NUCLEAR**
3 **WEAPONS STOCKPILE OF THE UNITED**
4 **STATES.**

5 *Section 498 of title 10, United States Code, is amend-*
6 *ed—*

7 *(1) by striking subsection (a) and inserting the*
8 *following new subsection (a):*

9 *“(a) IN GENERAL.—Other than pursuant to a treaty*
10 *to which the Senate has provided advice and consent pursu-*
11 *ant to section 2 of article II of the Constitution of the*
12 *United States, if the President has under consideration to*
13 *unilaterally change the size of the total stockpile of nuclear*
14 *weapons of the United States, or the total number of de-*
15 *ployed nuclear weapons (as defined under the New START*
16 *Treaty), by more than 20 percent, prior to doing so the*
17 *President shall initiate a Nuclear Posture Review.”;*

18 *(2) in subsection (c), by striking “in the nuclear*
19 *weapons stockpile by more than 25 percent” and in-*
20 *serting “described in subsection (a)”;*

21 *(3) in subsection (d), by striking “treaty obliga-*
22 *tions” and inserting “obligations pursuant to a trea-*
23 *ty to which the Senate has provided advice and con-*
24 *sent pursuant to section 2 of article II of the Con-*
25 *stitution”;* and

26 *(4) by adding at the end the following:*

1 “(f) *NEW START TREATY DEFINED.*—*In this section,*
 2 *the term ‘New START Treaty’ means the Treaty between*
 3 *the United States of America and the Russian Federation*
 4 *on Measures for the Further Reduction and Limitation of*
 5 *Strategic Offensive Arms, signed on April 8, 2010, and en-*
 6 *tered into force on February 5, 2011.”.*

7 **SEC. 1634. DEADLINE FOR REPORTS ON MODIFICATION OF**
 8 **FORCE STRUCTURE FOR STRATEGIC NU-**
 9 **CLEAR WEAPONS DELIVERY SYSTEMS.**

10 *Section 493 of title 10, United States Code, is amended*
 11 *in the first sentence by inserting after “report on the modi-*
 12 *fication” the following: “not less than 180 days before the*
 13 *intended effective date of the modification”.*

14 **SEC. 1635. MODIFICATION OF DEADLINE FOR NOTIFICA-**
 15 **TIONS RELATING TO REDUCTION, CONSOLI-**
 16 **DATION, OR WITHDRAWAL OF NUCLEAR**
 17 **FORCES BASED IN EUROPE.**

18 *Section 497(b) of title 10, United States Code, is*
 19 *amended by striking “60 days” and inserting “120 days”.*

20 **SEC. 1636. PROCUREMENT AUTHORITY FOR CERTAIN PARTS**
 21 **OF THE GROUND-BASED STRATEGIC DETER-**
 22 **RENT CRYPTOGRAPHIC DEVICE.**

23 *(a) IN GENERAL.*—*The Secretary of the Air Force may*
 24 *enter into contracts for the life-of-type procurement of cov-*

1 *ered parts supporting the KS-75 cryptographic device*
2 *under the ground-based strategic deterrent program.*

3 **(b) AVAILABILITY OF FUNDS.**—*Notwithstanding sec-*
4 *tion 1502(a) of title 31, United States Code, of the amount*
5 *authorized to be appropriated for fiscal year 2022 by sec-*
6 *tion 101 and available for missile procurement, Air Force,*
7 *as specified in the corresponding funding table in section*
8 *4101, \$10,900,000 shall be available for the procurement of*
9 *covered parts pursuant to contracts entered into under sub-*
10 *section (a).*

11 **(c) COVERED PARTS DEFINED.**—*In this section, the*
12 *term “covered parts” means commercially available off-the-*
13 *shelf items as defined in section 104 of title 41, United*
14 *States Code.*

15 **SEC. 1637. CAPABILITY OF B-21 BOMBER AIRCRAFT WITH**
16 **LONG-RANGE STANDOFF WEAPON.**

17 *The Secretary of the Air Force shall ensure that the*
18 *B-21 bomber aircraft is capable of employing the long-*
19 *range standoff weapon.*

20 **SEC. 1638. MISSION-DESIGN SERIES POPULAR NAME FOR**
21 **GROUND-BASED STRATEGIC DETERRENT.**

22 **(a) REQUIREMENT.**—*Not later than 90 days after the*
23 *date of the enactment of this Act, the Secretary of the Air*
24 *Force, in coordination with the Under Secretary of Defense*
25 *for Acquisition and Sustainment, shall establish a mission-*

1 *design series popular name for the ground-based strategic*
2 *deterrent, consistent with the procedures set forth in De-*
3 *partment of Defense Directive 4120.15 (relating to desig-*
4 *nating and naming military aerospace vehicles).*

5 (b) *NOTIFICATION.*—*Not later than 10 days after com-*
6 *pleting the requirement under subsection (a), the Secretary*
7 *of the Air Force shall notify the congressional defense com-*
8 *mittees of the completion of the requirement.*

9 **SEC. 1639. PROHIBITION ON REDUCTION OF THE INTER-**
10 **CONTINENTAL BALLISTIC MISSILES OF THE**
11 **UNITED STATES.**

12 (a) *PROHIBITION.*—*Except as provided in subsection*
13 *(b), none of the funds authorized to be appropriated by this*
14 *Act or otherwise made available for fiscal year 2022 for the*
15 *Department of Defense may be obligated or expended for*
16 *the following, and the Department may not otherwise take*
17 *any action to do the following:*

18 (1) *Reduce, or prepare to reduce, the responsive-*
19 *ness or alert level of the intercontinental ballistic mis-*
20 *siles of the United States.*

21 (2) *Reduce, or prepare to reduce, the quantity of*
22 *deployed intercontinental ballistic missiles of the*
23 *United States to a number less than 400.*

24 (b) *EXCEPTION.*—*The prohibition in subsection (a)*
25 *shall not apply to any of the following activities:*

1 (1) *The maintenance or sustainment of inter-*
2 *continental ballistic missiles.*

3 (2) *Ensuring the safety, security, or reliability of*
4 *intercontinental ballistic missiles.*

5 **SEC. 1640. LIMITATION ON AVAILABILITY OF CERTAIN**
6 **FUNDS UNTIL SUBMISSION OF INFORMATION**
7 **RELATING TO PROPOSED BUDGET FOR NU-**
8 **CLEAR-ARMED SEA-LAUNCHED CRUISE MIS-**
9 **SILE.**

10 *Of the funds authorized to be appropriated by this Act*
11 *or otherwise made available for fiscal year 2022 for the De-*
12 *partment of Defense for travel by any personnel of the Office*
13 *of the Secretary of the Navy, not more than 75 percent may*
14 *be obligated or expended until the Secretary of the Navy*
15 *submits to the congressional defense committees all written*
16 *communications from or to personnel of the Department of*
17 *the Navy regarding the proposed budget amount or limita-*
18 *tion for the nuclear-armed sea-launched cruise missile con-*
19 *tained in the defense budget materials (as defined by section*
20 *231(f) of title 10, United States Code) relating to the Navy*
21 *for fiscal year 2023.*

1 **SEC. 1641. LIMITATION ON AVAILABILITY OF CERTAIN**
2 **FUNDS UNTIL SUBMISSION OF INFORMATION**
3 **RELATING TO NUCLEAR-ARMED SEA-**
4 **LAUNCHED CRUISE MISSILE.**

5 *Of the funds authorized to be appropriated by this Act*
6 *or otherwise made available for fiscal year 2022 for the De-*
7 *partment of Defense for travel by any personnel of the Office*
8 *of the Secretary of Defense (other than travel by the Sec-*
9 *retary of Defense or the Deputy Secretary of Defense), not*
10 *more than 75 percent may be obligated or expended until*
11 *the Secretary—*

12 *(1) submits to the congressional defense commit-*
13 *tees the analysis of alternatives for the nuclear-armed*
14 *sea-launched cruise missile; and*

15 *(2) provides to such committees a briefing on*
16 *such analysis of alternatives.*

17 **SEC. 1642. ANNUAL CERTIFICATION ON READINESS OF MIN-**
18 **UTEMAN III INTERCONTINENTAL BALLISTIC**
19 **MISSILES.**

20 *Not later than March 1, 2022, and annually thereafter*
21 *until the date on which the ground-based strategic deterrent*
22 *weapon achieves initial operating capability, the Chairman*
23 *of the Joint Chiefs of Staff shall certify to the congressional*
24 *defense committees whether the state of the readiness of Min-*
25 *uteman III intercontinental ballistic missiles requires plac-*
26 *ing heavy bombers equipped with nuclear gravity bombs or*

1 *air-launched nuclear cruise missiles, and associated refuel-*
2 *ing tanker aircraft, on alert status.*

3 **SEC. 1643. REVISED NUCLEAR POSTURE REVIEW.**

4 (a) *REQUIREMENT FOR COMPREHENSIVE REVIEW.—*
5 *In order to clarify the nuclear deterrence policy and strat-*
6 *egy of the United States for the near term, the Secretary*
7 *of Defense, acting through the Under Secretary of Defense*
8 *for Policy and the Vice Chairman of the Joint Chiefs of*
9 *Staff, shall conduct a comprehensive review of the nuclear*
10 *posture of the United States for the five- and 10-year peri-*
11 *ods following the date of the review. The Secretary shall*
12 *conduct the review in consultation with the Secretary of*
13 *Energy, the Secretary of State, and the Director of National*
14 *Intelligence.*

15 (b) *ELEMENTS OF REVIEW.—The nuclear posture re-*
16 *view under subsection (a) shall include the following ele-*
17 *ments:*

18 (1) *An assessment of the current and projected*
19 *nuclear capabilities of Russia and China, and such*
20 *other potential threats as the Secretary considers ap-*
21 *propriate.*

22 (2) *The role of nuclear forces in military strat-*
23 *egy, planning, and programming of the United*
24 *States.*

1 (3) *The policy requirements and objectives for*
2 *the United States to maintain a safe, reliable, and*
3 *credible nuclear deterrence posture.*

4 (4) *The relationship among United States nu-*
5 *clear deterrence policy, targeting strategy, and arms*
6 *control objectives.*

7 (5) *The role that missile defenses, conventional*
8 *strike forces, and other capabilities play in deter-*
9 *mining the role and size of nuclear forces.*

10 (6) *The levels and composition of the nuclear de-*
11 *livery systems that will be required for implementing*
12 *the national and military strategy of the United*
13 *States, including ongoing plans for replacing existing*
14 *systems.*

15 (7) *The nuclear weapons complex that will be re-*
16 *quired for implementing such national and military*
17 *strategy, including ongoing plans to modernize the*
18 *complex.*

19 (8) *The active and inactive nuclear weapons*
20 *stockpile that will be required for implementing the*
21 *such national and military strategy, including ongo-*
22 *ing plans for replacing or modifying warheads.*

23 (c) *REPORT.—Concurrent with the national defense*
24 *strategy required to be submitted under section 113(g) of*
25 *title 10, United States Code, in 2022, the Secretary shall*

1 *submit to the congressional defense committees a report on*
2 *the results of the nuclear posture review conducted under*
3 *subsection (a). The report shall be submitted in unclassified*
4 *and classified forms as necessary.*

5 **SEC. 1644. REVIEW OF SAFETY, SECURITY, AND RELIABILITY**
6 **OF NUCLEAR WEAPONS AND RELATED SYS-**
7 **TEMS.**

8 *(a) FINDINGS.—Congress finds the following:*

9 *(1) On December 20, 1990, Secretary of Defense*
10 *Cheney chartered a five-person independent committee*
11 *known as the Federal Advisory Committee on Nuclear*
12 *Failsafe and Risk Reduction to assess the capability*
13 *of the nuclear weapon command and control system*
14 *to meet the dual requirements of assurance against*
15 *unauthorized use of nuclear weapons and assurance of*
16 *timely, reliable execution when authorized, and to*
17 *identify opportunities for positive measures to en-*
18 *hance failsafe features.*

19 *(2) The Federal Advisory Committee, chaired by*
20 *Ambassador Jeane J. Kirkpatrick, recommended*
21 *changes in the nuclear enterprise, as well as policy*
22 *proposals to reduce the risks posed by unauthorized*
23 *launches and miscalculation.*

1 (3) *The Federal Advisory Committee found, un-*
2 *ambiguously, that “failsafe and oversight enhance-*
3 *ments are possible”.*

4 (4) *Since 1990, new threats to the nuclear enter-*
5 *prise have arisen in the cyber, space, and information*
6 *warfare domains.*

7 (5) *Ensuring the continued assurance of the nu-*
8 *clear command, control, and communications infra-*
9 *structure is essential to the national security of the*
10 *United States.*

11 (b) *REVIEW.—The Secretary of Defense shall provide*
12 *for the conduct of an independent review of the safety, secu-*
13 *rity, and reliability of covered nuclear systems. The Sec-*
14 *retary shall ensure that such review is conducted in a man-*
15 *ner similar to the review conducted by the Federal Advisory*
16 *Committee on Nuclear Failsafe and Risk Reduction.*

17 (c) *MATTERS INCLUDED.—The review conducted pur-*
18 *suant to subsection (b) shall include the following:*

19 (1) *Plans for modernizing the covered nuclear*
20 *systems, including options and recommendations for*
21 *technical, procedural, and policy measures that could*
22 *strengthen safeguards, improve the security and reli-*
23 *ability of digital technologies, and prevent cyber-re-*
24 *lated and other risks that could lead to the unauthor-*
25 *ized or inadvertent use of nuclear weapons as the re-*

1 *sult of an accident, misinterpretation, miscalculation,*
2 *terrorism, unexpected technological breakthrough, or*
3 *deliberate act.*

4 (2) *Options and recommendations for nuclear*
5 *risk reduction measures, focusing on confidence build-*
6 *ing and predictability, that the United States could*
7 *carry out alone or with near-peer adversaries to*
8 *strengthen safeguards against the unauthorized or in-*
9 *advertent use of a nuclear weapon and to reduce nu-*
10 *clear risks.*

11 (d) *SUBMISSION.*—*Not later than one year after the*
12 *date of the enactment of this Act, the Secretary shall submit*
13 *to the congressional defense committees the review conducted*
14 *pursuant to subsection (b).*

15 (e) *PREVIOUS REVIEW.*—*Not later than 30 days after*
16 *the date of the enactment of this Act, the Secretary shall*
17 *submit to the congressional defense committees the final re-*
18 *port of the Federal Advisory Committee on Nuclear Failsafe*
19 *and Risk Reduction.*

20 (f) *COVERED NUCLEAR SYSTEMS DEFINED.*—*In this*
21 *section, the term “covered nuclear systems” means the fol-*
22 *lowing systems of the United States:*

23 (1) *The nuclear weapons systems.*

24 (2) *The nuclear command, control, and commu-*
25 *nications system.*

1 (3) *The integrated tactical warning/attack as-*
2 *essment system.*

3 **SEC. 1645. LONG-RANGE STANDOFF WEAPON.**

4 (a) *REQUIREMENT.*—*In addition to the requirements*
5 *under section 2366c of title 10, United States Code, prior*
6 *to awarding a procurement contract for the long-range*
7 *standoff weapon, the Secretary of the Air Force, in coordi-*
8 *nation with the Under Secretary of Defense for Acquisition*
9 *and Sustainment, shall submit to the congressional defense*
10 *committees each of the following:*

11 (1) *A certification that the future-years defense*
12 *program submitted to Congress under section 221 of*
13 *title 10, United States Code, includes, or will include,*
14 *estimated funding for the program in the amounts*
15 *specified in the independent estimated cost submitted*
16 *to the congressional defense committees under sub-*
17 *section (a)(2) of such section 2366c.*

18 (2) *A copy of the justification and approval doc-*
19 *umentation regarding the determination by the Sec-*
20 *retary to award a sole-source contract for the pro-*
21 *gram, including with respect to how the Secretary*
22 *will manage the cost of the program in the absence*
23 *of competition.*

24 (b) *BRIEFING.*—*Not later than 90 days after the date*
25 *of the enactment of this Act, the Secretary of the Air Force*

1 *shall provide to the congressional defense committees a*
2 *briefing on the execution of the engineering and manufac-*
3 *turing development contract for the long-range standoff*
4 *weapon, including with respect to—*

5 (1) *how the timely development of the long-range*
6 *standoff weapon may serve as a hedge to delays in*
7 *other nuclear modernization efforts;*

8 (2) *the effects of potential delays in the W80–4*
9 *warhead program on the ability of the long-range*
10 *standoff weapon to achieve the initial operational ca-*
11 *pability schedule under section 217 of the National*
12 *Defense Authorization Act for Fiscal Year 2014 (Pub-*
13 *lic Law 113–66; 127 Stat. 706), as most recently*
14 *amended by section 1668 of the National Defense Au-*
15 *thorization Act for Fiscal Year 2020 (Public Law*
16 *116–92; 133 Stat. 1774);*

17 (3) *options to adjust the budget profile of the*
18 *long-range standoff weapon program to ensure the*
19 *program remains on schedule; and*

20 (4) *a plan to ensure best value to the United*
21 *States once the programs enter into procurement.*

1 **SEC. 1646. GROUND-BASED STRATEGIC DETERRENT DEVEL-**
2 **OPMENT PROGRAM ACCOUNTABILITY MAT-**
3 **RICES.**

4 (a) *IN GENERAL.*—Concurrent with the submission to
5 Congress of the budget of the President for fiscal year 2023
6 and each fiscal year thereafter pursuant to section 1105(a)
7 of title 31, United States Code, the Secretary of the Air
8 Force shall submit to the congressional defense committees
9 and the Comptroller General of the United States the mat-
10 rices described in subsection (b) relating to the ground-based
11 strategic deterrent weapon system.

12 (b) *MATRICES DESCRIBED.*—The matrices described in
13 this subsection are the following:

14 (1) *ENGINEERING AND MANUFACTURING DEVEL-*
15 *OPMENT GOALS.*—A matrix that identifies, in six-
16 month increments, key milestones, development events,
17 and specific performance goals for the engineering
18 and manufacturing development phase of the ground-
19 based strategic deterrent weapon system, which shall
20 be subdivided, at a minimum, according to the fol-
21 lowing:

22 (A) *Technology maturity, including tech-*
23 *nology readiness levels of major components and*
24 *key demonstration events leading to technology*
25 *readiness level 7 full maturity.*

1 (B) *Design maturity for the missile, weapon*
2 *system command and control, and ground sys-*
3 *tems.*

4 (C) *Software maturity, including key events*
5 *and metrics.*

6 (D) *Manufacturing maturity, including*
7 *manufacturing readiness levels for critical man-*
8 *ufacturing operations and key demonstration*
9 *events.*

10 (E) *The schedule with respect to the fol-*
11 *lowing:*

12 (i) *Ground-based strategic deterrent*
13 *weapon system level critical path events and*
14 *margins.*

15 (ii) *Separate individual critical path*
16 *events and margins for each of the following*
17 *major events:*

18 (I) *First flight.*

19 (II) *First functional test.*

20 (III) *Weapon system qualifica-*
21 *tion.*

22 (IV) *Combined certifications.*

23 (V) *Operational weapon system*
24 *article.*

1 (VI) *Initial operational capa-*
2 *bility.*

3 (VII) *Wing A completion.*

4 (F) *Personnel, including planned and ac-*
5 *tual staffing for the program office and for con-*
6 *tractor and supporting organizations, including*
7 *for testing, nuclear certification, and civil engi-*
8 *neering by the Air Force.*

9 (G) *Reliability, including growth plans and*
10 *key milestones.*

11 (2) *COST.—*

12 (A) *IN GENERAL.—The following matrices*
13 *relating to the cost of the ground-based strategic*
14 *deterrent weapon system:*

15 (i) *A matrix expressing, in six-month*
16 *increments, the total cost for the engineering*
17 *and manufacturing development phase and*
18 *low-rate initial production lots of the*
19 *ground-based strategic deterrent weapon*
20 *system.*

21 (ii) *A matrix expressing the total cost*
22 *for the prime contractor's estimate for the*
23 *engineering and manufacturing develop-*
24 *ment phase and production lots.*

1 (B) *PHASING AND SUBDIVISION OF MAT-*
2 *RICES.—The matrices described in clauses (i)*
3 *and (ii) of subparagraph (A) shall be—*

4 (i) *phased over the entire engineering*
5 *and manufacturing development period;*
6 *and*

7 (ii) *subdivided according to the costs of*
8 *the primary subsystems in the ground-based*
9 *strategic deterrent weapon system work*
10 *breakdown structure.*

11 (c) *SEMI-ANNUAL UPDATES OF MATRICES.—Not later*
12 *than 180 days after the date on which the Secretary submits*
13 *the matrices described in subsection (b) for a year as re-*
14 *quired by subsection (a), the Secretary shall submit to the*
15 *congressional defense committees and the Comptroller Gen-*
16 *eral updates to the matrices.*

17 (d) *TREATMENT OF THE FIRST MATRICES AS BASE-*
18 *LINE.—*

19 (1) *IN GENERAL.—The first set of matrices sub-*
20 *mitted under subsection (a) shall be treated as the*
21 *baseline for the full engineering and manufacturing*
22 *development phase and low-rate initial production of*
23 *the ground-based strategic deterrent weapon system*
24 *program for purposes of updates submitted under sub-*

1 *section (c) and subsequent matrices submitted under*
2 *subsection (a).*

3 (2) *ELEMENTS.*—*After the submission of the first*
4 *set of matrices required by subsection (a), each update*
5 *submitted under subsection (c) and each subsequent*
6 *set of matrices submitted under subsection (a) shall—*

7 (A) *clearly identify changes in key mile-*
8 *stones, development events, and specific perform-*
9 *ance goals identified in the first set of matrices;*
10 *and*

11 (B) *provide updated cost estimates.*

12 (e) *ASSESSMENT BY COMPTROLLER GENERAL OF THE*
13 *UNITED STATES.*—*Not later than 60 days after receiving*
14 *the matrices described in subsection (b) for a year as re-*
15 *quired by subsection (a), the Comptroller General shall as-*
16 *sess the acquisition progress made with respect to the*
17 *ground-based strategic deterrent weapon system and brief*
18 *the congressional defense committees on the results of that*
19 *assessment.*

20 (f) *TERMINATION.*—*The requirements of this section*
21 *shall terminate on the date that is one year after the*
22 *ground-based strategic deterrent weapon system achieves*
23 *initial operational capability.*

1 **SEC. 1647. INFORMATION REGARDING REVIEW OF MINUTE-**
2 **MAN III SERVICE LIFE EXTENSION PROGRAM**
3 **OR OPTIONS FOR THE FUTURE OF THE**
4 **INTERCONTINENTAL BALLISTIC MISSILE**
5 **FORCE.**

6 (a) *REQUIREMENT.*—*The Secretary of Defense shall*
7 *submit to the congressional defense committees all—*

8 (1) *scoping documents relating to any covered*
9 *review; and*

10 (2) *reports or other documents relating to any*
11 *such review.*

12 (b) *TIMING.*—*The Secretary shall submit the docu-*
13 *ments and reports under subsection (a) by the date that*
14 *is the later of the following:*

15 (1) *15 days after the date on which the docu-*
16 *ments or reports are produced.*

17 (2) *15 days after the date of the enactment of*
18 *this Act.*

19 (c) *COVERED REVIEW.*—*In this section, the term “cov-*
20 *ered review” means any review initiated in 2021 or 2022*
21 *by any entity pursuant to an agreement or contract with*
22 *the Federal Government regarding—*

23 (1) *a service life extension program for Minute-*
24 *man III intercontinental ballistic missiles; or*

25 (2) *the future of the intercontinental ballistic*
26 *missile force.*

1 **SEC. 1648. NOTIFICATION REGARDING INTERCONTINENTAL**
2 **BALLISTIC MISSILES OF CHINA.**

3 (a) *REQUIREMENT.*—If the Commander of the United
4 States Strategic Command determines that the number of
5 intercontinental ballistic missiles in the active inventory of
6 China exceeds the number of intercontinental ballistic mis-
7 siles in the active inventory of the United States, the num-
8 ber of nuclear warheads equipped on such missiles of China
9 exceeds the number of nuclear warheads equipped on such
10 missiles of the United States, or the number of interconti-
11 nental ballistic missile launchers in China exceeds the num-
12 ber of intercontinental ballistic missile launchers in the
13 United States, the Commander shall submit to the congres-
14 sional defense committees—

- 15 (1) a notification of such determination;
- 16 (2) an assessment of the composition of the inter-
17 continental ballistic missiles of China, including the
18 types of nuclear warheads equipped on such missiles;
19 and
- 20 (3) a strategy for deterring China.

21 (b) *FORM.*—The notification under paragraph (1) of
22 subsection (a) shall be submitted in unclassified form, and
23 the assessment and strategy under paragraphs (2) and (3)
24 of such subsection may be submitted in classified form.

1 (c) *TERMINATION.*—*The requirement under subsection*
2 *(a) shall terminate on the date that is four years after the*
3 *date of the enactment of this Act.*

4 **SEC. 1649. INDEPENDENT REVIEW OF NUCLEAR COMMAND,**
5 **CONTROL, AND COMMUNICATIONS SYSTEM.**

6 (a) *REVIEW.*—*Not later than 30 days after the date*
7 *of the enactment of this Act, the Secretary of Defense shall*
8 *seek to enter into an agreement with a federally funded re-*
9 *search and development center to conduct a review of the*
10 *current plans, policies, and programs of the nuclear com-*
11 *mand, control, and communications system of the Depart-*
12 *ment of Defense, and such plans, policies, and programs*
13 *that are planned for the 10- and 30-year periods following*
14 *such date of enactment.*

15 (b) *MATTERS INCLUDED.*—*The review under sub-*
16 *section (a) shall include a review of each of the following:*

17 (1) *The plans, policies, and programs described*
18 *in such subsection.*

19 (2) *The operational, organizational, pro-*
20 *grammatic, and acquisition challenges and risks with*
21 *respect to—*

22 (A) *maintaining the existing nuclear com-*
23 *mand, control, and communications system; and*

24 (B) *the nuclear command, control, and com-*
25 *munications system to be fielded during the 10-*

1 year period following the date of the enactment
2 of this Act.

3 (3) *Emerging technologies and how such tech-*
4 *nologies may be applied to the next generation of the*
5 *nuclear command, control, and communications sys-*
6 *tem during the 30-year period following the date of*
7 *the enactment of this Act to ensure—*

8 (A) *the survivability of the system; and*

9 (B) *the capability of the system with respect*
10 to—

11 (i) *decisionmaking;*

12 (ii) *situation monitoring;*

13 (iii) *planning;*

14 (iv) *force direction; and*

15 (v) *force management.*

16 (4) *The security and surety of the nuclear com-*
17 *mand, control, and communications system.*

18 (5) *Threats to the nuclear command, control,*
19 *and communications system that may occur and the*
20 *ability to detect and mitigate such threats during the*
21 *10- and 30-year periods following the date of the en-*
22 *actment of this Act.*

23 (c) *BRIEFING.*—*Not later than September 1, 2022, the*
24 *federally funded research and development center that con-*
25 *ducts the review under subsection (a) shall provide the con-*

1 *gressional defense committees an interim briefing on the re-*
2 *view under subsection (a).*

3 *(d) REPORT.—Not later than March 1, 2023, the feder-*
4 *ally funded research and development center that conducts*
5 *the review under subsection (a) shall submit to the Sec-*
6 *retary and the congressional defense committees a report*
7 *containing the review under such subsection.*

8 **SEC. 1650. REVIEW OF ENGINEERING AND MANUFACTURING**
9 **DEVELOPMENT CONTRACT FOR GROUND-**
10 **BASED STRATEGIC DETERRENT PROGRAM.**

11 *(a) REVIEW.—*

12 *(1) REQUIREMENT.—Not later than 90 days*
13 *after the date of the enactment of this Act, the Sec-*
14 *retary of the Air Force, in coordination with the*
15 *Under Secretary of Defense for Acquisition and*
16 *Sustainment, shall seek to enter into a contract with*
17 *a federally funded research and development center to*
18 *conduct a review of the implementation and the exe-*
19 *cution of the engineering and manufacturing develop-*
20 *ment phase for the ground-based strategic deterrent*
21 *program.*

22 *(2) MATTERS INCLUDED.—The review under*
23 *paragraph (1) shall include the following:*

24 *(A) An analysis of the ability of the Air*
25 *Force to implement industry best practices re-*

1 *garding digital engineering during the engineer-*
2 *ing and manufacturing development phase of the*
3 *ground-based strategic deterrent program.*

4 *(B) An assessment of the opportunities of-*
5 *fered by the adoption by the Air Force of digital*
6 *engineering processes and of the challenges the*
7 *Air Force faces in implementing such industry*
8 *best practices.*

9 *(C) A review of the ability of the Air Force*
10 *to leverage digital engineering during such engi-*
11 *neering and manufacturing development phase.*

12 *(D) A review of any options that may be*
13 *available to the Air Force during the engineering*
14 *and manufacturing development phase of the*
15 *ground-based strategic deterrent program to—*

16 *(i) reduce cost and introduce long-term*
17 *sustainment efficiencies; and*

18 *(ii) stimulate competition within the*
19 *operations and maintenance phase of the*
20 *program.*

21 *(E) Recommendations to improve the cost,*
22 *schedule, and program management of the engi-*
23 *neering and manufacturing development phase*
24 *for the ground-based strategic deterrent program.*

1 (3) *PROVISION OF INFORMATION.*—*The Secretary*
2 *shall provide to the individuals conducting the review*
3 *under paragraph (1) all information necessary for the*
4 *review.*

5 (4) *SECURITY CLEARANCES.*—*The Secretary*
6 *shall ensure that each individual who conducts the re-*
7 *view under paragraph (1) holds a security clearance*
8 *at the appropriate level for such review.*

9 (b) *REPORT.*—*Not later than 270 days after the date*
10 *of the enactment of this Act, the Secretary shall submit to*
11 *the congressional defense committees a report containing the*
12 *review under subsection (a)(1). The report shall be sub-*
13 *mitted in unclassified form and shall include a classified*
14 *annex.*

15 (c) *BRIEFING.*—*Not later than 90 days after the date*
16 *on which the Secretary submits the report under subsection*
17 *(b), the Secretary shall provide to the congressional defense*
18 *committees a briefing on—*

19 (1) *plans of the Air Force for implementing any*
20 *of the recommendations contained in the review under*
21 *subsection (a)(1); and*

22 (2) *an explanation for rejecting any rec-*
23 *ommendations contained in the review that the Sec-*
24 *retary elects not to implement.*

1 **SEC. 1651. REPORT ON RE-ALERTING LONG-RANGE BOMB-**
2 **ERS.**

3 *Not later than 90 days after the date of the enactment*
4 *of this Act, the Secretary of the Air Force shall submit to*
5 *the congressional defense committees a report containing—*

6 (1) *a cost estimate with respect to re-alerting*
7 *long-range bombers and air refueling tanker aircraft*
8 *in the absence of a ground-based leg of the nuclear*
9 *triad; and*

10 (2) *an assessment of the impact of such re-alert-*
11 *ing on force readiness.*

12 **SEC. 1652. COMPTROLLER GENERAL STUDY AND UPDATED**
13 **REPORT ON NUCLEAR WEAPONS CAPABILI-**
14 **TIES AND FORCE STRUCTURE REQUIRE-**
15 **MENTS.**

16 (a) *COMPTROLLER GENERAL STUDY REQUIRED.—The*
17 *Comptroller General of the United States shall conduct a*
18 *study on the strategic nuclear weapons capabilities, force*
19 *structure, employment policy, and targeting requirements*
20 *of the Department of Defense.*

21 (b) *MATTERS COVERED.—The study conducted under*
22 *subsection (a) shall, at minimum, consist of an update to*
23 *the report of the Comptroller General titled “Strategic*
24 *Weapons: Changes in the Nuclear Weapons Targeting Proc-*
25 *ess Since 1991” (GAO–12–786R) and dated July 31, 2012,*
26 *including covering any changes to—*

1 (1) *how the Department of Defense has assessed*
2 *threats and modified its nuclear deterrence policy;*

3 (2) *targeting and employment guidance from the*
4 *President, the Secretary of Defense, the Chairman of*
5 *the Joint Chiefs of Staff, and the Commander of*
6 *United States Strategic Command;*

7 (3) *nuclear weapons planning and targeting, in-*
8 *cluding categories and types of targets;*

9 (4) *strategic nuclear forces, including the stock-*
10 *pile, force posture, and modernization;*

11 (5) *the level of civilian oversight;*

12 (6) *the relationship between targeting and re-*
13 *quirements; and*

14 (7) *any other matters considered appropriate by*
15 *the Comptroller General.*

16 (c) *REPORTING.—*

17 (1) *BRIEFING ON PRELIMINARY FINDINGS.—Not*
18 *later than March 31, 2022, the Comptroller General*
19 *shall provide to the congressional defense committees*
20 *a briefing on the preliminary findings of the study*
21 *conducted under subsection (a).*

22 (2) *FINAL REPORT.—The Comptroller General*
23 *shall submit to the congressional defense committees a*
24 *final report on the findings of the study conducted*
25 *under subsection (a) at a time agreed to by the Comp-*

1 *troller General and the congressional defense commit-*
 2 *tees at the briefing required by paragraph (1).*

3 (3) *FORM.*—*The briefing required by paragraph*
 4 *(1) may be provided, and the report required by*
 5 *paragraph (2) may be submitted, in classified form.*

6 (d) *COOPERATION.*—*The Secretary of Defense and the*
 7 *Secretary of Energy shall provide the Comptroller General*
 8 *with full cooperation and access to appropriate officials,*
 9 *guidance, and documentation for the purposes of conducting*
 10 *the study required by subsection (a).*

11 **SEC. 1653. BRIEFING ON CONSULTATIONS WITH UNITED**
 12 **STATES ALLIES REGARDING NUCLEAR POS-**
 13 **TURE REVIEW.**

14 (a) *IN GENERAL.*—*Not later than the date on which*
 15 *the Secretary of Defense issues the first Nuclear Posture Re-*
 16 *view after the date of the enactment of this Act, the Sec-*
 17 *retary of Defense, in coordination with the Secretary of*
 18 *State, shall provide to the appropriate congressional com-*
 19 *mittees, the Majority and Minority Leaders of the Senate,*
 20 *and the Speaker and Minority Leader of the House of Rep-*
 21 *resentatives a briefing on all consultations with allies of*
 22 *the United States regarding the Nuclear Posture Review.*

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

1 (1) *A listing of all countries consulted with re-*
2 *spect to the Nuclear Posture Review, including the*
3 *dates and circumstances of each such consultation*
4 *and the countries present.*

5 (2) *An overview of the topics and concepts dis-*
6 *cussed with each such country during such consulta-*
7 *tions, including any discussion of potential changes*
8 *to the nuclear declaratory policy of the United States.*

9 (3) *An opportunity for the committees and offi-*
10 *cial referred to in subsection (a) to view documents*
11 *relating to such consultations.*

12 (4) *A summary of any feedback provided during*
13 *such consultations.*

14 (c) *FORM.*—*The briefing required by subsection (a)*
15 *shall be conducted in both in an unclassified and classified*
16 *format.*

17 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
18 *FINED.*—*In this section, the term “appropriate congres-*
19 *sional committees” means—*

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

22 (2) *the Committee on Armed Services and the*
23 *Committee on Foreign Affairs of the House of Rep-*
24 *resentatives.*

1 **Subtitle D—Missile Defense**
2 **Programs**

3 **SEC. 1661. NOTIFICATION OF CHANGES TO NON-STANDARD**
4 **ACQUISITION AND REQUIREMENTS PROC-**
5 **ESSES AND RESPONSIBILITIES OF MISSILE**
6 **DEFENSE AGENCY.**

7 (a) *NOTICE AND WAIT REQUIREMENT.*—Section 205
8 of title 10, United States Code, is amended—

9 (1) by striking “The Director” and inserting
10 “(a) *APPOINTMENT OF DIRECTOR.*—The Director”;
11 and

12 (2) by adding at the end the following new sub-
13 section:

14 “(b) *NOTIFICATION OF CHANGES TO NON-STANDARD*
15 *ACQUISITION AND REQUIREMENTS PROCESSES AND RE-*
16 *SPONSIBILITIES.*—(1) *The Secretary of Defense may not*
17 *make any changes to the missile defense non-standard ac-*
18 *quisition and requirements processes and responsibilities*
19 *unless, with respect to those proposed changes—*

20 “(A) *the Secretary, without delegation, has taken*
21 *each of the actions specified in paragraph (2); and*

22 “(B) *a period of 120 days has elapsed following*
23 *the date on which the Secretary submits the report*
24 *under subparagraph (C) of such paragraph.*

1 “(2) If the Secretary proposes to make changes to the
2 missile defense non-standard acquisition and requirements
3 processes and responsibilities, the Secretary shall—

4 “(A) consult with the Under Secretary of Defense
5 for Research and Engineering, the Under Secretary of
6 Defense for Acquisition and Sustainment, the Under
7 Secretary of Defense for Policy, the Secretaries of the
8 military departments, the Chairman of the Joint
9 Chiefs of Staff, the Commander of the United States
10 Strategic Command, the Commander of the United
11 States Northern Command, and the Director of the
12 Missile Defense Agency, regarding the changes;

13 “(B) certify to the congressional defense commit-
14 tees that the Secretary has coordinated the changes
15 with, and received the views of, the individuals re-
16 ferred to in subparagraph (A);

17 “(C) submit to the congressional defense commit-
18 tees a report that contains—

19 “(i) a description of the changes, the ration-
20 ale for the changes, and the views of the individ-
21 uals referred to in subparagraph (A) with re-
22 spect to the changes;

23 “(ii) a certification that the changes will
24 not impair the missile defense capabilities of the
25 United States nor degrade the unique special ac-

1 *quisition authorities of the Missile Defense Agen-*
2 *cy; and*

3 *“(iii) with respect to any such changes to*
4 *Department of Defense Directive 5134.09, or suc-*
5 *cessor directive issued in accordance with this*
6 *subsection, a final draft of the proposed modified*
7 *directive, both in an electronic format and in a*
8 *hard copy format; and*

9 *“(D) with respect to any such changes to Depart-*
10 *ment of Defense Directive 5134.09, or successor direc-*
11 *tive issued in accordance with this subsection, provide*
12 *to such committees a briefing on the proposed modi-*
13 *fied directive described in subparagraph (C)(iii).*

14 *“(3) In this subsection, the term ‘non-standard acqui-*
15 *sition and requirements processes and responsibilities’*
16 *means the processes and responsibilities described in—*

17 *“(A) the memorandum of the Secretary of De-*
18 *fense titled ‘Missile Defense Program Direction’*
19 *signed on January 2, 2002, as in effect on the date*
20 *of the enactment of this subsection or as modified in*
21 *accordance with this subsection, or any successor*
22 *memorandum issued in accordance with this sub-*
23 *section;*

24 *“(B) Department of Defense Directive 5134.09,*
25 *as in effect on the date of the enactment of this sub-*

1 *section (without regard to any modifications de-*
2 *scribed in Directive-type Memorandum 20–002 of the*
3 *Deputy Secretary of Defense, or any amendments or*
4 *extensions thereto made before the date of such enact-*
5 *ment), or as modified in accordance with this sub-*
6 *section, or any successor directive issued in accord-*
7 *ance with this subsection; and*

8 *“(C) United States Strategic Command Instruc-*
9 *tion 538–3 titled ‘MD Warfighter Involvement Proc-*
10 *ess’, as in effect on the date of the enactment of this*
11 *subsection or as modified in accordance with this sub-*
12 *section, or any successor instruction issued in accord-*
13 *ance with this subsection.”.*

14 *(b) CONFORMING AMENDMENTS.—*

15 *(1) FY20 NDAA.—Section 1688 of the National*
16 *Defense Authorization Act for Fiscal Year 2020 (Pub-*
17 *lic Law 116–92; 133 Stat. 1787) is amended—*

18 *(A) by striking subsection (b); and*

19 *(B) by redesignating subsection (c) as sub-*
20 *section (b).*

21 *(2) FY21 NDAA.—Section 1641 of the William*
22 *M. (Mac) Thornberry National Defense Authorization*
23 *Act for Fiscal Year 2021 (Public Law 116–283; 134*
24 *Stat. 4061) is amended—*

25 *(A) by striking subsection (c); and*

1 (B) by redesignating subsection (d) as sub-
2 section (c).

3 **SEC. 1662. LIMITATION ON MISSILE DEFENSE AGENCY PRO-**
4 **DUCTION OF SATELLITES AND GROUND SYS-**
5 **TEMS ASSOCIATED WITH OPERATION OF**
6 **SUCH SATELLITES.**

7 (a) *LIMITATION.*—

8 (1) *PRODUCTION OF SATELLITES AND GROUND*
9 *SYSTEMS.*—*The Director of the Missile Defense Agen-*
10 *cy may not authorize or obligate funding for a pro-*
11 *gram of record for the production of satellites or*
12 *ground systems associated with the operation of such*
13 *satellites.*

14 (2) *PROTOTYPE SATELLITES.*—

15 (A) *AUTHORITY.*—*The Director, with the*
16 *concurrence of the Space Acquisition Council es-*
17 *tablished by section 9021 of title 10, United*
18 *States Code, may authorize the production of one*
19 *or more prototype satellites, consistent with the*
20 *requirements of the Missile Defense Agency.*

21 (B) *REPORT.*—*Not later than 30 days after*
22 *the date on which the Space Acquisition Council*
23 *concurs with the Director with respect to author-*
24 *izing the production of a prototype satellite*
25 *under subparagraph (A), the chair of the Council*

1 *shall submit to the congressional defense commit-*
2 *tees a report explaining the reasons for such con-*
3 *currence.*

4 (C) *OBLIGATION OF FUNDS.—The Director*
5 *may not obligate funds for the production of a*
6 *prototype satellite under subparagraph (A) be-*
7 *fore the date on which the Space Acquisition*
8 *Council submits the report for such prototype*
9 *satellite under subparagraph (B).*

10 (b) *HYPERSONIC AND BALLISTIC MISSILE TRACKING*
11 *SPACE SENSOR.—Section 1645 of the William M. (Mac)*
12 *Thornberry National Defense Authorization Act for Fiscal*
13 *Year 2021 (Public Law 116–283) is amended—*

14 (1) *by redesignating subsections (f) and (g) as*
15 *subsections (g) and (h), respectively; and*

16 (2) *by inserting after subsection (e) the following*
17 *new subsection (f):*

18 “(f) *WAIVER OF CERTAIN LIMITATION.—The Assistant*
19 *Secretary of the Air Force for Space Acquisition and Inte-*
20 *gration, acting as the chair of the Space Acquisition Coun-*
21 *cil, may waive the limitation in section 1662 of the Na-*
22 *tional Defense Authorization Act for Fiscal Year 2022, with*
23 *respect to the hypersonic and ballistic missile tracking*
24 *space sensor program if the Assistant Secretary—*

1 “(1) determines that such limitation would delay
2 the delivery of an operational hypersonic and ballistic
3 missile tracking space sensor because of technical,
4 cost, or schedule factors; and

5 “(2) submits to the congressional defense commit-
6 tees—

7 “(A) the technical, schedule, or cost ration-
8 ale for the waiver;

9 “(B) an acquisition strategy for the
10 hypersonic and ballistic missile tracking space
11 sensor program that is signed by both the Direc-
12 tor and the Assistant Secretary; and

13 “(C) a lead service agreement entered into
14 by the Director and the Chief of Space Oper-
15 ations regarding the operation and sustainment
16 of the hypersonic and ballistic missile tracking
17 space sensor and the integration of the sensor
18 into the architecture of the Space Force.”.

19 **SEC. 1663. EXTENSION OF PERIOD FOR TRANSITION OF**
20 **BALLISTIC MISSILE DEFENSE PROGRAMS TO**
21 **MILITARY DEPARTMENTS.**

22 Section 1676(b)(1) of the National Defense Authoriza-
23 tion Act for Fiscal Year 2018 (Public Law 115–91; 10
24 U.S.C. 2431 note) is amended by striking “the date on
25 which the budget of the President for fiscal year 2023 is

1 *submitted under section 1105 of title 31, United States*
2 *Code,” and inserting, “October 1, 2023,”.*

3 **SEC. 1664. DIRECTED ENERGY PROGRAMS FOR BALLISTIC**
4 **AND HYPERSONIC MISSILE DEFENSE.**

5 (a) *AUTHORITY OF THE MISSILE DEFENSE AGENCY.—*
6 *The Secretary of Defense shall delegate to the Director of*
7 *the Missile Defense Agency the authority to budget for, di-*
8 *rect, and manage directed energy programs applicable for*
9 *ballistic and hypersonic missile defense missions, in coordi-*
10 *nation with other directed energy efforts of the Department*
11 *of Defense.*

12 (b) *PRIORITIZATION.—In budgeting for and directing*
13 *directed energy programs applicable for ballistic and*
14 *hypersonic defensive missions pursuant to subsection (a),*
15 *the Director of the Missile Defense Agency shall—*

16 (1) *prioritize the early research and development*
17 *of technologies; and*

18 (2) *address the transition of such technologies to*
19 *industry to support future operationally relevant ca-*
20 *pabilities.*

21 **SEC. 1665. GUAM INTEGRATED AIR AND MISSILE DEFENSE**
22 **SYSTEM.**

23 (a) *ARCHITECTURE AND ACQUISITION.—The Secretary*
24 *of Defense, acting through the Director of the Missile De-*
25 *fense Agency, and in coordination with the Commander of*

1 *the United States Indo-Pacific Command, shall identify the*
2 *architecture and acquisition approach for implementing a*
3 *360-degree integrated air and missile defense capability to*
4 *defend the people, infrastructure, and territory of Guam*
5 *from the scope and scale of advanced cruise, ballistic, and*
6 *hypersonic missile threats that are expected to be fielded*
7 *during the 10-year period beginning on the date of the en-*
8 *actment of this Act.*

9 **(b) REQUIREMENTS.**—*The architecture identified*
10 *under subsection (a) shall have the ability to—*

11 **(1) integrate, while maintaining high kill chain**
12 **performance against advanced threats, all applica-**
13 **ble—**

14 **(A) multi-domain sensors that contribute**
15 **substantively to track quality and track custody;**

16 **(B) interceptors; and**

17 **(C) command and control systems;**

18 **(2) address robust discrimination and electro-**
19 **magnetic compatibility with other sensors;**

20 **(3) engage directly, or coordinate engagements**
21 **with other integrated air and missile defense systems,**
22 **to defeat the spectrum of cruise, ballistic, and**
23 **hypersonic threats expected to be fielded during the**
24 **10-year period beginning on the date of the enactment**
25 **of this Act;**

1 (4) *leverage existing programs of record to expedite the development and deployment of the architecture during the five-year period beginning on the date of the enactment of this Act, with an objective of achieving initial operating capability in 2025, including with respect to—*

7 (A) *the Aegis ballistic missile defense system;*

8 *tem;*

9 (B) *standard missile–3 and –6 variants;*

10 (C) *the terminal high altitude area defense system;*

12 (D) *the Patriot air and missile defense system;*

13 *tem;*

14 (E) *the integrated battle control system; and*

15 (F) *the lower tier air and missile defense sensor and other lower tier capabilities, as applicable;*

18 (5) *integrate future systems and interceptors, including directed energy-based kill systems, that will also have the capability to detect, track, and defeat hypersonic missiles in the glide and terminal phases, including integration of passive measures to protect assets in Guam; and*

1 (6) *incentivize competition within the acquisi-*
2 *tion of the architecture and rapid procurement and*
3 *deployment wherever possible.*

4 (c) *REPORT.*—*Not later than 60 days after the date*
5 *of the enactment of this Act, the Secretary shall submit to*
6 *the congressional defense committees a report on the archi-*
7 *ture and acquisition approach identified under sub-*
8 *section (a), including—*

9 (1) *an assessment of the development and imple-*
10 *mentation risks associated with each of the elements*
11 *identified under subsection (b); and*

12 (2) *a plan for expending funds authorized to be*
13 *appropriated by this Act or otherwise made available*
14 *for fiscal year 2022 for such architecture.*

15 (d) *LIMITATION.*—*Of the funds authorized to be appro-*
16 *priated by this Act or otherwise made available for fiscal*
17 *year 2022 for the Department of Defense for the Office of*
18 *Cost Assessment and Program Evaluation, not more than*
19 *80 percent may be obligated or expended until the date on*
20 *which the Secretary of Defense submits to the congressional*
21 *defense committees the report under subsection (c).*

22 **SEC. 1666. MISSILE DEFENSE RADAR IN HAWAII.**

23 *As a part of the defense budget materials (as defined*
24 *in section 239 of title 10, United States Code) for fiscal*

1 *year 2023, the Director of the Missile Defense Agency shall*
2 *certify to the congressional defense committees that—*

3 (1) *the future-years defense program submitted*
4 *to Congress under section 221 of title 10, United*
5 *States Code, in 2022 includes adequate amounts of es-*
6 *timated funding to develop, construct, test, and inte-*
7 *grate into the missile defense system the discrimina-*
8 *tion radar for homeland defense planned to be located*
9 *in Hawaii; and*

10 (2) *such radar and associated in-flight inter-*
11 *ceptor communications system data terminal will be*
12 *operational by not later than December 31, 2028.*

13 **SEC. 1667. CERTIFICATION REQUIRED FOR RUSSIA AND**
14 **CHINA TO TOUR CERTAIN MISSILE DEFENSE**
15 **SITES.**

16 (a) *CERTIFICATION.*—*Before the Secretary of Defense*
17 *makes a determination with respect to allowing a foreign*
18 *national of Russia or China to tour a covered site, the Sec-*
19 *retary shall submit to the congressional defense committees*
20 *a certification that—*

21 (1) *the Secretary has determined that such tour*
22 *is in the national security interest of the United*
23 *States, including the justifications for such deter-*
24 *mination; and*

1 (2) *the Secretary will not share any technical*
2 *data relating to the covered site with the foreign na-*
3 *tionals.*

4 (b) *TIMING.*—*The Secretary may not conduct a tour*
5 *described in subsection (a) until a period of 45 days has*
6 *elapsed following the date on which the Secretary submits*
7 *the certification for that tour under such subsection.*

8 (c) *CONSTRUCTION WITH OTHER REQUIREMENTS.*—
9 *Nothing in this section shall be construed to supersede or*
10 *otherwise affect section 130h of title 10, United States Code.*

11 (d) *COVERED SITE.*—*In this section, the term “covered*
12 *site” means any of the following:*

13 (1) *The combat information center of a naval*
14 *ship equipped with the Aegis ballistic missile defense*
15 *system.*

16 (2) *An Aegis Ashore site.*

17 (3) *A terminal high altitude area defense bat-*
18 *tery.*

19 (4) *A ground-based midcourse defense interceptor*
20 *silo.*

21 **SEC. 1668. NEXT GENERATION INTERCEPTORS FOR MISSILE**
22 **DEFENSE OF THE UNITED STATES HOME-**
23 **LAND.**

24 (a) *FUNDING PLAN.*—*The Director of the Missile De-*
25 *fense Agency shall develop a funding plan that includes*

1 *funding lines across the future-years defense program under*
2 *section 221 of title 10, United States Code, for the next gen-*
3 *eration interceptor that—*

4 (1) *while applying lessons learned from the rede-*
5 *signed kill vehicle program, incorporating rec-*
6 *ommendations from the Comptroller General of the*
7 *United States, and implementing “fly-before-you-buy”*
8 *principles, produces and begins deployment of the*
9 *next generation interceptor as early as practicable;*

10 (2) *includes acquiring at least 20 operational*
11 *next generation interceptors; and*

12 (3) *includes transition plans to replace the cur-*
13 *rent inventory of silo-based boosters with follow-on*
14 *systems prior to the end of the useful lifecycle of the*
15 *boosters.*

16 (b) *REPORT ON FUNDING PROFILE.—The Director*
17 *shall include with the budget justification materials sub-*
18 *mitted to Congress in support of the budget of the Depart-*
19 *ment of Defense for fiscal year 2023 (as submitted with the*
20 *budget of the President under section 1105(a) of title 31,*
21 *United States Code) a report on the funding profile nec-*
22 *essary for the next generation interceptor program through*
23 *the date on which the program achieves full operational ca-*
24 *pability.*

1 (c) *CONGRESSIONAL NOTIFICATION OF CANCELLATION*
2 *REQUIREMENT.*—Not later than 30 days prior to any final
3 decision to cancel the next generation interceptor program,
4 the Director shall provide to the congressional defense com-
5 mittees a briefing on such decision, including—

6 (1) a justification for the decision; and
7 (2) an analysis of the national security risk that
8 the Director accepts by reason of cancelling such pro-
9 gram.

10 (d) *INCLUSION IN REQUIRED FLIGHT TESTS.*—Section
11 1689(a) of the National Defense Authorization Act for Fis-
12 cal Year 2017 (Public Law 114–328; 10 U.S.C. 2431 note)
13 is amended by adding after the period at the end the fol-
14 lowing new sentence: “Beginning not later than five years
15 after the date on which the next generation interceptor
16 achieves initial operational capability, the Director shall
17 ensure that such flight tests include the next generation in-
18 terceptor.”.

19 (e) *REPORT.*—Not later than the date of on which the
20 Director approves the next generation interceptor program
21 to enter the initial production phase of the acquisition proc-
22 ess, the Director shall submit to the congressional defense
23 committees a report outlining estimated annual costs for
24 conducting annual, operationally relevant flight testing to
25 evaluate the reliability of the system developed under such

1 program, including associated production costs for pro-
2 curing sufficient flight systems to support such testing for
3 the projected life of the system.

4 (f) *PROGRAM ACCOUNTABILITY MATRICES.*—

5 (1) *REQUIREMENT.*—Concurrent with the sub-
6 mission to Congress of the budget of the President for
7 fiscal year 2023 and each fiscal year thereafter pursu-
8 ant to section 1105(a) of title 31, United States Code,
9 the Director shall submit to the congressional defense
10 committees and the Comptroller General of the United
11 States the matrices described in paragraph (2) relat-
12 ing to the next generation interceptor program.

13 (2) *MATRICES DESCRIBED.*—The matrices de-
14 scribed in this subsection are the following:

15 (A) *TECHNOLOGY AND PRODUCT DEVELOP-*
16 *MENT GOALS.*—A matrix that identifies, in six-
17 month increments, key milestones, development
18 events, and specific performance goals for the
19 technology development phase of the next genera-
20 tion interceptor program, which shall be sub-
21 divided, at a minimum, according to the fol-
22 lowing:

23 (i) *Technology maturity, including*
24 *technology readiness levels of major inter-*

1 *ceptor components and key demonstration*
2 *events leading to full maturity.*

3 *(ii) Design maturity, including key*
4 *events and metrics, at the interceptor all up*
5 *round level and major interceptor compo-*
6 *nent level.*

7 *(iii) Parts testing, including key events*
8 *and metrics for vetting parts and compo-*
9 *nents through a parts, materials, and proc-*
10 *esses mission assurance plan.*

11 *(iv) Software maturity, including key*
12 *events and metrics, at the all up round level*
13 *and major interceptor component level for*
14 *the interceptor.*

15 *(v) Manufacturing maturity, including*
16 *manufacturing readiness levels for critical*
17 *manufacturing operations and key dem-*
18 *onstration events.*

19 *(vi) Schedule, with respect to key pro-*
20 *gram milestones, critical path events, and*
21 *margins.*

22 *(vii) Reliability, including growth*
23 *plans and key milestones.*

24 *(viii) Developmental testing and cyber-*
25 *security.*

1 *(ix) Any other technology and product*
2 *development goals the Director determines*
3 *to be appropriate.*

4 *(B) COST.—*

5 *(i) IN GENERAL.—The following mat-*
6 *rices relating to the cost of the next genera-*
7 *tion interceptor program:*

8 *(I) A matrix expressing, in six-*
9 *month increments, the total cost for the*
10 *technology development phase.*

11 *(II) A matrix expressing the total*
12 *cost for each of the contractors' esti-*
13 *mates for the technology development*
14 *phase.*

15 *(ii) PHASING AND SUBDIVISION OF*
16 *MATRICES.—The matrices described in*
17 *clauses (i) and (ii) of subparagraph (B)*
18 *shall be—*

19 *(I) phased over the entire tech-*
20 *nology development phase; and*

21 *(II) subdivided according to the*
22 *costs major interceptor component of*
23 *each next generation interceptor con-*
24 *figuration.*

1 (C) *STAKEHOLDER AND INDEPENDENT RE-*
2 *VIEWS.—A matrix that identifies, in six-month*
3 *increments, plans and status for coordinating*
4 *products and obtaining independent reviews for*
5 *the next generation interceptor program for the*
6 *technology development phase, which shall be*
7 *subdivided according to the following:*

8 (i) *Performance requirements, includ-*
9 *ing coordinating, updating, and obtaining*
10 *approval of the top-level requirements docu-*
11 *ment.*

12 (ii) *Intelligence inputs, processes, and*
13 *products, including—*

14 (I) *coordinating, updating, and*
15 *validating the homeland ballistic mis-*
16 *sile defense validated online lifecycle*
17 *threat with the Director of the Defense*
18 *Intelligence Agency; and*

19 (II) *coordinating and obtaining*
20 *approval of a lifecycle mission data*
21 *plan.*

22 (iii) *Independent assessments, includ-*
23 *ing obtaining an initial and updated—*

24 (I) *technical risk assessment; and*

25 (II) *cost estimate.*

1 (iv) *Models and simulations, includ-*
2 *ing—*

3 (I) *obtaining accreditation of in-*
4 *terceptor models and simulations at*
5 *both the all up round level and sub-*
6 *system level from the Ballistic Missile*
7 *Defense Operational Test Agency;*

8 (II) *obtaining certification of*
9 *threat models used for interceptor*
10 *ground test from the Ballistic Missile*
11 *Defense Operational Test Agency; and*

12 (III) *obtaining accreditation from*
13 *the Director of the Defense Intelligence*
14 *Agency on all threat models, simula-*
15 *tions, and associated data used to sup-*
16 *port interceptor development.*

17 (v) *Sustainability and obsolescence, in-*
18 *cluding coordinating and obtaining ap-*
19 *proval of a lifecycle sustainment plan.*

20 (vi) *Cybersecurity, including coordi-*
21 *nating and obtaining approval of a cyberse-*
22 *curity strategy.*

23 (3) *FORM.—The matrices submitted under para-*
24 *graph (2) shall be in unclassified form, but may con-*
25 *tain a classified annex.*

1 (4) *SEMIANNUAL UPDATES OF MATRICES.*—Not
2 *later than 180 days after the date on which the Direc-*
3 *tor submits the matrices described in paragraph (2)*
4 *for a year as required by paragraph (1), the Director*
5 *shall submit to the congressional defense committees*
6 *and the Comptroller General updates to the matrices.*

7 (5) *TREATMENT OF THE FIRST MATRICES AS*
8 *BASELINE.*—

9 (A) *IN GENERAL.*—*The first set of matrices*
10 *submitted under paragraph (1) shall be treated*
11 *as the baseline for the technology development*
12 *phase of the next generation interceptor program*
13 *for purposes of updates submitted under sub-*
14 *section (i) and subsequent matrices submitted*
15 *under paragraph (1).*

16 (B) *ELEMENTS.*—*After the submission of*
17 *the first set of matrices required by paragraph*
18 *(1), each update submitted under paragraph (4)*
19 *and each subsequent set of matrices submitted*
20 *under paragraph (1) shall—*

21 (i) *clearly identify changes in key*
22 *milestones, development events, and specific*
23 *performance goals identified in the first set*
24 *of matrices under subparagraph (A) of*
25 *paragraph (2);*

1 (ii) provide updated cost estimates
2 under subparagraph (B) of such paragraph;
3 and

4 (iii) provide updated plans and status
5 under subparagraph (C) of such paragraph.

6 (6) *ASSESSMENT BY COMPTROLLER GENERAL OF*
7 *THE UNITED STATES.*—Not later than 60 days after
8 receiving the matrices described in paragraph (2) for
9 a year as required by paragraph (1), the Comptroller
10 General shall—

11 (A) assess the acquisition progress made
12 with respect to the next generation interceptor
13 program; and

14 (B) provide to the congressional defense
15 committees a briefing on the results of that as-
16 sessment.

17 (7) *TERMINATION.*—The requirements of this
18 subsection shall terminate on the date that is one year
19 after the date on which the next generation inter-
20 ceptor program is approved to enter the product de-
21 velopment phase.

1 **SEC. 1669. IRON DOME SHORT-RANGE ROCKET DEFENSE**
2 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**
3 **DEFENSE PROGRAM CO-DEVELOPMENT AND**
4 **CO-PRODUCTION.**

5 (a) *IRON DOME SHORT-RANGE ROCKET DEFENSE*
6 *SYSTEM.*—

7 (1) *AVAILABILITY OF FUNDS.*—*Of the funds au-*
8 *thorized to be appropriated by this Act for fiscal year*
9 *2022 for procurement, Defense-wide, and available for*
10 *the Missile Defense Agency, not more than*
11 *\$108,000,000 may be provided to the Government of*
12 *Israel to procure components for the Iron Dome short-*
13 *range rocket defense system through co-production of*
14 *such components in the United States by industry of*
15 *the United States.*

16 (2) *CONDITIONS.*—

17 (A) *AGREEMENT.*—*Funds described in*
18 *paragraph (1) for the Iron Dome short-range*
19 *rocket defense program shall be available subject*
20 *to the terms and conditions in the Agreement Be-*
21 *tween the Department of Defense of the United*
22 *States of America and the Ministry of Defense of*
23 *the State of Israel Concerning Iron Dome De-*
24 *fense System Procurement, signed on March 5,*
25 *2014, as amended to include co-production for*
26 *Tamir interceptors.*

1 (B) *CERTIFICATION.*—Not later than 30
2 days prior to the initial obligation of funds de-
3 scribed in paragraph (1), the Under Secretary of
4 Defense for Acquisition and Sustainment shall
5 submit to the appropriate congressional commit-
6 tees—

7 (i) a certification that the amended bi-
8 lateral international agreement specified in
9 subparagraph (A) is being implemented as
10 provided in such agreement;

11 (ii) an assessment detailing any risks
12 relating to the implementation of such
13 agreement; and

14 (iii) for system improvements resulting
15 in modified Iron Dome components and
16 Tamir interceptor sub-components, a certifi-
17 cation that the Government of Israel has
18 demonstrated successful completion of Pro-
19 duction Readiness Reviews, including the
20 validation of production lines, the
21 verification of component conformance, and
22 the verification of performance to specifica-
23 tion as defined in the Iron Dome Defense
24 System Procurement Agreement, as further
25 amended.

1 **(b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-**
2 **GRAM, DAVID’S SLING WEAPON SYSTEM CO-PRODUC-**
3 **TION.—**

4 **(1) IN GENERAL.—***Subject to paragraph (3), of*
5 *the funds authorized to be appropriated for fiscal year*
6 *2022 for procurement, Defense-wide, and available for*
7 *the Missile Defense Agency, not more than*
8 *\$30,000,000 may be provided to the Government of*
9 *Israel to procure the David’s Sling Weapon System,*
10 *including for co-production of parts and components*
11 *in the United States by United States industry.*

12 **(2) AGREEMENT.—***Provision of funds specified*
13 *in paragraph (1) shall be subject to the terms and*
14 *conditions in the bilateral co-production agreement,*
15 *including—*

16 **(A)** *a one-for-one cash match is made by*
17 *Israel or in another matching amount that oth-*
18 *erwise meets best efforts (as mutually agreed to*
19 *by the United States and Israel); and*

20 **(B)** *co-production of parts, components, and*
21 *all-up rounds (if appropriate) in the United*
22 *States by United States industry for the David’s*
23 *Sling Weapon System is not less than 50 per-*
24 *cent.*

1 (3) *CERTIFICATION AND ASSESSMENT.—The*
2 *Under Secretary of Defense for Acquisition and*
3 *Sustainment shall submit to the appropriate congress-*
4 *sional committees—*

5 (A) *a certification that the Government of*
6 *Israel has demonstrated the successful completion*
7 *of the knowledge points, technical milestones, and*
8 *production readiness reviews required by the re-*
9 *search, development, and technology agreement*
10 *and the bilateral co-production agreement for the*
11 *David’s Sling Weapon System; and*

12 (B) *an assessment detailing any risks relat-*
13 *ing to the implementation of such agreement.*

14 (c) *ISRAELI COOPERATIVE MISSILE DEFENSE PRO-*
15 *GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-*
16 *PRODUCTION.—*

17 (1) *IN GENERAL.—Subject to paragraph (2), of*
18 *the funds authorized to be appropriated for fiscal year*
19 *2022 for procurement, Defense-wide, and available for*
20 *the Missile Defense Agency not more than \$62,000,000*
21 *may be provided to the Government of Israel for the*
22 *Arrow 3 Upper Tier Interceptor Program, including*
23 *for co-production of parts and components in the*
24 *United States by United States industry.*

1 (2) *CERTIFICATION.*—*The Under Secretary of*
2 *Defense for Acquisition and Sustainment shall submit*
3 *to the appropriate congressional committees a certifi-*
4 *cation that—*

5 (A) *the Government of Israel has dem-*
6 *onstrated the successful completion of the knowl-*
7 *edge points, technical milestones, and production*
8 *readiness reviews required by the research, devel-*
9 *opment, and technology agreement for the Arrow*
10 *3 Upper Tier Interceptor Program;*

11 (B) *funds specified in paragraph (1) will be*
12 *provided on the basis of a one-for-one cash match*
13 *made by Israel or in another matching amount*
14 *that otherwise meets best efforts (as mutually*
15 *agreed to by the United States and Israel);*

16 (C) *the United States has entered into a bi-*
17 *lateral international agreement with Israel that*
18 *establishes, with respect to the use of such*
19 *funds—*

20 (i) *in accordance with subparagraph*
21 *(D), the terms of co-production of parts and*
22 *components on the basis of the greatest*
23 *practicable co-production of parts, compo-*
24 *nents, and all-up rounds (if appropriate)*
25 *by United States industry and minimizes*

1 *nonrecurring engineering and facilitization*
2 *expenses to the costs needed for co-produc-*
3 *tion;*

4 *(ii) complete transparency on the re-*
5 *quirement of Israel for the number of inter-*
6 *ceptors and batteries that will be procured,*
7 *including with respect to the procurement*
8 *plans, acquisition strategy, and funding*
9 *profiles of Israel;*

10 *(iii) technical milestones for co-produc-*
11 *tion of parts and components and procure-*
12 *ment;*

13 *(iv) a joint affordability working*
14 *group to consider cost reduction initiatives;*
15 *and*

16 *(v) joint approval processes for third-*
17 *party sales; and*

18 *(D) the level of co-production described in*
19 *subparagraph (C)(i) for the Arrow 3 Upper Tier*
20 *Interceptor Program is not less than 50 percent.*

21 *(d) NUMBER.—In carrying out paragraph (2) of sub-*
22 *section (b) and paragraph (2) of subsection (c), the Under*
23 *Secretary may submit—*

1 (1) *one certification covering both the David's*
2 *Sling Weapon System and the Arrow 3 Upper Tier*
3 *Interceptor Program; or*

4 (2) *separate certifications for each respective sys-*
5 *tem.*

6 (e) *TIMING.*—*The Under Secretary shall submit to the*
7 *congressional defense committees the certification and as-*
8 *essment under subsection (b)(3) and the certification under*
9 *subsection (c)(2) no later than 30 days before the funds*
10 *specified in paragraph (1) of subsections (b) and (c) for*
11 *the respective system covered by the certification are pro-*
12 *vided to the Government of Israel.*

13 (f) *WORKSHARE FOR IRON DOME REPLENISHMENT*
14 *EFFORTS.*—

15 (1) *MAINTENANCE OF AGREEMENT.*—*With re-*
16 *spect to replenishment efforts for the Iron Dome short-*
17 *range rocket defense system carried out during fiscal*
18 *year 2022, the Secretary of Defense may seek to*
19 *maintain a workshare agreement for the United*
20 *States production of systems that are covered, as of*
21 *the date of the enactment of this Act, under the memo-*
22 *randum of understanding regarding United States*
23 *and Israeli cooperation on missile defense.*

24 (2) *BRIEFING.*—*The Secretary of Defense shall*
25 *provide to the appropriate congressional committees a*

1 *briefing detailing the terms of any workshare agree-*
2 *ments described by paragraph (1).*

3 (g) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
4 *FINED.*—*In this section, the term “appropriate congress-*
5 *sional committees” means the following:*

6 (1) *The congressional defense committees.*

7 (2) *The Committee on Foreign Relations of the*
8 *Senate and the Committee on Foreign Affairs of the*
9 *House of Representatives.*

10 **SEC. 1670. UPDATE OF STUDY ON DISCRIMINATION CAPA-**
11 **BILITIES OF THE BALLISTIC MISSILE DE-**
12 **FENSE SYSTEM.**

13 (a) *UPDATE.*—*The Secretary of Defense shall enter*
14 *into an arrangement with the private scientific advisory*
15 *group known as JASON under which JASON shall carry*
16 *out an update to the study conducted pursuant to section*
17 *237 of the National Defense Authorization Act for Fiscal*
18 *Year 2010 (Public Law 111–84; 123 Stat. 2236) on the dis-*
19 *crimination capabilities and limitations of the missile de-*
20 *fense system of the United States, including such discrimi-*
21 *nation capabilities that exist or are planned as of the date*
22 *of the update.*

23 (b) *REPORT.*—*Not later than one year after the date*
24 *of the enactment of this Act, the Secretary shall submit to*

1 *the congressional defense committees a report containing the*
2 *study.*

3 (c) *FORM.*—*The report under subsection (b) may be*
4 *submitted in classified form, but shall contain an unclassi-*
5 *fied summary.*

6 **SEC. 1671. SEMIANNUAL UPDATES ON MEETINGS HELD BY**
7 **THE MISSILE DEFENSE EXECUTIVE BOARD.**

8 (a) *SEMIANNUAL UPDATES.*—*Not later than March 1*
9 *and September 1 of each year, the Under Secretary of De-*
10 *fense for Research and Engineering and the Under Sec-*
11 *retary of Defense for Acquisition and Sustainment, acting*
12 *in their capacities as co-chairs of the Missile Defense Execu-*
13 *tive Board pursuant to section 1681(c) of the John S.*
14 *McCain National Defense Authorization Act for Fiscal Year*
15 *2019 (Public Law 115–232; 132 Stat. 2162), shall provide*
16 *to the congressional defense committees a semiannual up-*
17 *date including, with respect to the six-month period pre-*
18 *ceding the update—*

19 (1) *the dates on which the Board met; and*

20 (2) *except as provided by subsection (b), a sum-*
21 *mary of any decisions made by the Board at each*
22 *meeting of the Board and the rationale for and op-*
23 *tions that informed such decisions.*

24 (b) *EXCEPTION FOR CERTAIN BUDGETARY MAT-*
25 *TERS.*—*The co-chairs shall not be required to include in*

1 *a semiannual update under subsection (a) the matters de-*
2 *scribed in paragraph (2) of such subsection with respect to*
3 *decisions of the Board relating to the budget of the President*
4 *for a fiscal year if the budget for that fiscal year has not*
5 *been submitted to Congress under section 1105 of title 31,*
6 *United States Code, as of the date of the semiannual update.*

7 *(c) FORM OF UPDATE.—The co-chairs may provide a*
8 *semiannual update under subsection (a) either in the form*
9 *of a briefing or a written report.*

10 *(d) TECHNICAL AMENDMENTS.—*

11 *(1) FY18 NDAA.—Section 1676(c)(3)(B) of the*
12 *National Defense Authorization Act for Fiscal Year*
13 *2018 (Public Law 115–91; 10 U.S.C. 205 note) is*
14 *amended by striking “chairman” and inserting*
15 *“chair”.*

16 *(2) FY19 NDAA.—Section 1681(c) of the John S.*
17 *McCain National Defense Authorization Act for Fis-*
18 *cal Year 2019 (Public Law 115–232; 132 Stat. 2162)*
19 *is amended—*

20 *(A) in the matter preceding paragraph (1),*
21 *by striking “chairman” and inserting “chair”;*
22 *and*

23 *(B) in paragraph (2), by striking “co-chair-*
24 *man” and inserting “co-chair”.*

1 **SEC. 1672. MATTERS REGARDING INTEGRATED DETER-**
2 **RENCE REVIEW.**

3 (a) *REPORTS.*—Not later than 30 days after the date
4 on which the Integrated Deterrence Review that commenced
5 during 2021 is submitted to the congressional defense com-
6 mittees, the Secretary of Defense shall submit to the congres-
7 sional defense committees the following:

8 (1) *Each final report, assessment, and guidance*
9 *document produced by the Department of Defense*
10 *pursuant to the Integrated Deterrence Review or dur-*
11 *ing subsequent actions taken to implement the conclu-*
12 *sions of the Integrated Deterrence Review, including*
13 *with respect to each covered review.*

14 (2) *A report explaining how each such covered*
15 *review differs from the previous such review.*

16 (b) *CERTIFICATIONS.*—Not later than 30 days after the
17 date on which a covered review is submitted to the congres-
18 sional defense committees, the Chairman of the Joint Chiefs
19 of Staff, the Vice Chairman of the Joint Chiefs of Staff,
20 and the Commander of the United States Strategic Com-
21 mand shall each directly submit to such committees—

22 (1) *a certification regarding whether the Chair-*
23 *man, Vice Chairman, or Commander, as the case may*
24 *be, had the opportunity to provide input into the cov-*
25 *ered review; and*

1 (2) a description of the degree to which the cov-
2 ered reviews differ from the military advice contained
3 in such input (or, if there was no opportunity to pro-
4 vide such input, would have been contained in the
5 input if so provided).

6 (c) *COVERED REVIEW DEFINED.*—In this section, the
7 term “covered review” means—

8 (1) the Missile Defense Review that commenced
9 during 2021; and

10 (2) the Nuclear Posture Review that commenced
11 during 2021.

12 **SEC. 1673. SEMIANNUAL NOTIFICATIONS REGARDING MIS-**
13 **SILE DEFENSE TESTS AND COSTS.**

14 (a) *SEMIANNUAL NOTIFICATIONS REQUIRED.*—For
15 each period described in subsection (b), the Director of the
16 Missile Defense Agency shall submit to the congressional de-
17 fense committees a notification of all—

18 (1) flight tests (intercept and non-intercept)
19 planned to occur during the period covered by the no-
20 tification based on the Integrated Master Test Plan
21 the Director used to support the President’s budget
22 submission under section 1105 of title 31, United
23 States Code, for the fiscal year of the period covered;
24 and

1 (2) *ground tests planned to occur during such*
2 *period based on such plan.*

3 (b) *PERIODS DESCRIBED.*—*The periods described in*
4 *this subsection are—*

5 (1) *the first 180-calendar-day period beginning*
6 *on the date that is 90 days after the date of the enact-*
7 *ment of this Act; and*

8 (2) *each subsequent, sequential 180-calendar-day*
9 *period beginning thereafter until the date that is five*
10 *years and 90 calendar days after the date of the en-*
11 *actment of this Act.*

12 (c) *TIMING OF NOTIFICATION.*—*Each notification sub-*
13 *mitted under subsection (a) for a period described in sub-*
14 *section (b) shall be submitted—*

15 (1) *not earlier than 30 calendar days before the*
16 *last day of the period; and*

17 (2) *not later than the last day of the period.*

18 (d) *CONTENTS.*—*Each notification submitted under*
19 *subsection (a) shall include the following:*

20 (1) *For the period covered by the notification:*

21 (A) *With respect to each flight test described*
22 *in subsection (a)(1), the following:*

23 (i) *The entity responsible for leading*
24 *the flight test (such as the Missile Defense*

1 *Agency, the Army, or the Navy) and the*
2 *classification level of the flight test.*

3 *(ii) The planned cost (the most recent*
4 *flight test cost estimate, including intercept-*
5 *tors and targets), the actual costs and ex-*
6 *penditures to-date, and an estimate of any*
7 *remaining costs and expenditures.*

8 *(iii) All funding (including any ap-*
9 *propriated, transferred, or reprogrammed*
10 *funding) the Agency has received to-date for*
11 *the flight test.*

12 *(iv) All changes made to the scope and*
13 *objectives of the flight test and an expla-*
14 *nation for such changes.*

15 *(v) The status of the flight test, such as*
16 *conducted-objectives achieved, conducted-ob-*
17 *jectives not achieved (failure or no-test), de-*
18 *layed, or canceled.*

19 *(vi) In the event of a flight test status*
20 *of conducted-objectives not achieved (failure*
21 *or no-test), delayed, or canceled—*

22 *(I) the reasons the flight test did*
23 *not succeed or occur;*

24 *(II) in the event of a flight test*
25 *status of failure or no-test, the plan*

1 *and cost estimate to retest, if necessary,*
2 *and any contractor liability, if appro-*
3 *priate;*

4 *(III) in the event of a flight test*
5 *delay, the fiscal year and quarter the*
6 *objectives were first planned to be met,*
7 *the names of the flight tests the objec-*
8 *tives have been moved to, the aggregate*
9 *duration of the delay to-date, and, if*
10 *applicable, any risks to the warfighter*
11 *from the delay; and*

12 *(IV) in the event of a flight test*
13 *cancellation, the fiscal year and quar-*
14 *ter the objectives were first planned to*
15 *be met, whether the objectives from the*
16 *canceled test were met by other means,*
17 *moved to a different flight test, or re-*
18 *moved, a revised spend plan for the re-*
19 *maining funding the agency received*
20 *for the flight test to-date, and, if appli-*
21 *cable, any risks to the warfighter from*
22 *the cancellation; and*

23 *(vii) the status of any decisions*
24 *reached by failure review boards open or*

1 *completed during the period covered by the*
2 *notification.*

3 *(B) With respect to each ground test de-*
4 *scribed in subsection (a)(2), the following:*

5 *(i) The planned cost (the most recent*
6 *ground test cost estimate), the actual costs*
7 *and expenditures to-date, and an estimate*
8 *of any remaining costs and expenditures.*

9 *(ii) The designation of the ground test,*
10 *whether developmental, operational, or both.*

11 *(iii) All changes made to the scope and*
12 *objectives of the ground test and an expla-*
13 *nation for such changes.*

14 *(iv) The status of the ground test, such*
15 *as conducted-objectives achieved, conducted-*
16 *objectives not achieved (failure or no-test),*
17 *delayed, or canceled.*

18 *(v) In the case of a ground test status*
19 *of conducted-objectives not achieved (failure*
20 *or no-test), delayed, or canceled—*

21 *(I) the reasons the ground test did*
22 *not succeed or occur; and*

23 *(II) if applicable, any risks to the*
24 *warfighter from the ground test not*
25 *succeeding or occurring;*

1 (vi) *The participating system and ele-*
2 *ment models used for conducting ground*
3 *tests and the accreditation status of the par-*
4 *ticipating system and element models.*

5 (vii) *Identification of any cybersecu-*
6 *rity tests conducted or planned to be con-*
7 *ducted as part of the ground test.*

8 (viii) *For each cybersecurity test iden-*
9 *tified under subparagraph (G), the status of*
10 *the cybersecurity test, such as conducted-ob-*
11 *jectives achieved, conducted-objectives not*
12 *achieved (failure or no-test), delayed, or*
13 *canceled.*

14 (ix) *In the case of a cybersecurity test*
15 *identified under subparagraph (G) with a*
16 *status of conducted-objectives, not achieved,*
17 *delayed, or canceled—*

18 (I) *the reasons for such status;*

19 and

20 (II) *any risks, if applicable, to the*
21 *warfighter from the cybersecurity test*
22 *not succeeding or occurring.*

23 (2) *To the degree applicable and known, the mat-*
24 *ters covered by paragraph (1) but for the period sub-*
25 *sequent to the covered period.*

1 (e) *EVENTS SPANNING MULTIPLE NOTIFICATION PERI-*
2 *ODS.—Events that span from one period described in sub-*
3 *section (b) into another period described in such subsection,*
4 *such as a the case of a failure review board convening in*
5 *one period and reaching a decision in the following period,*
6 *shall be covered by notifications under subsection (a) for*
7 *both periods.*

8 (f) *FORM.—Each notification submitted under sub-*
9 *section (a) shall be submitted in unclassified form, but may*
10 *include a classified annex.*

11 **SEC. 1674. REPORT ON SENIOR LEADERSHIP OF MISSILE**
12 **DEFENSE AGENCY.**

13 *Not later than 60 days after the date of the enactment*
14 *of this Act, the Director of the Missile Defense Agency shall*
15 *submit to the congressional defense committees a report de-*
16 *tailing the following:*

17 (1) *The responsibilities of the positions of the Di-*
18 *rector, Sea-based Weapons Systems, and the Deputy*
19 *Director of the Missile Defense Agency.*

20 (2) *The role of the officials who occupy these po-*
21 *sitions with respect to the functional combatant com-*
22 *mands with missile defense requirements.*

23 (3) *The rationale and benefit of having an offi-*
24 *cial in these positions who is a general officer or flag*
25 *officer versus a civilian.*

1 **SEC. 1675. INDEPENDENT STUDY OF ROLES AND RESPON-**
2 **SIBILITIES OF DEPARTMENT OF DEFENSE**
3 **COMPONENTS RELATING TO MISSILE DE-**
4 **FENSE.**

5 (a) *INDEPENDENT STUDY AND REPORT.*—

6 (1) *CONTRACT.*—*Not later than 30 days after the*
7 *date of the enactment of this Act, the Secretary of De-*
8 *fense shall seek to enter into a contract with the Na-*
9 *tional Academy of Public Administration (in this sec-*
10 *tion referred to as the “Academy”) for the Academy*
11 *to perform the services covered by this subsection.*

12 (2) *STUDY AND REPORT.*—

13 (A) *ROLES AND RESPONSIBILITIES.*—*Under*
14 *an agreement between the Secretary and the*
15 *Academy under this subsection, the Academy*
16 *shall carry out an study regarding the roles and*
17 *responsibilities of the various components of the*
18 *Department of Defense as they pertain to missile*
19 *defense.*

20 (B) *MATTERS INCLUDED.*—*The study re-*
21 *quired by subparagraph (A) shall include the fol-*
22 *lowing:*

23 (i) *A comprehensive assessment and*
24 *analysis of existing Department component*
25 *roles and responsibilities for the full range*
26 *of missile defense activities, including estab-*

1 *lishment of requirements, research and de-*
2 *velopment, system acquisition, and oper-*
3 *ations.*

4 *(ii) Identification of gaps in compo-*
5 *nent capability of each applicability compo-*
6 *nent for performing its assigned missile de-*
7 *fense roles and responsibilities.*

8 *(iii) Identification of opportunities for*
9 *deconflicting mission sets, eliminating areas*
10 *of unnecessary duplication, reducing waste,*
11 *and improving efficiency across the full*
12 *range of missile defense activities.*

13 *(iv) Development of a timetable for the*
14 *implementation of the opportunities identi-*
15 *fied under clause (iii).*

16 *(v) Development of recommendations*
17 *for such legislative or administrative action*
18 *as the Academy considers appropriate pur-*
19 *suant to carrying out clauses (i) through*
20 *(iv).*

21 *(vi) Such other matters as the Sec-*
22 *retary may require.*

23 *(C) REPORT.—*

24 *(i) REQUIREMENT.—Not later than one*
25 *year after the date on which the Secretary*

1 *and the Academy enter into a contract*
2 *under paragraph (1), the Academy shall*
3 *submit to the Secretary and the congress-*
4 *sional defense committees a report on the*
5 *study conducted under subparagraph (A).*

6 *(ii) ELEMENTS.—The report submitted*
7 *under clause (i) shall include the findings of*
8 *the Academy with respect to the study car-*
9 *ried out under subparagraph (A) and any*
10 *recommendations the Academy may have*
11 *for legislative or administrative action pur-*
12 *suant to such study.*

13 (3) *ALTERNATE CONTRACT ORGANIZATION.—*

14 *(A) AGREEMENT.—If the Secretary is un-*
15 *able within the time period prescribed in para-*
16 *graph (1) to enter into an agreement described*
17 *in such paragraph with the Academy on terms*
18 *acceptable to the Secretary, the Secretary shall*
19 *seek to enter into such an agreement with an-*
20 *other appropriate organization that—*

21 *(i) is not part of the Government;*

22 *(ii) operates as a not-for-profit entity;*

23 *and*

24 *(iii) has expertise and objectivity com-*
25 *parable to that of the Academy.*

1 (B) *REFERENCES.*—*If the Secretary enters*
2 *into an agreement with another organization as*
3 *described in subparagraph (A), any reference in*
4 *this subsection to the Academy shall be treated as*
5 *a reference to the other organization.*

6 (b) *REPORT BY SECRETARY OF DEFENSE.*—*Not later*
7 *than 120 days after the date on which the report is sub-*
8 *mitted pursuant to subsection (a)(2)(C), the Secretary shall*
9 *submit to the congressional defense committees a report on*
10 *the views of the Secretary on the findings and recommenda-*
11 *tions set forth in the report submitted under such sub-*
12 *section, together with such recommendations as the Sec-*
13 *retary may have for changes in the structure, functions, re-*
14 *sponsibilities, and authorities of the Department.*

15 **Subtitle E—Other Matters**

16 **SEC. 1681. COOPERATIVE THREAT REDUCTION FUNDS.**

17 (a) *FUNDING ALLOCATION.*—*Of the \$344,849,000 au-*
18 *thorized to be appropriated to the Department of Defense*
19 *for fiscal year 2022 in section 301 and made available by*
20 *the funding table in division D for the Department of De-*
21 *fense Cooperative Threat Reduction Program established*
22 *under section 1321 of the Department of Defense Coopera-*
23 *tive Threat Reduction Act (50 U.S.C. 3711), the following*
24 *amounts may be obligated for the purposes specified:*

1 (1) *in subsection (a), in the matter preceding*
2 *paragraph (1), by inserting “or any subsequent fiscal*
3 *year” after “fiscal year 2021”; and*

4 (2) *by adding at the end the following new sub-*
5 *sections:*

6 “(d) *DISTRIBUTION OF ESTIMATE.—As soon as prac-*
7 *ticable after submitting an estimate as described in para-*
8 *graph (1) of subsection (a) and making the certification de-*
9 *scribed in paragraph (2) of such subsection, the Secretary*
10 *shall make such estimate available to any licensee operating*
11 *under the Order and Authorization described in such sub-*
12 *section.*

13 “(e) *AUTHORITY OF SECRETARY OF DEFENSE TO*
14 *SEEK RECOVERY OF COSTS.—The Secretary may work di-*
15 *rectly with any licensee (or any future assignee, successor,*
16 *or purchaser) affected by the Order and Authorization de-*
17 *scribed in subsection (a) to seek recovery of costs incurred*
18 *by the Department as a result of the effect of such order*
19 *and authorization.*

20 “(f) *REIMBURSEMENT.—*

21 “(1) *IN GENERAL.—The Secretary shall establish*
22 *and facilitate a process for any licensee (or any fu-*
23 *ture assignee, successor, or purchaser) subject to the*
24 *Order and Authorization described in subsection (a)*
25 *to provide reimbursement to the Department, only to*

1 *the extent provided in appropriation Acts, for the cov-*
2 *ered costs and eligible reimbursable costs submitted*
3 *and certified to the congressional defense committees*
4 *under such subsection.*

5 “(2) *USE OF FUNDS.*—*The Secretary shall use*
6 *any funds received under this subsection, to the extent*
7 *and in such amounts as are provided in advance in*
8 *appropriation Acts, for covered costs described in sub-*
9 *section (b) and the range of eligible reimbursable costs*
10 *identified under subsection (a)(1).*

11 “(3) *REPORT.*—*Not later than 90 days after the*
12 *date on which the Secretary establishes the process re-*
13 *quired by paragraph (1), the Secretary shall submit*
14 *to the congressional defense committees a report on*
15 *such process.”.*

16 **SEC. 1683. ESTABLISHMENT OF OFFICE, ORGANIZATIONAL**
17 **STRUCTURE, AND AUTHORITIES TO ADDRESS**
18 **UNIDENTIFIED AERIAL PHENOMENA.**

19 (a) *ESTABLISHMENT OF OFFICE.*—*Not later than 180*
20 *days after the date of the enactment of this Act, the Sec-*
21 *retary of Defense, in coordination with the Director of Na-*
22 *tional Intelligence, shall establish an office within a compo-*
23 *nent of the Office of the Secretary of Defense, or within a*
24 *joint organization of the Department of Defense and the Of-*
25 *fice of the Director of National Intelligence, to carry out*

1 *the duties of the Unidentified Aerial Phenomena Task*
2 *Force, as in effect on the day before the date of enactment*
3 *of this Act, and such other duties as are required by this*
4 *section.*

5 **(b) DUTIES.**—*The duties of the Office established under*
6 *subsection (a) shall include the following:*

7 (1) *Developing procedures to synchronize and*
8 *standardize the collection, reporting, and analysis of*
9 *incidents, including adverse physiological effects, re-*
10 *garding unidentified aerial phenomena across the De-*
11 *partment of Defense and the intelligence community.*

12 (2) *Developing processes and procedures to en-*
13 *sure that such incidents from each component of the*
14 *Department and each element of the intelligence com-*
15 *munity are reported and incorporated in a central-*
16 *ized repository.*

17 (3) *Establishing procedures to require the timely*
18 *and consistent reporting of such incidents.*

19 (4) *Evaluating links between unidentified aerial*
20 *phenomena and adversarial foreign governments,*
21 *other foreign governments, or nonstate actors.*

22 (5) *Evaluating the threat that such incidents*
23 *present to the United States.*

24 (6) *Coordinating with other departments and*
25 *agencies of the Federal Government, as appropriate,*

1 *including the Federal Aviation Administration, the*
2 *National Aeronautics and Space Administration, the*
3 *Department of Homeland Security, the National Oce-*
4 *anic and Atmospheric Administration, and the De-*
5 *partment of Energy.*

6 *(7) Coordinating with allies and partners of the*
7 *United States, as appropriate, to better assess the na-*
8 *ture and extent of unidentified aerial phenomena.*

9 *(8) Preparing reports for Congress, in both clas-*
10 *sified and unclassified form, including under sub-*
11 *section (i).*

12 *(c) RESPONSE TO AND FIELD INVESTIGATIONS OF UN-*
13 *IDENTIFIED AERIAL PHENOMENA.—*

14 *(1) DESIGNATION.—The Secretary, in coordina-*
15 *tion with the Director, shall designate one or more*
16 *line organizations within the Department of Defense*
17 *and the intelligence community that possess appro-*
18 *priate expertise, authorities, accesses, data, systems,*
19 *platforms, and capabilities to rapidly respond to, and*
20 *conduct field investigations of, incidents involving*
21 *unidentified aerial phenomena under the direction of*
22 *the head of the Office established under subsection (a).*

23 *(2) ABILITY TO RESPOND.—The Secretary, in co-*
24 *ordination with the Director, shall ensure that each*
25 *line organization designated under paragraph (1) has*

1 adequate personnel with the requisite expertise, equip-
2 ment, transportation, and other resources necessary to
3 respond rapidly to incidents or patterns of observa-
4 tions involving unidentified aerial phenomena of
5 which the Office becomes aware.

6 (d) *SCIENTIFIC, TECHNOLOGICAL, AND OPERATIONAL*
7 *ANALYSES OF DATA ON UNIDENTIFIED AERIAL PHE-*
8 *NOMENA.*—

9 (1) *DESIGNATION.*—*The Secretary, in coordina-*
10 *tion with the Director, shall designate one or more*
11 *line organizations that will be primarily responsible*
12 *for scientific, technical, and operational analysis of*
13 *data gathered by field investigations conducted pursu-*
14 *ant to subsection (c) and data from other sources, in-*
15 *cluding with respect to the testing of materials, med-*
16 *ical studies, and development of theoretical models, to*
17 *better understand and explain unidentified aerial*
18 *phenomena.*

19 (2) *AUTHORITY.*—*The Secretary and the Direc-*
20 *tor shall each issue such directives as are necessary to*
21 *ensure that the each line organization designated*
22 *under paragraph (1) has authority to draw on the*
23 *special expertise of persons outside the Federal Gov-*
24 *ernment with appropriate security clearances.*

25 (e) *DATA; INTELLIGENCE COLLECTION.*—

1 (1) *AVAILABILITY OF DATA AND REPORTING ON*
2 *UNIDENTIFIED AERIAL PHENOMENA.—The Director*
3 *and the Secretary shall each, in coordination with*
4 *one another, ensure that—*

5 (A) *each element of the intelligence commu-*
6 *nity with data relating to unidentified aerial*
7 *phenomena makes such data available imme-*
8 *diately to the Office established under subsection*
9 *(a) or to an entity designated by the Secretary*
10 *and the Director to receive such data; and*

11 (B) *military and civilian personnel of the*
12 *Department of Defense or an element of the intel-*
13 *ligence community, and contractor personnel of*
14 *the Department or such an element, have access*
15 *to procedures by which the personnel shall report*
16 *incidents or information, including adverse*
17 *physiological effects, involving or associated with*
18 *unidentified aerial phenomena directly to the Of-*
19 *fice or to an entity designated by the Secretary*
20 *and the Director to receive such information.*

21 (2) *INTELLIGENCE COLLECTION AND ANALYSIS*
22 *PLAN.—The head of the Office established under sub-*
23 *section (a), acting on behalf of the Secretary of De-*
24 *fense and the Director of National Intelligence, shall*
25 *supervise the development and execution of an intel-*

1 *ligence collection and analysis plan to gain as much*
2 *knowledge as possible regarding the technical and*
3 *operational characteristics, origins, and intentions of*
4 *unidentified aerial phenomena, including with respect*
5 *to the development, acquisition, deployment, and op-*
6 *eration of technical collection capabilities necessary to*
7 *detect, identify, and scientifically characterize un-*
8 *identified aerial phenomena.*

9 (3) *USE OF RESOURCES AND CAPABILITIES.*—*In*
10 *developing the plan under paragraph (2), the head of*
11 *the Office established under subsection (a) shall con-*
12 *sider and propose, as the head determines appro-*
13 *priate, the use of any resource, capability, asset, or*
14 *process of the Department and the intelligence com-*
15 *munity.*

16 (f) *SCIENCE PLAN.*—*The head of the Office established*
17 *under subsection (a), on behalf of the Secretary and the Di-*
18 *rector, shall supervise the development and execution of a*
19 *science plan to develop and test, as practicable, scientific*
20 *theories to—*

21 (1) *account for characteristics and performance*
22 *of unidentified aerial phenomena that exceed the*
23 *known state of the art in science or technology, in-*
24 *cluding in the areas of propulsion, aerodynamic con-*
25 *trol, signatures, structures, materials, sensors, coun-*

1 *termeasures, weapons, electronics, and power genera-*
2 *tion; and*

3 *(2) provide the foundation for potential future*
4 *investments to replicate any such advanced character-*
5 *istics and performance.*

6 *(g) ASSIGNMENT OF PRIORITY.—The Director, in con-*
7 *sultation with, and with the recommendation of the Sec-*
8 *retary, shall assign an appropriate level of priority within*
9 *the National Intelligence Priorities Framework to the re-*
10 *quirement to understand, characterize, and respond to un-*
11 *identified aerial phenomena.*

12 *(h) ANNUAL REPORT.—*

13 *(1) REQUIREMENT.—Not later than October 31,*
14 *2022, and annually thereafter until October 31, 2026,*
15 *the Director, in consultation with the Secretary, shall*
16 *submit to the appropriate congressional committees a*
17 *report on unidentified aerial phenomena.*

18 *(2) ELEMENTS.—Each report under paragraph*
19 *(1) shall include, with respect to the year covered by*
20 *the report, the following information:*

21 *(A) All reported unidentified aerial phe-*
22 *nomena-related events that occurred during the*
23 *one-year period.*

24 *(B) All reported unidentified aerial phe-*
25 *nomena-related events that occurred during a pe-*

1 *riod other than that one-year period but were*
2 *not included in an earlier report.*

3 *(C) An analysis of data and intelligence re-*
4 *ceived through each reported unidentified aerial*
5 *phenomena-related event.*

6 *(D) An analysis of data relating to uniden-*
7 *tified aerial phenomena collected through—*

8 *(i) geospatial intelligence;*

9 *(ii) signals intelligence;*

10 *(iii) human intelligence; and*

11 *(iv) measurement and signature intel-*
12 *ligence.*

13 *(E) The number of reported incidents of un-*
14 *identified aerial phenomena over restricted air*
15 *space of the United States during the one-year*
16 *period.*

17 *(F) An analysis of such incidents identified*
18 *under subparagraph (E).*

19 *(G) Identification of potential aerospace or*
20 *other threats posed by unidentified aerial phe-*
21 *nomena to the national security of the United*
22 *States.*

23 *(H) An assessment of any activity regard-*
24 *ing unidentified aerial phenomena that can be*

1 *attributed to one or more adversarial foreign*
2 *governments.*

3 *(I) Identification of any incidents or pat-*
4 *terns regarding unidentified aerial phenomena*
5 *that indicate a potential adversarial foreign gov-*
6 *ernment may have achieved a breakthrough aero-*
7 *space capability.*

8 *(J) An update on the coordination by the*
9 *United States with allies and partners on efforts*
10 *to track, understand, and address unidentified*
11 *aerial phenomena.*

12 *(K) An update on any efforts underway on*
13 *the ability to capture or exploit discovered un-*
14 *identified aerial phenomena.*

15 *(L) An assessment of any health-related ef-*
16 *fects for individuals that have encountered un-*
17 *identified aerial phenomena.*

18 *(M) The number of reported incidents, and*
19 *descriptions thereof, of unidentified aerial phe-*
20 *nomena associated with military nuclear assets,*
21 *including strategic nuclear weapons and nu-*
22 *clear-powered ships and submarines.*

23 *(N) In consultation with the Administrator*
24 *for Nuclear Security, the number of reported in-*
25 *cidents, and descriptions thereof, of unidentified*

1 *aerial phenomena associated with facilities or*
2 *assets associated with the production, transpor-*
3 *tation, or storage of nuclear weapons or compo-*
4 *nents thereof.*

5 *(O) In consultation with the Chairman of*
6 *the Nuclear Regulatory Commission, the number*
7 *of reported incidents, and descriptions thereof, of*
8 *unidentified aerial phenomena or drones of un-*
9 *known origin associated with nuclear power gen-*
10 *erating stations, nuclear fuel storage sites, or*
11 *other sites or facilities regulated by the Nuclear*
12 *Regulatory Commission.*

13 *(P) The names of the line organizations*
14 *that have been designated to perform the specific*
15 *functions under subsections (c) and (d), and the*
16 *specific functions for which each such line orga-*
17 *nization has been assigned primary responsi-*
18 *bility.*

19 *(3) FORM.—Each report submitted under para-*
20 *graph (1) shall be submitted in unclassified form, but*
21 *may include a classified annex.*

22 *(i) SEMIANNUAL BRIEFINGS.—*

23 *(1) REQUIREMENT.—Not later than 90 days*
24 *after the date of the enactment of this Act and not less*
25 *frequently than semiannually thereafter until Decem-*

1 *ber 31, 2026, the head of the Office established under*
2 *subsection (a) shall provide to the congressional com-*
3 *mittees specified in subparagraphs (A), (B), and (D)*
4 *of subsection (l)(1) classified briefings on unidentified*
5 *aerial phenomena.*

6 (2) *FIRST BRIEFING.*—*The first briefing pro-*
7 *vided under paragraph (1) shall include all incidents*
8 *involving unidentified aerial phenomena that were re-*
9 *ported to the Unidentified Aerial Phenomena Task*
10 *Force or to the Office established under subsection (a)*
11 *after June 24, 2021, regardless of the date of occur-*
12 *rence of the incident.*

13 (3) *SUBSEQUENT BRIEFINGS.*—*Each briefing*
14 *provided subsequent to the first briefing described in*
15 *paragraph (2) shall include, at a minimum, all*
16 *events relating to unidentified aerial phenomena that*
17 *occurred during the previous 180 days, and events re-*
18 *lating to unidentified aerial phenomena that were not*
19 *included in an earlier briefing.*

20 (4) *INSTANCES IN WHICH DATA WAS NOT*
21 *SHARED.*—*For each briefing period, the head of the*
22 *Office established under subsection (a) shall jointly*
23 *provide to the chairman and the ranking minority*
24 *member or vice chairman of the congressional com-*
25 *mittees specified in subparagraphs (A) and (D) of*

1 subsection (k)(1) an enumeration of any instances in
2 which data relating to unidentified aerial phenomena
3 was not provided to the Office because of classification
4 restrictions on that data or for any other reason.

5 (j) *AUTHORIZATION OF APPROPRIATIONS.*—There is
6 authorized to be appropriated such sums as may be nec-
7 essary to carry out the work of the Office established under
8 subsection (a), including with respect to—

9 (1) general intelligence gathering and intel-
10 ligence analysis; and

11 (2) strategic defense, space defense, defense of
12 controlled air space, defense of ground, air, or naval
13 assets, and related purposes.

14 (k) *TASK FORCE TERMINATION.*—Not later than the
15 date on which the Secretary establishes the Office under sub-
16 section (a), the Secretary shall terminate the Unidentified
17 Aerial Phenomenon Task Force.

18 (l) *DEFINITIONS.*—In this section:

19 (1) The term “appropriate congressional com-
20 mittees” means the following:

21 (A) The Committees on Armed Services of
22 the House of Representatives and the Senate.

23 (B) The Committees on Appropriations of
24 the House of Representatives and the Senate.

1 (C) *The Committee on Foreign Affairs of*
2 *the House of Representatives and the Committee*
3 *on Foreign Relations of the Senate.*

4 (D) *The Permanent Select Committee on*
5 *Intelligence of the House of Representatives and*
6 *the Select Committee on Intelligence of the Sen-*
7 *ate.*

8 (2) *The term “intelligence community” has the*
9 *meaning given such term in section 3 of the National*
10 *Security Act of 1947 (50 U.S.C. 3003).*

11 (3) *The term “line organization” means, with re-*
12 *spect to a department or agency of the Federal Gov-*
13 *ernment, an organization that executes programs and*
14 *activities to directly advance the core functions and*
15 *missions of the department or agency to which the or-*
16 *ganization is subordinate, but, with respect to the De-*
17 *partment of Defense, does not include a component of*
18 *the Office of the Secretary of Defense.*

19 (4) *The term “transmedium objects or devices”*
20 *means objects or devices that are observed to transi-*
21 *tion between space and the atmosphere, or between the*
22 *atmosphere and bodies of water, that are not imme-*
23 *diately identifiable.*

24 (5) *The term “unidentified aerial phenomena”*
25 *means—*

1 (A) airborne objects that are not imme-
2 diately identifiable;

3 (B) transmedium objects or devices; and

4 (C) submerged objects or devices that are
5 not immediately identifiable and that display
6 behavior or performance characteristics sug-
7 gesting that the objects or devices may be related
8 to the objects or devices described in subpara-
9 graph (A) or (B).

10 **SEC. 1684. DETERMINATION ON CERTAIN ACTIVITIES WITH**
11 **UNUSUALLY HAZARDOUS RISKS.**

12 (a) *REPORT REQUIRED.*—For fiscal years 2022 and
13 2023, the Secretary concerned shall prepare a report for
14 each indemnification request made by a covered contractor
15 with respect to a contract. Such report shall include the
16 following elements:

17 (1) A determination of whether the performance
18 of the contract includes an unusually hazardous risk
19 (as defined in this section).

20 (2) An estimate of the maximum probable loss
21 for claims or losses arising out of the contract.

22 (3) Consideration of requiring the covered con-
23 tractor to obtain liability insurance to compensate for
24 claims or losses to the extent such insurance is avail-
25 able under commercially reasonable terms and pric-

1 *ing, including any limits, sub-limits, exclusions and*
2 *other coverage restrictions.*

3 *(4) Consideration of not requiring a covered con-*
4 *tractor to obtain liability insurance in amounts*
5 *greater than amounts available under commercially*
6 *reasonable terms and pricing or the maximum prob-*
7 *able loss, whichever is less.*

8 *(b) SUBMISSION TO CONGRESS.—Not later than 90*
9 *days after the date on which the Secretary concerned re-*
10 *ceives an indemnification request by a covered contractor*
11 *during the period beginning on the date of the enactment*
12 *of this Act and ending on September 30, 2023, the Secretary*
13 *concerned shall submit to the congressional defense commit-*
14 *tees the report required under subsection (a).*

15 *(c) REVIEW.—*

16 *(1) REQUIREMENT.—Not later than 90 days*
17 *after the date of the enactment of this Act, the Sec-*
18 *retary of Defense shall conduct a review of the imple-*
19 *mentation by the Department of Defense of section*
20 *2354 of title 10, United States Code, and Executive*
21 *Order 10789, as amended, pursuant to Public Law*
22 *85–804 (50 U.S.C. 1431 et seq.) with regard to in-*
23 *demnifying a contractor for the performance of a con-*
24 *tract that includes unusually hazardous risk.*

1 (2) *MATTERS INCLUDED.*—*The review required*
2 *under paragraph (1) shall include the following:*

3 (A) *A determination of the extent to which*
4 *each Secretary concerned is implementing such*
5 *section 2354 and such Executive Order 10789*
6 *consistently.*

7 (B) *Identification of discrepancies and po-*
8 *tential remedies in the military departments*
9 *with respect to such implementation.*

10 (3) *BRIEFING.*—*Not later than 120 days after*
11 *the date of the enactment of this Act, the Secretary*
12 *shall provide to the congressional defense committees*
13 *a briefing on the findings of the review under para-*
14 *graph (1).*

15 (d) *DEFINITIONS.*—*In this section:*

16 (1) *The term “covered contractor” means a cur-*
17 *rent or prospective prime contractor of the Depart-*
18 *ment of Defense.*

19 (2) *The term “military department” has the*
20 *meaning given in section 101 of title 10, United*
21 *States Code.*

22 (3) *The term “indemnification request” means a*
23 *request for indemnification made by a covered con-*
24 *tractor under section 2354 of title 10, United States*
25 *Code, or Executive Order 10789, as amended, pursu-*

1 *ant to public Law 85–804 (50 U.S.C. 1431 et seq.)*
2 *that includes sufficient supporting justification to*
3 *support a determination as required under those pro-*
4 *visions.*

5 (4) *The term “Secretary concerned” means—*

6 (A) *the Secretary of the Army, with respect*
7 *to matters concerning the Army;*

8 (B) *the Secretary of the Navy, with respect*
9 *to matters concerning the Navy, the Marine*
10 *Corps, and the Coast Guard when it is operating*
11 *as a service in the Department of the Navy; and*

12 (C) *the Secretary of the Air Force, with re-*
13 *spect to matters concerning the Air Force and*
14 *the Space Force.*

15 (5) *The term “unusually hazardous risk” means*
16 *risk of burning, explosion, detonation, flight or sur-*
17 *face impact, or toxic or hazardous material release*
18 *associated with one or more of the following products*
19 *or programs:*

20 (A) *Products or programs relating to any*
21 *hypersonic weapon system, including boost glide*
22 *vehicles and air-breathing propulsion systems.*

23 (B) *Products or programs relating to rocket*
24 *propulsion systems, including, at a minimum,*
25 *with respect to rockets, missiles, launch vehicles,*

1 *rocket engines or motors or hypersonic weapons*
2 *systems using either a solid or liquid high energy*
3 *propellant inclusive of any warhead, if any, in*
4 *excess of 1000 pounds of the chemical equivalent*
5 *of TNT.*

6 (C) *Products or programs relating to the in-*
7 *troduction, fielding or incorporating of any item*
8 *containing high energy propellants, inclusive of*
9 *any warhead, if any, in excess of 1000 pounds*
10 *of the chemical equivalent of TNT into any ship,*
11 *vessel, submarine, aircraft, or spacecraft.*

12 (D) *Products or programs relating to a*
13 *classified program where insurance is not avail-*
14 *able due to the prohibition of disclosure of classi-*
15 *fied information to commercial insurance pro-*
16 *viders, and without such disclosure access to in-*
17 *surance is not possible.*

18 (E) *Any other product or program for*
19 *which the contract under which the product or*
20 *program is carried out includes a risk that the*
21 *contract defines as unusually hazardous.*

1 **SEC. 1685. STUDY BY PUBLIC INTEREST DECLASSIFICATION**
2 **BOARD RELATING TO CERTAIN TESTS IN THE**
3 **MARSHALL ISLANDS.**

4 (a) *STUDY.*—*The Public Interest Declassification*
5 *Board established by section 703 of the Public Interest De-*
6 *classification Act of 2000 (50 U.S.C. 3355a) shall conduct*
7 *a study on the feasibility of carrying out a declassification*
8 *review relating to nuclear weapons, chemical weapons, or*
9 *ballistic missile tests conducted by the United States in the*
10 *Marshall Islands, including with respect to cleanup activi-*
11 *ties and the storage of waste relating to such tests.*

12 (b) *REPORT.*—*Not later than 90 days after the date*
13 *of the enactment of this Act, the Board shall submit to the*
14 *Secretary of Defense, the Secretary of Energy, and the con-*
15 *gressional defense committees a report containing the find-*
16 *ings of the study conducted under subsection (a). The report*
17 *shall include the following:*

18 (1) *The feasibility of carrying out the declas-*
19 *sification review described in such subsection.*

20 (2) *The resources required to carry out the de-*
21 *classification review.*

22 (3) *A timeline to complete such the declassifica-*
23 *tion review.*

24 (4) *Any other issues the Board determines rel-*
25 *evant.*

1 (c) *COMMENTS.*—*The Secretary of Defense and the Sec-*
2 *retary of Energy may submit to the congressional defense*
3 *committees any comments the respective Secretary deter-*
4 *mines relevant with respect to the report submitted under*
5 *subsection (b).*

6 (d) *ASSISTANCE.*—*The Secretary of Defense and Sec-*
7 *retary of Energy shall each provide to the Board such as-*
8 *sistance as the Board requests in conducting the study*
9 *under subsection (a).*

10 **SEC. 1686. PROTECTION OF MAJOR RANGE AND TEST FACIL-**
11 **ITY BASE.**

12 *The Secretary of Defense may authorize, consistent*
13 *with the authorities of the Secretary, such actions as are*
14 *necessary to mitigate threats posed by space-based assets to*
15 *the security or operation of the Major Range and Test Fa-*
16 *cility Base (as defined in section 196(i) of title 10, United*
17 *States Code).*

18 **SEC. 1687. CONGRESSIONAL COMMISSION ON THE STRA-**
19 **TEGIC POSTURE OF THE UNITED STATES.**

20 (a) *ESTABLISHMENT.*—*There is established in the leg-*
21 *islative branch a commission to be known as the “Congres-*
22 *sional Commission on the Strategic Posture of the United*
23 *States” (in this section referred to as the “Commission”).*
24 *The purpose of the Commission is to examine and make*

1 *recommendations to the President and Congress with re-*
2 *spect to the long-term strategic posture of the United States.*

3 (b) *COMPOSITION.—*

4 (1) *MEMBERSHIP.—The Commission shall be*
5 *composed of 12 members appointed as follows:*

6 (A) *One by the Speaker of the House of*
7 *Representatives.*

8 (B) *One by the minority leader of the House*
9 *of Representatives.*

10 (C) *One by the majority leader of the Sen-*
11 *ate.*

12 (D) *One by the minority leader of the Sen-*
13 *ate.*

14 (E) *Two by the chairperson of the Com-*
15 *mittee on Armed Services of the House of Rep-*
16 *resentatives.*

17 (F) *Two by the ranking minority member*
18 *of the Committee on Armed Services of the House*
19 *of Representatives.*

20 (G) *Two by the chairperson of the Com-*
21 *mittee on Armed Services of the Senate.*

22 (H) *Two by the ranking minority member*
23 *of the Committee on Armed Services of the Sen-*
24 *ate.*

25 (2) *QUALIFICATIONS.—*

1 (A) *IN GENERAL.*—*The members appointed*
2 *under paragraph (1) shall be from among indi-*
3 *viduals who—*

4 (i) *are United States citizens;*

5 (ii) *are not officers or employees of the*
6 *Federal Government or any State or local*
7 *government; and*

8 (iii) *have received national recognition*
9 *and have significant depth of experience in*
10 *such professions as governmental service,*
11 *law enforcement, the Armed Forces, law,*
12 *public administration, intelligence gath-*
13 *ering, commerce (including aviation mat-*
14 *ters), or foreign affairs.*

15 (B) *POLITICAL PARTY AFFILIATION.*—*Not*
16 *more than six members of the Commission may*
17 *be appointed from the same political party.*

18 (3) *DEADLINE FOR APPOINTMENT.*—

19 (A) *IN GENERAL.*—*All members of the Com-*
20 *mission shall be appointed under paragraph (1)*
21 *not later than 45 days after the date of the en-*
22 *actment of this Act.*

23 (B) *EFFECT OF LACK OF APPOINTMENTS BY*
24 *APPOINTMENT DATE.*—*If one or more appoint-*

1 *ments under paragraph (1) is not made by the*
 2 *date specified in subparagraph (A)—*

3 *(i) the authority to make such appoint-*
 4 *ment or appointments shall expire; and*

5 *(ii) the number of members of the Com-*
 6 *mission shall be reduced by the number of*
 7 *appointments not made by that date.*

8 (4) *CHAIRPERSON; VICE CHAIRPERSON.—*

9 (A) *CHAIRPERSON.—The chairpersons of the*
 10 *Committees on Armed Services of the Senate and*
 11 *the House of Representatives shall jointly des-*
 12 *ignate one member of the Commission to serve as*
 13 *chairperson of the Commission.*

14 (B) *VICE CHAIRPERSON.—The ranking mi-*
 15 *nority members of the Committees on Armed*
 16 *Services of the Senate and the House of Rep-*
 17 *resentatives shall jointly designate one member of*
 18 *the Commission to serve as vice chairperson of*
 19 *the Commission.*

20 (5) *ACTIVATION.—*

21 (A) *IN GENERAL.—The Commission—*

22 *(i) may begin operations under this*
 23 *section on the date on which not less than*
 24 *$\frac{2}{3}$ of the members of the Commission have*
 25 *been appointed under paragraph (1); and*

1 (ii) shall meet and begin the operations
2 of the Commission as soon as practicable
3 after the date described in clause (i).

4 (B) *SUBSEQUENT MEETINGS.*—After its ini-
5 tial meeting, the Commission shall meet upon the
6 call of the chairperson or a majority of its mem-
7 bers.

8 (6) *QUORUM.*—Eight members of the Commis-
9 sion shall constitute a quorum.

10 (7) *PERIOD OF APPOINTMENT; VACANCIES.*—
11 Members of the Commission shall be appointed for the
12 life of the Commission. A vacancy in the Commission
13 does not affect the powers of the Commission and
14 shall (except as provided by paragraph (3)(B)) be
15 filled in the same manner in which the original ap-
16 pointment was made.

17 (8) *REMOVAL OF MEMBERS.*—

18 (A) *IN GENERAL.*—A member of the Com-
19 mission may be removed from the Commission
20 for cause by the individual serving in the posi-
21 tion responsible for the original appointment of
22 the member under paragraph (1), provided that
23 notice is first provided to that official of the
24 cause for removal, and removal is voted and

1 *agreed upon by ³/₄ of the members of the Com-*
2 *mission.*

3 *(B) VACANCIES.—A vacancy created by the*
4 *removal of a member of the Commission under*
5 *subparagraph (A) does not affect the powers of*
6 *the Commission and shall be filled in the same*
7 *manner in which the original appointment was*
8 *made.*

9 *(c) DUTIES.—*

10 *(1) REVIEW.—The Commission shall conduct a*
11 *review of the strategic posture of the United States,*
12 *including a strategic threat assessment and a detailed*
13 *review of nuclear weapons policy, strategy, and force*
14 *structure and factors affecting the strategic stability*
15 *of near-peer competitors of the United States.*

16 *(2) ASSESSMENT AND RECOMMENDATIONS.—*

17 *(A) ASSESSMENT.—The Commission shall*
18 *assess—*

19 *(i) the benefits and risks associated*
20 *with the current strategic posture and nu-*
21 *clear weapons policies of the United States;*

22 *(ii) factors affecting strategic stability*
23 *that relate to the strategic posture; and*

24 *(iii) lessons learned from the findings*
25 *and conclusions of the Congressional Com-*

1 *mission on the Strategic Posture of the*
2 *United States established by section 1062 of*
3 *the National Defense Authorization Act for*
4 *Fiscal Year 2008 (Public Law 110–181; 122*
5 *Stat. 319) and other previous commissions*
6 *and previous Nuclear Posture Reviews.*

7 *(B) RECOMMENDATIONS.—The Commission*
8 *shall make recommendations with respect to—*

9 *(i) the most appropriate strategic pos-*
10 *ture;*

11 *(ii) the extent to which capabilities*
12 *other than nuclear weapons can contribute*
13 *to or detract from strategic stability; and*

14 *(iii) the most effective nuclear weapons*
15 *strategy for strategic posture and stability.*

16 *(d) REPORT AND BRIEFING REQUIRED.—*

17 *(1) IN GENERAL.—Not later than December 31,*
18 *2022, the Commission shall submit to the President*
19 *and the Committees on Armed Services of the Senate*
20 *and the House of Representatives a report on the*
21 *Commission’s findings, conclusions, and recommenda-*
22 *tions.*

23 *(2) ELEMENTS.—The report required by para-*
24 *graph (1) shall include—*

1 (A) *the recommendations required by sub-*
2 *section (c)(2)(B);*

3 (B) *a description of the military capabili-*
4 *ties and force structure necessary to support the*
5 *nuclear weapons strategy recommended under*
6 *that subsection, including nuclear, nonnuclear*
7 *kinetic, and nonkinetic capabilities that might*
8 *support the strategy, and other factors that*
9 *might affect strategic stability;*

10 (C) *a description of the nuclear infrastruc-*
11 *ture (that is, the size of the nuclear complex) re-*
12 *quired to support the strategy and the appro-*
13 *priate organizational structure for the nuclear*
14 *security enterprise;*

15 (D) *an assessment of the role of missile de-*
16 *fenses in the strategy;*

17 (E) *an assessment of the role of cyber de-*
18 *fense capabilities in the strategy;*

19 (F) *an assessment of the role of space sys-*
20 *tems in the strategy;*

21 (G) *an assessment of the role of non-*
22 *proliferation programs in the strategy;*

23 (H) *an assessment of the role of nuclear*
24 *arms control in the strategy;*

1 (I) *an assessment of the political and mili-*
2 *tary implications of the strategy for the United*
3 *States and its allies; and*

4 (J) *any other information or recommenda-*
5 *tions relating to the strategy (or to the strategic*
6 *posture) that the Commission considers appro-*
7 *priate.*

8 (3) *INTERIM BRIEFING.—Not later than 180*
9 *days after the deadline for appointment of members*
10 *of the Commission specified in subsection (b)(3)(A),*
11 *the Commission shall provide to the Committees on*
12 *Armed Services of the Senate and the House of Rep-*
13 *resentatives a briefing on the status of the review, as-*
14 *sessments, and recommendations required by sub-*
15 *section (c), including a discussion of any interim rec-*
16 *ommendations.*

17 (e) *INFORMATION FROM FEDERAL AGENCIES.—*

18 (1) *IN GENERAL.—The Commission may secure*
19 *directly from the Department of Defense, the National*
20 *Nuclear Security Administration, the Department of*
21 *State, or the Office of the Director of National Intel-*
22 *ligence information, suggestions, estimates, and statis-*
23 *tics for the purposes of this section. Each of such*
24 *agency shall, to the extent authorized by law, furnish*
25 *such information, suggestions, estimates, and statis-*

1 *tics directly to the Commission, upon receiving a re-*
2 *quest made by—*

3 *(A) the chairperson of the Commission;*

4 *(B) the chairperson of any subcommittee of*
5 *the Commission created by a majority of mem-*
6 *bers of the Commission; or*

7 *(C) any member of the Commission des-*
8 *ignated by a majority of the Commission for*
9 *purposes of making requests under this para-*
10 *graph.*

11 *(2) RECEIPT, HANDLING, STORAGE, AND DIS-*
12 *SEMINATION.—Information, suggestions, estimates,*
13 *and statistics provided to the Commission under*
14 *paragraph (1) may be received, handled, stored, and*
15 *disseminated only by members of the Commission and*
16 *its staff consistent with all applicable statutes, regula-*
17 *tions, and Executive orders.*

18 *(f) ASSISTANCE FROM FEDERAL AGENCIES.—In addi-*
19 *tion to information, suggestions, estimates, and statistics*
20 *provided under subsection (e), departments and agencies of*
21 *the United States may provide to the Commission such serv-*
22 *ices, funds, facilities, staff, and other support services as*
23 *those departments and agencies may determine advisable*
24 *and as may be authorized by law.*

25 *(g) COMPENSATION AND TRAVEL EXPENSES.—*

1 (1) *STATUS AS FEDERAL EMPLOYEES.*—*Notwith-*
2 *standing the requirements of section 2105 of title 5,*
3 *United States Code, including the requirements relat-*
4 *ing to supervision under subsection (a)(3) of such sec-*
5 *tion, the members of the Commission shall be deemed*
6 *to be Federal employees.*

7 (2) *COMPENSATION.*—*Each member of the Com-*
8 *mission may be compensated at not to exceed the*
9 *daily equivalent of the annual rate of basic pay in*
10 *effect for a position at level IV of the Executive Sched-*
11 *ule under section 5315 of title 5, United States Code,*
12 *for each day during which that member is engaged in*
13 *the actual performance of the duties of the Commis-*
14 *sion.*

15 (3) *TRAVEL EXPENSES.*—*While away from their*
16 *homes or regular places of business in the perform-*
17 *ance of services for the Commission, members of the*
18 *Commission shall be allowed travel expenses, includ-*
19 *ing per diem in lieu of subsistence, in the same man-*
20 *ner as persons employed intermittently in the Govern-*
21 *ment service are allowed expenses under section 5703*
22 *of title 5, United States Code.*

23 (h) *STAFF.*—

24 (1) *EXECUTIVE DIRECTOR.*—*The Commission*
25 *shall appoint and fix the rate of basic pay for an Ex-*

1 *ecutive Director in accordance with section 3161(d) of*
2 *title 5, United States Code.*

3 (2) *PAY.—The Executive Director appointed*
4 *under paragraph (1) may, with the approval of the*
5 *Commission, appoint and fix the rate of basic pay for*
6 *additional personnel as staff of the Commission in ac-*
7 *cordance with section 3161(d) of title 5, United States*
8 *Code.*

9 (i) *PERSONAL SERVICES.—*

10 (1) *AUTHORITY TO PROCURE.—The Commission*
11 *may—*

12 (A) *procure the services of experts or con-*
13 *sultants (or of organizations of experts or con-*
14 *sultants) in accordance with the provisions of*
15 *section 3109 of title 5, United States Code; and*

16 (B) *pay in connection with such services*
17 *travel expenses of individuals, including trans-*
18 *portation and per diem in lieu of subsistence,*
19 *while such individuals are traveling from their*
20 *homes or places of business to duty stations.*

21 (2) *MAXIMUM DAILY PAY RATES.—The daily rate*
22 *paid an expert or consultant procured pursuant to*
23 *paragraph (1) may not exceed the daily equivalent of*
24 *the annual rate of basic pay in effect for a position*

1 *at level IV of the Executive Schedule under section*
2 *5315 of title 5, United States Code.*

3 *(j) CONTRACTING AUTHORITY.—The Commission may*
4 *acquire administrative supplies and equipment for Com-*
5 *mission use to the extent funds are available.*

6 *(k) AUTHORITY TO ACCEPT GIFTS.—*

7 *(1) IN GENERAL.—The Commission may accept,*
8 *use, and dispose of gifts or donations of services,*
9 *goods, and property from non-Federal entities for the*
10 *purposes of aiding and facilitating the work of the*
11 *Commission. The authority under this paragraph*
12 *does not extend to gifts of money.*

13 *(2) DOCUMENTATION; CONFLICTS OF INTER-*
14 *EST.—The Commission shall document gifts accepted*
15 *under the authority provided by paragraph (1) and*
16 *shall avoid conflicts of interest or the appearance of*
17 *conflicts of interest.*

18 *(3) COMPLIANCE WITH CONGRESSIONAL ETHICS*
19 *RULES.—Except as specifically provided in this sec-*
20 *tion, a member of the Commission shall comply with*
21 *rules set forth by the Select Committee on Ethics of*
22 *the Senate and the Committee on Ethics of the House*
23 *of Representatives governing employees of the Senate*
24 *and the House of Representatives, respectively.*

1 (l) *POSTAL SERVICES.*—*The Commission may use the*
2 *United States mails in the same manner and under the*
3 *same conditions as departments and agencies of the United*
4 *States.*

5 (m) *COMMISSION SUPPORT.*—*Not later than 60 days*
6 *after the date of the enactment of this Act, the Secretary*
7 *of Defense shall seek to enter into a contract with a federally*
8 *funded research and development center to provide appro-*
9 *priate staff and administrative support for the activities*
10 *of the Commission.*

11 (n) *EXPEDITION OF SECURITY CLEARANCES.*—*The Of-*
12 *fice of Senate Security and the Office of House Security*
13 *shall ensure the expedited processing of appropriate security*
14 *clearances for personnel appointed to the Commission by*
15 *offices of the Senate and the House of Representatives, re-*
16 *spectively, under processes developed for the clearance of leg-*
17 *islative branch employees.*

18 (o) *LEGISLATIVE ADVISORY COMMITTEE.*—*The Com-*
19 *mission shall operate as a legislative advisory committee*
20 *and shall not be subject to the provisions of the Federal Ad-*
21 *visory Committee Act (5 U.S.C. App) or section 552b,*
22 *United States Code (commonly known as the “Government*
23 *in the Sunshine Act”).*

24 (p) *FUNDING.*—*Of the amounts authorized to be ap-*
25 *propriated by this Act for fiscal year 2022 for the Depart-*

1 *ment of Defense, up to \$7,000,000 shall be made available*
 2 *to the Commission to carry out its duties under this section.*
 3 *Funds made available to the Commission under the pre-*
 4 *ceding sentence shall remain available until expended.*

5 *(q) TERMINATION.—*

6 *(1) IN GENERAL.—The Commission, and all au-*
 7 *thorities under this section, shall terminate on the*
 8 *date that is 90 days after the Commission submits the*
 9 *final report required by subsection (d).*

10 *(2) ADMINISTRATIVE ACTIONS BEFORE TERMI-*
 11 *NATION.—The Commission may use the 90-day period*
 12 *described in paragraph (1) for the purpose of con-*
 13 *cluding its activities, including providing testimony*
 14 *to committees of Congress with respect to and dis-*
 15 *seminating the report required by subsection (d).*

16 **TITLE XVII—TECHNICAL AMEND-**
 17 **MENTS RELATED TO THE**
 18 **TRANSFER AND REORGANIZA-**
 19 **TION OF DEFENSE ACQUISI-**
 20 **TION STATUTES**

Sec. 1701. Technical, conforming, and clerical amendments related to title XVIII of the Fiscal Year 2021 NDAA.

Sec. 1702. Conforming cross reference technical amendments related to the transfer and reorganization of defense acquisition statutes.

1 **SEC. 1701. TECHNICAL, CONFORMING, AND CLERICAL**
2 **AMENDMENTS RELATED TO TITLE XVIII OF**
3 **THE FISCAL YEAR 2021 NDAA.**

4 (a) *DEFINITIONS; EFFECTIVE DATE; APPLICA-*
5 *BILITY.—*

6 (1) *DEFINITIONS.—In this section, the terms*
7 *“FY2021 NDAA” and “such Act” mean the William*
8 *M. (Mac) Thornberry National Defense Authorization*
9 *Act for Fiscal Year 2021 (Public Law 116–283).*

10 (2) *AMENDMENTS TO APPLY PRE-TRANSFER OF*
11 *DEFENSE ACQUISITION STATUTES.—The amendments*
12 *made by subsections (b), (i), and (j) through (v) shall*
13 *apply as if included in the enactment of title XVIII*
14 *of the FY2021 NDAA as enacted.*

15 (3) *AMENDMENTS TO TAKE EFFECT POST-TRANS-*
16 *FER OF DEFENSE ACQUISITION STATUTES.—The*
17 *amendments made by subsections (c) through (h) and*
18 *(w) shall take effect immediately after the amend-*
19 *ments made by title XVIII of the FY2021 NDAA have*
20 *taken effect. Sections 1883 through 1885 of the*
21 *FY2021 NDAA shall apply with respect to the trans-*
22 *fers, redesignations, and amendments made under*
23 *such subsections as if such transfers, redesignations,*
24 *and amendments were made under title XVIII of the*
25 *FY2021 NDAA.*

1 (4) *REORGANIZATION REGULATION UPDATE NO-*
2 *TICE.—Section 1801(d)(3)(B)(i) of FY2021 NDAA is*
3 *amended by inserting “and provides public notice*
4 *that such authorities have been revised and modified*
5 *pursuant to such paragraph” after “paragraph (2)”.*

6 (5) *SAVINGS PROVISION RELATING TO TRANSFER*
7 *AND REORGANIZATION OF DEFENSE ACQUISITION*
8 *STATUTES.—If this Act is enacted after December 31,*
9 *2021, notwithstanding section 1801(d)(1) of the*
10 *FY2021 NDAA, the amendments made by title XVIII*
11 *of the FY2021 NDAA shall take effect immediately*
12 *after the enactment of this Act.*

13 (b) *TECHNICAL CORRECTIONS TO TITLE XVIII OF*
14 *FY2021 NDAA.—Title XVIII of the FY2021 NDAA is*
15 *amended as follows:*

16 (1) *Section 1806(a) is amended in paragraph*
17 (4) *by striking “TRANSFER” and all that follows*
18 *through “and amended” and inserting the following:*
19 *“RESTATEMENT OF SECTION 2545(1).—Section 3001 of*
20 *such title, as added by paragraph (1), is further*
21 *amended by inserting after subsection (b), as trans-*
22 *ferred and redesignated by paragraph (3), a new sub-*
23 *section (c) having the text of paragraph (1) of section*
24 *2545 of such title, as in effect on the day before the*
25 *date of the enactment of this Act, revised”.*

1 (2) *Section 1807 is amended—*

2 (A) *in subsection (b)(1), by striking “new*
3 *sections” and inserting “new section”;*

4 (B) *in subsection (c)(3)(A)—*

5 (i) *by striking the semicolon and close*
6 *quotation marks at the end of clause (i) and*
7 *inserting close quotation marks and a semi-*
8 *colon; and*

9 (ii) *by striking “by any” in the matter*
10 *to be inserted by clause (ii); and*

11 (C) *in subsection (e)—*

12 (i) *by striking “of this title” in the*
13 *matter to be inserted by paragraph (2)(B);*
14 *and*

15 (ii) *by striking “Sections” in the*
16 *quoted matter before the period at the end*
17 *of paragraph (3) and inserting “For pur-*
18 *poses of”.*

19 (3) *Section 1809(e) is amended by striking sub-*
20 *paragraph (B) of paragraph (2) (including the*
21 *amendment made by that subparagraph).*

22 (4) *Section 1811 is amended—*

23 (A) *in subsection (c)(2)—*

24 (i) *in subparagraph (B), by striking*
25 *the comma before the close quotation marks*

1 *in both the matter to be stricken and the*
2 *matter to be inserted; and*

3 *(ii) in subparagraph (D), by inserting*
4 *a comma after “3901” in the matter to be*
5 *inserted;*

6 *(B) in subsection (d)(3)(B)—*

7 *(i) by striking the dash after “mobili-*
8 *zation” in the matter to be inserted by*
9 *clause (i) and inserting a semicolon; and*

10 *(ii) by striking the dash after “center”*
11 *in the matter to be inserted by clause (iv)*
12 *and inserting “; or”;*

13 *(C) in subsection (d)(4)(D), by striking*
14 *“this” in the matter to be stricken by clause (ii)*
15 *and inserting “This”;*

16 *(D) in subsection (d)(5)(A), by striking “in-*
17 *serting” and all that follows through “; and”*
18 *and inserting “inserting ‘OFFER REQUESTS TO*
19 *POTENTIAL SOURCES.—’ before ‘The head of an*
20 *agency’; and”;*

21 *(E) in subsection (d)(6)(A), in the matter to*
22 *be inserted—*

23 *(i) by striking the close quotation*
24 *marks after “PROCEDURES.—”;* and

1 (ii) by striking the comma after “(7)”;

2 and

3 (F) in subparagraphs (C)(ii) and (E)(ii) of
4 subsection (e)(3), by striking “and (ii)” each
5 place it appears and inserting “and (iii)”.

6 (5) Section 1813 is amended in subsection
7 (c)(1)(D) by inserting “and inserting” after the first
8 close quotation marks.

9 (6) Section 1816(c) is amended—

10 (A) in paragraph (5)—

11 (i) in subparagraph (C)—

12 (I) by striking “the second sen-
13 tence” and inserting “the second and
14 third sentences”; and

15 (II) by striking “subsection (d)”
16 and inserting “subsections (d) and (e),
17 respectively”; and

18 (ii) by striking subparagraph (G) and
19 inserting the following:

20 “(G) in subsection (d), as so designated, by
21 inserting ‘NOTICE OF AWARD.—’ before ‘The
22 head of’; and

23 “(H) in subsection (e), as so designated, by
24 striking ‘This subparagraph does not’ and insert-

1 ing ‘*EXCEPTION FOR PERISHABLE SUBSISTENCE*
 2 *ITEMS.—Subsections (c) and (d) do not.*’; and
 3 (B) in paragraph (7)(J)(ii), in the matter
 4 to be inserted, by inserting “under” before “this
 5 section”.

6 (7) Section 1818 is amended by striking the close
 7 quotation marks and second period at the end of sub-
 8 section (b).

9 (8) Section 1820 is amended—
 10 (A) in subsection (a), in the matter to be
 11 inserted, by striking the item relating to section
 12 3404 and inserting the following new item:

“3404. **Reserved**.”;

13 (B) in subsection (c)(3)(A), by striking “sec-
 14 tion” in the matter to be stricken; and

15 (C) in subsection (d)(4)(B), by inserting
 16 “section” before “3403(b)” in the matter to be
 17 inserted.

18 (9) Section 1821 is amended in subsection (b)(5)
 19 by striking “subsection (b)(2)(B)(i)” and inserting
 20 “subsection (c)(2)(B)(i)”.

21 (10) Section 1831 is amended—

22 (A) in subsection (b), by striking “redesig-
 23 nated as subsection (a), and” and inserting
 24 “amended by striking the subsection designation
 25 and subsection heading, and further”;

1 (B) in subsection (c)(2)(A), in the matter to
2 be stricken, by striking “the” and inserting
3 “The”;

4 (C) in subsection (c)(2)(D)—

5 (i) by striking clauses (ii) through (v);

6 and

7 (ii) in the matter preceding clause (i),
8 by striking “as so redesignated” and all
9 that follows through “by inserting” and in-
10 sserting “as so redesignated, by inserting”;

11 (D) in subsection (c)(2)(E)—

12 (i) by striking clauses (ii) through (v);

13 and

14 (ii) in the matter preceding clause (i),
15 by striking “as so redesignated” and all
16 that follows through “by inserting” and in-
17 sserting “as so redesignated, by inserting”;

18 and

19 (iii) by inserting “and” after the semi-
20 colon at the end;

21 (E) in subsection (c)(2)(F)—

22 (i) by striking clauses (ii) through (v);

23 and

24 (ii) in the matter preceding clause (i),
25 by striking “as so redesignated” and all

1 that follows through “by inserting” and in-
2 serting “as so redesignated, by inserting”;
3 and

4 (iii) by striking the semicolon at the
5 end and inserting a period;

6 (F) in subsection (c)(4)(A), by striking the
7 matter proposed to be inserted and inserting
8 “CERTIFICATION.—”;

9 (G) in subsection (c)(8)—

10 (i) by striking subparagraph (C); and

11 (ii) in subparagraph (B), by adding
12 “and” at the end;

13 (H) in subsection (h), by striking “such sec-
14 tion 3706” in paragraphs (2) and (3) and in-
15 serting “such section 3707”; and

16 (I) in subsection (j)—

17 (i) in paragraph (3), in the matter to
18 be inserted, by striking “3701–3708” and
19 inserting “3701 through 3708”; and

20 (ii) by striking paragraphs (4) and
21 (5).

22 (11) Section 1832(i)(7)(F)—

23 (A) in clause (iv), by striking “and” at the
24 end;

1 (B) in clause (v), by striking the period at
2 the end and inserting “; and”; and

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

5 “(vi) in subparagraph (B) (as so reded-
6 ignated), by striking ‘paragraph (1)’ and
7 inserting ‘subsection (b)’.”.

8 (12) Section 1833 is amended—

9 (A) in subsection (n), in the section heading
10 for section 3791, by striking “**DEPARTMENT OF**
11 **DEFENSE**” and inserting “**DEPARTMENT OF**
12 **DEFENSE**”; and

13 (B) in subsection (o)(2), by striking “Sec-
14 tion” and “as section” and inserting “Sections”
15 and “as sections”, respectively.

16 (13) Section 1834(h)(2) is amended by striking
17 “section 3801(1)” in the matter to be inserted and in-
18 serting “section 3801(a)”.

19 (14) Section 1845(c)(2) is amended by striking
20 “section” in the matter to be stricken and inserting
21 “sections”.

22 (15) Section 1846 is amended—

23 (A) in subsection (f)(6)(A), in the matter to
24 be inserted, by inserting a period after “OVER-
25 SIGHT”;

1 (B) in subsection (i)(3), by striking “Sec-
2 tion 1706(c)(1)” and inserting “Section
3 1706(a)”; and

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

5 “(j) *FURTHER CROSS-REFERENCE AMENDMENT.*—Sec-
6 tion 1706(a) of title 10, United States Code, is further
7 amended by striking ‘section 2430(a)(1)(B)’ and inserting
8 ‘section 4201(a)(2)’.”.

9 (16) Section 1847 is amended—

10 (A) in the table of subchapters to be inserted
11 by subsection (a), by striking the item relating
12 to the second subchapter III (relating to contrac-
13 tors) and inserting the following:

“V. Contractors4291”; and

14 (B) in subsection (e)(3)(A), by inserting
15 “section” before “4376(a)(1)” in the matter to be
16 inserted.

17 (17) Section 1848(d) is amended by striking
18 paragraph (2).

19 (18) Section 1850(e)(2) is amended by inserting
20 “transferred and” before “redesignated”.

21 (19) Section 1856 is amended—

22 (A) in subsection (f)(5)(A), in the matter to
23 be inserted, by striking the comma at the end;
24 and

1 (B) in subsection (h), by striking “sub-
2 section (d)” and inserting “subsection (g)”.

3 (20) Section 1862(c)(2) is amended by striking
4 “section 4657” and inserting “section 4658”.

5 (21) Section 1866 is amended—

6 (A) in subsection (c)—

7 (i) in paragraph (1), by inserting
8 “and” at the end;

9 (ii) in paragraph (2), by striking “;
10 and” at the end and inserting a period; and

11 (iii) by striking paragraph (3) (in-
12 cluding the amendment made by that para-
13 graph); and

14 (B) in subsection (d), by striking “4817” in
15 the matter to be inserted by paragraph (4)(A)(ii)
16 and inserting “4818”.

17 (22) Section 1867(d) is amended—

18 (A) in paragraph (3), by striking “Section
19 4814” and inserting “Section 4814(a)”;

20 (B) by amending paragraph (5) to read as
21 follows:

22 “(5) Section 4818 is amended in subsection
23 (a)—

1 “(A) by striking ‘of this chapter’ and insert-
2 ing ‘of chapters 381 through 385 and chapter
3 389’; and

4 “(B) by striking ‘under this chapter’ and
5 inserting ‘under such chapters.’”; and

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

8 “(7) Section 4817(d)(1) is amended by striking
9 ‘this chapter’ and inserting ‘chapters 381 through 385
10 and chapter 389.’”.

11 (23) Section 1870(c)(3) is amended—

12 (A) by inserting after subparagraph (A) the
13 following new subparagraph:

14 “(B) in each of paragraphs (4) and (5) of
15 subsection (d), by striking ‘section 2500(1)’ and
16 inserting ‘section 4801(1)’;”;

17 (B) by redesignating subparagraphs (B)
18 and (C) as subparagraphs (C) and (D), respec-
19 tively; and

20 (C) in subparagraph (D) (as so
21 redeisgnated), by striking “of the first subsection
22 (k) (relating to ‘Limitation on certain procure-
23 ments application process’),” and inserting “of
24 subsection (j),”.

1 (24) *Section 1872(a) is amended in each of*
2 *paragraphs (5) through (11) by striking “chapter 385*
3 *of such title, as amended” and inserting “chapter 388*
4 *of such title, as added”.*

5 (c) *CONFORMING AMENDMENTS TO PROVISIONS OF*
6 *TITLE 10, UNITED STATES CODE, THAT ARE TRANS-*
7 *FERRED AND REDESIGNATED BY TITLE XVIII OF THE*
8 *FY2021 NDAA.—Title 10, United States Code, as trans-*
9 *ferred and redesignated by title XVIII of the FY2021*
10 *NDAA, is amended as follows:*

11 (1) *Section 3221 of title 10, United States Code,*
12 *as added by subsection (a) and amended by subsection*
13 *(b) of section 1812 of such Act, is amended in sub-*
14 *section (c) by striking “under this section” and in-*
15 *serting “under this chapter”.*

16 (2) *Section 3223 of such title, as added by sub-*
17 *section (a) and amended by subsection (d) of section*
18 *1812 of such Act, is amended by striking “under this*
19 *section” in paragraph (2) and inserting “under this*
20 *chapter”.*

21 (3) *Section 3702 of such title, as added and*
22 *amended by section 1831 of such Act, is amended—*

23 (A) *in subsection (a)(3) by striking “under*
24 *this section” in the matter preceding subpara-*

1 *graph (A) and inserting “under this chapter”;*
2 *and*

3 *(B) in subsection (d), by striking “this sec-*
4 *tion” and inserting “this chapter”.*

5 *(4) Section 4375 of such title, as added by sub-*
6 *section (a) and amended by subsection (i) of section*
7 *1850 of such Act, is amended in subsection (d)(7)—*

8 *(A) by striking “under the program (i) ex-*
9 *pressed as” and inserting “under the program—*
10 *“(A) expressed as”; and*

11 *(B) by striking “or subprogram, and (ii)*
12 *expressed as” and inserting “or subprogram; and*
13 *“(B) expressed as”.*

14 *(d) CROSS-REFERENCE AMENDMENTS WITHIN TRANS-*
15 *FERRED SECTIONS.—Title 10, United States Code, as*
16 *transferred and redesignated by title XVIII of the FY2021*
17 *NDAA, is amended as follows:*

18 *(1) Section 3131 of title 10, United States Code,*
19 *as transferred and redesignated by section 1809(b) of*
20 *such Act, is amended in subsection (b)(1) by striking*
21 *“section 2353” and inserting “section 4141”.*

22 *(2) Section 3137 of such title, as transferred and*
23 *redesignated by section 1809(h)(1) of such Act, is*
24 *amended in subsection (b)(2) by striking “section*
25 *2330a” and inserting “section 4505”.*

1 (3) Section 3203 of such title, as added by para-
2 graph (1) and amended by paragraph (2) of section
3 1811(d)(2) of such Act, is amended in subsection (c)
4 by striking “paragraphs (1) and (2)” and inserting
5 “subsections (a)(1) and (b)”.

6 (4) Section 3206 of such title, as added by para-
7 graph (1) and amended by paragraphs (2) and (3) of
8 section 1811(e)(2) of such Act, is amended in sub-
9 section (a)(3) by striking “subparagraphs (A) and
10 (B)” in the matter preceding subparagraph (A) and
11 inserting “paragraphs (1) and (2)”.

12 (5) Section 3221 of such title, as added by sub-
13 section (a) and amended by subsection (b) of section
14 1812 of such Act, is amended in subsection (b)(2) by
15 striking “chapter 144” before “of this title” and in-
16 serting “chapters 321, 324, and 325, subchapter I of
17 chapter 322, and sections 3042, 4232, 4273, 4293,
18 4321, 4323, and 4328”.

19 (6) Section 3862 of such title, as transferred and
20 redesignated by section 1836(b) of such Act, is amend-
21 ed in subsection (b) by striking “section 2303(a)” and
22 inserting “section 3063”.

23 (7) Section 4008 of such title, as transferred and
24 redesignated by section 1841(c) of such Act, is amend-

1 *ed by striking “section 2303(a)” in subsections (a)*
2 *and (d) and inserting “section 3063”.*

3 *(8) Section 4061 of such title, as transferred and*
4 *redesignated by section 1842(b) of such Act, is amend-*
5 *ed in subsection (b)(5) by striking “section 2302e”*
6 *and inserting “section 4004”.*

7 *(9) Section 4062 of such title, as transferred and*
8 *redesignated by section 1842(b) of such Act, is amend-*
9 *ed—*

10 *(A) in subsection (c)(4)(A)—*

11 *(i) in clause (i), by striking “section*
12 *2433(d)” and inserting “section 4374”; and*

13 *(ii) in clause (ii), by striking “section*
14 *2433(e)(2)(A)” and inserting “section*
15 *4375(b)”;*

16 *(B) in subsection (j), by striking “chapter*
17 *137” and inserting “sections 3201 through*
18 *3205”; and*

19 *(C) in subsection (k)(2), by striking “(as de-*
20 *fin ed in section 2302(5) of this title)”.*

21 *(10) Section 4171 of such title, as transferred*
22 *and redesignated by section 1845(b) of such Act, is*
23 *amended in subsection (a)(2)—*

1 (A) in subparagraph (A), by striking “with-
2 in the meaning” and all that follows through
3 “this title”; and

4 (B) in subparagraph (B), by striking
5 “under” and all that follows through “this title”
6 and inserting “under section 4203(a)(1) of this
7 title”.

8 (11) Section 4324 of such title, as amended by
9 section 802(a) and transferred and redesignated by
10 section 1848(d)(1) of such Act, is amended in sub-
11 section (d)—

12 (A) in paragraph (5), by striking “section
13 2430” in subparagraph (A) and “section
14 2430(a)(1)(B)” in subparagraph (B) and insert-
15 ing “section 4201” and “section 4201(a)(2) of
16 this title”, respectively;

17 (B) in paragraph (6), by striking “section
18 2366(e)(7)” and inserting “section 4172(e)(7)”;
19 and

20 (C) in paragraph (7), by striking “section
21 2431a(e)(5)” and inserting “section 4211(e)(3)”.

22 (12) Section 4375 of such title, as added by sub-
23 section (a) and amended by subsection (h) section
24 1850), is amended in subsection (c)(2)—

1 (A) in subparagraph (A), by striking “or
2 (b)(2)”; and

3 (B) in subparagraph (B)—

4 (i) by striking “or (b)(2)” ; and

5 (ii) by striking “subsection (b)(1)” and
6 inserting “section 4376”.

7 (13) Section 4505 of such title, as transferred
8 and redesignated by section 1856(g) of such Act, is
9 amended by striking “section 2383(b)(3)” in sub-
10 section (h)(2) and inserting “section 4508(b)(3)”.

11 (14) Section 4660 of such title, as transferred
12 and redesignated by section 1862(b) of such Act, is
13 amended by striking “section 2324” in subsection
14 (c)(2) and inserting “subchapter I of chapter 273”.

15 (15) Section 4814 of such title, as transferred
16 and redesignated by section 1867(b) of such Act, is
17 amended by striking “subchapter V of chapter 148”
18 in paragraph (5) of subsection (a), as added by sec-
19 tion 842(a)(2) of such Act, and inserting “chapter
20 385”.

21 (16) Section 4819 of such title, as transferred
22 and redesignated by section 1867(b) of such Act and
23 amended by section 843 of such Act, is amended in
24 subsection (b)(2)—

1 (A) in subparagraph (C)(xi), by striking
2 “section 2339a” and inserting “section 3252”;
3 and

4 (B) in subparagraph (E)—

5 (i) in clause (i), by striking “(as de-
6 fined in section 2500(1) of this title)”;

7 (ii) in clause (ii), by striking “section
8 2533a” and inserting “section 4862”; and

9 (iii) in clause (v), by striking “section
10 2521” and inserting “sections 4841 and
11 4842”.

12 (17) Section 4862 of such title, as transferred
13 and redesignated by section 1870(c)(2) of such Act, is
14 amended by striking “section 2304(c)(2)” in sub-
15 section (d)(4) and inserting “section 3204(a)(2)”.

16 (18) Section 4863 of such title, as transferred
17 and redesignated by section 1870(c)(2) of such Act, is
18 amended—

19 (A) in subsection (c)(2), by striking “section
20 2304(c)(2)” and inserting “section 3204(a)(2)”;
21 and

22 (B) in subsection (f), by striking “section
23 2304(g)” and inserting “section 3205”.

24 (19) Section 4981 of such title, as transferred by
25 subsection (b) and redesignated by subsection (c) of

1 *section 1873 of such Act, is amended by striking “sec-*
 2 *tion 2501(a)” in subsection (a) and inserting “section*
 3 *4811(a)”.*

4 *(e) DISPOSITION OF NEW TITLE 10 ACQUISITION PRO-*
 5 *VISIONS ADDED BY THE FY2021 NDAA.—*

6 *(1) TRANSFER OF NEW SECTION 2339C.—*

7 *(A) TRANSFER.—Section 2339c of title 10,*
 8 *United States Code, as added by section 803 of*
 9 *the FY2021 NDAA, is transferred to chapter 873*
 10 *of such title, inserted after section 8754, and re-*
 11 *designated as section 8755, and amended in sub-*
 12 *section (d)(3) by striking “section 2430” and in-*
 13 *serting “section 4201”.*

14 *(B) CLERICAL AMENDMENT.—The table of*
 15 *sections at the beginning of such chapter is*
 16 *amended by adding at the end the following new*
 17 *item:*

*“8755. Disclosures for offerors for certain shipbuilding major defense acquisition
 program contracts.”.*

18 *(2) TRANSFER OF NEW SECTION 2533D.—*

19 *(A) TRANSFER.—Section 2533d of title 10,*
 20 *United States Code, as added by section 841(a)*
 21 *of the FY2021 NDAA, is transferred to chapter*
 22 *385 of such title, inserted after section 4872 of*
 23 *subchapter III of such chapter, redesignated as*
 24 *section 4873, and amended in subsection (a)(2)*

1 *by striking “section 2338” and inserting “section*
 2 *3573”.*

3 *(B) CLERICAL AMENDMENT.—The table of*
 4 *sections at the beginning of such chapter is*
 5 *amended by inserting after the item relating to*
 6 *section 4872 the following new item:*

“4873. Additional requirements pertaining to printed circuit boards.”.

7 *(3) TRANSFER OF NEW SECTION 2358C.—*

8 *(A) TRANSFER.—Section 2358c of title 10,*
 9 *United States Code, as added by section 1115(a)*
 10 *of the FY2021 NDAA, is transferred to sub-*
 11 *chapter II of chapter 303 of such title, as added*
 12 *by section 1842(a) of the FY2021 NDAA, in-*
 13 *serted after section 4093, as transferred and re-*
 14 *designated by section 1843(a) (as amended by*
 15 *this section), and redesignated as section 4094.*

16 *(B) CLERICAL AMENDMENTS.—The table of*
 17 *sections at the beginning of such chapter, as*
 18 *added by section 1842(a) of the FY2021 NDAA*
 19 *(as amended by this section), is amended by in-*
 20 *serting after the item relating to section 4093 the*
 21 *following new item:*

*“4094. Enhanced pay authority for certain research and technology positions in
 science and technology reinvention laboratories.”.*

22 *(4) TRANSFER OF NEW SECTION 2374B.—*

1 (A) *TRANSFER.*—Section 2374b of title 10,
2 *United States Code, as added by section*
3 *212(a)(1) of the FY2021 NDAA, is transferred to*
4 *subchapter II of chapter 301 of such title, added*
5 *at the end of such subchapter, and redesignated*
6 *as section 4027.*

7 (B) *CLERICAL AMENDMENT.*—The table of
8 *sections at the beginning of such chapter is*
9 *amended by adding at the end the following new*
10 *item:*

“4027. Disclosure requirements for recipients of research and development funds.”.

11 (f) *AMENDMENTS TO TABLES OF SECTIONS.*—Title 10,
12 *United States Code, is amended as follows:*

13 (1) *The table of sections at the beginning of*
14 *chapter 136 is amended by striking the item relating*
15 *to section 2283.*

16 (2) *The table of sections at the beginning of*
17 *chapter 165 is amended by striking the item relating*
18 *to section 2784.*

19 (3) *The table of sections at the beginning of*
20 *chapter 203, as added by section 1807(a) of the*
21 *FY2021 NDAA, is amended in the item relating to*
22 *section 3064 by inserting “of” after “Applicability”.*

23 (4) *The table of sections at the beginning of*
24 *chapter 223, as added by section 1813(a) of such Act,*

1 *is amended by striking the item relating to section*
2 *3248 and inserting the following new item:*

“3248. **[Reserved]**.”

3 (5) *The table of sections at the beginning of sub-*
4 *chapter II of chapter 273, as added by section 1832(j)*
5 *of such Act, is amended by striking the items relating*
6 *to sections 3764 and 3765.*

7 (6) *The table of sections at the beginning of sub-*
8 *chapter III of chapter 275, as added by section*
9 *1833(n) of such Act, is amended by striking the item*
10 *relating to section 3792 and inserting the following*
11 *new item:*

“3792. **[Reserved]**.”

12 (7) *The table of sections at the beginning of sub-*
13 *chapter I of chapter 322, as added by section 1847(a),*
14 *is amended by striking the item relating to section*
15 *4212 and inserting the following new item:*

“4212. *Risk management and mitigation in major defense acquisition programs
and major systems.*”

16 (8) *The table of sections at the beginning of sub-*
17 *chapter II of chapter 322, as added by section*
18 *1847(a), is amended by striking the item relating to*
19 *section 4232 and inserting the following new item:*

“4232. *Prohibition on use of lowest price technically acceptable source selection
process.*”

20 (9) *The table of sections at the beginning of*
21 *chapter 323, as added by section 1848(a), is amended*

1 *by striking the item relating to section 4324 and in-*
 2 *serting the following new item:*

“4324. *Life-cycle management and product support.*”.

3 (10) *The table of sections at the beginning of*
 4 *chapter 382, as added by section 1867(a) of such Act,*
 5 *is amended by striking the item relating to section*
 6 *4814 and inserting the following new item:*

“4814. *National technology and industrial base: annual report and quarterly briefings.*”.

7 (g) *AMENDMENTS TO TABLES OF CHAPTERS.—The ta-*
 8 *bles of chapters at the beginning of subtitle A, and at the*
 9 *beginning of part V of subtitle A, of title 10, United States*
 10 *Code, are amended—*

11 (1) *in the items for chapters 203, 205, and 207,*
 12 *by striking the section number at the end of each item*
 13 *and inserting “3061”, “3101”, and “3131”, respec-*
 14 *tively;*

15 (2) *by striking the item for chapter 247 and in-*
 16 *serting the following:*

“247. *Procurement of Commercial Products and Commercial Services 3451*”;

17 (3) *in the item for chapter 251, by striking the*
 18 *section number at the end and inserting “3571”;*

19 (4) *by striking the item for chapter 257 and in-*
 20 *serting the following:*

“257. *Contracts for Long-Term Lease or Charter of Vessels, Aircraft, and*
 Combat Vehicles 3671

“258. *Other Types of Contracts Used for Procurements for Particular*
 Purposes3681”; and

1 (5) by striking the last word in the item for the
2 heading for subpart D and inserting “Provisions”.

3 (h) AMENDMENTS TO HEADINGS.—Subtitle A of title
4 10, United States Code, is amended as follows:

5 (1) The heading of subpart D of part V is
6 amended to read as follows:

7 **“Subpart D—General Contracting Provisions”.**

8 (2) The heading of subchapter II of chapter 273,
9 as added by section 1832(j) of the FY2021 NDAA, is
10 amended to read as follows:

11 **“Subchapter II—Other Allowable Cost**
12 **Provisions”.**

13 (i) AMENDMENTS TO DELETE HEADINGS FROM SEC-
14 TIONS SPECIFIED AS “RESERVED”.—Title XVIII of the
15 FY2021 NDAA is amended as follows:

16 (1) CHAPTER 201.—The matter inserted by sec-
17 tion 1806(a)(1) is amended—

18 (A) in each of the items relating to sections
19 3003 and 3005 in the table of sections at the be-
20 ginning of subchapter I, by striking the text after
21 the section designation and inserting “[Re-
22 served]”;

23 (B) by striking section 3003 and inserting
24 the following:

1 **“§ 3003. [Reserved]”; and**

2 (C) by striking section 3005 and inserting
3 the following:

4 **“§ 3005. [Reserved]”.**

5 (2) CHAPTER 209.—

6 (A) In the table of contents for chapter 209
7 inserted by section 1810(a), by striking the text
8 after the subchapter II designation and inserting
9 “**[Reserved]**”.

10 (B) Section 1810(d) is amended to read as
11 follows:

12 “(d) ADDITIONAL SUBCHAPTER.—Chapter 209 of title
13 10, United States Code, is amended by adding at the end
14 the following new subchapter:

15 “‘SUBCHAPTER II—**[RESERVED]**

“‘Sec.

“‘3171. **[Reserved]**.”

“‘3172. **[Reserved]**.”

16 **“‘§ 3171. [Reserved]**

17 **“‘§ 3172. [Reserved]’.”.**

18 (3) CHAPTER 225.—The matter inserted by sec-
19 tion 1813(h) is amended by striking the text after the
20 chapter designation and inserting “**[Reserved]**”.

21 (4) CHAPTER 242.—The matter inserted by sec-
22 tion 1817(a) is amended—

23 (A) in the item relating to section 3324 in
24 the table of sections, by striking the text after the

1 section designation and inserting “**[Reserved]**”;
2 and

3 (B) by striking section 3324 and inserting
4 the following:

5 **“§ 3324. [Reserved]”.**

6 (5) CHAPTER 253.—

7 (A) The tables of chapters at the beginning
8 of subtitle A, and at the beginning of part V of
9 subtitle A, of title 10, United States Code, are
10 amended by striking the text after the chapter
11 designation for chapter 253 in each place and
12 inserting “**[Reserved]**”.

13 (B) Section 1824 is amended—

14 (i) in the matter inserted by subsection
15 (a), by striking the text after the chapter
16 designation and inserting “**[Reserved]**”;
17 and

18 (ii) in the matter inserted by sub-
19 section (b), by striking the text after the
20 chapter designation and inserting “**[Re-**
21 **served]**”.

22 (6) CHAPTER 272.—The matter inserted by sec-
23 tion 1831(k) is amended—

24 (A) by striking the text after the chapter
25 designation and inserting “**[Reserved]**”; and

1 (B) by striking all after the chapter heading
2 and inserting the following:

“Sec.

“3721. **[Reserved]**.

“3722. **[Reserved]**.

“3723. **[Reserved]**.

“3724. **[Reserved]**.”

3 **“§ 3721. [Reserved]**

4 **“§ 3722. [Reserved]**

5 **“§ 3723. [Reserved]**

6 **“§ 3724. [Reserved]”.**

7 (7) CHAPTER 279.—

8 (A) The matter inserted by section 1835(a)
9 is amended in the table of sections by striking
10 the text after the section designation in each of
11 the items relating to sections 3843, 3844, and
12 3846 and inserting “**[Reserved]**.”.

13 (B) Section 1835(e) is amended—

14 (i) by striking the matter inserted by
15 paragraph (1) and inserting the following:

16 **“§ 3843. [Reserved]**

17 **“§ 3844. [Reserved]”; and**

18 (ii) by striking matter inserted by
19 paragraph (2) and inserting the following:

20 **“§ 3846. [Reserved]”.**

21 (8) CHAPTER 283.—

22 (A) The tables of chapters at the beginning
23 of subtitle A, and at the beginning of part V of

1 subtitle A, of title 10, United States Code, are
2 amended by striking the text after the chapter
3 designation for chapter 283 in each place and
4 inserting “[Reserved]”.

5 (B) Section 1837 is amended to read as fol-
6 lows:

7 **“SEC. 1837. RESERVATION OF CHAPTER 283.**

8 “Part V of subtitle A of title 10, United States Code,
9 as added by section 801 of the John S. McCain National
10 Defense Authorization Act for Fiscal Year 2019 (Public
11 Law 115– 232), is amended by striking chapter 283 and
12 inserting the following:

13 **“CHAPTER 283—[RESERVED]’.”**

14 (9) CHAPTER 343.—Section 1856 is amended—

15 (A) in the matter to be inserted by sub-
16 section (a), by striking the text following the des-
17 ignation of chapter 343 and inserting “[Re-
18 served]”; and

19 (B) by amending the matter to be inserted
20 by subsection (j) to read as follows:

21 **“CHAPTER 343—[RESERVED]**

“Subchapter	Sec.
“I. [Reserved]	4541
“II. [Reserved]	4551

22 **“SUBCHAPTER I—[RESERVED]**

“Sec.
“4541. [Reserved].

1 “SUBCHAPTER II—**[RESERVED]**”

“Sec.
“4551. **[Reserved]**.”

2 (10) CHAPTER 387.—Section 1871 is amended by
3 amending the matter to be inserted by subsection
4 (a)(2)—

5 (A) by inserting after the item relating to
6 subchapter I the following new item:

“II. **[Reserved]**4991”; and

7 (B) by inserting after the item relating to
8 section 4901 the following new item:

9 “SUBCHAPTER II—**[RESERVED]**”

“Sec.
“4911. **[Reserved]**.”

10 (j) REVISED SECTION RELATING TO REGULATIONS.—
11 Section 1807(b) of the FY2021 NDAA is amended in the
12 matter to be inserted by paragraph (1), by striking “shall
13 prescribe” and inserting “is required by section 2202 of this
14 title to prescribe”.

15 (k) REVISED TRANSFER OF SECTIONS RELATING TO
16 MULTIYEAR CONTRACTS FOR ACQUISITION OF PROP-
17 ERTY.—Section 1822 of the FY2021 NDAA is amended as
18 follows:

19 (1) REVISED SECTIONS.—In the matter to be in-
20 serted by subsection (a)—

1 (A) in the table of sections for subchapter I,
2 by striking the items relating to sections 3501
3 through 3511 and inserting the following:

“3501. *Multiyear contracts: acquisition of property.*”; and

4 (B) by striking the section headings for sec-
5 tions 3501 through 3511 and inserting the fol-
6 lowing:

7 **“§ 3501. *Multiyear contracts: acquisition of property*”.**

8 (2) *TRANSFER OF SECTION 2306B.*—Such section
9 is further amended—

10 (A) by striking subsections (b) through (l);
11 and

12 (B) by inserting after subsection (a) the fol-
13 lowing new section:

14 “(b) *TRANSFER OF SECTION 2306B.*—Section 2306b of
15 *title 10, United States Code, is transferred to section 3501*
16 *of such title, as added by subsection (a).*”.

17 (3) *TRANSFER OF SECTION 2306C.*—Such section
18 is further amended—

19 (A) in the matter to be inserted by sub-
20 section (m)—

21 (i) in the table of sections, by striking
22 the items relating to sections 3531 through
23 3535 and inserting the following:

“3531. *Multiyear contracts: acquisition of services.*”; and

1 (ii) by striking the section headings for
2 sections 3531 through 3535 and inserting
3 the following:

4 **“§ 3531. Multiyear contracts: acquisition of services”;**

5 (B) by redesignating such subsection (m) as
6 subsection (c);

7 (C) by striking subsections (n) through (s);

8 (D) by adding after subsection (c) (as so re-
9 designated) the following new subsection:

10 “(d) *TRANSFER OF SECTION 2306C.*—Section 2306c of
11 *title 10, United States Code, is transferred to section 3531*
12 *of such title, as added by subsection (c).*”.

13 (4) *CONFORMING REDESIGNATION.*—Such section
14 *is further amended by redesignating subsection (t) as*
15 *subsection (e).*

16 (l) *RENAMING OF CHAPTER 287.*—

17 (1) *RENAMING OF CHAPTER.*—Section 1838 of
18 *the FY2021 NDAA is amended—*

19 (A) *in the section heading, by striking the*
20 *penultimate word in the heading and inserting*
21 **“OTHER CONTRACTING”**; and

22 (B) *by striking the penultimate word in the*
23 *chapter heading in the matter inserted by sub-*
24 *section (a) and inserting “OTHER CON-*
25 **TRACTING”**.

1 (2) *TABLES OF CHAPTERS.*—*The tables of chap-*
 2 *ters at the beginning of subtitle A, and at the begin-*
 3 *ning of part V of subtitle A, of title 10, United States*
 4 *Code, are amended by striking the item relating to*
 5 *chapter 287 and inserting the following new item:*

“287. *Other Contracting Programs* 3961”.

6 (m) *REVISED TRANSFER OF SECTIONS WITHIN CHAP-*
 7 *TER 388.*—

8 (1) *TRANSFER.*—*Section 1872(a) of title XVIII*
 9 *of the FY2021 NDAA, as amended by this section, is*
 10 *further amended—*

11 (A) *by amending paragraph (2) to read as*
 12 *follows:*

13 “(2) *TRANSFER.*—*The text of section 2411 of*
 14 *title 10, United States Code, is transferred to section*
 15 *4951 of such title, as added by paragraph (1).”;*

16 (B) *by amending paragraph (3) to read as*
 17 *follows:*

18 “(3) *TRANSFER OF SECTION 2412.*—*The text of*
 19 *section 2412 of title 10, United States Code, is trans-*
 20 *ferred to section 4952 of such title, as added by para-*
 21 *graph (1).”; and*

22 (C) *by amending paragraph (4) to read as*
 23 *follows:*

24 “(4) *TRANSFER OF SECTION 2420.*—*The text of*
 25 *section 2420 of title 10, United States Code, is trans-*

1 ferred to section 4953 of such title, as added by para-
2 graph (1).”.

3 (2) *CONFORMING AMENDMENTS.*—Such section
4 1872(a) is further amended—

5 (A) in paragraph (5)—

6 (i) by striking “inserted after section
7 4951, redesignated as section 4952” and in-
8 serting “inserted after section 4953, redesignig-
9 nated as section 4954”;

10 (ii) in the matter to be inserted by sub-
11 paragraph (B)(i), by striking “section
12 4957(b)” and inserting “section 4959(b)”;

13 (B) in paragraph (6)—

14 (i) by striking “section 4952” and in-
15 serting “section 4954”;

16 (ii) by striking “section 4953” and in-
17 serting “section 4955”;

18 (iii) in the matter to be inserted by
19 subparagraph (B), by striking “section
20 4951(b)(1)(D)” and inserting “section
21 4951(1)(D)”;

22 (iv) in the matter to be inserted by
23 subparagraph (C), by striking “section
24 4957(b)” and inserting “section 4959(b)”;

25 (C) in paragraph (7)—

1 (i) by striking “section 4953” and in-
2 serting “section 4955”;

3 (ii) by striking “section 4954” and in-
4 serting “section 4956”;

5 (D) in paragraph (8)—

6 (i) by striking “section 4954” and in-
7 serting “section 4956”;

8 (ii) by striking “section 4955” and in-
9 serting “section 4957”;

10 (E) in paragraph (9)—

11 (i) by striking “section 4955” and in-
12 serting “section 4957”;

13 (ii) by striking “section 4956” and in-
14 serting “section 4958”;

15 (F) in paragraph (10)—

16 (i) by striking “section 4956” and in-
17 serting “section 4958”;

18 (ii) by striking “section 4957” and in-
19 serting “section 4959”;

20 (G) in paragraph (11)—

21 (i) by striking “inserted after section
22 4957, as added by paragraph (10),” and in-
23 serting “added at the end of such chapter”;
24 and

1 (ii) by striking “section 4959” and in-
2 serting “section 4961”.

3 (3) *TABLE OF SECTIONS.*—Section 1872(a)(B) of
4 the FY2021 NDAA is amended by striking the matter
5 to be inserted and inserting the following:

6 **“CHAPTER 388—PROCUREMENT TECH-**
7 **NICAL ASSISTANCE COOPERATIVE**
8 **AGREEMENT PROGRAM**

“4951. Definitions.

“4952. Purposes.

“4953. Regulations.

“4954. Cooperative agreements.

“4955. Funding.

“4956. Distribution.

“4957. Subcontractor information.

“4958. Authority to provide certain types of technical assistance.

“4959. Advancing small business growth.

“4960. [Reserved].

“4961. Administrative and other costs.

9 **“SEC. 4951. DEFINITIONS.**

10 **“SEC. 4952. PURPOSES.**

11 **“SEC. 4953. REGULATIONS.”.**

12 (n) *REVISED SECTION RELATING TO NAVY CONTRACT*
13 *FINANCING.*—Title XVIII of the FY2021 NDAA is amended
14 as follows:

15 (1) *REVISED PLACEMENT.*—The matter to be in-
16 serted by section 1834(a) is amended—

17 (A) in the table of sections, by adding at the
18 following new item:

“3808. Certain Navy contracts.”; and

1 (B) by adding after the heading for section
2 3807 the following:

3 **“§ 3808. Certain Navy contracts”.**

4 (2) *TRANSFER OF SECTION 2307(G).*—Section
5 1834 is further amended by adding at the end the fol-
6 lowing new subsection:

7 “(i) *TRANSFER OF SUBSECTION (G) OF SECTION*
8 2307.—

9 “(1) *TRANSFER.*—Subsection (g) of section 2307
10 of title 10, United States Code, is transferred to sec-
11 tion 3808 of such title, as added by subsection (a), in-
12 serted after the section heading, and amended—

13 “(A) by striking the subsection designation
14 and subsection heading; and

15 “(B) by redesignating paragraphs (1), (2),
16 and (3) as subsections (a), (b), and (c), respec-
17 tively.

18 “(2) *REVISIONS TO NEW 3808(A).*—Subsection (a)
19 of such section 3808, as so transferred and redesign-
20 ated, is amended—

21 “(A) by inserting ‘*REPAIR, MAINTENANCE,*
22 *OR OVERHAUL OF NAVAL VESSELS: RATE FOR*
23 *PROGRESS PAYMENTS.*—’ before ‘*The Secretary*
24 *of the Navy*’; and

1 “(B) by redesignating subparagraphs (A)
2 and (B) as paragraphs (1) and (2), respectively.

3 “(3) REVISIONS TO NEW 3808(B).—Subsection (b)
4 of such section 3808, as so transferred and redesign-
5 ated, is amended—

6 “(A) by inserting ‘AUTHORITY TO ADVANCE
7 FUNDS FOR IMMEDIATE SALVAGE OPER-
8 ATIONS.—’ before ‘The Secretary of the Navy’;
9 and

10 “(B) by striking ‘this paragraph’ in the sec-
11 ond sentence and inserting ‘this subsection’.

12 “(4) REVISIONS TO NEW 3808(C).—Subsection (c)
13 of such section 3808, as so transferred and redesign-
14 ated, is amended by inserting ‘SECURITY FOR CON-
15 STRUCTION AND CONVERSION OF NAVAL VESSELS.—
16 ’ before ‘The Secretary of the Navy’.

17 “(5) CONFORMING AMENDMENT.—Section
18 8702(c) is amended by striking ‘section 2307(g)(2)’
19 and inserting ‘section 3808(b).’”.

20 (3) REPEAL OF PRIOR TRANSFER.—Section 1876
21 is repealed.

22 (o) REVISED TRANSFER RELATING TO SELECTED AC-
23 QUISITION REPORTS.—

24 (1) TRANSFER AS SINGLE SECTION.—

1 (A) Subsection (a) section 1849 of the
 2 FY2021 NDAA is amended in the matter to be
 3 inserted by striking all after the chapter heading
 4 and inserting the following:

“Sec.
 “4351. Selected Acquisition Reports.”.

5 (B) Subsection (b) of such section 1849 is
 6 amended to read as follows:

7 “(b) *TRANSFER OF SECTION 2432.*—Section 2432 of
 8 title 10, United States Code, is transferred to chapter 324
 9 of such title, as added by subsection (a), and redesignated
 10 as section 4351.”.

11 (2) *CONFORMING AMENDMENTS.*—

12 (A) The section heading for section 1849 of
 13 the FY2021 NDAA is amended to read as fol-
 14 lows:

15 “**SEC. 1849. SELECTED ACQUISITION REPORTS.**”.

16 (B) Section 1849 of the FY2021 NDAA is
 17 amended in the matter to be inserted by striking
 18 the text after the chapter designation and insert-
 19 ing “**SELECTED ACQUISITION RE-**
 20 **PORTS**”.

21 (3) *CROSS-REFERENCE AMENDMENTS IN SECTION*
 22 *4351(C).*—Subsection (c) of such section 1849 is
 23 amended to read as follows:

1 “(c) *CROSS-REFERENCE AMENDMENTS IN NEW SEC-*
 2 *TION 4351(C).*—Subsection (c)(1) of such section, as so
 3 *transferred and redesignated, is amended—*

4 “(1) *by striking ‘section 2431’ in subparagraph*
 5 *(A) and inserting ‘section 4205’;*

6 “(2) *by striking ‘section 2433(a)(2)’ in subpara-*
 7 *graph (B)(i) and inserting ‘section 4371(a)(4)’;*

8 “(3) *by striking ‘section 2435(d)(1)’ in subpara-*
 9 *graph (B)(ii) and inserting ‘section 4214(d)(1)’;*

10 “(4) *by striking ‘section 2435(d)(2)’ in subpara-*
 11 *graph (B)(iii) and inserting ‘section 4214(d)(2)’;*

12 “(5) *by striking ‘section 2432(e)(4)’ in subpara-*
 13 *graph (B)(iv) and inserting ‘section 4355(4)’; and*

14 “(6) *by striking ‘section 2446a’ in subparagraph*
 15 *(G) and inserting ‘section 4401.’”*”.

16 (4) *CROSS-REFERENCE AMENDMENT IN SECTION*
 17 *4351(H).*—Subsection (d) of such section 1849 is
 18 *amended to read as follows:*

19 “(d) *CROSS-REFERENCE AMENDMENT IN NEW SEC-*
 20 *TION 4351(H).*—Subsection (h)(2)(A) of such section, as so
 21 *transferred and redesignated, is amended by striking ‘sec-*
 22 *tion 2431’ and inserting ‘section 4205.’”*”.

23 (5) *DELETION OF SUPERSEDED AMENDMENTS.*—
 24 *Such section 1849 is further amended—*

1 (A) by striking subsections (e) through (k);

2 and

3 (B) redesignating subsections (l) and (m) as

4 subsections (e) and (f), respectively.

5 (6) CONFORMING CROSS-REFERENCE AMEND-

6 MENTS.—Title XVIII of the FY2021 NDAA is amend-

7 ed—

8 (A) in section 1812—

9 (i) in subsection (b)(2)(D), by striking

10 “section 4353(a)” in the matter to be in-

11 serted and inserting “section 4351(c)(1)”;

12 and

13 (ii) in subsection (f)(2)(C), by striking

14 “sections 4351 through 4358” in the matter

15 to be inserted and inserting “section 4351”;

16 (B) in section 1846—

17 (i) in subsection (f)(5)(C), by striking

18 “sections 4351 through 4358” in the matter

19 to be inserted and inserting “section 4351”;

20 and

21 (ii) in subsection (g)(1), by striking

22 “section 4351” in the matter to be inserted

23 and inserting “section 4351(a)”;

24 (C) in section 1847—

1 (i) in subsection (b)(4)(B)(iii), by
2 striking “sections 4351 through 4358” in
3 the matter to be inserted and inserting “sec-
4 tion 4351”;

5 (ii) in subsection (c)(1)(A)(i), by strik-
6 ing “sections 4351 through 4358” in the
7 matter to be inserted and inserting “section
8 4351”;

9 (iii) in subsection (d)(2)(C)(ii), by
10 striking “sections 4351 through 4358” in
11 the matter to be inserted and inserting “sec-
12 tion 4351”; and

13 (iv) in subsection (e)(1)(A), by striking
14 “section 4351(2)” in the matter to be in-
15 serted and inserting “section 4351(a)(2)”;

16 (D) in section 1849(f) (as so redesignated),
17 by striking “chapter 324” in the matter to be in-
18 serted and inserting “section 4351”; and

19 (E) in section 1850—

20 (i) in subsection (b)(3)(A)(ii), by strik-
21 ing “section 4351” in the matter to be in-
22 serted and inserting “section 4351(a)”;

23 (ii) in subsection (c)(2), by striking
24 “section 4358” in the matter to be inserted
25 and inserting “section 4351(h)”;

1 (iii) in subsection (e)(4)(A), by strik-
2 ing “section 4352(c)” in the matter to be
3 inserted and inserting “section 4351(b)(3)”;

4 (iv) in subsection (h)(2)(C)(ii), by
5 striking “and inserting” and all that fol-
6 lows through “respectively” and inserting
7 “and inserting ‘section 4351(e)’ and ‘section
8 4351(f)’, respectively”;

9 (v) in subsection (j)(3)(B)(ii), by strik-
10 ing “section 4356(a)” in the matter to be
11 inserted and inserting “section 4351(f)”;

12 (vi) in subsection (k)(4)(D), by strik-
13 ing “section 4352” in the matter to be in-
14 serted and inserting “section 4351”; and

15 (vii) in subsection (k)(6)(D)(i)(II), by
16 striking “section 4356” in the matter to be
17 inserted and inserting “section 4351(f)”.

18 (p) *TRANSFER OF SECTIONS 2196 & 2197 TO CHAP-*
19 *TER 384 (MANUFACTURING TECHNOLOGY).—*

20 (1) *TRANSFER.*—Section 1869(d) of the FY2021
21 *NDAA is amended—*

22 (A) by striking “SECTION 2522.—Section
23 2522 of title 10, United States Code, is” and in-
24 serting “SECTIONS 2196, 2197, AND 2522.—

1 “(1) *TRANSFER*.—Sections 2196, 2197, and 2522
2 of title 10, United States Code, are”;

3 (B) by striking “as section 4843” and in-
4 sserting “as sections 4843, 4844, and 4845, re-
5 spectively”; and

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

8 “(2) *CONFORMING AMENDMENTS*.—Section 4844,
9 as transferred and redesignated by paragraph (1), is
10 amended in subsection (a)(6), by striking ‘section
11 2196’ and inserting ‘section 4843’.”.

12 (2) *TABLES OF SECTIONS*.—

13 (A) *CHAPTER 384*.—Section 1869(a) of the
14 *FY2021 NDAA* is amended in the matter to be
15 inserted by striking the item relating to section
16 4843 and inserting the following:

“4843. Manufacturing engineering education program.

“4844. Manufacturing experts in the classroom.

“4845. Armament retooling and manufacturing.”.

17 (B) *CHAPTER 111*.—The table of sections at
18 the beginning of chapter 111 of title 10, United
19 States Code, is amended by striking the items re-
20 lating to sections 2196 and 2197.

21 (q) *REVISED TRANSFER OF SECTION 2358B*.—Title
22 *XVIII* of the *FY2021 NDAA* is amended as follows:

23 (1) *DELETION OF TRANSFER TO CHAPTER 303*.—

24 Section 1842(b) is amended—

1 (A) by striking “2358b,”; and

2 (B) by striking “4064.”

3 (2) *TRANSFER TO CHAPTER 87.*—Subtitle J of
4 title XVIII of the FY2021 NDAA is amended by in-
5 serting after section 1878 the following new section:

6 **“SEC. 1878A. TRANSFER OF TITLE 10 SECTION RELATING TO**
7 **JOINT RESERVE DETACHMENT OF DEFENSE**
8 **INNOVATION UNIT.**

9 “(a) *TRANSFER.*—Section 2358b of title 10, United
10 States Code, is transferred to subchapter V of chapter 87
11 of such title, inserted after section 1765, and redesignated
12 as section 1766.

13 “(b) *CLERICAL AMENDMENT.*—The table of sections at
14 the beginning of such subchapter is amended by adding at
15 the end the following new item:

“1766. Joint reserve detachment of the Defense Innovation Unit.”.

16 (r) *REVISED SECTION RELATING TO ACQUISITION-RE-*
17 *LATED FUNCTIONS OF CHIEFS OF THE ARMED FORCES.*—
18 Title XVIII of the FY2021 NDAA is amended as follows:

19 (1) *DELETION OF SEPARATE SECTION FOR AC-*
20 *QUISITIONS FUNCTIONS OF SERVICE CHIEFS.*—Section
21 1847 is amended—

22 (A) in the matter to be inserted by sub-
23 section (a), by striking the item relating to sec-

1 *tion 4274 in the table of sections for subchapter*
 2 *IV and inserting:*

“4274. **Reserved**.”; and

3 *(B) in subsection (e), by striking para-*
 4 *graphs (4), (5), and (6)(B).*

5 *(2) CROSS-REFERENCE AMENDMENT.—Section*
 6 *1808(d) is amended by adding at the end the fol-*
 7 *lowing new paragraph:*

8 *“(3) Sections 7033(d)(5), 8033(d)(5), 8043(e)(5),*
 9 *and 9033(d)(5) of such title are amended by striking*
 10 *‘and 2547’ and inserting ‘and 3104.’”.*

11 *(s) REVISED TRANSFER OF SECTION RELATING TO NA-*
 12 *TIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Title XVIII*
 13 *of the FY2021 NDAA is amended as follows:*

14 *(1) DELETION OF PREVIOUS TRANSFER OF SEC-*
 15 *TION 2440.—Section 1847(b)(2) is amended—*

16 *(A) by striking “TRANSFER OF” and all*
 17 *that follow through “(B)”;* and

18 *(B) by striking “paragraph (3)” in the*
 19 *matter to be inserted and inserting “section 4820*
 20 *of this title”.*

21 *(2) REVISED TRANSFER.—*

22 *(A) Section 2440 of title 10, United States*
 23 *Code, as amended by section 846(b) of the*
 24 *FY2021 NDAA, is transferred to chapter 382 of*

1 *such title, inserted after section 4819, and redesi-*
 2 *gnated as section 4820.*

3 *(B) The table of sections at the beginning of*
 4 *such chapter is amended by adding at the end*
 5 *the following new item:*

“4820. National technology and industrial base plans, policy, and guidance.”.

6 *(C) Such section 4820, as so transferred and*
 7 *redesignated, is amended—*

8 *(i) in subsection (a), by striking “sec-*
 9 *tion 2501” and inserting “section 4811”;*
 10 *and*

11 *(ii) in subsection (b), by striking*
 12 *“chapter 148” and inserting “subchapters*
 13 *381 through 385 and subchapter 389”.*

14 *(t) REVISION OF SUBCHAPTER III OF CHAPTER 385.—*
 15 *Section 1870(d) of the FY2021 NDAA is amended—*

16 *(1) in the matter inserted by paragraph (1)—*

17 *(A) by striking the items relating to sections*
 18 *4871 and 4872 and inserting the following new*
 19 *items:*

“4871. Contracts: consideration of national security objectives.

“4872. Acquisition of sensitive materials from non-allied foreign nations: prohibi-
tion.”; and

20 *(B) by adding after the item relating to sec-*
 21 *tion 4873, as added by this section, the following*
 22 *new item:*

“4874. Award of certain contracts to entities controlled by a foreign government:
prohibition.”;

1 (2) in paragraph (2)—

2 (A) in the paragraph heading, by striking
3 “sections 2533c and 2536” and inserting “sec-
4 tions 2327, 2533c, and 2536”;

5 (B) by striking “sections 2533c and 2536 of
6 title 10” and inserting “sections 2327, 2533c,
7 and 2536 of title 10”; and

8 (C) by striking “sections 4871 and 4872”
9 and inserting “sections 4871, 4872, and 4874”;

10 (3) in paragraph (3)—

11 (A) in subparagraph (A), by striking “Sec-
12 tion 4871” and inserting “Section 4872”; and

13 (B) in the matter inserted by subparagraph
14 (B), by striking “**4871**” and inserting “**4872**”;
15 and

16 (4) in the matter inserted by paragraph (4), by
17 striking “section 4872(c)(1)” and inserting “section
18 4874(c)(1)”.

19 (u) *RESTRUCTURING OF CHAPTERS OF SUBPART E*
20 (*RESEARCH & ENGINEERING*).—Section 1841 of the
21 FY2021 NDAA is amended as follows:

22 (1) *REVISED SUBPART E*.—The matter to be in-
23 serted by subsection (a)(2) is amended to read as fol-
24 lows:

1 **“Subpart E—Research and Engineering**

“301. Research and Engineering Generally	4001
“303. Research and Engineering Activities	4061
“305. Universities	4131
“307. Test and Evaluation	4171”.

2 (2) *REVISED CHAPTER 301.—Section 1841 of the*
3 *FY2021 NDAA is further amended as follows:*

4 (A) *REVISED TABLE OF SECTIONS.—The*
5 *matter to be inserted by subsection (a)(1)(B) is*
6 *amended—*

7 (i) *by inserting after the item relating*
8 *to chapter 301 the following:*

9 “*SUBCHAPTER I—GENERAL*”;

10 (ii) *by striking the items relating to*
11 *sections 4002, 4003, and 4004 and inserting*
12 *the following:*

“4002. **[Reserved]**.”

“4003. **[Reserved]**.”

“4004. *Contract authority for development and demonstration of initial or additional prototype units.*”;

13 (iii) *by striking the items relating to*
14 *sections 4008 and 4009 and inserting the*
15 *following:*

“4008. **[Reserved]**.”

“4009. **[Reserved]**.”; and

16 (iv) *by striking the item relating to*
17 *section 4015 and inserting the following:*

18 “*SUBCHAPTER II—AGREEMENTS*

“4021. *Research projects: transactions other than contracts and grants.*

“4022. *Authority of the Department of Defense to carry out certain prototype projects.*

“4023. Procurement for experimental purposes.

“4024. Merit-based award of grants for research and development.

“4025. Prizes for advanced technology achievements.

“4026. Cooperative research and development agreements under Stevenson-Wydler Technology.”.

1 (B) *REVISED TRANSFER OF TITLE 10 SEC-*
2 *TIONS.—Subsection (b)(1) is amended—*

3 (i) *by inserting “2302e, 2359,” after*
4 *“2358,”;*

5 (ii) *by striking “and 2373” and insert-*
6 *ing “, 2373, 2374, 2374a, and 2371a”;*

7 (iii) *by striking “4002, 4003, and”;*
8 *and*

9 (iv) *by inserting “, 4007, 4021, 4022,*
10 *4023, 4024, 4025, and 4026” before “, re-*
11 *spectively”.*

12 (C) *TECHNICAL AMENDMENT.—Subsection*
13 *(b)(2)(A)(i) is amended by striking “by striking”*
14 *and all that follows through the semicolon at the*
15 *end and inserting “by striking ‘section 2371 or*
16 *2371b’ and inserting ‘section 4021 or 4022’;”.*

17 (D) *DESIGNATION OF SUBCHAPTERS.—Sub-*
18 *section (c) is amended to read as follows:*

19 “*(c) DESIGNATION OF SUBCHAPTERS.—Chapter 301 of*
20 *such title, as added by subsection (a), is amended—*

21 “*(1) by inserting before section 4001, as trans-*
22 *ferred and redesignated by subsection (b)(1), the fol-*
23 *lowing:*

1 **“Subchapter I—General; and**

2 “(2) by inserting before section 4021, as trans-
3 ferred and redesignated by subsection (b)(1), the fol-
4 lowing:

5 **“Subchapter II—Agreements’.”**

6 (E) REVISED TRANSFER OF SECTION
7 2364(A).—Subsection (d)(1) is amended by strik-
8 ing “section 4009” and inserting “section 4007”.

9 (F) REVISED CROSS-REFERENCE AMEND-
10 MENTS.—

11 (i) Subsection (b)(2) is amended—

12 (I) in subparagraph (A)(ii), by
13 striking “sections 4004” in the matter
14 to be inserted and inserting “section
15 4023”;

16 (II) in subparagraph (A)(iii), by
17 striking “sections 4002 and 4143” in
18 the matter to be inserted and inserting
19 “sections 4021 and 4026”;

20 (III) in subparagraph (B), by
21 striking “Section 4002” and inserting
22 “Section 4021”;

23 (IV) in subparagraph (C)—

1 (aa) by striking “Section
2 4003” and inserting “Section
3 4022”; and

4 (bb) by striking “section
5 4002” in the matter to be inserted
6 and inserting “section 4021”; and

7 (V) by adding at the end the fol-
8 lowing new subparagraph:

9 “(D) Section 4004 of such title, as so trans-
10 ferred and redesignated, is amended by striking
11 ‘section 2302(2)(B)’ in subsection (a) and insert-
12 ing ‘section 3012(2)’.”.

13 (ii) Subsection (e)(2) is amended by
14 striking “section 4003” in the matter to be
15 inserted and inserting “section 4022”.

16 (3) REVISED CHAPTER 303, SUBCHAPTER I.—
17 Section 1842 of the FY2021 NDAA is amended as fol-
18 lows:

19 (A) REVISED HEADING AND TABLE OF SEC-
20 TIONS.—The matter to be inserted by subsection
21 (a) is amended to read as follows:

22 **“CHAPTER 303—RESEARCH AND**
23 **ENGINEERING ACTIVITIES**

 “SUBCHAPTER I—GENERAL

 “Sec.

 “4061. Defense Research and Development Rapid Innovation Program.

 “4062. Defense Acquisition Challenge Program.

- “4063. **[Reserved]**.
 “4064. **[Reserved]**.
 “4065. **[Reserved]**.
 “4066. *Global Research Watch Program.*
 “4067. *Technology protection features activities.*

“SUBCHAPTER II—PERSONNEL

- “4091. *Authorities for certain positions at science and technology reinvention laboratories.*
 “4092. *Personnel management authority to attract experts in science and engineering.*
 “4093. *Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.*

“SUBCHAPTER III—RESEARCH AND DEVELOPMENT CENTERS AND FACILITIES

- “4121. **[Reserved]**.
 “4122. **[Reserved]**.
 “4123. *Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.*
 “4124. *Centers for Science, Technology, and Engineering Partnership.*
 “4125. *Functions of Defense research facilities.*
 “4126. *Use of federally funded research and development centers.*

1

“Subchapter I—General

2

“Subchapter II—Personnel

3

“Subchapter III—Research and Development

4

Centers and Facilities”.

5

(B) TRANSFER OF TITLE 10 SECTIONS TO

6

SUBCHAPTER I.—Subsection (b) is amended—

7

(i) by striking “2361a” and all that

8

follows through “2365” and inserting

9

“2365, and 2357”;

10

(ii) by striking “after the table of sec-

11

tions” and inserting “after the heading for

12

subchapter I”; and

1 (iii) by striking “4063” and all that
 2 follows through “4066” and inserting
 3 “4066, and 4067”.

4 (C) *REVISED CROSS-REFERENCE AMEND-*
 5 *MENT.*—Subsection (c)(1) is amended by striking
 6 “section 4065” in the matter to be inserted and
 7 inserting “section 4025”.

8 (4) *REVISED CHAPTER 303, SUBCHAPTERS II &*
 9 *III.*—

10 (A) *IN GENERAL.*—Section 1843 of the
 11 FY2021 NDAA is amended by striking the sec-
 12 tion heading and subsections (a) and (b) and in-
 13 serting the following:

14 **“SEC. 1843. PERSONNEL; RESEARCH AND DEVELOPMENT**
 15 **CENTERS AND FACILITIES.**

16 “(a) *TRANSFER OF TITLE 10 SECTIONS TO SUB-*
 17 *CHAPTER II.*—Sections 2358a, 1599h, and 2192a of title 10,
 18 United States Code, are transferred to subchapter II of
 19 chapter 303 of such title, as added by section 1842(a), in-
 20 serted (in that order) after the subchapter heading, and re-
 21 designated as sections 4091, 4092, and 4093, respectively.

22 “(b) *TRANSFER OF TITLE 10 SECTIONS TO SUB-*
 23 *CHAPTER III.*—

24 “(1) *IN GENERAL.*—Sections 2363, 2368, and
 25 2367 of title 10, United States Code, are transferred

1 to subchapter III of chapter 303 of such title, as
 2 added by section 1842(a), inserted (in that order)
 3 after the subchapter heading, and redesignated as sec-
 4 tions 4123, 4124, and 4126, respectively.

5 “(2) TRANSFER OF SECTION 2364(B) AND (C).—

6 “(A) HEADING.—Such subchapter III is
 7 further amended by inserting after section 4124,
 8 as transferred and redesignated by paragraph
 9 (1), the following:

10 “**§4125. Functions of Defense research facilities’.**

11 “(B) TEXT.—Subsections (b) and (c) of sec-
 12 tion 2364 of such title are transferred to such
 13 subchapter, inserted after the section heading for
 14 section 4125, as added by subparagraph (A), and
 15 redesignated as subsections (a) and (b), respec-
 16 tively.”.

17 (B) REVISED CROSS-REFERENCE AMEND-
 18 MENT.—Subsection (c) of such section 1843 is
 19 amended by striking “section 4103(a)” in the
 20 matter to be inserted and inserting “section
 21 4123(a)”.

22 (C) CONFORMING AMENDMENTS TO TRANS-
 23 FERRED SECTION.—Such section 1843 is further
 24 amended by adding at the end the following new
 25 subsection:

1 “(d) *CONFORMING AMENDMENTS TO TRANSFERRED*
 2 *SECTION*.—Section 4124 of such title, as transferred and
 3 redesignated by subsection (b)(1), is amended in subsection
 4 (b)(3)(B)(ii), by striking ‘2358, 2371, 2511, 2539b, and
 5 2563’ and inserting ‘2563, 4001, 4021, 4831, and 4062’.”.

6 (5) *REVISED CHAPTER 305*.—

7 (A) *NEW CHAPTER 305*.—Subsection (a) of
 8 section 1844 of the FY2021 NDAA is amended—

9 (i) by striking “chapter 305, as added
 10 by the preceding section” and inserting
 11 “chapter 303, as added by section 1842”;
 12 and

13 (ii) by striking the matter inserted by
 14 that subsection and inserting:

15 **“CHAPTER 305—UNIVERSITIES**

“Sec.

“4141. Award of grants and contracts to colleges and universities: requirement of competition.

“4142. Extramural acquisition innovation and research activities.

“4143. Research and development laboratories: contracts for services of university students.

“4144. Research and educational programs and activities: historically black colleges and universities and minority-serving institutions of higher education.”.

16 (B) *TRANSFER OF TITLE 10 SECTIONS TO*
 17 *NEW CHAPTER 305*.—Such section is further
 18 amended by striking subsections (b), (c), (d), and
 19 (e) and inserting the following:

20 “(b) *TRANSFER OF TITLE 10 SECTIONS*.—Sections
 21 2361, 2361a, 2360, and 2362 of title 10, United States

1 Code, are transferred to chapter 305 of such title, as added
2 by subsection (a), inserted (in that order) after the table
3 of sections, and redesignated as section 4141, 4142, 4143,
4 and 4144, respectively.”

5 (6) REVISED CHAPTER 307.—

6 (A) REDESIGNATION OF CHAPTER 309 AS
7 CHAPTER 307.—Subsection (a) of section 1845 of
8 the FY2021 NDAA is amended—

9 (i) by striking “chapter 307, as added
10 by the preceding section” and inserting
11 “chapter 305, as added by section 1844”;
12 and

13 (ii) by redesignating the chapter added
14 by that section as chapter 307.

15 (B) TRANSFER OF ADDITIONAL SECTIONS
16 TO REDESIGNATED CHAPTER 307.—Subsection
17 (b) of such section is amended—

18 (i) by striking “and 196” and insert-
19 ing “196, 2353, and 2681”; and

20 (ii) by striking “section 4171, 4172,
21 and 4173” and inserting “sections 4171,
22 4172, 4173, 4174, and 4175”.

23 (C) TABLE OF SECTIONS.—The table of sec-
24 tions inserted by subsection (a) of such section is

1 *amended by adding at the end the following new*
 2 *items:*

“4174. *Contracts: acquisition, construction, or furnishing of test facilities and equipment.*

“4175. *Use of test and evaluation installations by commercial entities.*”.

3 *(v) CONFORMING AMENDMENTS TO DELETE CON-*
 4 *FLICTING TRANSFERS OF CERTAIN SECTIONS.—*

5 *(1) DELETION OF TRANSFER OF SECTION 2302E*
 6 *TO CHAPTER 243.—Section 1818 of the FY2021 NDAA*
 7 *is amended—*

8 *(A) by striking subsection (c); and*

9 *(B) by striking the last item in the table of*
 10 *sections inserted by subsection (a).*

11 *(2) DELETION OF TRANSFER OF SECTION 2362 TO*
 12 *CHAPTER 287.—Section 1838 of the FY2021 NDAA is*
 13 *amended—*

14 *(A) in subsection (b), by striking “2362,”*
 15 *and “3904,”; and*

16 *(B) by striking the item relating to section*
 17 *3904 in the table of sections inserted by sub-*
 18 *section (a) and inserting the following new item:*

“3904. **【Reserved】**.”.

19 *(w) AMENDMENTS TO TABLES OF SECTIONS NOT IN*
 20 *PART V.—Title 10, United States Code, is amended as fol-*
 21 *lows:*

1 (1) *The table of sections at the beginning of*
 2 *chapter 81 is amended by striking the item relating*
 3 *to section 1599h.*

4 (2) *The table of sections at the beginning of*
 5 *chapter 111 is amended by striking the item relating*
 6 *to section 2192a.*

7 (3) *The table of sections at the beginning of*
 8 *chapter 159 is amended by striking the item relating*
 9 *to section 2681.*

10 **SEC. 1702. CONFORMING CROSS REFERENCE TECHNICAL**
 11 **AMENDMENTS RELATED TO THE TRANSFER**
 12 **AND REORGANIZATION OF DEFENSE ACQUISI-**
 13 **TION STATUTES.**

14 (a) *AMENDMENTS TO TITLE 10, UNITED STATES*
 15 *CODE.—Title 10, United States Code, is amended as fol-*
 16 *lows:*

17 (1) *Section 171a(i)(3) is amended by striking*
 18 *“2366a(d)” and inserting “4251(d)”.*

19 (2) *Section 181(b)(6) is amended by striking*
 20 *“sections 2366a(b), 2366b(a)(4),” and inserting “sec-*
 21 *tions 4251(b), 4252(a)(4),”.*

22 (3) *Section 1734(c)(2) is amended by striking*
 23 *“section 2435(a)” and inserting “section 4214(a)”.*

24 (b) *AMENDMENTS TO LAWS CLASSIFIED AS NOTES IN*
 25 *TITLE 10, UNITED STATES CODE.—*

1 (1) *Section 801(1) of the National Defense Au-*
2 *thorization Act for Fiscal Year 2018 (Public Law*
3 *115–91; 10 U.S.C. 2302 note) is amended by striking*
4 *“section 2545” and inserting “section 3001”.*

5 (2) *Section 323(a) of the Ike Skelton National*
6 *Defense Authorization Act for Fiscal Year 2011 (Pub-*
7 *lic Law 111–383; 10 U.S.C. 2463 note) is amended*
8 *by striking “section 235, 2330a, or 2463” and insert-*
9 *ing “section 2463, 3137, or 4505”.*

10 (3) *Section 8065 of the Department of Defense*
11 *Appropriations Act, 2005 (Public Law 108–287; 10*
12 *U.S.C. 2540 note), is amended—*

13 (A) *by striking “subchapter VI of chapter*
14 *148” both places it appears and inserting “sub-*
15 *chapter I of chapter 389”; and*

16 (B) *by striking “section 2540c(d)” and in-*
17 *serting “section 4974(d)”.*

18 (c) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 6,*
19 *UNITED STATES CODE (HOMELAND SECURITY).—*

20 (1) *Section 831(a)(1) of the Homeland Security*
21 *Act of 2002 (6 U.S.C. 391(a)) is amended by striking*
22 *“section 2371” and inserting “section 4021”.*

23 (2) *Section 853(b) of such Act (6 U.S.C. 423(b))*
24 *is amended by striking paragraphs (1), (2), and (3)*
25 *and inserting the following:*

1 “(1) Section 134 of title 41, United States Code.

2 “(2) Section 153 of title 41, United States Code.

3 “(3) Section 3015 of title 10, United States
4 Code.”.

5 (3) Section 855 of such Act (6 U.S.C. 425) is
6 amended—

7 (A) in subsection (a)(2), by striking sub-
8 paragraphs (A), (B), and (C) and inserting the
9 following:

10 “(A) Sections 1901 and 1906 of title 41,
11 United States Code.

12 “(B) Section 3205 of title 10, United States
13 Code.

14 “(C) Section 3305 of title 41, United States
15 Code.”; and

16 (B) in subsection (b)(1), by striking “pro-
17 vided in” and all that follows through “shall
18 not” and inserting “provided in section
19 1901(a)(2) of title 41, United States Code, sec-
20 tion 3205(a)(2) of title 10, United States Code,
21 and section 3305(a)(2) of title 41, United States
22 Code, shall not”.

23 (4) Section 856(a) of such Act (6 U.S.C. 426(a))
24 is amended by striking paragraphs (1), (2), and (3)
25 and inserting the following:

1 “(1) *FEDERAL PROPERTY AND ADMINISTRATIVE*
2 *SERVICES ACT OF 1949.*—*In division C of subtitle I of*
3 *title 41, United States Code:*

4 “(A) *Paragraphs (1), (2), (6), and (7) of*
5 *subsection (a) of section 3304 of such title, relat-*
6 *ing to use of procedures other than competitive*
7 *procedures under certain circumstances (subject*
8 *to subsection (d) of such section).*

9 “(B) *Section 4106 of such title, relating to*
10 *orders under task and delivery order contracts.*

11 “(2) *TITLE 10, UNITED STATES CODE.*—*In part*
12 *V of subtitle A of title 10, United States Code:*

13 “(A) *Paragraphs (1), (2), (6), and (7) of*
14 *subsection (a) of section 3204, relating to use of*
15 *procedures other than competitive procedures*
16 *under certain circumstances (subject to sub-*
17 *section (d) of such section).*

18 “(B) *Section 3406, relating to orders under*
19 *task and delivery order contracts.*

20 “(3) *OFFICE OF FEDERAL PROCUREMENT POLICY*
21 *ACT.*—*Paragraphs (1)(B), (1)(D), and (2)(A) of sec-*
22 *tion 1708(b) of title 41, United States Code, relating*
23 *to inapplicability of a requirement for procurement*
24 *notice.”.*

1 (5) *Section 604(f) of the American Recovery and*
2 *Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is*
3 *amended by striking “section 2304(g)” and inserting*
4 *“section 3205”.*

5 (d) *AMENDMENTS TO TITLE 14, UNITED STATES CODE*
6 *(COAST GUARD).—Title 14, United States Code, is amended*
7 *as follows:*

8 (1) *Section 308(c)(10)(B)(ii) is amended by*
9 *striking “section 2547(c)(1)” and inserting “section*
10 *3104(c)(1)”.*

11 (2) *Section 1137(b)(4) is amended by striking*
12 *“section 2306b” and inserting “section 3501”.*

13 (3) *Section 1906(b)(2) is amended by striking*
14 *“chapter 137” and inserting “sections 3201 through*
15 *3205”.*

16 (e) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 15,*
17 *UNITED STATES CODE (COMMERCE).—*

18 (1) *Section 14(a) of the Metric Conversion Act of*
19 *1975 (15 U.S.C. 205l(a)) is amended—*

20 (A) *in the first sentence, by striking “set*
21 *forth in chapter 137” and all that follows*
22 *through “et seq.),” and inserting “set forth in the*
23 *provisions of title 10, United States Code, re-*
24 *ferred to in section 3016 of such title as ‘chapter*
25 *137 legacy provisions’, section 3453 of such title,*

1 *division C (except sections 3302, 3307(e),*
2 *3501(b), 3509, 3906, 4710, and 4711) of subtitle*
3 *I of title 41, United States Code,”;*

4 *(B) in the second sentence, by striking*
5 *“under section 2377(c)” and all that follows*
6 *through the period and inserting “under section*
7 *3453(c) of title 10, United States Code, and sec-*
8 *tion 3307(d) of title 41, United States Code.”;*
9 *and*

10 *(C) in the third sentence, by striking “sec-*
11 *tion 2377” and all that follows through “shall*
12 *take” and inserting “section 3453 of title 10,*
13 *United States Code, or section 3307(b) to (d) of*
14 *title 41, United States Code, then the provisions*
15 *of such sections 3453 or 3307(b) to (d) shall*
16 *take”.*

17 *(2) Section 8 of the Small Business Act (15*
18 *U.S.C. 637) is amended—*

19 *(A) in subsection (g)(2), by striking “section*
20 *2304(c)” and inserting “section 3204(a)”;* and

21 *(B) in subsection (h)—*

22 *(i) in paragraph (1)(B), by striking*
23 *“chapter 137” and inserting “sections 3201*
24 *through 3205”;* and

1 (ii) in paragraph (2), by striking “sec-
2 tion 2304(f)(2)” and “section 2304(f)(1)”,
3 and inserting “paragraphs (3) and (4) of
4 section 3204(e)” and “section 3204(e)(1)”,
5 respectively.

6 (3) Section 9 of the Small Business Act (15
7 U.S.C. 638) is amended in subsection (r)(4)(A) by
8 striking “section 2304” and inserting “sections 3201
9 through 3205”.

10 (4) Section 884(a)(2) of the National Defense
11 Authorization Act for Fiscal Year 2020 (Public Law
12 116–92; 15 U.S.C. 638 note) is amended by striking
13 “section 2500” and inserting “section 4801”.

14 (5) Section 15 of the Small Business Act (15
15 U.S.C. 644) is amended—

16 (A) in subsection (k)—

17 (i) in paragraph (17)(B), by striking
18 “section 2318” and inserting “section
19 3249”;

20 (ii) in paragraph (17)(C), by striking
21 “chapter 142” and inserting “chapter 388”;
22 and

23 (iii) in paragraph (18), by striking
24 “section 2784” and inserting “section
25 4754”;

1 (B) in subsection (r)(2), by striking “section
2 2304c(b)” and inserting “section 3406(c)”; and

3 (C) in subsections (u) and (v), by striking
4 “chapter 142” and inserting “chapter 388”.

5 (6) Section 16 of the Small Business Act (15
6 U.S.C. 645) is amended in subsection (d)(3) by strik-
7 ing “chapter 142” and inserting “chapter 388”.

8 (7) Section 272 of the National Defense Author-
9 ization Act for Fiscal Years 1988 and 1989 (Public
10 Law 100–180; 15 U.S.C. 4602) is amended in sub-
11 section (c) by striking “section 2306a” and inserting
12 “chapter 271”.

13 (f) AMENDMENTS TO TITLES 32, UNITED STATES
14 CODE (NATIONAL GUARD) AND 37, UNITED STATES CODE
15 (PAY AND ALLOWANCES).—

16 (1) Section 113 of title 32, United States Code,
17 is amended in subsection (b)(1)(B) by striking “sec-
18 tion 2304(c)” and inserting “section 3204(a)”.

19 (2) Section 418 of title 37, United States Code,
20 is amended in subsection (d)(2)(A)—

21 (A) by striking “section 2533a” and insert-
22 ing “section 4862”; and

23 (B) by striking “chapter 137 of title 10”
24 and inserting “chapter 137 legacy provisions (as
25 such term is defined in section 3016 of title 10)”.

1 (g) *AMENDMENTS TO TITLE 40, UNITED STATES CODE*
2 *(PUBLIC BUILDINGS)*.—*Title 40, United States Code, is*
3 *amended as follows:*

4 (1) *Section 113(e) is amended—*

5 (A) *in paragraph (3)—*

6 (i) *by striking “chapter 137” and in-*
7 *serting “section 3063”; and*

8 (ii) *by striking “that chapter;” and in-*
9 *serting “the provisions of that title referred*
10 *to in section 3016 of such title as ‘chapter*
11 *137 legacy provisions;’; and*

12 (B) *in paragraph (5), by striking “section*
13 *2535” and inserting “section 4881”.*

14 (2) *Section 581(f)(1)(A) is amended by striking*
15 *“section 2535” and inserting “section 4881”.*

16 (h) *AMENDMENTS TO TITLE 41, UNITED STATES CODE*
17 *(PUBLIC CONTRACTS)*.—*Title 41, United States Code, is*
18 *amended as follows:*

19 (1) *Section 1127(b) is amended by striking “sec-*
20 *tion 2324(e)(1)(P)” and inserting “section*
21 *3744(a)(16)”.*

22 (2) *Section 1303(a)(1) is amended by striking*
23 *“chapters 4 and 137 of title 10” and inserting “chap-*
24 *ter 4 of title 10, chapter 137 legacy provisions (as*
25 *such term is defined in section 3016 of title 10)”.*

1 (3) *Section 1502(b)(1)(B) is amended by striking*
2 *“section 2306a(a)(1)(A)(i)” and inserting “section*
3 *3702(a)(1)(A)”.*

4 (4) *Section 1708(b)(2)(A) is amended by striking*
5 *“section 2304(c)” and inserting “section 3204(a)”.*

6 (5) *Section 1712(b)(2)(B) is amended by striking*
7 *“section 2304(c)” and inserting “section 3204(a)”.*

8 (6) *Section 1901(e)(2) is amended by striking*
9 *“section 2304(f)” and inserting “section 3204(e)”.*

10 (7) *Section 1903 is amended—*

11 (A) *in subsection (b)(3), by striking “section*
12 *2304(g)(1)(B)” and inserting “section*
13 *3205(a)(2)”;* and

14 (B) *in subsection (c)(2)(B), by striking*
15 *“section 2306a” and inserting “chapter 271”.*

16 (8) *Section 1907(a)(3)(B)(ii) is amended by*
17 *striking “section 2305(e) and (f)” and inserting “sec-*
18 *tion 3308”.*

19 (9) *Section 1909(e) is amended by striking “sec-*
20 *tion 2784” and inserting “section 4754”.*

21 (10) *Section 2101(2)(A) is amended by striking*
22 *“section 2306a(h)” and inserting “section 3701”.*

23 (11) *Section 2311 is amended by striking “sec-*
24 *tion 2371” and inserting “section 4021”.*

25 (12) *Section 3302 is amended—*

- 1 (A) in subsection (a)(3)—
- 2 (i) in subparagraph (A), by striking
- 3 “section 2302(2)(C)” and inserting “section
- 4 3012(3)”; and
- 5 (ii) in subparagraph (B), by striking
- 6 “sections 2304a to 2304d of title 10,” and
- 7 inserting “chapter 245 of title 10”;
- 8 (B) in subsection (c)(1)(A)(i), by striking
- 9 “section 2304c(b)” and inserting “section
- 10 3406(c)”; and
- 11 (C) in subsection (d)(1)(B), by striking
- 12 “section 2304(f)(1)” and inserting “section
- 13 3204(e)(1)”.
- 14 (13) Section 3307(e)(1) is amended by striking
- 15 “chapter 140” and inserting “chapter 247”.
- 16 (14) Section 4104 is amended—
- 17 (A) in subsection (a), by striking “sections
- 18 2304a to 2304d” and inserting “chapter 245”;
- 19 and
- 20 (B) in subsection (b)—
- 21 (i) in paragraph (1), by striking “sec-
- 22 tions 2304a to 2304d” and inserting “chap-
- 23 ter 245”;

1 (ii) in paragraph (2)(B), by striking
2 “section 2304c(b)” and inserting “section
3 3406(c)”;

4 (iii) in paragraph (2)(C), by striking
5 “section 2304c(c)” and inserting “section
6 3406(e)”.

7 (i) AMENDMENTS TO LAWS CLASSIFIED AS NOTES IN
8 TITLE 41, UNITED STATES CODE.—

9 (1) Section 555 of the FAA Reauthorization Act
10 of 2018 (Public Law 115–254; 41 U.S.C. preceding
11 3101 note) is amended by striking “section 2305” in
12 subsections (a)(4) and (c)(1) and inserting “sections
13 3206 through 3208 and sections 3301 through 3309”.

14 (2) Section 846(f)(5) of the National Defense Au-
15 thorization Act for Fiscal Year 2018 (Public Law
16 115–91; 41 U.S.C. 1901 note) is amended by striking
17 “section 2304” and inserting “sections 3201 through
18 3205”.

19 (3) Section 811 of the National Defense Author-
20 ization Act for Fiscal Year 2010 (Public Law 111–
21 84; 41 U.S.C. 3304 note) is amended—

22 (A) in subsection (a)(3), by striking “sec-
23 tions 2304(f)(1)(C) and 2304(l)” and inserting
24 “sections 3204(e)(1)(C) and 3204(f)”;

25 (B) in subsection (c)—

1 (i) in paragraph (1)(A), by striking
2 “section 2304(f)(2)(D)(ii)” and inserting
3 “section 3204(e)(4)(D)(ii)”;

4 (ii) in paragraph (2)(A), by striking
5 “section 2302(1)” and inserting “section
6 3004”; and

7 (iii) in paragraph (3)(A), by striking
8 “section 2304(f)(1)(B)” and inserting “sec-
9 tion 3204(e)(1)(B)”.

10 (j) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 42,*
11 *UNITED STATES CODE.—*

12 (1) *The Public Health Service Act (Public Law*
13 *78-410) is amended—*

14 (A) in section 301(a)(7) (42 U.S.C.
15 241(a)(7)), by striking “sections 2353 and 2354”
16 and inserting “sections 3861 and 4141”; and

17 (B) in section 405(b)(1) (42 U.S.C.
18 284(b)(1)), by striking “section 2354” and in-
19 serting “section 3861”.

20 (2) *Section 403(a) of the Housing Amendments*
21 *of 1955 (42 U.S.C. 1594(a)) is amended by striking*
22 *“section 3 of the Armed Services Procurement Act of*
23 *1947” and inserting “chapters 221 and 241 of title*
24 *10, United States Code”.*

1 (3) *Title II of the Department of Housing and*
2 *Urban Development-Independent Agencies Appropria-*
3 *tions Act, 1986 (Public Law 99–160), is amended by*
4 *striking “section 2354” in the last proviso in the*
5 *paragraph under the heading “National Science*
6 *Foundation—Research and Related Activities” (42*
7 *U.S.C. 1887) and inserting “section 3861”.*

8 (4) *Section 306(b)(2) of the Disaster Mitigation*
9 *Act of 2000 (42 U.S.C. 5206(b)(2)) is amended by*
10 *striking “section 2393(c)” and inserting “section*
11 *4654(c)”.*

12 (5) *Section 801(c)(2) of the National Energy*
13 *Conservation Policy Act (42 U.S.C. 8287) is amended*
14 *by striking “section 2304c(d)” and all that follows*
15 *and inserting “section 3406(d) of title 10, United*
16 *States Code, and section 4106(d) of title 41, United*
17 *States Code.”.*

18 (6) *Section 3021(a) of the Energy Policy Act of*
19 *1992 (42 U.S.C. 13556) is amended by striking*
20 *“chapter 137 of title 10” and inserting “chapter 137*
21 *legacy provisions (as such term is defined in section*
22 *3016 of title 10, United States Code)”.*

23 (k) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 50,*
24 *UNITED STATES CODE.—*

1 (1) *Section 141(a) of the Bob Stump National*
2 *Defense Authorization Act for Fiscal Year 2003 (Pub-*
3 *lic Law 107–314; 50 U.S.C. 1521a(a)) is amended by*
4 *striking “section 2430” and inserting “section 4201”.*

5 (2) *Section 502(a) of the National Emergencies*
6 *Act (50 U.S.C. 1651(a)) is amended by striking para-*
7 *graphs (1) through (5) and inserting the following:*

8 *“(1) Chapters 1 to 11 of title 40, United States*
9 *Code, and division C (except sections 3302, 3307(e),*
10 *3501(b), 3509, 3906, 4710, and 4711) of subtitle I of*
11 *title 41, United States Code.*

12 *“(2) Section 3727(a)–(e)(1) of title 31, United*
13 *States Code.*

14 *“(3) Section 6305 of title 41, United States*
15 *Code.*

16 *“(4) Public Law 85–804 (Act of Aug. 28, 1958,*
17 *72 Stat. 972; 50 U.S.C. 1431 et seq.).*

18 *“(5) Section 3201(a) of title 10, United States*
19 *Code.”.*

20 (3) *The Atomic Energy Defense Act is amended*
21 *as follows:*

22 (A) *Sections 4217 and 4311 (50 U.S.C.*
23 *2537, 2577) are each amended in subsection*
24 *(a)(2) by striking “section 2432” and inserting*
25 *“section 4351”.*

1 (B) Section 4813 (50 U.S.C. 2794) is
2 amended by striking “section 2500” in sub-
3 section (c)(1)(C) and inserting “section 4801”.

4 (4) Section 107 of the Defense Production Act
5 (50 U.S.C. 4517) is amended in subsection (b)(2)(B)
6 by striking clauses (i) and (ii) and inserting the fol-
7 lowing:

8 “(i) section 3203(a)(1)(B) or
9 3204(a)(3) of title 10, United States Code;

10 “(ii) section 3303(a)(1)(B) or
11 3304(a)(3) of title 41, United States Code;
12 or”.

13 (l) OTHER AMENDMENTS.—

14 (1) Section 1473H of the National Agriculture
15 Advanced Research, Extension, and Teaching Policy
16 Act of 1977 (7 U.S.C. 3319k) is amended by striking
17 “section 2371” in subsections (b)(6)(A) and (d)(1)(B)
18 and inserting “section 4021”.

19 (2) Section 1301 of title 17, United States Code,
20 is amended in subsection (a)(3) by striking “section
21 2320” and inserting “subchapter I of chapter 275”.

22 (3) Section 21 of the Arms Export Control Act
23 (22 U.S.C. 2761) is amended by striking “chapter
24 137” in subsection (l)(4) and subsection (m)(4) and
25 inserting “chapter 137 legacy provisions (as such

1 *term is defined in section 3016 of title 10, United*
2 *States Code)*”.

3 (4) *Section 3 of the Foreign Direct Investment*
4 *and International Financial Data Improvements Act*
5 *of 1990 (Public Law 101–533; 22 U.S.C. 3142) is*
6 *amended in subsection (c)(2) by striking “section*
7 *2505” and inserting “section 4816”.*

8 (5) *Section 3553 of title 31, United States Code,*
9 *is amended in subsection (d)(4)(B) by striking “sec-*
10 *tion 2305(b)(5)(B)(vii)” and inserting “section*
11 *3304(c)(1)(G)”.*

12 (6) *Section 226 of the Water Resources Develop-*
13 *ment Act of 1992 (33 U.S.C. 569f) is amended by*
14 *striking “section 2393(c)” and inserting “section*
15 *4654(c)”.*

16 (7) *Section 40728B(e) of title 36, United States*
17 *Code, is amended—*

18 (A) *striking “subsection (k) of section 2304”*
19 *and inserting “section 3201(e)”;* and

20 (B) *by striking “subsection (c) of such sec-*
21 *tion” and inserting “section 3204(a)”.*

22 (8) *Section 1427(b) of the National Defense Au-*
23 *thorization Act for Fiscal Year 2004 (Public Law*
24 *108–136; 40 U.S.C. 1103 note) is amended by strik-*

1 *ing “sections 2304a and 2304b” and inserting “sec-*
 2 *tions 3403 and 3405”.*

3 *(9) Section 895(b) of the National Defense Au-*
 4 *thorization Act for Fiscal Year 2017 (Public Law*
 5 *114–328; 40 U.S.C. 11103 note) is amended by strik-*
 6 *ing “section 2366a(d)(7)” and inserting “section*
 7 *4251(d)(5)”.*

8 *(10) Sections 50113(c), 50115(b), and 50132(a)*
 9 *of title 51, United States Code, are amended by strik-*
 10 *ing “including chapters 137 and 140” and inserting*
 11 *“including applicable provisions of chapters 201*
 12 *through 285, 341 through 343, and 363”.*

13 *(11) Section 823(c)(3)(C) of the National Aero-*
 14 *navitics and Space Administration Transition Au-*
 15 *thorization Act of 2017 (Public Law 115–10; 51*
 16 *U.S.C. preceding 30301 note) is amended by striking*
 17 *“section 2319” and inserting “section 3243”.*

18 ***DIVISION B—MILITARY CON-***
 19 ***STRUCTION AUTHORIZA-***
 20 ***TIONS***

Sec. 2001. Short title.

Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

Sec. 2003. Effective date and automatic execution of conforming changes to tables of sections, tables of contents, and similar tabular entries.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Authorization of appropriations, Army.

Sec. 2104. Extension of authority to carry out certain fiscal year 2017 project.

Sec. 2105. Additional authority to carry out fiscal year 2018 project at Fort Bliss, Texas.

Sec. 2106. Modification of authority to carry out certain fiscal year 2021 project.

Sec. 2107. Additional authorized funding source for certain fiscal year 2022 project.

1 **SEC. 2001. SHORT TITLE.**

2 *This division and title XLVI of division D may be*
 3 *cited as the “Military Construction Authorization Act for*
 4 *Fiscal Year 2022”.*

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

8 *(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE*
 9 *YEARS.—Except as provided in subsection (b), all author-*
 10 *izations contained in titles XXI through XXVII for military*
 11 *construction projects, land acquisition, family housing*
 12 *projects and facilities, and contributions to the North At-*
 13 *lantic Treaty Organization Security Investment Program*
 14 *(and authorizations of appropriations therefor) shall expire*
 15 *on the later of—*

16 *(1) October 1, 2024; or*

17 *(2) the date of the enactment of an Act author-*
 18 *izing funds for military construction for fiscal year*
 19 *2025.*

20 *(b) EXCEPTION.—Subsection (a) shall not apply to au-*
 21 *thorizations for military construction projects, land acqui-*
 22 *sition, family housing projects and facilities, and contribu-*

1 *tions to the North Atlantic Treaty Organization Security*
2 *Investment Program (and authorizations of appropriations*
3 *therefor), for which appropriated funds have been obligated*
4 *before the later of—*

5 (1) *October 1, 2024; or*

6 (2) *the date of the enactment of an Act author-*
7 *izing funds for fiscal year 2025 for military construc-*
8 *tion projects, land acquisition, family housing*
9 *projects and facilities, or contributions to the North*
10 *Atlantic Treaty Organization Security Investment*
11 *Program.*

12 **SEC. 2003. EFFECTIVE DATE AND AUTOMATIC EXECUTION**
13 **OF CONFORMING CHANGES TO TABLES OF**
14 **SECTIONS, TABLES OF CONTENTS, AND SIMI-**
15 **LAR TABULAR ENTRIES.**

16 (a) *EFFECTIVE DATE.—Titles XXI through XXVII*
17 *shall take effect on the later of—*

18 (1) *October 1, 2021; or*

19 (2) *the date of the enactment of this Act.*

20 (b) *ELIMINATION OF NEED FOR CERTAIN SEPARATE*
21 *CONFORMING AMENDMENTS.—*

22 (1) *AUTOMATIC EXECUTION OF CONFORMING*
23 *CHANGES.—When an amendment made by a provi-*
24 *sion of this division to a covered defense law adds a*
25 *section or larger organizational unit to the covered*

1 *defense law, repeals or transfers a section or larger or-*
2 *ganizational unit in the covered defense law, or*
3 *amends the designation or heading of a section or*
4 *larger organizational unit in the covered defense law,*
5 *that amendment also shall have the effect of amending*
6 *any table of sections, table of contents, or similar*
7 *table of tabular entries in the covered defense law to*
8 *alter the table to conform to the changes made by the*
9 *amendment.*

10 (2) *EXCEPTIONS.—Paragraph (1) shall not*
11 *apply to an amendment described in such paragraph*
12 *when—*

13 (A) *the amendment, or a separate clerical*
14 *amendment enacted at the same time as the*
15 *amendment, expressly amends a table of sections,*
16 *table of contents, or similar table of tabular en-*
17 *tries in the covered defense law to alter the table*
18 *to conform to the changes made by the amend-*
19 *ment; or*

20 (B) *the amendment otherwise expressly ex-*
21 *empts itself from the operation of this section.*

22 (3) *COVERED DEFENSE LAW.—In this subsection,*
23 *the term “covered defense law” means—*

24 (A) *titles 10, 32, and 37 of the United*
25 *States Code;*

1 (B) any national defense authorization Act
 2 or military construction authorization Act that
 3 authorizes funds to be appropriated for a fiscal
 4 year to the Department of Defense; and

5 (C) any other law designated in the text
 6 thereof as a covered defense law for purposes of
 7 application of this section.

8 **TITLE XXI—ARMY MILITARY**
 9 **CONSTRUCTION**

- Sec. 2101. Authorized Army construction and land acquisition projects.*
- Sec. 2102. Family housing.*
- Sec. 2103. Authorization of appropriations, Army.*
- Sec. 2104. Extension of authority to carry out certain fiscal year 2017 project.*
- Sec. 2105. Additional authority to carry out fiscal year 2018 project at Fort Bliss, Texas.*
- Sec. 2106. Modification of authority to carry out certain fiscal year 2021 project.*
- Sec. 2107. Additional authorized funding source for certain fiscal year 2022 project.*

10 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 11 **ACQUISITION PROJECTS.**

12 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 13 *propriated pursuant to the authorization of appropriations*
 14 *in section 2103(a) and available for military construction*
 15 *projects inside the United States as specified in the funding*
 16 *table in section 4601, the Secretary of the Army may ac-*
 17 *quire real property and carry out military construction*
 18 *projects for the installations or locations inside the United*
 19 *States, and in the amounts, set forth in the following table:*

Army: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Anniston Army Depot</i>	<i>\$25,000,000</i>

Army: Inside the United States—Continued

State	Installation or Location	Amount
	Fort Rucker	\$66,000,000
	Redstone Arsenal	\$55,000,000
California	Fort Irwin	\$52,000,000
Georgia	Fort Stewart	\$105,000,000
Hawaii	West Loch Naval Magazine Annex	\$51,000,000
	Wheeler Army Airfield	\$140,000,000
Kansas	Fort Leavenworth	\$34,000,000
Kentucky	Fort Knox	\$27,000,000
Louisiana	Fort Polk	\$111,000,000
Maryland	Fort Detrick	\$23,981,000
	Fort Meade	\$81,000,000
New Mexico	White Sands Missile Range	\$29,000,000
New York	Fort Hamilton	\$26,000,000
	Waterliet Arsenal	\$20,000,000
Pennsylvania	Letterkenny Army Depot	\$21,000,000
Texas	Fort Hood	\$130,000,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2103(a) and available for military con-
4 struction projects outside the United States as specified in
5 the funding table in section 4601, the Secretary of the Army
6 may acquire real property and carry out military construc-
7 tion projects for the installations outside the United States,
8 and in the amounts, set forth in the following table:

Army: Outside the United States

State	Installation	Amount
Belgium	Shape Headquarters	\$16,000,000
Germany	East Camp Grafenwoehr	\$103,000,000
	Smith Barracks	\$33,500,000
Classified Location	Classified Location	\$31,000,000

9 **SEC. 2102. FAMILY HOUSING.**

10 (a) *CONSTRUCTION AND ACQUISITION.*—Using
11 amounts appropriated pursuant to the authorization of ap-
12 propriations in section 2103(a) and available for military
13 family housing functions as specified in the funding table
14 in section 4601, the Secretary of the Army may construct

1 *or acquire family housing units (including land acquisition*
 2 *and supporting facilities) at the installation or location,*
 3 *in the number of units or for the purpose, and in the*
 4 *amount set forth in the following table:*

Army: Family Housing

Country	Installation or Location	Units or Purpose	Amount
<i>Italy</i>	<i>Vicenza</i>	<i>Family Housing New Construction</i>	<i>\$92,304,000</i>

5 **(b) PLANNING AND DESIGN.**—Using amounts appro-
 6 priated pursuant to the authorization of appropriations in
 7 section 2103(a) and available for military family housing
 8 functions as specified in the funding table in section 4601,
 9 the Secretary of the Army may carry out architectural and
 10 engineering services and construction design activities with
 11 respect to the construction or improvement of family hous-
 12 ing units in an amount not to exceed \$22,545,000.

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

14 **(a) AUTHORIZATION OF APPROPRIATIONS.**—Funds are
 15 hereby authorized to be appropriated for fiscal years begin-
 16 ning after September 30, 2021, for military construction,
 17 land acquisition, and military family housing functions of
 18 the Department of the Army as specified in the funding
 19 table in section 4601.

20 **(b) LIMITATION ON TOTAL COST OF CONSTRUCTION**
 21 **PROJECTS.**—Notwithstanding the cost variations author-
 22 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
 2 of all projects carried out under section 2101 may not ex-
 3 ceed the total amount authorized to be appropriated under
 4 subsection (a), as specified in the funding table in section
 5 4601.

6 **SEC. 2104. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 7 **TAIN FISCAL YEAR 2017 PROJECT.**

8 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 9 Military Construction Authorization Act for Fiscal Year
 10 2017 (division B of Public Law 114–328; 130 Stat. 2688),
 11 the authorization set forth in the table in subsection (b),
 12 as provided in section 2101 of that Act (130 Stat. 2689),
 13 shall remain in effect until October 1, 2023, or the date
 14 of the enactment of an Act authorizing funds for military
 15 construction for fiscal year 2024, whichever is later.

16 (b) *TABLE.*—The table referred to in subsection (a) is
 17 as follows:

Army: Extension of 2017 Project Authorization

Country	Installation	Project	Original Authorized Amount
Germany	Wiesbaden Army Air-field	Hazardous Material Storage Building ..	\$2,700,000

18 **SEC. 2105. ADDITIONAL AUTHORITY TO CARRY OUT FISCAL**
 19 **YEAR 2018 PROJECT AT FORT BLISS, TEXAS.**

20 (a) *PROJECT AUTHORIZATION.*—The Secretary of the
 21 Army may carry out a military construction project to con-

1 *struct a defense access road at Fort Bliss, Texas, in the*
2 *amount of \$20,000,000.*

3 (b) *USE OF AMOUNTS.*—*The Secretary of the Army*
4 *may use funds appropriated under section 131 of the Mili-*
5 *tary Construction, Veterans Affairs, and Related Agencies*
6 *Appropriations Act, 2018 (title I of division J of Public*
7 *Law 115–141; 132 Stat. 805) for the Defense Access Road*
8 *Program to carry out subsection (a).*

9 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2021 PROJECT.**

11 (a) *MODIFICATION OF PROJECT AUTHORITY.*—*In the*
12 *case of the authorization contained in the table in section*
13 *2101(a) of the Military Construction Authorization Act for*
14 *Fiscal Year 2021 (division B of Public Law 116–283) for*
15 *Fort Wainwright, Alaska, for construction of Unaccom-*
16 *panied Enlisted Personnel Housing, as specified in the*
17 *funding table in section 4601 of such Public Law, the Sec-*
18 *retary of the Army may construct—*

19 (1) *an Unaccompanied Enlisted Personnel Hous-*
20 *ing building of 104,300 square feet to incorporate a*
21 *modified standard design; and*

22 (2) *an outdoor recreational shelter, sports fields*
23 *and courts, barbecue and leisure area, and fitness sta-*
24 *tions associated with the Unaccompanied Enlisted*
25 *Personnel Housing.*

1 **(b) MODIFICATION OF PROJECT AMOUNTS.—**

2 **(1) DIVISION B TABLE.—***The authorization table*
3 *in section 2101(a) of the Military Construction Au-*
4 *thorization Act for Fiscal Year 2021 (division B of*
5 *Public Law 116–283) is amended in the item relating*
6 *to Fort Wainwright, Alaska, by striking*
7 *“\$114,000,000” and inserting “\$146,000,000” to re-*
8 *fect the project modification made by subsection (a).*

9 **(2) DIVISION D TABLE.—***The funding table in*
10 *section 4601 of Public Law 116–283 is amended in*
11 *the item relating to Fort Wainwright Unaccompanied*
12 *Enlisted Personnel Housing by striking “\$59,000” in*
13 *the Conference Authorized column and inserting*
14 *“\$91,000” to reflect the project modification made by*
15 *subsection (a).*

16 **SEC. 2107. ADDITIONAL AUTHORIZED FUNDING SOURCE**
17 **FOR CERTAIN FISCAL YEAR 2022 PROJECT.**

18 *To carry out an unspecified minor military construc-*
19 *tion project in the amount of \$3,600,000 at Aberdeen Prov-*
20 *ing Ground, Maryland, to construct a 6,000 square foot re-*
21 *cycling center to meet the requirements of a qualified recy-*
22 *cling program at the installation, the Secretary of the Army*
23 *may use funds available to the Secretary under section*
24 *2667(e)(1)(C) of title 10, United States Code, in addition*

1 to funds appropriated for unspecified minor military con-
 2 struction for the project.

3 **TITLE XXII—NAVY MILITARY**
 4 **CONSTRUCTION**

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Authorization of appropriations, Navy.

5 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 6 **ACQUISITION PROJECTS.**

7 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 8 propriated pursuant to the authorization of appropriations
 9 in section 2203(a) and available for military construction
 10 projects inside the United States as specified in the funding
 11 table in section 4601, the Secretary of the Navy may ac-
 12 quire real property and carry out military construction
 13 projects for the installations or locations inside the United
 14 States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	\$29,300,000
California	Marine Corps Air Station Miramar	\$240,900,000
	Marine Corps Base Camp Pendleton	\$106,100,000
	Marine Corps Reserve Depot San Diego	\$93,700,000
	Naval Base Coronado	\$63,600,000
	Naval Base Ventura County	\$197,500,000
	San Nicolas Island	\$19,907,000
Florida	Marine Corps Support Facility Blount Island	\$69,400,000
	Naval Undersea Warfare Center Panama City Divi- sion	\$37,980,000
Guam	Andersen Air Force Base	\$50,890,000
	Joint Region Marianas	\$507,527,000
Hawaii	Marine Corps Base Kaneohe	\$165,700,000
	Marine Corps Training Area Bellows	\$6,220,000
North Carolina	Marine Corps Air Station Cherry Point	\$321,417,000
Pennsylvania	Naval Surface Warfare Center Philadelphia Division	\$77,290,000
South Carolina	Marine Corps Reserve Depot Parris Island	\$6,000,000
	Marine Corps Air Station Beaufort	\$130,300,000
Virginia	Marine Corps Base Quantico	\$42,850,000
	Naval Station Norfolk	\$344,793,000
	Naval Weapons Station Yorktown	\$93,500,000

Navy: Inside the United States—Continued

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
	<i>Portsmouth Naval Shipyard</i>	<i>\$156,380,000</i>

1 *(b) OUTSIDE THE UNITED STATES.—Using amounts*
2 *appropriated pursuant to the authorization of appropria-*
3 *tions in section 2203(a) and available for military con-*
4 *struction projects outside the United States as specified in*
5 *the funding table in section 4601, the Secretary of the Navy*
6 *may acquire real property and carry out military construc-*
7 *tion projects for the installations or locations outside the*
8 *United States, and in the amounts, set forth in the following*
9 *table:*

Navy: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Japan</i>	<i>Fleet Activities Yokosuka</i>	<i>\$49,900,000</i>
<i>Spain</i>	<i>Naval Station Rota</i>	<i>\$85,600,000</i>

10 **SEC. 2202. FAMILY HOUSING.**

11 *(a) CONSTRUCTION AND ACQUISITION.—Using*
12 *amounts appropriated pursuant to the authorization of ap-*
13 *propriations in section 2203(a) and available for military*
14 *family housing functions as specified in the funding table*
15 *in section 4601, the Secretary of the Navy may construct*
16 *or acquire family housing units (including land acquisition*
17 *and supporting facilities) at the installations or locations,*
18 *in the number of units or for the purposes, and in the*
19 *amounts set forth in the following table:*

Navy: Family Housing

Location	Installation	Units or Purpose	Amount
<i>District of Columbia</i>	<i>Marine Barracks Washington ..</i>	<i>Family housing improvements ..</i>	<i>\$10,415,000</i>
<i>Japan</i>	<i>Fleet Activities Yokosuka</i>	<i>Family housing improvements ..</i>	<i>\$61,469,000</i>

1 **(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 *UNITS.*—*Subject to section 2825 of title 10, United States*
3 *Code, and using amounts appropriated pursuant to the au-*
4 *thorization of appropriations in section 2203(a) and avail-*
5 *able for military family housing functions as specified in*
6 *the funding table in section 4601, the Secretary of the Navy*
7 *may improve existing military family housing units in an*
8 *amount not to exceed \$71,884,000.*

9 **(c) PLANNING AND DESIGN.**—*Using amounts appro-*
10 *priated pursuant to the authorization of appropriations in*
11 *section 2203(a) and available for military family housing*
12 *functions as specified in the funding table in section 4601,*
13 *the Secretary of the Navy may carry out architectural and*
14 *engineering services and construction design activities with*
15 *respect to the construction or improvement of family hous-*
16 *ing units in an amount not to exceed \$3,634,000.*

17 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

18 **(a) AUTHORIZATION OF APPROPRIATIONS.**—*Funds are*
19 *hereby authorized to be appropriated for fiscal years begin-*
20 *ning after September 30, 2021, for military construction,*
21 *land acquisition, and military family housing functions of*

1 *the Department of the Navy, as specified in the funding*
 2 *table in section 4601.*

3 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 4 *PROJECTS.—Notwithstanding the cost variations author-*
 5 *ized by section 2853 of title 10, United States Code, and*
 6 *any other cost variation authorized by law, the total cost*
 7 *of all projects carried out under section 2201 not exceed the*
 8 *total amount authorized to be appropriated under sub-*
 9 *section (a), as specified in the funding table in section 4601.*

10 **TITLE XXIII—AIR FORCE**
 11 **MILITARY CONSTRUCTION**

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Authorization of appropriations, Air Force.

Sec. 2304. Extension of authority to carry out certain fiscal year 2017 projects.

*Sec. 2305. Modification of authority to carry out military construction projects
 at Tyndall Air Force Base, Florida.*

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

14 (a) *INSIDE THE UNITED STATES.—Using amounts ap-*
 15 *propriated pursuant to the authorization of appropriations*
 16 *in section 2303(a) and available for military construction*
 17 *projects inside the United States as specified in the funding*
 18 *table in section 4601, the Secretary of the Air Force may*
 19 *acquire real property and carry out military construction*
 20 *projects for the installations or locations inside the United*
 21 *States, and in the amounts, set forth in the following table:*

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$44,850,00
	Joint Base Elmendorf-Richardson	\$251,000,000
Arizona	Davis-Monthan Air Force Base	\$13,400,000
	Luke Air Force Base	\$49,000,000
California	Vandenberg Space Force Base	\$67,000,000
Colorado	Schriever Space Force Base	\$30,000,000
	United States Air Force Academy	\$4,360,000
District of Columbia	Joint Base Anacostia-Bolling	\$24,000,000
Florida	Eglin Air Force Base	\$14,000,000
Guam	Joint Region Marianas	\$85,000,000
Louisiana	Barksdale Air Force Base	\$272,000,000
Maryland	Joint Base Andrews	\$26,000,000
Massachusetts	Hanscom Air Force Base	\$66,000,000
Nevada	Creech Air Force Base	\$14,200,000
Ohio	Wright-Patterson Air Force Base	\$24,000,000
Oklahoma	Tinker Air Force Base	\$160,000,000
South Carolina	Joint Base Charleston	\$59,000,000
South Dakota	Ellsworth Air Force Base	\$242,000,000
Tennessee	Arnold Air Force Base	\$14,600,000
Texas	Joint Base San Antonio	\$141,000,000
	Joint Base San Antonio-Fort Sam Houston	\$29,000,000
	Joint Base San Antonio-Lackland	\$29,000,000
	Sheppard Air Force Base	\$20,000,000
Virginia	Joint Base Langley-Eustis	\$24,000,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2303(a) and available for military con-
4 struction projects outside the United States as specified in
5 the funding table in section 4601, the Secretary of the Air
6 Force may acquire real property and carry out military
7 construction projects for the installations or locations out-
8 side the United States, and in the amounts, set forth in
9 the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin	\$7,400,000
	Royal Australian Air Force Base Tindal	\$14,400,000
Italy	Aviano Air Force Base	\$10,200,000
Japan	Kadena Air Base	\$206,000,000
	Misawa Air Base	\$25,000,000
	Yokota Air Base	\$39,000,000
United Kingdom	Royal Air Force Lakenheath	\$108,500,000

1 **SEC. 2302. FAMILY HOUSING.**

2 (a) *IMPROVEMENTS TO MILITARY FAMILY HOUSING*
3 *UNITS.*—Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the au-
5 thorization of appropriations in section 2303(a) and avail-
6 able for military family housing functions as specified in
7 the funding table in section 4601, the Secretary of the Air
8 Force may improve existing military family housing units
9 in an amount not to exceed \$105,528,000.

10 (b) *PLANNING AND DESIGN.*—Using amounts appro-
11 priated pursuant to the authorization of appropriations in
12 section 2303(a) and available for military family housing
13 functions as specified in the funding table in section 4601,
14 the Secretary of the Air Force may carry out architectural
15 and engineering services and construction design activities
16 with respect to the construction or improvement of family
17 housing units in an amount not to exceed \$10,458,000.

18 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
19 **FORCE.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
21 hereby authorized to be appropriated for fiscal years begin-
22 ning after September 30, 2021, for military construction,
23 land acquisition, and military family housing functions of
24 the Department of the Air Force, as specified in the funding
25 table in section 4601.

Air Force: Extension of 2017 Project Authorizations—Continued

State or Country	Installation or Location	Project	Original Authorized Amount
	<i>Spangdahlem Air Base ..</i>	<i>F/A-22 Low Observable/Composite Repair Facility</i>	<i>\$12,000,000</i>
	<i>Spangdahlem Air Base ..</i>	<i>Upgrade Hardened Aircraft Shelters for F/A-22</i>	<i>\$2,700,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>APR - Munitions Storage Igloos, Phase 2</i>	<i>\$35,300,000</i>
	<i>Joint Region Marianas</i>	<i>APR - SATCOM C4I Facility</i>	<i>\$14,200,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>APR - Replace Munitions Structures</i>	<i>\$19,815,000</i>
	<i>Yokota Air Base</i>	<i>C-130J Corrosion Control Hangar</i>	<i>\$23,777,000</i>
	<i>Yokota Air Base</i>	<i>Construct Combat Arms Training and Maintenance Facility</i>	<i>\$8,243,000</i>
<i>Massachusetts ...</i>	<i>Hanscom Air Force Base</i>	<i>Vandenberg Gate Complex</i>	<i>\$10,965,000</i>
<i>United Kingdom</i>	<i>Royal Air Force Croughton</i>	<i>Main Gate Complex ..</i>	<i>\$16,500,000</i>

1 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **MILITARY CONSTRUCTION PROJECTS AT TYN-**
3 **DALL AIR FORCE BASE, FLORIDA.**

4 (a) *FISCAL YEAR 2018 PROJECT.*—*In the case of the*
5 *authorization contained in the table in section 2301(b) of*
6 *the Military Construction Authorization Act for Fiscal Year*
7 *2018 (division B of Public Law 115–91; 131 Stat. 1825)*
8 *for Tyndall Air Force Base, Florida, for construction of a*
9 *Fire Station, as specified in the funding table in section*
10 *4601 of that Public Law (131 Stat. 2002), the Secretary*
11 *of the Air Force may construct a crash rescue/structural*
12 *fire station encompassing up to 3,588 square meters.*

1 (b) *FISCAL YEAR 2020 PROJECTS.*—*In the case of the*
2 *authorization contained in section 2912(a) of the Military*
3 *Construction Authorization Act for Fiscal Year 2020 (divi-*
4 *sion B of Public Law 116–92; 133 Stat. 1913) for Tyndall*
5 *Air Force Base, Florida—*

6 (1) *for construction of Site Development, Utili-*
7 *ties, and Demo Phase 1, as specified in the Natural*
8 *Disaster Recovery Justification Book dated August*
9 *2019, the Secretary of the Air Force may construct—*

10 (A) *up to 3,698 lineal meters of waste water*
11 *utilities;*

12 (B) *up to 6,306 lineal meters of storm water*
13 *utilities; and*

14 (C) *two emergency power backup genera-*
15 *tors;*

16 (2) *for construction of Munitions Storage Facili-*
17 *ties, as specified in the Natural Disaster Recovery*
18 *Justification Book dated August 2019, the Secretary*
19 *of the Air Force may construct—*

20 (A) *up to 4,393 square meters of aircraft*
21 *support equipment storage yard;*

22 (B) *up to 1,535 square meters of tactical*
23 *missile maintenance facility; and*

1 (C) up to 560 square meters of missile war-
2 head assembly and maintenance shop and stor-
3 age;

4 (3) for construction of 53 WEG Complex, as
5 specified in the Natural Disaster Recovery Justifica-
6 tion Book dated August 2019, the Secretary of the Air
7 Force may construct—

8 (A) up to 1,693 square meters of aircraft
9 maintenance shop;

10 (B) up to 1,458 square meters of fuel sys-
11 tems maintenance dock; and

12 (C) up to 3,471 square meters of group
13 headquarters;

14 (4) for construction of 53 WEG Subscale Drone
15 Facility, as specified in the Natural Disaster Recov-
16 ery Justification Book dated August 2019, the Sec-
17 retary of the Air Force may construct up to 511
18 square meters of pilotless aircraft shop in a separate
19 facility;

20 (5) for construction of CE/Contracting/USACE
21 Complex, as specified in the Natural Disaster Recov-
22 ery Justification Book dated August 2019, the Sec-
23 retary of the Air Force may construct—

24 (A) up to 557 square meters of base engi-
25 neer storage shed 6000 area; and

1 (B) up to 183 square meters of non-Air
2 Force administrative office;

3 (6) for construction of Logistics Readiness
4 Squadron Complex, as specified in the Natural Dis-
5 aster Recovery Justification Book dated August 2019,
6 the Secretary of the Air Force may construct—

7 (A) up to 802 square meters of supply ad-
8 ministrative headquarters;

9 (B) up to 528 square meters of vehicle wash
10 rack; and

11 (C) up to 528 square meters of vehicle serv-
12 ice rack;

13 (7) for construction of Fire Station Silver Flag
14 #4, as specified in the Natural Disaster Recovery
15 Justification Book dated August 2019, the Secretary
16 of the Air Force may construct up to 651 square me-
17 ters of fire station;

18 (8) for construction of AFCEC RDT&E, as spec-
19 ified in the Natural Disaster Recovery Justification
20 Book dated August 2019, the Secretary of the Air
21 Force may construct—

22 (A) up to 501 square meters of CE Mat Test
23 Runway Support Building;

24 (B) up to 1,214 square meters of Robotics
25 Range Control Support Building; and

1 (C) up to 953 square meters of fire garage;

2 (9) for construction of *Flightline–Munitions*
3 *Storage, 7000 Area*, as specified in the funding table
4 *in section 4603 of Public Law 116–92; 133 Stat.*
5 *2103), the Secretary of the Air Force may construct—*

6 (A) up to 1,861 square meters of above
7 *ground magazines; and*

8 (B) up to 530 square meters of air support
9 *equipment shop/storage facility pad;*

10 (10) for construction of *Site Development, Utili-*
11 *ties and Demo Phase 2*, as specified in such funding
12 *table and modified by section 2306(a)(6) of the Mili-*
13 *tary Construction Authorization Act for Fiscal Year*
14 *2021 (division B of Public Law 116–283), the Sec-*
15 *retary of the Air Force may construct—*

16 (A) up to 5,233 lineal meters of storm water
17 *utilities;*

18 (B) up to 48,560 square meters of roads;

19 (C) up to 3,612 lineal meters of gas pipe-
20 *line; and*

21 (D) up to 993 square meters of water fire
22 *pumping station with an emergency backup gen-*
23 *erator;*

24 (11) for construction of *Tyndall AFB Gate Com-*
25 *plexes*, as specified in such funding table and modi-

1 *fied by section 2306(a)(9) of the Military Construc-*
2 *tion Authorization Act for Fiscal Year 2021 (division*
3 *B of Public Law 116–283), the Secretary of the Air*
4 *Force may construct—*

5 *(A) up to 52,694 square meters of roadway*
6 *with serpentines; and*

7 *(B) up to 20 active/passive barriers;*

8 *(12) for construction of Deployment Center/*
9 *Flight Line Dining/AAFES, as specified in such*
10 *funding table and modified by section 2306(a)(11) of*
11 *the Military Construction Authorization Act for Fis-*
12 *cal Year 2021 (division B of Public Law 116–283),*
13 *the Secretary of the Air Force may construct up to*
14 *144 square meters of AAFES shoppette;*

15 *(13) for construction of Airfield Drainage, as*
16 *specified in such funding table and modified by sec-*
17 *tion 2306(a)(12) of the Military Construction Author-*
18 *ization Act for Fiscal Year 2021 (division B of Public*
19 *Law 116–283), the Secretary of the Air Force may*
20 *construct—*

21 *(A) up to 37,357 meters of drainage ditch;*

22 *(B) up to 18,891 meters of storm drain pip-*
23 *ing;*

24 *(C) up to 19,131 meters of box culvert;*

1 (D) up to 3,704 meters of concrete block
2 swale;

3 (E) up to 555 storm drain structures; and

4 (F) up to 81,500 square meters of storm
5 drain ponds; and

6 (14) for construction of 325th Fighting Wing
7 HQ Facility, as specified in such funding table and
8 modified by section 2306(a)(13) of the Military Con-
9 struction Authorization Act for Fiscal Year 2021 (di-
10 vision B of Public Law 116–283), the Secretary of the
11 Air Force may construct up to 769 square meters of
12 separate administrative space for SAPR/SARC.

13 **TITLE XXIV—DEFENSE AGEN-**
14 **CIES MILITARY CONSTRU-**
15 **CTION**

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Sec. 2404. Extension and modification of authority to carry out certain fiscal years 2017 and 2019 projects.

16 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
17 **TION AND LAND ACQUISITION PROJECTS.**

18 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
19 propriated pursuant to the authorization of appropriations
20 in section 2403(a) and available for military construction
21 projects inside the United States as specified in the funding
22 table in section 4601, the Secretary of Defense may acquire

- 1 real property and carry out military construction projects
 2 for the installations or locations inside the United States,
 3 and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Redstone Arsenal</i>	<i>\$153,000,000</i>
<i>California</i>	<i>Marine Corps Base Camp Pendleton</i>	<i>\$13,600,000</i>
	<i>Silver Strand Training Complex</i>	<i>\$33,700,000</i>
<i>Colorado</i>	<i>Buckley Air Force Base</i>	<i>\$20,000,000</i>
<i>Georgia</i>	<i>Fort Benning</i>	<i>\$62,000,000</i>
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	<i>\$29,800,000</i>
<i>Maryland</i>	<i>Fort Meade</i>	<i>\$1,201,000,000</i>
<i>New Mexico</i>	<i>Kirtland Air Force Base</i>	<i>\$8,600,000</i>
<i>Virginia</i>	<i>Fort Belvoir</i>	<i>\$29,800,000</i>
	<i>Humphries Engineer Center and Support Activity</i>	<i>\$36,000,000</i>
	<i>Pentagon</i>	<i>\$50,543,000</i>
<i>Washington</i>	<i>Oak Harbor</i>	<i>\$59,000,000</i>

- 4 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 5 appropriated pursuant to the authorization of appropri-
 6 ations in section 2403(a) and available for military con-
 7 struction projects outside the United States as specified in
 8 the funding table in section 4601, the Secretary of Defense
 9 may acquire real property and carry out military construc-
 10 tion projects for the installations or locations outside the
 11 United States, and in the amounts, set forth in the following
 12 table:

Defense Agencies: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Germany</i>	<i>Ramstein Air Base</i>	<i>\$93,000,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>\$24,000,000</i>
	<i>Misawa Air Base</i>	<i>\$6,000,000</i>
<i>United Kingdom</i> ..	<i>Royal Air Force Lakenheath</i>	<i>\$19,283,000</i>

1 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
 2 **SERVATION INVESTMENT PROGRAM**
 3 **PROJECTS.**

4 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 5 propriated pursuant to the authorization of appropriations
 6 in section 2403(a) and available for energy conservation
 7 projects as specified in the funding table in section 4601,
 8 the Secretary of Defense may carry out energy conservation
 9 projects under chapter 173 of title 10, United States Code,
 10 for the installations or locations inside the United States,
 11 and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$24,000,000
California	Marine Corps Air Station Miramar	\$4,054,000
	Naval Air Weapons Station China Lake- Ridgecrest	\$9,120,000
District of Colum- bia	Joint Base Anacostia-Bolling	\$31,261,000
Florida	MacDill Air Force Base	\$22,000,000
Georgia	Fort Benning	\$17,593,000
	Fort Stewart	\$22,000,000
	Naval Submarine Base Kings Bay	\$19,314,000
Guam	Polaris Point Submarine Base	\$38,300,000
Idaho	Mountain Home Air Force Base	\$33,800,000
Michigan	Camp Grayling	\$5,700,000
Mississippi	Camp Shelby	\$45,655,000
New York	Fort Drum	\$27,000,000
North Carolina	Fort Bragg	\$27,169,000
North Dakota	Cavalier Air Force Station	\$24,150,000
Ohio	Springfield-Beckley Municipal Airport	\$4,700,000
Puerto Rico	Aguadilla	\$10,120,000
	Fort Allen	\$12,190,000
Tennessee	Memphis International Airport	\$4,780,000
Virginia	Fort Belvoir	\$365,000
	National Geospatial-Intelligence Agency Cam- pus East	\$5,299,000
	Pentagon, Mark Center, and Raven Rock Mountain Complex	\$2,600,000

12 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 13 appropriated pursuant to the authorization of appropria-

1 tions in section 2403(a) and available for energy conserva-
 2 tion projects as specified in the funding table in section
 3 4601, the Secretary of Defense may carry out energy con-
 4 servation projects under chapter 173 of title 10, United
 5 States Code, for the installations or locations outside the
 6 United States, and in the amounts, set forth in the following
 7 table:

ERCIP Projects: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Japan</i>	<i>Naval Air Facility Atsugi</i>	\$3,810,000
<i>Kuwait</i>	<i>Camp Arifjan</i>	\$15,000,000

8 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**
 9 **AGENCIES.**

10 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 11 hereby authorized to be appropriated for fiscal years begin-
 12 ning after September 30, 2021, for military construction,
 13 land acquisition, and military family housing functions of
 14 the Department of Defense (other than the military depart-
 15 ments), as specified in the funding table in section 4601.

16 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 17 *PROJECTS.*—Notwithstanding the cost variations author-
 18 ized by section 2853 of title 10, United States Code, and
 19 any other cost variation authorized by law, the total cost
 20 of all projects carried out under section 2401 may not ex-
 21 ceed the total amount authorized to be appropriated under

1 subsection (a), as specified in the funding table in section
 2 4601.

3 **SEC. 2404. EXTENSION AND MODIFICATION OF AUTHORITY**
 4 **TO CARRY OUT CERTAIN FISCAL YEARS 2017**
 5 **AND 2019 PROJECTS.**

6 (a) *EXTENSION OF FISCAL YEAR 2017 AUTHORIZA-*
 7 *TION.—*

8 (1) *EXTENSION.—Notwithstanding section 2002*
 9 *of the Military Construction Authorization Act for*
 10 *Fiscal Year 2017 (division B of Public Law 114–328;*
 11 *130 Stat. 2688), the authorization set forth in the*
 12 *table in paragraph (2), as provided in section 2401*
 13 *of that Act (130 Stat. 2700), shall remain in effect*
 14 *until October 1, 2023, or the date of the enactment of*
 15 *an Act authorizing funds for military construction*
 16 *for fiscal year 2024, whichever is later.*

17 (2) *TABLE.—The table referred to in paragraph*
 18 *(1) is as follows:*

Defense Agencies: Extension of 2017 Project Authorization

<i>Country</i>	<i>Installation</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Japan</i>	<i>Yokota Air Base</i>	<i>Hanger/AMU</i>	<i>\$39,466,000</i>

19 (b) *MODIFICATION OF FISCAL YEAR 2019 AUTHORIZA-*
 20 *TION.—In the case of the authorization contained in the*
 21 *table in section 2401(b) of the Military Construction Au-*
 22 *thorization Act for Fiscal Year 2019 (division B of Public*

1 *Law 115–232; 133 Stat. 2250) for Kinnick High School in*
 2 *Yokosuka, Japan, as specified in the funding table in sec-*
 3 *tion 4601 of such Public Law (133 Stat. 2407), the Sec-*
 4 *retary of Defense may treat the high school and the field*
 5 *house as a single facility for the purposes of defining the*
 6 *scope of work for the project.*

7 **TITLE XXV—INTERNATIONAL**
 8 **PROGRAMS**

Subtitle A—North Atlantic Treaty Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-Kind Contributions

Sec. 2511. Republic of Korea funded construction projects.

Sec. 2512. Republic of Poland funded construction projects.

9 **Subtitle A—North Atlantic Treaty**
 10 **Organization Security Invest-**
 11 **ment Program**

12 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 13 **ACQUISITION PROJECTS.**

14 *The Secretary of Defense may make contributions for*
 15 *the North Atlantic Treaty Organization Security Invest-*
 16 *ment Program as provided in section 2806 of title 10,*
 17 *United States Code, in an amount not to exceed the sum*
 18 *of the amount authorized to be appropriated for this pur-*
 19 *pose in section 2502 and the amount collected from the*
 20 *North Atlantic Treaty Organization as a result of construc-*
 21 *tion previously financed by the United States.*

1 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

2 *Funds are hereby authorized to be appropriated for fis-*
 3 *cal years beginning after September 30, 2021, for contribu-*
 4 *tions by the Secretary of Defense under section 2806 of title*
 5 *10, United States Code, for the share of the United States*
 6 *of the cost of projects for the North Atlantic Treaty Organi-*
 7 *zation Security Investment Program authorized by section*
 8 *2501 as specified in the funding table in section 4601.*

9 **Subtitle B—Host Country In-Kind**
 10 **Contributions**

11 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
 12 **PROJECTS.**

13 *(a) AUTHORITY TO ACCEPT PROJECTS.—Pursuant to*
 14 *agreement with the Republic of Korea for required in-kind*
 15 *contributions, the Secretary of Defense may accept military*
 16 *construction projects for the installations or locations in the*
 17 *Republic of Korea, and in the amounts, set forth in the fol-*
 18 *lowing table:*

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
<i>Army</i>	<i>Camp Humphreys</i>	<i>Unaccompanied Enlisted Personnel Housing</i>	<i>\$52,000,000</i>
<i>Army</i>	<i>Camp Humphreys</i>	<i>Type I Aircraft Parking Apron and Parallel Taxiway</i>	<i>\$48,000,000</i>
<i>Army</i>	<i>Camp Humphreys</i>	<i>Black Hat Intelligence Fusion Center</i>	<i>\$149,000,000</i>
<i>Navy</i>	<i>Mujuk</i>	<i>Expeditionary Dining Facility</i>	<i>\$10,200,000</i>
<i>Air Force</i>	<i>Gimhae Air Base</i>	<i>Repair Contingency Hospital</i>	<i>\$75,000,000</i>
<i>Air Force</i>	<i>Osan Air Base</i>	<i>Munitions Storage Area Move Delta (Phase 2)</i>	<i>\$171,000,000</i>

1 (b) *AUTHORIZED APPROACH TO CERTAIN CONSTRU-*
 2 *CTION PROJECT.*—Section 2350k of title 10, United States
 3 Code, shall apply with respect to the construction of the
 4 *Black Hat Intelligence Fusion Center at Camp Humphreys,*
 5 *Republic of Korea, as set forth in the table in subsection*
 6 *(a).*

7 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION**
 8 **PROJECTS.**

9 *Pursuant to agreement with the Republic of Poland*
 10 *for required in-kind contributions, the Secretary of Defense*
 11 *may accept military construction projects for the installa-*
 12 *tions or locations in the Republic of Poland, and in the*
 13 *amounts, set forth in the following table:*

Republic of Poland Funded Construction Projects

<i>Component</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Army</i>	<i>Poznan</i>	<i>Command and Control Facility</i>	<i>\$30,000,000</i>
<i>Army</i>	<i>Poznan</i>	<i>Information Systems Facility</i>	<i>\$7,000,000</i>

14 ***TITLE XXVI—GUARD AND***
 15 ***RESERVE FORCES FACILITIES***

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

1 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
 2 **STRUCTION AND LAND ACQUISITION**
 3 **PROJECTS.**

4 *Using amounts appropriated pursuant to the author-*
 5 *ization of appropriations in section 2606 and available for*
 6 *the National Guard and Reserve as specified in the funding*
 7 *table in section 4601, the Secretary of the Army may ac-*
 8 *quire real property and carry out military construction*
 9 *projects for the Army National Guard installations or loca-*
 10 *tions inside the United States, and in the amounts, set forth*
 11 *in the following table:*

Army National Guard

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$17,000,000
Connecticut	Army National Guard Readiness Center Putnam	\$17,500,000
Georgia	Fort Benning	\$13,200,000
Guam	National Guard Readiness Center Barrigada	\$34,000,000
Idaho	Jerome National Guard Armory	\$15,000,000
Illinois	National Guard Armory Bloomington	\$15,000,000
Kansas	Nickell Memorial Armory Topeka	\$16,732,000
Louisiana	Camp Minden	\$13,800,000
	Lake Charles National Guard Readiness Center	\$18,500,000
Maine	Saco National Guard Readiness Center	\$21,200,000
Michigan	Camp Grayling	\$16,000,000
Mississippi	Camp Shelby	\$15,500,000
Montana	Butte Military Entrance Testing Site	\$16,000,000
Nebraska	Mead Army National Guard Readiness Center	\$11,000,000
North Dakota	Dickinson National Guard Armory	\$15,500,000
South Dakota	Sioux Falls National Guard Armory	\$15,000,000
Vermont	Bennington National Guard Armory	\$16,900,000
	Camp Ethan Allen Training Site	\$4,665,000
Virginia	National Guard Armory Troutville	\$13,000,000

12 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 13 **AND LAND ACQUISITION PROJECTS.**

14 *Using amounts appropriated pursuant to the author-*
 15 *ization of appropriations in section 2606 and available for*
 16 *the National Guard and Reserve as specified in the funding*

1 *table in section 4601, the Secretary of the Army may ac-*
 2 *quire real property and carry out military construction*
 3 *projects for the Army Reserve installations or locations in-*
 4 *side the United States, and in the amounts, set forth in*
 5 *the following table:*

Army Reserve

State	Installation or Location	Amount
<i>Michigan</i>	<i>Army Reserve Center Southfield</i>	<i>\$12,000,000</i>
<i>Ohio</i>	<i>Wright-Patterson Air Force Base</i>	<i>\$19,000,000</i>
<i>Wisconsin</i>	<i>Fort McCoy</i>	<i>\$70,600,000</i>

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

9 *Using amounts appropriated pursuant to the author-*
 10 *ization of appropriations in section 2606 and available for*
 11 *the National Guard and Reserve as specified in the funding*
 12 *table in section 4601, the Secretary of the Navy may ac-*
 13 *quire real property and carry out military construction*
 14 *projects for the Navy Reserve and Marine Corps Reserve*
 15 *installations or locations inside the United States, and in*
 16 *the amounts, set forth in the following table:*

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
<i>Michigan</i>	<i>Naval Operational Support Center Battle Creek</i>	<i>\$49,090,000</i>
<i>Minnesota</i>	<i>Minneapolis Air Reserve Station</i>	<i>\$14,350,000</i>

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 2 **TION AND LAND ACQUISITION PROJECTS.**

3 *Using amounts appropriated pursuant to the author-*
 4 *ization of appropriations in section 2606 and available for*
 5 *the National Guard and Reserve as specified in the funding*
 6 *table in section 4601, the Secretary of the Air Force may*
 7 *acquire real property and carry out military construction*
 8 *projects for the Air National Guard installations or loca-*
 9 *tions inside the United States, and in the amounts, set forth*
 10 *in the following table:*

Air National Guard

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Montgomery Regional Airport</i>	<i>\$19,200,000</i>
	<i>Sumpter Smith Air National Guard Base</i>	<i>\$7,500,000</i>
<i>Connecticut</i>	<i>Bradley International Airport</i>	<i>\$17,000,000</i>
<i>Delaware</i>	<i>New Castle Air National Guard Base</i>	<i>\$17,500,000</i>
<i>Idaho</i>	<i>Gowen Field</i>	<i>\$6,500,000</i>
<i>Illinois</i>	<i>Abraham Lincoln Capital Airport</i>	<i>\$10,200,000</i>
<i>Massachusetts</i>	<i>Barnes Air National Guard Base</i>	<i>\$12,200,000</i>
<i>Michigan</i>	<i>Alpena County Regional Airport</i>	<i>\$23,000,000</i>
	<i>Selfridge Air National Guard Base</i>	<i>\$28,000,000</i>
	<i>W. K. Kellogg Regional Airport</i>	<i>\$10,000,000</i>
<i>Mississippi</i>	<i>Jackson International Airport</i>	<i>\$9,300,000</i>
<i>New York</i>	<i>Francis S. Gabreski Airport</i>	<i>\$14,800,000</i>
	<i>Schenectady Municipal Airport</i>	<i>\$10,800,000</i>
<i>Ohio</i>	<i>Camp Perry</i>	<i>\$7,800,000</i>
<i>South Carolina</i>	<i>McEntire Joint National Guard Base</i>	<i>\$18,800,000</i>
<i>South Dakota</i>	<i>Joe Foss Field</i>	<i>\$9,800,000</i>
<i>Texas</i>	<i>Kelly Field Annex</i>	<i>\$9,500,000</i>
<i>Washington</i>	<i>Camp Murray Air National Guard Station</i>	<i>\$27,000,000</i>
<i>Wisconsin</i>	<i>Truax Field</i>	<i>\$44,200,000</i>
<i>Wyoming</i>	<i>Cheyenne Municipal Airport</i>	<i>\$13,400,000</i>

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 12 **TION AND LAND ACQUISITION PROJECTS.**

13 *Using amounts appropriated pursuant to the author-*
 14 *ization of appropriations in section 2606 and available for*
 15 *the National Guard and Reserve as specified in the funding*
 16 *table in section 4601, the Secretary of the Air Force may*

- 1 *acquire real property and carry out military construction*
 2 *projects for the installations inside the United States, and*
 3 *in the amounts, set forth in the following table:*

Air Force Reserve

<i>State</i>	<i>Installation</i>	<i>Amount</i>
<i>California</i>	<i>Beale Air Force Base</i>	<i>\$33,000,000</i>
<i>Florida</i>	<i>Homestead Air Force Reserve Base</i>	<i>\$14,000,000</i>
	<i>Patrick Air Force Base</i>	<i>\$18,500,000</i>
<i>Indiana</i>	<i>Grissom Air Reserve Base</i>	<i>\$29,000,000</i>
<i>Minnesota</i>	<i>Minneapolis-St. Paul International Airport</i>	<i>\$14,000,000</i>
<i>New York</i>	<i>Niagara Falls Air Reserve Station</i>	<i>\$10,600,000</i>
<i>Ohio</i>	<i>Youngstown Air Reserve Station</i>	<i>\$8,700,000</i>

4 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 5 **TIONAL GUARD AND RESERVE.**

6 *Funds are hereby authorized to be appropriated for fis-*
 7 *cal years beginning after September 30, 2021, for the costs*
 8 *of acquisition, architectural and engineering services, and*
 9 *construction of facilities for the Guard and Reserve Forces,*
 10 *and for contributions therefor, under chapter 1803 of title*
 11 *10, United States Code (including the cost of acquisition*
 12 *of land for those facilities), as specified in the funding table*
 13 *in section 4601.*

14 **TITLE XXVII—BASE REALIGN-**
 15 **MENT AND CLOSURE ACTIVI-**
 16 **TIES**

Sec. 2701. Authorization of appropriations for base realignment and closure ac-
tivities funded through Department of Defense Base Closure Ac-
count.

Sec. 2702. Prohibition on conducting additional base realignment and closure
(BRAC) round.

Sec. 2703. Conditions on closure of certain portion of Pueblo Chemical Depot and
Chemical Agent-Destruction Pilot Plant, Colorado.

1 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
2 **REALIGNMENT AND CLOSURE ACTIVITIES**
3 **FUNDED THROUGH DEPARTMENT OF DE-**
4 **FENSE BASE CLOSURE ACCOUNT.**

5 *Funds are hereby authorized to be appropriated for fis-*
6 *cal years beginning after September 30, 2021, for base re-*
7 *alignment and closure activities, including real property*
8 *acquisition and military construction projects, as author-*
9 *ized by the Defense Base Closure and Realignment Act of*
10 *1990 (part A of title XXIX of Public Law 101–510; 10*
11 *U.S.C. 2687 note) and funded through the Department of*
12 *Defense Base Closure Account established by section 2906*
13 *of such Act (as amended by section 2711 of the Military*
14 *Construction Authorization Act for Fiscal Year 2013 (divi-*
15 *sion B of Public Law 112–239; 126 Stat. 2140)), as speci-*
16 *fied in the funding table in section 4601.*

17 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
18 **BASE REALIGNMENT AND CLOSURE (BRAC)**
19 **ROUND.**

20 *Nothing in this Act shall be construed to authorize an*
21 *additional Base Realignment and Closure (BRAC) round.*

22 **SEC. 2703. CONDITIONS ON CLOSURE OF CERTAIN PORTION**
23 **OF PUEBLO CHEMICAL DEPOT AND CHEM-**
24 **ICAL AGENT-DESTRUCTION PILOT PLANT,**
25 **COLORADO.**

26 *(a) DEFINITIONS.—In this section:*

1 (1) *COVERED PORTION OF PUEBLO CHEMICAL*
2 *DEPOT DEFINED.*—*The term “covered portion of*
3 *Pueblo Chemical Depot” means the portion of Pueblo*
4 *Chemical Depot, Colorado, that has not been declared*
5 *surplus before the date of the enactment of this Act.*

6 (2) *LOCAL REDEVELOPMENT AUTHORITY.*—*The*
7 *term “Local Redevelopment Authority” means the*
8 *Local Redevelopment Authority for Pueblo Chemical*
9 *Depot, as recognized by the Office of Local Defense*
10 *Community Cooperation.*

11 (b) *SUBMISSION OF CLOSURE AND DISPOSAL*
12 *PLANS.*—

13 (1) *PLANS REQUIRED.*—*Not later than 180 days*
14 *after the date of the enactment of this Act, the Sec-*
15 *retary of the Army shall submit to the Committees on*
16 *Armed Services of the Senate and the House of Rep-*
17 *resentatives—*

18 (A) *a plan for the closure of the covered por-*
19 *tion of Pueblo Chemical Depot upon the comple-*
20 *tion of the chemical demilitarization mission of*
21 *the Chemical Agent-Destruction Pilot Plant at*
22 *Pueblo Chemical Depot; and*

23 (B) *a plan for the disposal of all remaining*
24 *land, buildings, facilities, and equipment of the*
25 *covered portion of Pueblo Chemical Depot.*

1 (2) LOCAL REDEVELOPMENT AUTHORITY
 2 ROLE.—In preparing the disposal plan for the covered
 3 portion of Pueblo Chemical Depot required by para-
 4 graph (1)(B), the Secretary of the Army shall take
 5 into account the future role of the Local Redevelop-
 6 ment Authority.

7 (c) LOCAL REDEVELOPMENT AUTHORITY ELIGIBILITY
 8 FOR ASSISTANCE.—The Secretary of Defense, acting
 9 through the Office of Local Defense Community Coopera-
 10 tion, may make grants, conclude cooperative agreements,
 11 and supplement other Federal funds in order to assist the
 12 Local Redevelopment Authority in planning community
 13 adjustments and economic diversification required by the
 14 closure of Pueblo Chemical Depot and the Chemical Agent-
 15 Destruction Pilot Plant if the Secretary determines that the
 16 closure is likely to have a direct and significantly adverse
 17 consequence on nearby communities.

18 (d) GENERAL CLOSURE, REALIGNMENT, AND DIS-
 19 POSAL PROHIBITION.—

20 (1) PROHIBITION; CERTAIN RECIPIENT EX-
 21 CEPTED.—During the period specified in paragraph
 22 (2), the Secretary of the Army shall take no action—
 23 (A) to close or realign the covered portion of
 24 Pueblo Chemical Depot or the Chemical Agent-
 25 Destruction Pilot Plant; or

1 (B) to dispose of any surplus land, build-
2 ing, facility, or equipment that comprises any
3 portion of the Chemical Agent-Destruction Pilot
4 Plant other than to the Local Redevelopment Au-
5 thority.

6 (2) *DURATION.*—The prohibition imposed by
7 paragraph (1) shall apply until the date on which the
8 Secretary of the Army makes a final closure and dis-
9 posal decision for the covered portion of Pueblo Chem-
10 ical Depot following the submission of the closure and
11 disposal plans for the covered portion of Pueblo
12 Chemical Depot required by subsection (b).

13 (e) *PROHIBITION ON DEMOLITION OR DISPOSAL RE-*
14 *LATED TO CHEMICAL AGENT-DESTRUCTION PILOT*
15 *PLANT.*—

16 (1) *PROHIBITION; CERTAIN RECIPIENT EX-*
17 *CEPTED.*—During the period specified in paragraph
18 (4), the Secretary of the Army may not—

19 (A) demolish any building, facility, or
20 equipment described in paragraph (2) that com-
21 prises any portion of the Chemical Agent-De-
22 struction Pilot Plant; or

23 (B) dispose of any such building, facility,
24 or equipment declared to be surplus other than
25 to the Local Redevelopment Authority.

1 (2) *COVERED BUILDINGS, FACILITIES, AND*
2 *EQUIPMENT.—The prohibition imposed by paragraph*
3 *(1) shall apply to the following:*

4 (A) *Any surplus building, facility, or equip-*
5 *ment located outside of a Hazardous Waste Man-*
6 *agement Unit where chemical munitions were*
7 *present, but where contamination did not occur,*
8 *which are considered by the Secretary of the*
9 *Army as clean, safe, and acceptable for reuse by*
10 *the public, after a risk assessment by the Sec-*
11 *retary.*

12 (B) *Any surplus building, facility, or equip-*
13 *ment located outside of a Hazardous Waste Man-*
14 *agement Unit that was not contaminated by*
15 *chemical munitions and that was without the*
16 *potential to be contaminated, such as office*
17 *buildings, parts warehouses, or utility infra-*
18 *structure, which are considered by the Secretary*
19 *of the Army as suitable for reuse by the public.*

20 (3) *EXCEPTION TO PROHIBITION.—The prohibi-*
21 *tion imposed by paragraph (1) shall not apply to any*
22 *building, facility, or equipment otherwise described in*
23 *paragraph (2) for which the Local Redevelopment Au-*
24 *thority provides to the Secretary of the Army a writ-*
25 *ten determination specifying that the building, facil-*

1 *ity, or equipment is not needed for community ad-*
 2 *justment and economic diversification following the*
 3 *closure of the Chemical Agent-Destruction Pilot Plant.*

4 (4) *DURATION OF PROHIBITION.—The prohibi-*
 5 *tion imposed by paragraph (1) shall apply for a pe-*
 6 *riod of not less than two years beginning on the date*
 7 *o the enactment of this Act.*

8 **TITLE XXVIII—MILITARY CON-**
 9 **STRUCTION GENERAL PROVI-**
 10 **SIONS**

Subtitle A—Military Construction Program Changes

- Sec. 2801. Public availability of information on Facilities Sustainment, Restora-*
tion, and Modernization projects.
- Sec. 2802. Limitations on authorized cost and scope of work variations.*
- Sec. 2803. Department of Defense stormwater management projects for military*
installations and defense access roads.
- Sec. 2804. Use of amounts available for operation and maintenance in carrying*
out military construction projects for energy resilience, energy
security, or energy conservation.
- Sec. 2805. Flood risk management for military construction.*
- Sec. 2806. Modification and extension of temporary, limited authority to use op-*
eration and maintenance funds for construction projects in cer-
tain areas outside the United States.

Subtitle B—Continuation of Military Housing Reforms

- Sec. 2811. Modification of calculation of military housing contractor pay for*
privatized military housing.
- Sec. 2812. Applicability of window fall prevention requirements to all military*
family housing whether privatized or Government-owned and
Government-controlled.
- Sec. 2813. Applicability of disability laws to privatized military housing units*
and clarification of prohibition against collection from tenants
of amounts in addition to rent.
- Sec. 2814. Required investments in improving military unaccompanied housing.*
- Sec. 2815. Improvement of security of lodging and living spaces on military in-*
stallations.
- Sec. 2816. Improvement of Department of Defense child development centers and*
increased availability of child care for children of military per-
sonnel.

Subtitle C—Real Property and Facilities Administration

- Sec. 2821. Secretary of the Navy authority to support development and operation of National Museum of the United States Navy.*
- Sec. 2822. Expansion of Secretary of the Navy authority to lease and license United States Navy museum facilities to generate revenue to support museum administration and operations.*

Subtitle D—Military Facilities Master Plan Requirements

- Sec. 2831. Cooperation with State and local governments in development of master plans for major military installations.*
- Sec. 2832. Additional changes to requirements regarding master plans for major military installations.*
- Sec. 2833. Prompt completion of military installation resilience component of master plans for at-risk major military installations.*
- Sec. 2834. Master plans and investment strategies for Army ammunition plants guiding future infrastructure, facility, and production equipment improvements.*

Subtitle E—Matters Related to Unified Facilities Criteria and Military Construction Planning and Design

- Sec. 2841. Amendment of Unified Facilities Criteria to require inclusion of private nursing and lactation space in certain military construction projects.*
- Sec. 2842. Revisions to Unified Facilities Criteria regarding use of variable refrigerant flow systems.*
- Sec. 2843. Amendment of Unified Facilities Criteria to promote energy efficient military installations.*
- Sec. 2844. Additional Department of Defense activities to improve energy resiliency of military installations.*

Subtitle F—Land Conveyances

- Sec. 2851. Modification of restrictions on use of former Navy property conveyed to University of California, San Diego, California.*
- Sec. 2852. Land conveyance, Joint Base Cape Cod, Bourne, Massachusetts.*
- Sec. 2853. Land conveyance, Saint Joseph, Missouri.*
- Sec. 2854. Land conveyance, Department of Defense excess property, St. Louis, Missouri.*
- Sec. 2855. Land conveyance, Marine Corps Air Station, Cherry Point, North Carolina.*
- Sec. 2856. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to City of Virginia Beach, Virginia.*
- Sec. 2857. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to School Board of City of Virginia Beach, Virginia.*

Subtitle G—Authorized Pilot Programs

- Sec. 2861. Pilot program on increased use of sustainable building materials in military construction.*
- Sec. 2862. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.*

Subtitle H—Asia-Pacific and Indo-Pacific Issues

Sec. 2871. *Improved oversight of certain infrastructure services provided by Naval Facilities Engineering Systems Command Pacific.*

Sec. 2872. *Annual congressional briefing on renewal of Department of Defense easements and leases of land in Hawai'i.*

Sec. 2873. *Hawai'i Military Land Use Master Plan.*

Subtitle I—One-Time Reports and Other Matters

Sec. 2881. *Clarification of installation and maintenance requirements regarding fire extinguishers in Department of Defense facilities.*

Sec. 2882. *GAO review and report of military construction contracting at military installations inside the United States.*

1 ***Subtitle A—Military Construction***
 2 ***Program Changes***

3 ***SEC. 2801. PUBLIC AVAILABILITY OF INFORMATION ON FA-***
 4 ***CILITIES SUSTAINMENT, RESTORATION, AND***
 5 ***MODERNIZATION PROJECTS.***

6 *(a) INCLUSION OF INFORMATION ON REQUIRED INTER-*
 7 *NET SITE.—Section 2851(c)(1) of title 10, United States*
 8 *Code, is amended—*

9 *(1) by redesignating subparagraph (E) as sub-*
 10 *paragraph (F);*

11 *(2) by adding after subparagraph (D) the fol-*
 12 *lowing new subparagraph (E):*

13 *“(E) Each military department project with a*
 14 *total cost in excess of \$15,000,000 for Facilities*
 15 *Sustainment, Restoration, and Modernization.”; and*

16 *(3) in subparagraph (F), as so redesignated, by*
 17 *inserting after “construction project” the following: “,*
 18 *military department Facilities Sustainment, Restora-*
 19 *tion, and Modernization project.”.*

1 (b) *APPLICATION OF AMENDMENTS.*—Subparagraph
2 (E) of section 2851(c)(1) of title 10, United States Code,
3 as added by subsection (a)(2), and subparagraph (F) of
4 such section, as amended by subsection (a)(3), shall apply
5 with respect to a military department Facilities
6 Sustainment, Restoration, and Modernization project de-
7 scribed in such subparagraphs for which an award of a con-
8 tract or delivery order for the project is made on or after
9 June 1, 2022.

10 **SEC. 2802. LIMITATIONS ON AUTHORIZED COST AND SCOPE**
11 **OF WORK VARIATIONS.**

12 (a) *PROCESS FOR APPROVING CERTAIN EXCEPTIONS;*
13 *LIMITATIONS.*—Subsections (c) and (d) of section 2853 of
14 title 10, United States Code, are amended to read as follows:

15 “(c) *EXCEPTIONS TO LIMITATION ON COST VARI-*
16 *ATIONS AND SCOPE OF WORK REDUCTIONS.*—(1)(A) *Except*
17 *as provided in subparagraph (D), the Secretary concerned*
18 *may waive the percentage or dollar cost limitation applica-*
19 *ble to a military construction project or a military family*
20 *housing project under subsection (a) and approve an in-*
21 *crease in the cost authorized for the project in excess of that*
22 *limitation if the Secretary concerned notifies the appro-*
23 *priate committees of Congress of the cost increase in the*
24 *manner provided in this paragraph.*

1 “(B) *The notification required by subparagraph (A)*
2 *shall—*

3 “(i) *identify the amount of the cost increase and*
4 *the reasons for the increase;*

5 “(ii) *certify that the cost increase is sufficient to*
6 *meet the mission requirement identified in the jus-*
7 *tification data provided to Congress as part of the re-*
8 *quest for authorization of the project; and*

9 “(iii) *describe the funds proposed to be used to*
10 *finance the cost increase.*

11 “(C) *A waiver and approval by the Secretary con-*
12 *cerned under subparagraph (A) shall take effect only after*
13 *the end of the 14-day period beginning on the date on which*
14 *the notification required by such subparagraph is received*
15 *by the appropriate committees of Congress in an electronic*
16 *medium pursuant to section 480 of this title.*

17 “(D) *The Secretary concerned may not use the author-*
18 *ity provided by subparagraph (A)—*

19 “(i) *to waive the cost limitation applicable to a*
20 *military construction project with a total authorized*
21 *cost greater than \$500,000,000 or a military family*
22 *housing project with a total authorized cost greater*
23 *than \$500,000,000; and*

24 “(ii) *to approve an increase in the cost author-*
25 *ized for the project that would increase the project*

1 *cost by more than 50 percent of the total authorized*
2 *cost of the project.*

3 “(E) *In addition to the notification required by this*
4 *paragraph, subsection (f) applies whenever a military con-*
5 *struction project or military family housing project with*
6 *a total authorized cost greater than \$40,000,000 will have*
7 *a cost increase of 25 percent or more. Subsection (f) may*
8 *not be construed to authorize a cost increase in excess of*
9 *the limitation imposed by subparagraph (D).*

10 “(2)(A) *The Secretary concerned may waive the per-*
11 *centage or dollar cost limitation applicable to a military*
12 *construction project or a military family housing project*
13 *under subsection (a) and approve a decrease in the cost au-*
14 *thorized for the project in excess of that limitation if the*
15 *Secretary concerned notifies the appropriate committees of*
16 *Congress of the cost decrease not later than 14 days after*
17 *the date funds are obligated in connection with the project.*

18 “(B) *The notification required by subparagraph (A)*
19 *shall be provided in an electronic medium pursuant to sec-*
20 *tion 480 of this title.*

21 “(3)(A) *The Secretary concerned may waive the limi-*
22 *tation on a reduction in the scope of work applicable to*
23 *a military construction project or a military family hous-*
24 *ing project under subsection (b)(1) and approve a scope of*
25 *work reduction for the project in excess of that limitation*

1 *if the Secretary concerned notifies the appropriate commit-*
2 *tees of Congress of the reduction in the manner provided*
3 *in this paragraph.*

4 “(B) *The notification required by subparagraph (A)*
5 *shall—*

6 “(i) *describe the reduction in the scope of work*
7 *and the reasons for the decrease; and*

8 “(ii) *certify that the mission requirement identi-*
9 *fied in the justification data provided to Congress can*
10 *still be met with the reduced scope.*

11 “(C) *A waiver and approval by the Secretary con-*
12 *cerned under subparagraph (A) shall take effect only after*
13 *the end of the 14-day period beginning on the date on which*
14 *the notification required by such subparagraph is received*
15 *by the appropriate committees of Congress in an electronic*
16 *medium pursuant to section 480 of this title.*

17 “(d) *EXCEPTIONS TO LIMITATION ON SCOPE OF WORK*
18 *INCREASES.—(1) Except as provided in paragraph (4), the*
19 *Secretary concerned may waive the limitation on an in-*
20 *crease in the scope of work applicable to a military con-*
21 *struction project or a military family housing project under*
22 *subsection (b)(1) and approve an increase in the scope of*
23 *work for the project in excess of that limitation if the Sec-*
24 *retary concerned notifies the appropriate committees of*

1 Congress of the reduction in the manner provided in this
2 subsection.

3 “(2) The notification required by paragraph (1) shall
4 describe the increase in the scope of work and the reasons
5 for the increase.

6 “(3) A waiver and approval by the Secretary con-
7 cerned under paragraph (1) shall take effect only after the
8 end of the 14-day period beginning on the date on which
9 the notification required by such paragraph is received by
10 the appropriate committees of Congress in an electronic me-
11 dium pursuant to section 480 of this title.

12 “(4) The Secretary concerned may not use the author-
13 ity provided by paragraph (1) to waive the limitation on
14 an increase in the scope of work applicable to a military
15 construction project or a military family housing project
16 and approve an increase in the scope of work for the project
17 that would increase the scope of work by more than 10 per-
18 cent of the amount specified for the project in the justifica-
19 tion data provided to Congress as part of the request for
20 authorization of the project.”.

21 (b) CONFORMING AMENDMENT RELATED TO CALCU-
22 LATING LIMITATION ON COST VARIATIONS.—Section
23 2853(a) of title 10, United States Code, is amended by strik-
24 ing “the amount appropriated for such project” and insert-
25 ing “the total authorized cost of the project”

1 (c) *CLERICAL AMENDMENTS.*—Section 2853 of title 10,
2 *United States Code*, is further amended—

3 (1) in subsection (a), by inserting “*COST VARI-*
4 *ATIONS AUTHORIZED; LIMITATION.*—” after the enu-
5 merator “(a)”;

6 (2) in subsection (b), by inserting “*SCOPE OF*
7 *WORK VARIATIONS AUTHORIZED; LIMITATION.*—”
8 after the enumerator “(b)”;

9 (3) in subsection (e), by inserting “*ADDITIONAL*
10 *COST VARIATION EXCEPTIONS.*—” after the enu-
11 merator “(e)”;

12 (4) in subsection (f), by inserting “*ADDITIONAL*
13 *REPORTING REQUIREMENT FOR CERTAIN COST IN-*
14 *CREASES.*—” after the enumerator “(f)”; and

15 (5) in subsection (g), by inserting “*RELATION TO*
16 *OTHER LAW.*—” after the enumerator “(g)”.

17 **SEC. 2803. DEPARTMENT OF DEFENSE STORMWATER MAN-**
18 **AGEMENT PROJECTS FOR MILITARY INSTAL-**
19 **LATIONS AND DEFENSE ACCESS ROADS.**

20 Chapter 169 of title 10, *United States Code*, is amend-
21 ed by inserting after section 2815 the following new section:

1 **“§2815a. Stormwater management projects for instal-**
2 **lation and defense access road resilience**
3 **and waterway and ecosystems conserva-**
4 **tion**

5 “(a) *PROJECTS AUTHORIZED.*—*The Secretary con-*
6 *cerned may carry out a stormwater management project on*
7 *or related to a military installation for the purpose of—*

8 “(1) *improving military installation resilience*
9 *or the resilience of a defense access road or other es-*
10 *sential civilian infrastructure supporting the military*
11 *installation; and*

12 “(2) *protecting nearby waterways and*
13 *stormwater-stressed ecosystems.*

14 “(b) *PROJECT METHODS AND FUNDING SOURCES.*—
15 *Using such amounts as may be provided in advance in ap-*
16 *propriation Acts, the Secretary concerned may carry out*
17 *a stormwater management project under this section as, or*
18 *as part of, any of the following:*

19 “(1) *An authorized military construction project.*

20 “(2) *An unspecified minor military construction*
21 *project under section 2805 of this title, including*
22 *using appropriations available for operation and*
23 *maintenance subject to the limitation in subsection*
24 *(c) of such section.*

25 “(3) *A military installation resilience project*
26 *under section 2815 of this title, including the use of*

1 *appropriations available for operations and mainte-*
2 *nance subject to the limitation of subsection (e)(3) of*
3 *such section.*

4 *“(4) A defense community infrastructure resil-*
5 *ience project under section 2391(d) of this title.*

6 *“(5) A construction project under section 2914 of*
7 *this title.*

8 *“(6) A reserve component facility project under*
9 *section 18233 of this title.*

10 *“(7) A defense access road project under section*
11 *210 of title 23.*

12 *“(c) PROJECT PRIORITIES.—In selecting stormwater*
13 *management projects to be carried out under this section,*
14 *the Secretary concerned shall give a priority to project pro-*
15 *posals involving the retrofitting of buildings and grounds*
16 *on a military installation or retrofitting a defense access*
17 *road to reduce stormwater runoff and ponding or standing*
18 *water that includes the combination of stormwater runoff*
19 *and water levels resulting from extreme weather conditions.*

20 *“(d) PROJECT ACTIVITIES.—Activities carried out as*
21 *part of a stormwater management project under this section*
22 *may include, but are not limited to, the following:*

23 *“(1) The installation, expansion, or refurbish-*
24 *ment of stormwater ponds and other water-slowng*
25 *and retention measures.*

1 “(2) *The installation of permeable pavement in*
2 *lieu of, or to replace existing, nonpermeable pave-*
3 *ment.*

4 “(3) *The use of planters, tree boxes, cisterns, and*
5 *rain gardens to reduce stormwater runoff.*

6 “(e) *PROJECT COORDINATION.—In the case of a*
7 *stormwater management project carried out under this sec-*
8 *tion on or related to a military installation and any project*
9 *related to the same installation carried out under section*
10 *2391(d), 2815, or 2914 of this title, the Secretary concerned*
11 *shall ensure coordination between the projects regarding the*
12 *water access, management, conservation, security, and resil-*
13 *ience aspects of the projects.*

14 “(f) *ANNUAL REPORT.—(1) Not later than 90 days*
15 *after the end of each fiscal year, each Secretary concerned*
16 *shall submit to the congressional defense committees a re-*
17 *port describing—*

18 “(A) *the status of planned and active stormwater*
19 *management projects carried out by that Secretary*
20 *under this section; and*

21 “(B) *all projects completed by the Secretary con-*
22 *cerned during the previous fiscal year.*

23 “(2) *Each report shall include the following informa-*
24 *tion with respect to each stormwater management project*
25 *described in the report:*

1 “(A) *The title, location, a brief description of the*
2 *scope of work, the original project cost estimate, and*
3 *the current working cost estimate.*

4 “(B) *The rationale for how the project will—*

5 “(i) *improve military installation resilience*
6 *or the resilience of a defense access road or other*
7 *essential civilian infrastructure supporting a*
8 *military installation; and*

9 “(ii) *protect waterways and stormwater-*
10 *stressed ecosystems.*

11 “(C) *Such other information as the Secretary*
12 *concerned considers appropriate.*

13 “(g) *DEFINITIONS.—In this section:*

14 “(1) *The term ‘defense access road’ means a road*
15 *certified to the Secretary of Transportation as impor-*
16 *tant to the national defense under the provisions of*
17 *section 210 of title 23.*

18 “(2) *The terms ‘facility’ and ‘State’ have the*
19 *meanings given those terms in section 18232 of this*
20 *title.*

21 “(3) *The term ‘military installation’ includes a*
22 *facility of a reserve component owned by a State*
23 *rather than the United States.*

1 “(4) *The term ‘military installation resilience’*
 2 *has the meaning given that term in section 101(e)(8)*
 3 *of this title.*

4 “(5) *The term ‘Secretary concerned’ means—*

5 “(A) *the Secretary of a military department*
 6 *with respect to military installations under the*
 7 *jurisdiction of that Secretary; and*

8 “(B) *the Secretary of Defense with respect*
 9 *to matters concerning the Defense Agencies and*
 10 *facilities of a reserve component owned by a*
 11 *State rather than the United States.”.*

12 **SEC. 2804. USE OF AMOUNTS AVAILABLE FOR OPERATION**
 13 **AND MAINTENANCE IN CARRYING OUT MILI-**
 14 **TARY CONSTRUCTION PROJECTS FOR EN-**
 15 **ERGY RESILIENCE, ENERGY SECURITY, OR**
 16 **ENERGY CONSERVATION.**

17 *Section 2914 of title 10, United States Code, is amend-*
 18 *ed—*

19 (1) *by redesignating subsections (c) and (d) as*
 20 *subsections (d) and (e), respectively; and*

21 (2) *by inserting after subsection (b) the following*
 22 *new subsection (c):*

23 “(c) *ALTERNATIVE FUNDING SOURCE.—(1) In addi-*
 24 *tion to the authority under section 2805(c) of this title, in*
 25 *carrying out a military construction project for energy re-*

1 *silience, energy security, or energy conservation under this*
2 *section, the Secretary concerned may use amounts available*
3 *for operation and maintenance for the military department*
4 *concerned if the Secretary concerned submits to the congres-*
5 *sional defense committees a notification of the decision to*
6 *carry out the project using such amounts and includes in*
7 *the notification—*

8 “(A) *the current estimate of the cost of the*
9 *project;*

10 “(B) *the source of funds for the project; and*

11 “(C) *a certification that deferring the project*
12 *pending the availability of funds appropriated for or*
13 *otherwise made available for military construction*
14 *would be inconsistent with the timely assurance of en-*
15 *ergy resilience, energy security, or energy conserva-*
16 *tion for one or more critical national security func-*
17 *tions.*

18 “(2) *A project carried out under this section using*
19 *amounts under paragraph (1) may be carried out only after*
20 *the end of the seven-day period beginning on the date on*
21 *which a copy of the notification described in paragraph (1)*
22 *is provided in an electronic medium pursuant to section*
23 *480 of this title.*

24 “(3) *The maximum aggregate amount that the Sec-*
25 *retary concerned may obligate from amounts available to*

1 *the military department concerned for operation and main-*
 2 *tenance in any fiscal year for projects under the authority*
 3 *of this subsection is \$100,000,000.”.*

4 **SEC. 2805. FLOOD RISK MANAGEMENT FOR MILITARY CON-**
 5 **STRUCTION.**

6 (a) *FURTHER MODIFICATION OF DEPARTMENT OF DE-*
 7 *FENSE FORM 1391.—Section 2805(a)(1) of the Military*
 8 *Construction Authorization Act for Fiscal Year 2019 (divi-*
 9 *sion B of Public Law 115–232; 132 Stat. 2262; 10 U.S.C.*
 10 *2802 note) is amended—*

11 (1) *in subparagraph (A), by inserting “or a 500-*
 12 *year floodplain if outside a 100-year floodplain” after*
 13 *“100-year floodplain”; and*

14 (2) *in subparagraph (B), by striking “100-year*
 15 *floodplain” and inserting “floodplain described in*
 16 *subparagraph (A)”.*

17 (b) *REPORTING REQUIREMENTS.—Section 2805(a)(3)*
 18 *of the Military Construction Authorization Act for Fiscal*
 19 *Year 2019 (division B of Public Law 115–232; 132 Stat.*
 20 *2262; 10 U.S.C. 2802 note) is amended—*

21 (1) *in subparagraph (A), by inserting before the*
 22 *period at the end the following: “using hydrologic, hy-*
 23 *draulic, and hydrodynamic data, methods, and anal-*
 24 *ysis that integrate current and projected changes in*
 25 *flooding based on climate science over the anticipated*

1 *service life of the facility and future forecasted land*
2 *use changes”; and*

3 *(2) in subparagraph (D), by inserting after “fu-*
4 *ture” the following: “flood risk and”.*

5 *(c) MITIGATION PLAN ASSUMPTIONS.—Section*
6 *2805(a)(4) of the Military Construction Authorization Act*
7 *for Fiscal Year 2019 (division B of Public Law 115–232;*
8 *132 Stat. 2262; 10 U.S.C. 2802 note) is amended—*

9 *(1) in subparagraphs (A) and (B), by striking*
10 *“buildings” and inserting “facilities”; and*

11 *(2) in subparagraph (C), by inserting after “fu-*
12 *ture” the following: “flood risk and”.*

13 *(d) CONFORMING AMENDMENT OF UNIFIED FACILI-*
14 *TIES CRITERIA.—*

15 *(1) AMENDMENT REQUIRED.—Not later than*
16 *September 1, 2022, the Secretary of Defense shall*
17 *amend the Unified Facilities Criteria relating to*
18 *military construction planning and design to ensure*
19 *that building practices and standards of the Depart-*
20 *ment of Defense incorporate the minimum flood miti-*
21 *gation requirements of section 2805(a) of the Military*
22 *Construction Authorization Act for Fiscal Year 2019*
23 *(division B of Public Law 115–232; 132 Stat. 2262;*
24 *10 U.S.C. 2802 note), as amended by this section.*

1 (2) *IMPLEMENTATION OF UNIFIED FACILITIES*
2 *CRITERIA AMENDMENTS.*—

3 (A) *IMPLEMENTATION.*—*Any Department of*
4 *Defense Form 1391 submitted to Congress after*
5 *September 1, 2022, shall comply with the Uni-*
6 *fied Facilities Criteria, as amended pursuant to*
7 *paragraph (1).*

8 (B) *CERTIFICATION.*—*Not later than March*
9 *1, 2023, the Secretary of Defense shall certify to*
10 *the Committees on Armed Services of the House*
11 *of Representatives and the Senate the completion*
12 *of the amendment process required by paragraph*
13 *(1) and the full incorporation of the amendments*
14 *into military construction planning and design.*

15 **SEC. 2806. MODIFICATION AND EXTENSION OF TEMPORARY,**
16 **LIMITED AUTHORITY TO USE OPERATION**
17 **AND MAINTENANCE FUNDS FOR CONSTRUC-**
18 **TION PROJECTS IN CERTAIN AREAS OUTSIDE**
19 **THE UNITED STATES.**

20 (a) *TWO-YEAR EXTENSION OF AUTHORITY.*—*Sub-*
21 *section (h) of section 2808 of the Military Construction Au-*
22 *thorization Act for Fiscal Year 2004 (division B of Public*
23 *Law 108–136; 117 Stat. 1723), as most recently amended*
24 *by section 2806(a) of the Military Construction Authoriza-*

1 *tion Act for Fiscal Year 2021 (division B of Public Law*
2 *116–283), is further amended—*

3 *(1) in paragraph (1), by striking “December 31,*
4 *2021” and inserting “December 31, 2023”; and*

5 *(2) paragraph (2), by striking “fiscal year 2022”*
6 *and inserting “fiscal year 2024”.*

7 *(b) CONTINUATION OF LIMITATION ON USE OF AU-*
8 *THORITY.—Subsection (c)(1) of section 2808 of the Military*
9 *Construction Authorization Act for Fiscal Year 2004 (divi-*
10 *sion B of Public Law 108–136; 117 Stat. 1723), as most*
11 *recently amended by subsections (b) and (c) of section 2806*
12 *of the Military Construction Authorization Act for Fiscal*
13 *Year 2021 (division B of Public Law 116–283), is further*
14 *amended—*

15 *(1) by striking subparagraphs (A) and (B);*

16 *(2) by redesignating subparagraph (C) as sub-*
17 *paragraph (A); and*

18 *(3) by adding at the end the following new sub-*
19 *paragraphs:*

20 *“(B) The period beginning October 1, 2021, and*
21 *ending on the earlier of December 31, 2022, or the*
22 *date of the enactment of an Act authorizing funds for*
23 *military activities of the Department of Defense for*
24 *fiscal year 2023.*

1 “(C) *The period beginning October 1, 2022, and*
2 *ending on the earlier of December 31, 2023, or the*
3 *date of the enactment of an Act authorizing funds for*
4 *military activities of the Department of Defense for*
5 *fiscal year 2024.*”.

6 (c) *ESTABLISHMENT OF PROJECT MONETARY LIMITA-*
7 *TION.—Subsection (c) of section 2808 of the Military Con-*
8 *struction Authorization Act for Fiscal Year 2004 (division*
9 *B of Public Law 108–136; 117 Stat. 1723) is amended by*
10 *adding at the end the following new paragraph:*

11 “(3) *The total amount of operation and maintenance*
12 *funds used for a single construction project carried out*
13 *under the authority of this section shall not exceed*
14 *\$15,000,000. The Secretary of Defense may waive this limi-*
15 *tation on a project-by-project basis. This waiver authority*
16 *may not be delegated.*”.

17 (d) *MODIFICATION OF NOTICE AND WAIT REQUIRE-*
18 *MENT.—Subsection (b) of section 2808 of the Military Con-*
19 *struction Authorization Act for Fiscal Year 2004 (division*
20 *B of Public Law 108–136; 117 Stat. 1723) is amended—*

21 (1) *by striking “10-day period” and inserting*
22 *“14-day period”; and*

23 (2) *by striking “or, if earlier, the end of the 7-*
24 *day period beginning on the date on which” and in-*
25 *serting “, including when”.*

1 ***Subtitle B—Continuation of***
2 ***Military Housing Reforms***

3 ***SEC. 2811. MODIFICATION OF CALCULATION OF MILITARY***
4 ***HOUSING CONTRACTOR PAY FOR PRIVATIZED***
5 ***MILITARY HOUSING.***

6 *Section 606(a) of the John S. McCain National De-*
7 *fense Authorization Act for Fiscal Year 2019 (Public Law*
8 *115–232; 10 U.S.C. 2871 note), as amended by section 3036*
9 *of the Military Construction Authorization Act for Fiscal*
10 *Year 2020 (division B of Public Law 116–92; 133 Stat.*
11 *1938) and section 2811(i) of the Military Construction Au-*
12 *thorization Act for Fiscal Year 2021 (division B of Public*
13 *Law 116–283), is further amended—*

14 (1) *in paragraph (1)(B)—*

15 (A) *by striking “2.5 percent” and inserting*
16 *“50 percent”; and*

17 (B) *by striking “section 403(b)(3)(A)(i)”*
18 *and inserting “section 403(b)(3)(A)(ii)”;* *and*

19 (2) *in paragraph (2)(B)—*

20 (A) *by striking “2.5 percent” and inserting*
21 *“50 percent”; and*

22 (B) *by striking “section 403(b)(3)(A)(i)”*
23 *and inserting “section 403(b)(3)(A)(ii)”.*

1 **SEC. 2812. APPLICABILITY OF WINDOW FALL PREVENTION**
 2 **REQUIREMENTS TO ALL MILITARY FAMILY**
 3 **HOUSING WHETHER PRIVATIZED OR GOVERN-**
 4 **MENT-OWNED AND GOVERNMENT-CON-**
 5 **TROLLED.**

6 (a) *TRANSFER OF WINDOW FALL PREVENTION SEC-*
 7 *TION TO MILITARY FAMILY HOUSING ADMINISTRATION*
 8 *SUBCHAPTER.—Section 2879 of title 10, United States*
 9 *Code—*

10 (1) *is transferred to appear after section 2856 of*
 11 *such title; and*

12 (2) *is redesignated as section 2857.*

13 (b) *APPLICABILITY OF SECTION TO ALL MILITARY*
 14 *FAMILY HOUSING.—Section 2857 of title 10, United States*
 15 *Code, as transferred and redesignated by subsection (a), is*
 16 *amended—*

17 (1) *in subsection (a)(1), by striking “acquired or*
 18 *constructed under this chapter”;*

19 (2) *in subsection (b)(1), by striking “acquired or*
 20 *constructed under this chapter”; and*

21 (3) *by adding at the end the following new sub-*
 22 *section:*

23 “(e) *APPLICABILITY TO ALL MILITARY FAMILY HOUS-*
 24 *ING.—This section applies to military family housing*
 25 *under the jurisdiction of the Department of Defense and*

1 *military family housing acquired or constructed under sub-*
2 *chapter IV of this chapter.”.*

3 (c) *IMPLEMENTATION PLAN.*—*In the report required to*
4 *be submitted in 2022 pursuant to subsection (d) of section*
5 *2857 of title 10, United States Code, as transferred and re-*
6 *designated by subsection (a) and amended by subsection (b),*
7 *the Secretary of Defense shall include a plan for implemen-*
8 *tation of the fall protection devices described in subsection*
9 *(a)(3) of such section as required by such section.*

10 (d) *LIMITATION ON USE OF FUNDS PENDING SUBMIS-*
11 *SION OF OVERDUE REPORT.*—*Of the funds authorized to*
12 *be appropriated by this Act or otherwise made available*
13 *for fiscal year 2022 for the Office of the Assistant Secretary*
14 *of Defense for Energy, Installations, and Environment, not*
15 *more than 50 percent may be obligated or expended until*
16 *the date on which the Secretary of Defense certifies to the*
17 *congressional defense committees that—*

18 (1) *the independent assessment required by sec-*
19 *tion 2817(b) of the Military Construction Authoriza-*
20 *tion Act of 2018 (division B of Public Law 115–91;*
21 *131 Stat. 1852) has been initiated; and*

22 (2) *the Secretary expects the report containing*
23 *the results of the assessment to be submitted to the*
24 *congressional defense committees by February 1, 2023.*

1 **SEC. 2813. APPLICABILITY OF DISABILITY LAWS TO**
 2 **PRIVATIZED MILITARY HOUSING UNITS AND**
 3 **CLARIFICATION OF PROHIBITION AGAINST**
 4 **COLLECTION FROM TENANTS OF AMOUNTS**
 5 **IN ADDITION TO RENT.**

6 (a) *APPLICABILITY OF DISABILITY LAWS.*—Section
 7 2891 of title 10, United States Code, is amended—

8 (1) *by redesignating subsection (g) as subsection*
 9 *(h); and*

10 (2) *by inserting after subsection (f) the following*
 11 *new subsection (g):*

12 “(g) *APPLICABILITY OF DISABILITY LAWS.*—For pur-
 13 *poses of this subchapter and subchapter IV of this chapter,*
 14 *housing units shall be considered as military family hous-*
 15 *ing for purposes of application of Department of Defense*
 16 *policy implementing section 804 of the Fair Housing Act*
 17 *(42 U.S.C. 3604) and title III of the Americans with Dis-*
 18 *abilities Act of 1990 (42 U.S.C. 12181 et seq.).”.*

19 (b) *CLARIFICATION OF PROHIBITION.*—

20 (1) *TREATMENT OF REASONABLE MODIFICATION*
 21 *AND ACCOMMODATION REQUIREMENTS.*—Section
 22 2891a(e) of title 10, United States Code, is amended
 23 *by adding at the end the following new paragraph:*

24 “(3)(A) *Costs incurred to reasonably modify or up-*
 25 *grade a housing unit to comply with standards addressing*
 26 *discrimination against an individual with a disability es-*

1 *established pursuant to the Americans with Disabilities Act*
 2 *of 1990 (42 U.S.C. 12101 et seq.), or to meet the reasonable*
 3 *modification and accommodation requirements of section*
 4 *804 of the Fair Housing Act (42 U.S.C. 3604) and in order*
 5 *to facilitate occupancy of a housing unit by an individual*
 6 *with a disability, may not be considered optional services*
 7 *under paragraph (2)(A)(i) or another exception to the pro-*
 8 *hibition in paragraph (1) against collection from tenants*
 9 *of housing units of amounts in addition to rent.*

10 “(B) *In subparagraph (A), the term ‘disability’ has*
 11 *the meaning given that term in section 3 of the Americans*
 12 *with Disabilities Act of 1990 (42 U.S.C. 12102).”.*

13 (2) *APPLICABILITY OF REQUIREMENTS.—Sub-*
 14 *section (e)(3) of section 2891a of title 10, United*
 15 *States Code, as added by paragraph (1), shall apply*
 16 *to contracts described in subsection (a) of such section*
 17 *entered into on or after the date of the enactment of*
 18 *this Act.*

19 **SEC. 2814. REQUIRED INVESTMENTS IN IMPROVING MILI-**
 20 **TARY UNACCOMPANIED HOUSING.**

21 (a) *INVESTMENTS IN MILITARY UNACCOMPANIED*
 22 *HOUSING.—Of the total amount authorized to be appro-*
 23 *priated by the National Defense Authorization Act for a*
 24 *covered fiscal year for Facilities Sustainment, Restoration,*
 25 *and Modernization activities of a military department, the*

1 *Secretary of that military department shall reserve an*
2 *amount equal to five percent of the estimated replacement*
3 *cost of the total inventory of unaccompanied housing under*
4 *the jurisdiction of that Secretary for the purpose of carrying*
5 *out projects for the improvement of military unaccom-*
6 *panied housing.*

7 (b) *DEFINITIONS.—In this section:*

8 (1) *The term “military unaccompanied housing”*
9 *means military housing intended to be occupied by*
10 *members of the Armed Forces serving a tour of duty*
11 *unaccompanied by dependents.*

12 (2) *The term “replacement cost”, with respect to*
13 *military unaccompanied housing, means the amount*
14 *that would be required to replace the remaining serv-*
15 *ice potential of that military unaccompanied housing.*

16 (c) *DURATION OF INVESTMENT REQUIREMENT.—The*
17 *requirement in subsection (a) shall apply for fiscal years*
18 *2022 through 2026.*

19 **SEC. 2815. IMPROVEMENT OF SECURITY OF LODGING AND**
20 **LIVING SPACES ON MILITARY INSTALLA-**
21 **TIONS.**

22 (a) *ASSESSMENT.—Not later than 60 days after the*
23 *date of the enactment of this Act, the Secretary of Defense*
24 *shall conduct an assessment of all on-base dormitories and*

1 barracks at military installations for purposes of identi-
2 fying—

3 (1) locking mechanisms on points of entry into
4 the main facility, including doors and windows, or
5 interior doors leading into private sleeping areas that
6 require replacing or repairing;

7 (2) areas, such as exterior sidewalks, entry
8 points, and other public areas where closed-circuit tel-
9 evision security cameras should be installed; and

10 (3) other passive security measures, such as ad-
11 ditional lighting, that may be necessary to prevent
12 crime, including sexual assault.

13 (b) *EMERGENCY REPAIRS.*—The Secretary of Defense
14 shall make any necessary repairs of broken locks or other
15 safety mechanisms discovered during the assessment con-
16 ducted under subsection (a) not later than 30 days after
17 discovering the issue.

18 (c) *REPORT.*—

19 (1) *IN GENERAL.*—Not later than 270 days after
20 the date of the enactment of this Act, the Secretary of
21 Defense shall submit to the congressional defense com-
22 mittees a report on the results of the assessment con-
23 ducted under subsection (a).

24 (2) *ELEMENTS.*—The report under paragraph
25 (1) shall include—

1 (A) a cost estimate to make any improve-
2 ments recommended pursuant to the assessment
3 under subsection (a), disaggregated by military
4 department and installation; and

5 (B) an estimated schedule for making such
6 improvements.

7 **SEC. 2816. IMPROVEMENT OF DEPARTMENT OF DEFENSE**
8 **CHILD DEVELOPMENT CENTERS AND IN-**
9 **CREASED AVAILABILITY OF CHILD CARE FOR**
10 **CHILDREN OF MILITARY PERSONNEL.**

11 (a) *SAFETY INSPECTION OF CHILD DEVELOPMENT*
12 *CENTERS.*—Not later than one year after the date of the
13 enactment of this Act, each Secretary of a military depart-
14 ment shall complete an inspection of all facilities under the
15 jurisdiction of that Secretary used as a child development
16 center to identify any unresolved safety issues, including
17 lead, asbestos, and mold, that adversely impact the facili-
18 ties.

19 (b) *BRIEFING ON RESULTS OF SAFETY INSPECTIONS*
20 *AND REMEDIATION PLANS.*—

21 (1) *BRIEFING REQUIRED.*—Not later than March
22 1, 2022, each Secretary of a military department
23 shall brief the Committees on Armed Services of the
24 Senate and the House of Representatives regarding
25 the results of the safety inspections conducted of child

1 *development centers under the jurisdiction of that*
2 *Secretary.*

3 (2) *REQUIRED ELEMENTS OF BRIEFING.—In the*
4 *briefing required by paragraph (1), the Secretary of*
5 *a military department shall provide the following:*

6 (A) *A list of any child development centers*
7 *under the jurisdiction of that Secretary consid-*
8 *ered to be in poor or failing condition. In the*
9 *case of each child development center included on*
10 *this list, the Secretary shall provide a remedi-*
11 *ation plan for the child development center,*
12 *which shall include the following elements:*

13 (i) *An estimate of the funding required*
14 *to complete the remediation plan.*

15 (ii) *The Secretary's funding strategy to*
16 *complete the remediation plan.*

17 (iii) *Any additional statutory authori-*
18 *ties the Secretary needs to complete the re-*
19 *mediation plan*

20 (B) *A list of life-threatening and non-life-*
21 *threatening violations during the previous three*
22 *years recorded at child development centers*
23 *under the jurisdiction of that Secretary that are*
24 *not included on the list required by subpara-*
25 *graph (A), which shall include the name of the*

1 *installation where the violation occurred and*
2 *date of inspection.*

3 *(C) A list of what that Secretary considers*
4 *a life-threatening and non-life-threatening viola-*
5 *tion, including with regard to the presence of*
6 *lead, asbestos, and mold.*

7 *(D) A list of how often the 90-day remedi-*
8 *ation requirement has been waived and the name*
9 *of each child development center under the juris-*
10 *isdiction of that Secretary at which a waiver was*
11 *granted.*

12 *(E) Data on child development center clo-*
13 *tures under the jurisdiction of that Secretary due*
14 *to a non-life-threatening violation not remedied*
15 *within 90 days.*

16 *(F) An additional plan to conduct preven-*
17 *tive maintenance on other child development cen-*
18 *ters under the jurisdiction of that Secretary to*
19 *prevent additional child development centers*
20 *from degrading to poor or failing condition.*

21 *(c) PARTNERSHIPS ENCOURAGED FOR CHILD CARE*
22 *FOR CHILDREN OF MILITARY PERSONNEL.—Beginning one*
23 *year after the date of the enactment of this Act, and pursu-*
24 *ant to such regulations as the Secretary of Defense may pre-*
25 *scribe, each Secretary of a military department is encour-*

1 aged to enter into agreements with public and private enti-
2 ties to provide child care to the children of personnel (in-
3 cluding members of the Armed Forces and civilian employ-
4 ees of the Department of Defense) under the jurisdiction of
5 that Secretary.

6 (d) ANNUAL STATUS UPDATES.—Not later than 18
7 months after the date of the enactment of this Act, and every
8 12 months thereafter, each Secretary of a military depart-
9 ment shall brief the Committees on Armed Services of the
10 Senate and the House of Representatives on the progress
11 made by that Secretary—

12 (1) in implementing the child development center
13 remediation plans required by subsection (b)(2)(A) for
14 child development centers under the jurisdiction of
15 that Secretary considered to be in “poor” or “failing”
16 condition, including details about projects planned,
17 funded, under construction, and completed under the
18 plans;

19 (2) in conducting preventive maintenance on
20 other child development centers under the jurisdiction
21 of that Secretary pursuant to the preventive mainte-
22 nance plan required by subsection (b)(2)(F); and

23 (3) in entering into partnerships encouraged by
24 subsection (c), including with regard to each partner-
25 ship—

1 (A) the terms of the agreement, including
2 cost to the United States;

3 (B) the number of children described in
4 such subparagraph projected to receive child care
5 under the partnership; and

6 (C) if applicable, the actual number of such
7 children who received child care under the part-
8 nership during the previous year.

9 (e) *CHILD DEVELOPMENT CENTER DEFINED.*—In this
10 section, the term “child development center” has the mean-
11 ing given that term in section 2871(2) of title 10, United
12 States Code, and includes facilities identified as a child
13 care center or day care center.

14 ***Subtitle C—Real Property and***
15 ***Facilities Administration***

16 ***SEC. 2821. SECRETARY OF THE NAVY AUTHORITY TO SUP-***
17 ***PORT DEVELOPMENT AND OPERATION OF NA-***
18 ***TIONAL MUSEUM OF THE UNITED STATES***
19 ***NAVY.***

20 Chapter 861 of title 10, United States Code, is amend-
21 ed by inserting after section 8616 the following new section:

22 ***“§8617. National Museum of the United States Navy***

23 ***“(a) AUTHORITY TO SUPPORT DEVELOPMENT AND OP-***
24 ***ERATION OF MUSEUM.***—(1) *The Secretary of the Navy may*
25 *select and enter into a contract, cooperative agreement, or*

1 *other agreement with one or more eligible nonprofit organi-*
2 *zations to support the development, design, construction,*
3 *renovation, or operation of a multipurpose museum to serve*
4 *as the National Museum of the United States Navy.*

5 “(2) *The Secretary may—*

6 “(A) *authorize a partner organization to con-*
7 *tract for each phase of development, design, construc-*
8 *tion, renovation, or operation of the museum, or all*
9 *such phases; or*

10 “(B) *authorize acceptance of funds from a part-*
11 *ner organization for each or all such phases.*

12 “(b) *PURPOSES OF MUSEUM.—(1) The museum shall*
13 *be used for the identification, curation, storage, and public*
14 *viewing of artifacts and artwork of significance to the Navy,*
15 *as agreed to by the Secretary of the Navy.*

16 “(2) *The museum also may be used to support such*
17 *education, training, research, and associated activities as*
18 *the Secretary considers compatible with and in support of*
19 *the museum and the mission of the Naval History and Her-*
20 *itage Command.*

21 “(c) *ACCEPTANCE UPON COMPLETION.—Upon the sat-*
22 *isfactory completion, as determined by the Secretary of the*
23 *Navy, of any phase of the museum, and upon the satisfac-*
24 *tion of any financial obligations incident thereto, the Sec-*
25 *retary shall accept such phase of the museum from the part-*

1 *ner organization, and all right, title, and interest in and*
2 *to such phase of the museum shall vest in the United States.*
3 *Upon becoming the property of the United States, the Sec-*
4 *retary shall assume administrative jurisdiction over such*
5 *phase of the museum.*

6 “(d) *LEASE AUTHORITY.—(1) The Secretary of the*
7 *Navy may lease portions of the museum to an eligible non-*
8 *profit organization for use in generating revenue for the*
9 *support of activities of the museum and for such adminis-*
10 *trative purposes as may be necessary for support of the mu-*
11 *seum. Such a lease may not include any part of the collec-*
12 *tion of the museum.*

13 “(2) *Any rent received by the Secretary under a lease*
14 *under paragraph (1), including rent-in-kind, shall be used*
15 *solely to cover or defray the costs of development, mainte-*
16 *nance, or operation of the museum.*

17 “(e) *AUTHORITY TO ACCEPT GIFTS.—(1) The Sec-*
18 *retary of the Navy may accept, hold, administer, and spend*
19 *any gift, devise, or bequest of real property, personal prop-*
20 *erty, or money made on the condition that the gift, devise,*
21 *or bequest be used for the benefit, or in connection with,*
22 *the establishment, operation, or maintenance, of the mu-*
23 *seum. Section 2601 (other than subsections (b), (c), and (e))*
24 *of this title shall apply to gifts accepted under this sub-*
25 *section.*

1 “(2) *The Secretary may display at the museum rec-*
2 *ognition for an individual or organization that contributes*
3 *money to a partner organization, or an individual or orga-*
4 *nization that contributes a gift directly to the Navy, for*
5 *the benefit of the museum, whether or not the contribution*
6 *is subject to the condition that the recognition be provided.*
7 *The Secretary shall prescribe regulations governing the cir-*
8 *cumstances under which contributor recognition may be*
9 *provided, appropriate forms of recognition, and suitable*
10 *display standards.*

11 “(3) *The Secretary may authorize the sale of donated*
12 *property received under paragraph (1). A sale under this*
13 *paragraph need not be conducted in accordance with dis-*
14 *posal requirements that would otherwise apply, so long as*
15 *the sale is conducted at arms-length and includes an*
16 *auditable transaction record.*

17 “(4) *Any money received under paragraph (1) and*
18 *any proceeds from the sale of property under paragraph*
19 *(3) shall be deposited into a fund established in the Treas-*
20 *ury to support the museum.*

21 “(f) *ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
22 *retary of the Navy may require such additional terms and*
23 *conditions in connection with a contract, cooperative agree-*
24 *ment, or other agreement under subsection (a) or a lease*

1 *under subsection (d) as the Secretary considers appropriate*
2 *to protect the interests of the United States.*

3 “(g) *USE OF NAVY INDICATORS.—(1) In a contract,*
4 *cooperative agreement, or other agreement under subsection*
5 *(a) or a lease under subsection (d), the Secretary of the*
6 *Navy may authorize, consistent with section 2260 (other*
7 *than subsection (d)) of this title, a partner organization to*
8 *enter into licensing, marketing, and sponsorship agreements*
9 *relating to Navy indicators, including the manufacture and*
10 *sale of merchandise for sale by the museum, subject to the*
11 *approval of the Department of the Navy.*

12 “(2) *No such licensing, marketing, or sponsorship*
13 *agreement may be entered into if it would reflect unfavor-*
14 *ably on the ability of the Department of the Navy, any of*
15 *its employees, or any member of the armed forces to carry*
16 *out any responsibility or duty in a fair and objective man-*
17 *ner, or if the Secretary determines that the use of the Navy*
18 *indicator would compromise the integrity or appearance of*
19 *integrity of any program of the Department of the Navy.*

20 “(h) *DEFINITIONS.—In this section:*

21 “(1) *The term ‘eligible nonprofit organization’*
22 *means an entity that—*

23 “(A) *qualifies as an exempt organization*
24 *under section 501(c)(3) of the Internal Revenue*
25 *Code of 1986; and*

1 “(B) has as its primary purpose the preser-
2 vation and promotion of the history and heritage
3 of the Navy.

4 “(2) The term ‘museum’ means the National Mu-
5 seum of the United States Navy, including its facili-
6 ties and grounds.

7 “(3) The term ‘Navy indicator’ includes trade-
8 marks and service marks, names, identities, abbrevia-
9 tions, official insignia, seals, emblems, and acronyms
10 of the Navy and Marine Corps, including underlying
11 units, and specifically includes the term ‘National
12 Museum of the United States Navy’.

13 “(4) The term ‘partner organization’ means an
14 eligible nonprofit organization with whom the Sec-
15 retary of the Navy enters into a contract, cooperative
16 agreement, or other agreement under subsection (a) or
17 a lease under subsection (d).”.

18 **SEC. 2822. EXPANSION OF SECRETARY OF THE NAVY AU-**
19 **THORITY TO LEASE AND LICENSE UNITED**
20 **STATES NAVY MUSEUM FACILITIES TO GEN-**
21 **ERATE REVENUE TO SUPPORT MUSEUM AD-**
22 **MINISTRATION AND OPERATIONS.**

23 (a) **INCLUSION OF ADDITIONAL UNITED STATES NAVY**
24 **MUSEUMS.**—Section 2852 of the Military Construction Au-

1 *thorization Act for Fiscal Year 2006 (division B of Public*
2 *Law 109–163; 119 Stat. 3530) is amended—*

3 *(1) in subsection (a)—*

4 *(A) by striking the text preceding para-*
5 *graph (1) and inserting “The Secretary of the*
6 *Navy may lease or license any portion of the fa-*
7 *cilities of a United States Navy museum to a*
8 *foundation established to support that museum*
9 *for the purpose of permitting the foundation to*
10 *carry out the following activities:”;* and

11 *(B) in paragraphs (1) and (2), by striking*
12 *“the United States Navy Museum” and inserting*
13 *“that United States Navy museum”;*

14 *(2) in subsection (b), by striking “the United*
15 *States Navy Museum” and inserting “the United*
16 *States Navy museum of which the facility is a part”;*

17 *(3) in subsection (c), by striking “the Naval His-*
18 *torical Foundation” and inserting “a foundation de-*
19 *scribed in subsection (a)”;* and

20 *(4) in subsection (d)—*

21 *(A) by striking “the United States Navy*
22 *Museum” and inserting “the applicable United*
23 *States Navy museum”;* and

24 *(B) by striking “the Museum” and inserting*
25 *“that museum”.*

1 **(b) UNITED STATES NAVY MUSEUM DEFINED.**—*Sec-*
 2 *tion 2852 of the Military Construction Authorization Act*
 3 *for Fiscal Year 2006 (division B of Public Law 109–163;*
 4 *119 Stat. 3530) is amended by adding at the end the fol-*
 5 *lowing new subsection:*

6 **“(f) UNITED STATES NAVY MUSEUM.**—*In this section,*
 7 *the term ‘United States Navy museum’ means a museum*
 8 *under the jurisdiction of the Secretary of Defense and oper-*
 9 *ated through the Naval History and Heritage Command.”.*

10 **(c) CONFORMING CLERICAL AMENDMENT.**—*The head-*
 11 *ing of section 2852 of the Military Construction Authoriza-*
 12 *tion Act for Fiscal Year 2006 (division B of Public Law*
 13 *109–163; 119 Stat. 3530) is amended by striking “AT*
 14 **WASHINGTON, NAVY YARD, DISTRICT OF COLUM-**
 15 **BIA”.**

16 ***Subtitle D—Military Facilities***
 17 ***Master Plan Requirements***

18 **SEC. 2831. COOPERATION WITH STATE AND LOCAL GOVERN-**
 19 **MENTS IN DEVELOPMENT OF MASTER PLANS**
 20 **FOR MAJOR MILITARY INSTALLATIONS.**

21 *Section 2864(a) of title 10, United States Code, is*
 22 *amended by adding at the end the following new paragraph:*

23 **“(3)(A)** *The commander of a major military installa-*
 24 *tion shall develop and update the master plan for that*
 25 *major military installation in consultation with represent-*

1 *atives of the government of the State in which the installa-*
 2 *tion is located and representatives of local governments in*
 3 *the vicinity of the installation to improve cooperation and*
 4 *consistency between the Department of Defense and such*
 5 *governments in addressing each component of the master*
 6 *plan described in paragraph (1).*

7 “(B) *The consultation required by subparagraph (A)*
 8 *is in addition to the consultation specifically required by*
 9 *subsection (b)(1) in connection with the transportation*
 10 *component of the master plan for a major military installa-*
 11 *tion.”.*

12 **SEC. 2832. ADDITIONAL CHANGES TO REQUIREMENTS RE-**
 13 **GARDING MASTER PLANS FOR MAJOR MILI-**
 14 **TARY INSTALLATIONS.**

15 (a) *CONSIDERATION OF MILITARY INSTALLATION RE-*
 16 *SILIENCE.—Section 2864(a)(2)(E) of title 10, United States*
 17 *Code, is amended by inserting before the period at the end*
 18 *the following: “and military installation resilience”.*

19 (b) *COORDINATION EFFORTS RELATED TO MILITARY*
 20 *INSTALLATION RESILIENCE COMPONENT.—Section 2864(c)*
 21 *of title 10, United States Code, is amended—*

22 (1) *by redesignating paragraph (7) as para-*
 23 *graph (8); and*

24 (2) *by inserting after paragraph (6) the fol-*
 25 *lowing new paragraph:*

1 (2) *notify the Committees on Armed Services of*
2 *the Senate and the House of Representatives of the*
3 *major military installations identified under para-*
4 *graph (1).*

5 (b) *COMPLETION DEADLINE.*—*Not later than one year*
6 *after the date of the enactment of this Act, each Secretary*
7 *of a military department shall ensure that the military in-*
8 *stallation resilience component of the master plan for each*
9 *major military installation identified by the Secretary*
10 *under subsection (a) is completed.*

11 (c) *BRIEFINGS.*—*Not later than 60 days after comple-*
12 *tion of a master plan component as required by subsection*
13 *(b) for a major military installation, the Secretary of the*
14 *military department concerned shall brief the Committees*
15 *on Armed Services of the Senate and the House of Rep-*
16 *resentatives regarding the results of the master plan efforts*
17 *for that major military installation.*

18 (d) *DEFINITIONS.*—*In this section:*

19 (1) *The term “major military installation” has*
20 *the meaning given that term in section 2864(f) of title*
21 *10, United States Code.*

22 (2) *The term “master plan” means the master*
23 *plan required by section 2864(a) of title 10, United*
24 *States Code, for a major military installation.*

1 **SEC. 2834. MASTER PLANS AND INVESTMENT STRATEGIES**
2 **FOR ARMY AMMUNITION PLANTS GUIDING**
3 **FUTURE INFRASTRUCTURE, FACILITY, AND**
4 **PRODUCTION EQUIPMENT IMPROVEMENTS.**

5 (a) *SUBMISSION OF MASTER PLANS AND INVESTMENT*
6 *STRATEGIES.*—*Not later than March 31, 2022, the Sec-*
7 *retary of the Army shall submit to the congressional defense*
8 *committees a report containing the following:*

9 (1) *The master plan for each of the ammunition*
10 *organic industrial base production facilities under the*
11 *jurisdiction of the Secretary of the Army (in this sec-*
12 *tion referred to as an “ammunition production facil-*
13 *ity”) that was developed to guide planning and budg-*
14 *eting for future infrastructure construction, facility*
15 *improvements, and production equipment needs at the*
16 *ammunition production facility.*

17 (2) *An investment strategy to address the facil-*
18 *ity, major equipment, and infrastructure require-*
19 *ments at each ammunition production facility in*
20 *order to support the readiness and material avail-*
21 *ability goals of current and future weapons systems*
22 *of the Department of Defense.*

23 (b) *ELEMENTS OF MASTER PLAN.*—*To satisfy the re-*
24 *quirements of subsection (a)(1), the master plan for an am-*
25 *munition production facility must incorporate the results*
26 *of a review of industrial processes, logistics streams, and*

1 *workload distribution required to support production objec-*
2 *tives and the facility requirements to support optimized*
3 *processes and include the following specific elements:*

4 (1) *A description of all infrastructure construc-*
5 *tion and facility improvements planned or being con-*
6 *sidered for the ammunition production facility and*
7 *production equipment planned or being considered for*
8 *installation, modernization, or replacement.*

9 (2) *An explanation of how the master plan for*
10 *the ammunition production facility will promote effi-*
11 *cient, effective, resilient, secure, and cost-effective pro-*
12 *duction of ammunition and ammunition components*
13 *for the Armed Forces.*

14 (3) *A description of how development of the mas-*
15 *ter plan for the ammunition production facility in-*
16 *cluded input from the contractor operating the am-*
17 *munition production facility and how implementa-*
18 *tion of that master plan will be coordinated with the*
19 *contractor.*

20 (4) *A review of current and projected workload*
21 *requirements for the manufacturing of energetic mate-*
22 *rials, including propellants, explosives, pyrotechnics,*
23 *and the ingredients for propellants, explosives, and*
24 *pyrotechnics, to assess efficiencies in the use of exist-*
25 *ing facilities, including consideration of new weapons*

1 *characteristics and requirements, obsolescence of fa-*
2 *ilities, siting of facilities and equipment, and var-*
3 *ious constrained process flows.*

4 (5) *An analysis of life-cycle costs to repair and*
5 *modernize existing mission-essential facilities versus*
6 *the cost to consolidate functions into modern, right-*
7 *sized facilities at each location to meet current and*
8 *programmed future mission requirements.*

9 (6) *A review of the progress made in prioritizing*
10 *and funding projects that facilitate process efficiencies*
11 *and consolidate and contribute to availability cost*
12 *and schedule reductions.*

13 (7) *An accounting of the backlog of restoration*
14 *and modernization projects at the ammunition pro-*
15 *duction facility.*

16 (c) *ELEMENTS OF INVESTMENT STRATEGY.—To sat-*
17 *isfy the requirements of subsection (a)(2), the investment*
18 *strategy for an ammunition production facility must in-*
19 *clude the following specific elements:*

20 (1) *A description of the funding sources for such*
21 *infrastructure construction, facility improvements,*
22 *and production equipment, including authorized mili-*
23 *tary construction projects, appropriations available*
24 *for operation and maintenance, and appropriations*
25 *available for procurement of Army ammunition in*

1 *order to support the readiness and material avail-*
2 *ability goals of current and future weapons systems*
3 *of the Department of Defense.*

4 (2) *A timeline to complete the investment strat-*
5 *egy.*

6 (3) *A list of projects and a brief scope of work*
7 *for each such project.*

8 (4) *Cost estimates necessary to complete projects*
9 *for mission essential facilities.*

10 (d) *ANNUAL UPDATES.*—*Not later than March 31,*
11 *2023, and each March 31 thereafter through March 31,*
12 *2026, the Secretary of the Army shall submit to the congres-*
13 *sional defense committees a report containing the following:*

14 (1) *A description of any revisions made during*
15 *the previous year to master plans and investment*
16 *strategies submitted under subsection (a).*

17 (2) *A description of any revisions to be made or*
18 *being considered to the master plans and investment*
19 *strategies.*

20 (3) *An explanation of the reasons for each revi-*
21 *sion, whether made, to be made, or being considered.*

22 (4) *A description of the progress made in im-*
23 *proving infrastructure, facility, and production*
24 *equipment at each ammunition production facility*

1 *consistent with the master plans and investment*
2 *strategies.*

3 (e) *DELEGATION AUTHORITY.*—*The Secretary of the*
4 *Army shall carry out this section acting through the Assist-*
5 *ant Secretary of the Army for Acquisition, Logistics, and*
6 *Technology.*

7 ***Subtitle E—Matters Related to Uni-***
8 ***fied Facilities Criteria and Mili-***
9 ***tary Construction Planning and***
10 ***Design***

11 ***SEC. 2841. AMENDMENT OF UNIFIED FACILITIES CRITERIA***
12 ***TO REQUIRE INCLUSION OF PRIVATE NURS-***
13 ***ING AND LACTATION SPACE IN CERTAIN MILI-***
14 ***TARY CONSTRUCTION PROJECTS.***

15 (a) *AMENDMENT REQUIRED.*—*The Secretary of De-*
16 *fense shall amend UFC 1–4.2 (Nursing and Lactation*
17 *Rooms) of the Unified Facilities Criteria/DoD Building*
18 *Code (UFC 1–200–01) to require that military construction*
19 *planning and design for buildings likely to be regularly fre-*
20 *quented by nursing mothers who are members of the uni-*
21 *formed services, civilian employees of the Department of De-*
22 *fense, contractor personnel, or visitors include a private*
23 *nursing and lactation room or other private space suitable*
24 *for that purpose.*

1 (b) *DEADLINE.*—*The Secretary of Defense shall com-*
2 *plete the amendment process required by subsection (a) and*
3 *implement the amended UFC 1–4.2 not later than one year*
4 *after the date of the enactment of this Act.*

5 **SEC. 2842. REVISIONS TO UNIFIED FACILITIES CRITERIA**
6 **REGARDING USE OF VARIABLE REFRIGERANT**
7 **FLOW SYSTEMS.**

8 (a) *PUBLICATION AND COMMENT PERIOD REQUIRE-*
9 *MENTS.*—*The Under Secretary of Defense for Acquisition*
10 *and Sustainment shall publish any proposed revisions to*
11 *the Unified Facilities Criteria regarding the use of variable*
12 *refrigerant flow systems in the Federal Register and shall*
13 *specify a comment period of at least 60 days.*

14 (b) *NOTICE AND JUSTIFICATION REQUIREMENTS.*—
15 *The Secretary of Defense shall submit to the Committees*
16 *on Armed Services of the Senate and the House of Rep-*
17 *resentatives a written notice and justification for any pro-*
18 *posed revisions to the Unified Facilities Criteria regarding*
19 *the use of variable refrigerant flow systems not later than*
20 *30 days after the date of publication in the Federal Reg-*
21 *ister.*

1 **SEC. 2843. AMENDMENT OF UNIFIED FACILITIES CRITERIA**
2 **TO PROMOTE ENERGY EFFICIENT MILITARY**
3 **INSTALLATIONS.**

4 (a) *UNIFIED FACILITIES CRITERIA AMENDMENT RE-*
5 *QUIRED.—To the extent practicable, the Secretary of De-*
6 *fense shall amend the Unified Facilities Criteria relating*
7 *to military construction planning and design to ensure that*
8 *building practices and standards of the Department of De-*
9 *fense incorporate the latest consensus-based codes and*
10 *standards for energy efficiency and conservation, including*
11 *the 2021 International Energy Conservation Code and the*
12 *ASHRAE Standard 90.1-2019.*

13 (b) *IMPLEMENTATION OF AMENDMENT.—The Sec-*
14 *retary of Defense shall complete the amendment process re-*
15 *quired by subsection (a) in a timely manner so that any*
16 *Department of Defense Form 1391 submitted to Congress*
17 *in connection with the budget submission for fiscal year*
18 *2024 and thereafter complies with the Unified Facilities*
19 *Criteria, as amended pursuant to such subsection.*

20 (c) *REPORTING REQUIREMENT.—Not later than Feb-*
21 *ruary 1, 2024, the Secretary of Defense shall submit to the*
22 *Committees on Armed Services of the House of Representa-*
23 *tives and the Senate a report—*

24 (1) *describing the extent to which the Unified*
25 *Facilities Criteria, as amended pursuant to sub-*
26 *section (a), incorporate the latest consensus-based*

1 *codes and standards for energy efficiency and con-*
 2 *servation, including the 2021 International Energy*
 3 *Conservation Code and the ASHRAE Standard 90.1-*
 4 *2019, as required by such subsection; and*

5 *(2) in the case of any instance in which the Uni-*
 6 *fied Facilities Criteria continues to deviate from such*
 7 *consensus-based codes and standards for energy effi-*
 8 *ciency and conservation, identifying the deviation*
 9 *and explaining the reasons for the deviation.*

10 **SEC. 2844. ADDITIONAL DEPARTMENT OF DEFENSE ACTIVI-**
 11 **TIES TO IMPROVE ENERGY RESILIENCY OF**
 12 **MILITARY INSTALLATIONS.**

13 *(a) CONSIDERATION OF INCLUDING ENERGY*
 14 *MICROGRID IN MILITARY CONSTRUCTION PROJECTS.—*

15 *(1) AMENDMENT OF UNIFIED FACILITIES CRI-*
 16 *TERIA REQUIRED.—The Secretary of Defense shall*
 17 *amend the Unified Facilities Criteria/DoD Building*
 18 *Code (UFC 1–200–01) to require that planning and*
 19 *design for military construction projects inside the*
 20 *United States include consideration of the feasibility*
 21 *and cost-effectiveness of installing an energy*
 22 *microgrid as part of the project, including intentional*
 23 *islanding capability of at least seven consecutive*
 24 *days, for the purpose of—*

1 (A) *promoting on-installation energy secu-*
2 *rity and energy resilience; and*

3 (B) *facilitating implementation and greater*
4 *use of the authority provided by subsection (h) of*
5 *section 2911 of title 10, United States Code, as*
6 *added and amended by section 2825 of the Mili-*
7 *tary Construction Authorization Act for Fiscal*
8 *Year 2021 (division B of Public Law 116–283).*

9 (2) *DEADLINE.—The Secretary of Defense shall*
10 *complete the amendment process required by para-*
11 *graph (1) and implement the amendment not later*
12 *than September 1, 2022.*

13 (b) *CONTRACTS FOR EMERGENCY ACCESS TO EXIST-*
14 *ING ON-INSTALLATION RENEWABLE ENERGY SOURCES.—In*
15 *the case of a covered renewable energy generating source lo-*
16 *cated on a military installation pursuant to a lease of non-*
17 *excess defense property under section 2667 of title 10,*
18 *United States Code, the Secretary of the military depart-*
19 *ment concerned is encouraged to negotiate with the owner*
20 *and operator of the renewable energy generating source to*
21 *revise the lease contract to permit the military installation*
22 *to access the renewable energy generating source during an*
23 *emergency. The negotiations shall include consideration of*
24 *the ease of modifying the renewable energy generating*
25 *source to include an islanding capability, the necessity of*

1 *additional infrastructure to tie the renewable energy gener-*
2 *ating source into the installation energy grid, and the cost*
3 *of such modifications and infrastructure.*

4 *(c) DEFINITIONS.—In this section:*

5 *(1) The term “covered renewable energy gener-*
6 *ating source” means a renewable energy generating*
7 *source that, on the date of the enactment of this Act—*

8 *(A) is located on a military installation in-*
9 *side the United States; but*

10 *(B) cannot be used as a direct source of re-*
11 *silient energy for the installation in the event of*
12 *a power disruption.*

13 *(2) The term “islanding capability” refers to the*
14 *ability to remove an energy system, such as a*
15 *microgrid, from the local utility grid and to operate*
16 *the energy system, at least temporarily, as an inte-*
17 *grated, stand-alone system, during an emergency in-*
18 *volving the loss of external electric power supply.*

19 *(3) The term “microgrid” means an integrated*
20 *energy system consisting of interconnected loads and*
21 *energy resources with an islanding capability to per-*
22 *mit functioning separate from the local utility grid.*

1 ***Subtitle F—Land Conveyances***

2 ***SEC. 2851. MODIFICATION OF RESTRICTIONS ON USE OF***
 3 ***FORMER NAVY PROPERTY CONVEYED TO UNI-***
 4 ***VERSITY OF CALIFORNIA, SAN DIEGO, CALI-***
 5 ***FORNIA.***

6 *(a) MODIFICATION OF ORIGINAL USE RESTRICTION.—*
 7 *Section 3(a) of Public Law 87–662 (76 Stat. 546) is*
 8 *amended by inserting after “educational purposes” the fol-*
 9 *lowing: “, which may include technology innovation and*
 10 *entrepreneurship programs and establishment of innovation*
 11 *incubators”.*

12 *(b) EXECUTION.—If necessary to effectuate the amend-*
 13 *ment made by subsection (a), the Secretary of the Navy*
 14 *shall execute and file in the appropriate office an amended*
 15 *deed or other appropriate instrument reflecting the modi-*
 16 *fication of restrictions on the use of former Camp Matthews*
 17 *conveyed to the regents of the University of California pur-*
 18 *suant to Public Law 87–662.*

19 ***SEC. 2852. LAND CONVEYANCE, JOINT BASE CAPE COD,***
 20 ***BOURNE, MASSACHUSETTS.***

21 *(a) CONVEYANCE AUTHORIZED.—The Secretary of the*
 22 *Air Force may convey to the Commonwealth of Massachu-*
 23 *setts (in this section referred to as the “Commonwealth”)*
 24 *all right, title, and interest of the United States in and to*
 25 *a parcel of real property, including improvements thereon*

1 *and related easements, consisting of approximately 10 acres*
2 *located on Joint Base Cape Cod, Bourne, Massachusetts.*

3 (b) *CONDITIONS OF CONVEYANCE.—The conveyance*
4 *under subsection (a) shall be subject to valid existing rights*
5 *and the Commonwealth shall accept the real property, and*
6 *any improvements thereon, in its condition at the time of*
7 *the conveyance (commonly known as a conveyance “as is”).*

8 (c) *CONSIDERATION.—*

9 (1) *CONSIDERATION REQUIRED.—As consider-*
10 *ation for the conveyance under subsection (a), the*
11 *Commonwealth shall pay to the United States an*
12 *amount equal to the fair market value of the right,*
13 *title, and interest conveyed under subsection (a) based*
14 *on an appraisal approved by the Secretary.*

15 (2) *TREATMENT OF CONSIDERATION RE-*
16 *CEIVED.—Consideration received under paragraph (1)*
17 *shall be deposited in the special account in the Treas-*
18 *ury established under subsection (b) of section 572 of*
19 *title 40, United States Code, and shall be available in*
20 *accordance with paragraph (5)(B) of such subsection.*

21 (d) *PAYMENT OF COSTS OF CONVEYANCE.—*

22 (1) *PAYMENT REQUIRED.—The Secretary of the*
23 *Air Force shall require the Commonwealth to cover all*
24 *costs (except costs for environmental remediation of*
25 *the property) to be incurred by the Secretary, or to*

1 *reimburse the Secretary for costs incurred by the Sec-*
2 *retary, to carry out the conveyance under subsection*
3 *(a), including survey costs, costs for environmental*
4 *documentation, and any other administrative costs*
5 *related to the conveyance. If amounts are collected*
6 *from the Commonwealth in advance of the Secretary*
7 *incurring the actual costs, and the amount collected*
8 *exceeds the costs actually incurred by the Secretary to*
9 *carry out the conveyance, the Secretary shall refund*
10 *the excess amount to the Commonwealth.*

11 (2) *TREATMENT OF AMOUNTS RECEIVED.—*
12 *Amounts received as reimbursement under paragraph*
13 *(1) shall be credited to the fund or account that was*
14 *used to cover the costs incurred by the Secretary in*
15 *carrying out the conveyance or, if the period of avail-*
16 *ability for obligations for that appropriation has ex-*
17 *pired, to an appropriate fund or account currently*
18 *available to the Secretary for the same purpose.*
19 *Amounts so credited shall be merged with amounts in*
20 *such fund or account, and shall be available for the*
21 *same purposes, and subject to the same conditions*
22 *and limitations, as amounts in such fund or account.*

23 (e) *DESCRIPTION OF PROPERTY.—The exact acreage*
24 *and legal description of the property to be conveyed under*

1 *subsection (a) shall be determined by a survey satisfactory*
2 *to the Secretary of the Air Force.*

3 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
4 *retary of the Air Force may require such additional terms*
5 *and conditions in connection with the conveyance under*
6 *subsection (a) as the Secretary considers appropriate to*
7 *protect the interests of the United States.*

8 **SEC. 2853. LAND CONVEYANCE, SAINT JOSEPH, MISSOURI.**

9 *(a) CONVEYANCE AUTHORIZED.—At such time as the*
10 *Missouri Air National Guard vacates their existing location*
11 *on the southern end of the airfield at Rosecrans Memorial*
12 *Airport in Saint Joseph, Missouri, as determined by the*
13 *Secretary of the Air Force, the Secretary may convey to*
14 *the City of Saint Joseph, Missouri (in this section referred*
15 *to as the “City”), all right, title, and interest of the United*
16 *States in and to a parcel of real property, including any*
17 *improvements thereon, consisting of approximately 54 acres*
18 *at the Rosecrans Air National Guard Base in Saint Joseph,*
19 *Missouri, for the purpose of removing the property from the*
20 *boundaries of the Rosecrans Air National Guard Base and*
21 *accommodating the operations and maintenance needs of*
22 *the Rosecrans Memorial Airport as well as the development*
23 *of the parcels and buildings for economic purposes.*

24 *(b) CONDITION OF CONVEYANCE.—The conveyance*
25 *under subsection (a) shall be subject to valid existing rights*

1 *and the City shall accept the real property (and any im-*
2 *provements thereon) in its condition at the time of the con-*
3 *veyance (commonly known as a conveyance “as is”).*

4 *(c) CONSIDERATION.—*

5 *(1) REQUIREMENT.—As consideration for the*
6 *conveyance of the property under subsection (a), the*
7 *City shall provide the United States an amount that*
8 *is equivalent to the fair market value of the right,*
9 *title, and interest conveyed under subsection (a) based*
10 *on an appraisal approved by the Secretary of the Air*
11 *Force.*

12 *(2) TYPES OF CONSIDERATION.—*

13 *(A) IN GENERAL.—Except as provided in*
14 *subparagraph (B), the consideration required to*
15 *be provided under paragraph (1) may be pro-*
16 *vided by land exchange, in-kind consideration*
17 *described in subparagraph (D), or a combination*
18 *thereof.*

19 *(B) LESS THAN FAIR MARKET VALUE.—If*
20 *the value of the land exchange or in-kind consid-*
21 *eration provided under subparagraph (A) is less*
22 *than the fair market value of the property inter-*
23 *est to be conveyed under subsection (a), the City*
24 *shall pay to the United States an amount equal*
25 *to the difference between the fair market value of*

1 *the property interest and the value of the consid-*
2 *eration provided under subparagraph (A).*

3 (C) *CASH CONSIDERATION.*—*Any cash con-*
4 *sideration received by the United States under*
5 *this subsection shall be deposited in the special*
6 *account in the Treasury established under sec-*
7 *tion 572(b)(5) of title 40, United States Code,*
8 *and available in accordance with the provisions*
9 *of subparagraph (B)(ii) of such section.*

10 (D) *IN-KIND CONSIDERATION.*—*In-kind con-*
11 *sideration described in this subparagraph may*
12 *include the construction, provision, improve-*
13 *ment, alteration, protection, maintenance, re-*
14 *pair, or restoration (including environmental*
15 *restoration), or a combination thereof, of any fa-*
16 *cilities or infrastructure relating to the needs of*
17 *the Missouri Air National Guard at Rosecrans*
18 *Air National Guard Base that the Secretary con-*
19 *siders appropriate.*

20 (d) *PAYMENT OF COSTS OF CONVEYANCE.*—

21 (1) *PAYMENT REQUIRED.*—*The Secretary of the*
22 *Air Force may require the City to cover all costs to*
23 *be incurred by the Secretary, or to reimburse the Sec-*
24 *retary for costs incurred by the Secretary, to carry*
25 *out the conveyance under subsection (a), including*

1 *survey costs, costs related to environmental docu-*
2 *mentation, and any other administrative costs related*
3 *to the conveyance. If amounts paid by the City to the*
4 *Secretary in advance exceed the costs actually in-*
5 *curring by the Secretary to carry out the conveyance,*
6 *the Secretary shall refund the excess amount to the*
7 *City.*

8 (2) *TREATMENT OF AMOUNTS RECEIVED.—*
9 *Amounts received under paragraph (1) as reimburse-*
10 *ment for costs incurred by the Secretary to carry out*
11 *the conveyance under subsection (a) shall be credited*
12 *to the fund or account that was used to cover the costs*
13 *incurred by the Secretary in carrying out the convey-*
14 *ance, or to an appropriate fund or account currently*
15 *available to the Secretary for the purposes for which*
16 *the costs were paid. Amounts so credited shall be*
17 *merged with amounts in such fund or account and*
18 *shall be available for the same purposes, and subject*
19 *to the same conditions and limitations, as amounts in*
20 *such fund or account.*

21 (e) *DESCRIPTION OF PROPERTY.—The exact acreage*
22 *and legal description of the property to be conveyed under*
23 *subsection (a) shall be determined by a survey satisfactory*
24 *to the Secretary of the Air Force.*

1 (f) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 2 *retary of the Air Force may require such additional terms*
 3 *and conditions in connection with the conveyance under*
 4 *subsection (a) as the Secretary considers appropriate to*
 5 *protect the interests of the United States.*

6 **SEC. 2854. LAND CONVEYANCE, DEPARTMENT OF DEFENSE**
 7 **EXCESS PROPERTY, ST. LOUIS, MISSOURI.**

8 (a) *CONVEYANCE TO LAND CLEARANCE FOR REDEVEL-*
 9 *OPMENT AUTHORITY OF THE CITY OF ST. LOUIS.*—

10 (1) *CONVEYANCE AUTHORIZED.*—*The Secretary*
 11 *of the Air Force may convey to the Land Clearance*
 12 *for Redevelopment Authority of the City of St. Louis*
 13 *(in this section referred to as the “Authority”) all*
 14 *right, title, and interest of the United States in and*
 15 *to a parcel of real property, including all improve-*
 16 *ments thereon, consisting of approximately 24 acres*
 17 *located at 3200 S. 2nd Street, St. Louis, Missouri, for*
 18 *purpose of permitting the Authority to redevelop the*
 19 *property.*

20 (2) *LIMITATION.*—*The Secretary may convey to*
 21 *the Authority only that portion of the parcel of real*
 22 *property described in paragraph (1) that is declared*
 23 *excess to the needs of the Department of Defense.*

24 (b) *CONSIDERATION.*—

1 (1) *CONSIDERATION REQUIRED.*—As consider-
2 ation for the conveyance under subsection (a), the Au-
3 thority shall pay to the Secretary of the Air Force an
4 amount that is not less than the fair market value of
5 the property conveyed, as determined by the Sec-
6 retary, whether by cash payment, in-kind consider-
7 ation as described under paragraph (2), or a com-
8 bination thereof.

9 (2) *IN-KIND CONSIDERATION.*—In-kind consider-
10 ation provided by the Authority under this subsection
11 may include the acquisition, construction, provision,
12 improvement, maintenance, repair, or restoration (in-
13 cluding environmental restoration), or combination
14 thereof, of any facilities or infrastructure, or delivery
15 of services relating to the needs that the Secretary
16 considers acceptable.

17 (c) *TERMS OF CONVEYANCE.*—

18 (1) *INSTRUMENT OF CONVEYANCE; ACCEPT-*
19 *ANCE.*—The conveyance under subsection (a) shall be
20 subject to valid existing rights and shall be accom-
21 plished using a quitclaim deed or other legal instru-
22 ment.

23 (2) *CONDITIONS.*—

24 (A) *IN GENERAL.*—Subject to paragraph

25 (3), the Authority shall accept the real property

1 conveyed under subsection (a), and any improve-
2 ments thereon, in its condition at the time of the
3 conveyance (commonly known as a conveyance
4 “as is”).

5 (B) *ENVIRONMENTAL CONDITIONS.*—The
6 conveyance under subsection (a) may include
7 conditions, restrictions, or covenants related the
8 environmental condition of the conveyed prop-
9 erty, which shall not adversely interfere with the
10 use of existing structures and the development of
11 the property for commercial or industrial uses.

12 (C) *HISTORICAL PROPERTY CONDITIONS.*—
13 The conveyance under subsection (a) may in-
14 clude conditions, restrictions, or covenants to en-
15 sure preservation of historic property, notwith-
16 standing the effect such conditions, restrictions,
17 or covenants may have on reuse of the property.

18 (3) *CONDUCT OF REMEDIATION.*—

19 (A) *IN GENERAL.*—The Secretary of the Air
20 Force shall conduct all remediation at the real
21 property conveyed under subsection (a) pursuant
22 to approved activities under the Comprehensive
23 Environmental Response, Compensation, and Li-
24 ability Act of 1980 (42 U.S.C. 9601 et seq.) and
25 the Defense Environmental Restoration Program

1 *under section 2701 of title 10, United States*
2 *Code.*

3 *(B) COMPLETION OF REMEDIATION.—The*
4 *Secretary shall complete all remediation at the*
5 *parcel of land conveyed under subsection (a) in*
6 *accordance with the requirements selected in the*
7 *Record of Decision, Scott Air Force Base Envi-*
8 *ronmental Restoration Program Site SS018, Na-*
9 *tional Imagery and Mapping Agency, Second*
10 *Street, dated August 2019.*

11 *(d) PAYMENT OF COSTS OF CONVEYANCE.—*

12 *(1) PAYMENT REQUIRED.—The Secretary of the*
13 *Air Force shall require the Authority to cover costs to*
14 *be incurred by the Secretary, or to reimburse the Sec-*
15 *retary for costs incurred by the Secretary, to carry*
16 *out the conveyance under subsection (a), including*
17 *costs related to environmental and real estate due*
18 *diligence, and any other administrative costs related*
19 *to the conveyance. If amounts are collected in advance*
20 *of the Secretary incurring the actual costs, and the*
21 *amount collected exceeds the costs actually incurred*
22 *by the Secretary to carry out the conveyance, the Sec-*
23 *retary shall refund the excess amount to the Author-*
24 *ity.*

1 (2) *TREATMENT OF AMOUNTS RECEIVED.*—
2 *Amounts received as reimbursement under paragraph*
3 *(1) shall be credited to the fund or account that was*
4 *used to cover those costs incurred by the Secretary in*
5 *carrying out the conveyance or, if the period of avail-*
6 *ability for obligations for that appropriation has ex-*
7 *pired, to the fund or account currently available to*
8 *the Secretary for the same purpose. Amounts so cred-*
9 *ited shall be merged with amounts in such fund or ac-*
10 *count, and shall be available for the same purposes,*
11 *and subject to the same conditions and limitations, as*
12 *amounts in such fund or account.*

13 (e) *RELATION TO OTHER LAWS.*—

14 (1) *HISTORIC PRESERVATION.*—*The conveyance*
15 *under subsection (a) shall be carried out in compli-*
16 *ance with division A of subtitle III of title 54, United*
17 *States Code (formerly known as the National Historic*
18 *Preservation Act).*

19 (2) *RULE OF CONSTRUCTION.*—*Nothing in this*
20 *section shall be construed to affect or limit the appli-*
21 *cation of, or any obligation to comply with, the Com-*
22 *prehensive Environmental Response, Compensation,*
23 *and Liability Act of 1980 (42 U.S.C. 9601 et seq.).*

24 (f) *DESCRIPTION OF PROPERTY.*—*The exact acreage*
25 *and legal description of the parcel of real property to be*

1 *conveyed under subsection (a) shall be determined by a sur-*
2 *vey satisfactory to the Secretary of the Air Force.*

3 *(g) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
4 *retary of the Air Force may require such additional terms*
5 *and conditions in connection with the conveyance under*
6 *subsection (a) as the Secretary considers appropriate to*
7 *protect the interests of the United States.*

8 **SEC. 2855. LAND CONVEYANCE, MARINE CORPS AIR STA-**
9 **TION, CHERRY POINT, NORTH CAROLINA.**

10 *(a) CONVEYANCE AUTHORIZED.—The Secretary of the*
11 *Navy may convey to the City of Havelock, North Carolina*
12 *(in this section referred to as the “City”), all right, title,*
13 *and interest of the United States in and to a parcel of real*
14 *property, including any improvements thereon, consisting*
15 *of approximately 30 acres, known as the former Fort Macon*
16 *Housing Area, located within the City limits.*

17 *(b) INTERIM LEASE.—Until such time as the real*
18 *property described in subsection (a) is conveyed to the City,*
19 *the Secretary of the Navy may lease the property to the*
20 *City for 20 years.*

21 *(c) CONSIDERATION.—*

22 *(1) IN GENERAL.—As consideration for the con-*
23 *veyance under subsection (a) and interim lease under*
24 *subsection (b), the City shall pay to the Secretary of*
25 *the Navy an amount that is not less than the fair*

1 *market value of the property conveyed, as determined*
2 *by the Secretary, whether by cash payment, in-kind*
3 *consideration as described under paragraph (2), or a*
4 *combination thereof.*

5 (2) *IN-KIND CONSIDERATION.—In-kind consider-*
6 *ation provided by the City under this subsection may*
7 *include the acquisition, construction, provision, im-*
8 *provement, maintenance, repair, or restoration (in-*
9 *cluding environmental restoration), or combination*
10 *thereof, of any facilities or infrastructure, or delivery*
11 *of services relating to the needs of Marine Corps Air*
12 *Station Cherry Point, North Carolina, that the Sec-*
13 *retary considers acceptable.*

14 (3) *DISPOSITION OF AMOUNTS.—*

15 (A) *CONVEYANCE.—Amounts received by the*
16 *Secretary in exchange for the fee title of the real*
17 *property described in subsection (a) shall be de-*
18 *posited in the special account in the Treasury es-*
19 *tablished under section 572(b)(5) of title 40,*
20 *United States Code, and shall be available in ac-*
21 *cordance with subparagraph (B)(ii) of such sec-*
22 *tion.*

23 (B) *INTERIM LEASE.—Amounts received by*
24 *the Secretary for the interim lease of the real*
25 *property described in subsection (a) shall be de-*

1 *posited in the special account in the Treasury es-*
2 *tablished for the Secretary under subsection (e)*
3 *of section 2667 of title 10, United States Code,*
4 *and shall be available for use in accordance with*
5 *paragraph (1)(D) of such subsection.*

6 *(d) PAYMENT OF COSTS OF CONVEYANCE.—*

7 *(1) IN GENERAL.—The Secretary of the Navy*
8 *shall require the City to cover costs (except costs for*
9 *environmental remediation of the property) to be in-*
10 *curring by the Secretary, or to reimburse the Secretary*
11 *for such costs incurred by the Secretary, to carry out*
12 *the conveyance under subsection (a) and interim lease*
13 *under subsection (b), including costs for environ-*
14 *mental and real estate due diligence and any other*
15 *administrative costs related to the conveyance.*

16 *(2) REFUND OF EXCESS AMOUNTS.—If amounts*
17 *are collected from the City under paragraph (1) in*
18 *advance of the Secretary incurring the actual costs,*
19 *and the amount collected exceeds the costs actually in-*
20 *curring by the Secretary to carry out the conveyance*
21 *under subsection (a) and interim lease under sub-*
22 *section (b), the Secretary shall refund the excess*
23 *amount to the City.*

24 *(e) CONDITION OF CONVEYANCE.—Conveyance of real*
25 *property shall be subject to all existing easements, restric-*

1 tions, and covenants of record and conditioned upon the
2 following:

3 (1) *Real property shall be used for municipal*
4 *park and recreational purposes, which may include*
5 *ancillary uses such as vending and restrooms.*

6 (2) *The City shall not use Federal funds to cover*
7 *any portion of the amounts required by subsections*
8 *(c) and (d) to be paid by the City.*

9 (f) *DESCRIPTION OF PROPERTY.—The exact acreage*
10 *and legal description of the property to be conveyed under*
11 *subsection (a) shall be determined by a survey satisfactory*
12 *to the Secretary of the Navy.*

13 (g) *EXCLUSION OF REQUIREMENTS FOR PRIOR*
14 *SCREENING BY GENERAL SERVICES ADMINISTRATION FOR*
15 *ADDITIONAL FEDERAL USE.—Section 2696(b) of title 10,*
16 *United States Code, does not apply to the conveyance of*
17 *real property authorized under subsection (a).*

18 (h) *ADDITIONAL TERMS.—The Secretary of the Navy*
19 *may require such additional terms and conditions in con-*
20 *nection with the conveyance under subsection (a) as the Sec-*
21 *retary considers appropriate to protect the interests of the*
22 *United States.*

1 **SEC. 2856. LAND CONVEYANCE, NAVAL AIR STATION**
2 **OCEANA, VIRGINIA BEACH, VIRGINIA, TO CITY**
3 **OF VIRGINIA BEACH, VIRGINIA.**

4 (a) *CONVEYANCE AUTHORIZED.*—

5 (1) *IN GENERAL.*—*The Secretary of the Navy*
6 *may convey to the City of Virginia Beach, Virginia*
7 *(in this section referred to as the “City”), all right,*
8 *title, and interest of the United States in and to a*
9 *parcel of real property located at 4200 C Avenue, Vir-*
10 *ginia Beach, Virginia, including any improvements*
11 *thereon, consisting of approximately 8 acres.*

12 (2) *AUTHORITY TO VOID LAND USE RESTRIC-*
13 *TIONS.*—*The Secretary may void any land use re-*
14 *strictions associated with the property to be conveyed*
15 *under paragraph (1).*

16 (b) *CONSIDERATION.*—

17 (1) *IN GENERAL.*—*As consideration for the con-*
18 *veyance under subsection (a)(1), the City shall pay to*
19 *the Secretary of the Navy an amount that is not less*
20 *than the fair market value of the property conveyed,*
21 *as determined by the Secretary, whether by cash pay-*
22 *ment, in-kind consideration as described in para-*
23 *graph (2), or a combination thereof.*

24 (2) *IN-KIND CONSIDERATION.*—*In-kind consider-*
25 *ation provided by the City under this subsection may*
26 *include the acquisition, construction, provision, im-*

1 *provement, maintenance, repair, or restoration (in-*
2 *cluding environmental restoration), or combination*
3 *thereof, of any facilities or infrastructure, or delivery*
4 *of services relating to the needs of Naval Air Station*
5 *Oceana, Virginia, that the Secretary considers accept-*
6 *able.*

7 (3) *DISPOSITION OF FUNDS.—Cash received in*
8 *exchange for the fee title of the property conveyed*
9 *under subsection (a)(1) shall be deposited in the spe-*
10 *cial account in the Treasury established under sub-*
11 *paragraph (A) of section 572(b)(5) of title 40, United*
12 *States Code, and shall be available for use in accord-*
13 *ance with subparagraph (B)(ii) of such section.*

14 (c) *PAYMENT OF COSTS OF CONVEYANCE.—*

15 (1) *PAYMENT REQUIRED.—The Secretary of the*
16 *Navy shall require the City to cover costs to be in-*
17 *curring by the Secretary, or to reimburse the Secretary*
18 *for costs incurred by the Secretary, to carry out the*
19 *conveyance under subsection (a)(1), including costs*
20 *related to environmental and real estate due diligence,*
21 *and any other administrative costs related to the con-*
22 *veyance.*

23 (2) *REFUND OF EXCESS AMOUNTS.—If amounts*
24 *are collected under paragraph (1) in advance of the*
25 *Secretary incurring the actual costs, and the amount*

1 *collected exceeds the costs actually incurred by the*
2 *Secretary to carry out the conveyance under sub-*
3 *section (a)(1), the Secretary shall refund the excess*
4 *amount to the City.*

5 (3) *TREATMENT OF AMOUNTS RECEIVED.—*
6 *Amounts received as reimbursement under paragraph*
7 *(1) shall be credited to the fund or account that was*
8 *used to cover the costs incurred by the Secretary in*
9 *carrying out the conveyance under subsection (a)(1).*
10 *Amounts so credited shall be merged with amounts in*
11 *such fund or account and shall be available for the*
12 *same purposes, and subject to the same conditions*
13 *and limitations, as amounts in such fund or account.*

14 (d) *DESCRIPTION OF PROPERTY.—The exact acreage*
15 *and legal description of the parcel of real property to be*
16 *conveyed under subsection (a)(1) shall be determined by a*
17 *survey satisfactory to the Secretary of the Navy.*

18 (e) *ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
19 *retary of the Navy may require such additional terms and*
20 *conditions in connection with the conveyance under sub-*
21 *section (a)(1) as the Secretary considers appropriate to pro-*
22 *tect the interests of the United States.*

1 **SEC. 2857. LAND CONVEYANCE, NAVAL AIR STATION**
2 **OCEANA, VIRGINIA BEACH, VIRGINIA, TO**
3 **SCHOOL BOARD OF CITY OF VIRGINIA BEACH,**
4 **VIRGINIA.**

5 (a) *CONVEYANCE AUTHORIZED.*—

6 (1) *IN GENERAL.*—*The Secretary of the Navy*
7 *may convey to the School Board of the City of Vir-*
8 *ginia Beach, Virginia (in this section referred to as*
9 *“VBCPS”) all right, title, and interest of the United*
10 *States in and to a parcel of real property, including*
11 *any improvements thereon, consisting of approxi-*
12 *mately 2.77 acres at Naval Air Station Oceana, Vir-*
13 *ginia Beach, Virginia, located at 121 West Lane*
14 *(GPIN: 2407-94-0772) for the purpose of permitting*
15 *VBCPS to use the property for educational purposes.*

16 (2) *CONTINUATION OF EXISTING EASEMENTS, RE-*
17 *STRICTIONS, AND COVENANTS.*—*The conveyance of the*
18 *property under paragraph (1) shall be subject to any*
19 *easement, restriction, or covenant of record applicable*
20 *to the property and in existence on the date of the en-*
21 *actment of this Act.*

22 (b) *CONSIDERATION.*—

23 (1) *CONSIDERATION REQUIRED; AMOUNT.*—*As*
24 *consideration for the conveyance under subsection (a),*
25 *VBCPS shall pay to the Secretary of the Navy an*
26 *amount that is not less than the fair market value of*

1 *the property to be conveyed, as determined by the Sec-*
2 *retary. The Secretary's determination of fair market*
3 *value shall be final of the property to be conveyed.*

4 (2) *FORM OF CONSIDERATION.—The consider-*
5 *ation required by paragraph (1) may be in the form*
6 *of a cash payment, in-kind consideration as described*
7 *in paragraph (3), or a combination thereof, as accept-*
8 *able to the Secretary. Cash consideration shall be de-*
9 *posited in the special account in the Treasury estab-*
10 *lished under section 572 of title 40, United States*
11 *Code, and the entire amount deposited shall be avail-*
12 *able for use in accordance with subsection (b)(5)(ii)*
13 *of such section.*

14 (3) *IN-KIND CONSIDERATION.—The Secretary*
15 *may accept as in-kind consideration under this sub-*
16 *section the acquisition, construction, provision, im-*
17 *provement, maintenance, repair, or restoration (in-*
18 *cluding environmental restoration), or combination*
19 *thereof, of any facilities or infrastructure, or the de-*
20 *livery of services, relating to the needs of Naval Air*
21 *Station Oceana.*

22 (c) *PAYMENT OF COSTS OF CONVEYANCE.—*

23 (1) *PAYMENT REQUIRED.—The Secretary of the*
24 *Navy shall require VBCPS to cover costs to be in-*
25 *curring by the Secretary, or to reimburse the Secretary*

1 *for costs incurred by the Secretary, to carry out the*
2 *conveyance under subsection (a), including costs re-*
3 *lated to environmental and real estate due diligence,*
4 *and any other administrative costs related to the con-*
5 *veyance. If amounts are collected in advance of the*
6 *Secretary incurring the actual costs, and the amount*
7 *collected exceeds the costs actually incurred by the*
8 *Secretary to carry out the conveyance, the Secretary*
9 *shall refund the excess amount to VBCPS.*

10 (2) *TREATMENT OF AMOUNTS RECEIVED.—*

11 *Amounts received as reimbursement under paragraph*
12 *(1) shall be credited to the fund or account that was*
13 *used to cover those costs incurred by the Secretary in*
14 *carrying out the conveyance or, if the period of avail-*
15 *ability for obligations for that appropriation has ex-*
16 *pired, to the fund or account currently available to*
17 *the Secretary for the same purpose. Amounts so cred-*
18 *ited shall be merged with amounts in such fund or ac-*
19 *count, and shall be available for the same purposes,*
20 *and subject to the same conditions and limitations, as*
21 *amounts in such fund or account.*

22 (d) *LIMITATION ON SOURCE OF FUNDS.—VBCPS may*
23 *not use Federal funds to cover any portion of the costs re-*
24 *quired by subsections (b) and (c) to be paid by VBCPS.*

1 (e) *DESCRIPTION OF PROPERTY.*—*The exact acreage*
 2 *and legal description of the parcel of real property to be*
 3 *conveyed under subsection (a) shall be determined by a sur-*
 4 *vey satisfactory to the Secretary of the Navy.*

5 (f) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 6 *retary of the Navy may require such additional terms and*
 7 *conditions in connection with the conveyance under sub-*
 8 *section (a) as the Secretary considers appropriate to protect*
 9 *the interests of the United States.*

10 ***Subtitle G—Authorized Pilot***
 11 ***Programs***

12 ***SEC. 2861. PILOT PROGRAM ON INCREASED USE OF SUS-***
 13 ***TAINABLE BUILDING MATERIALS IN MILI-***
 14 ***TARY CONSTRUCTION.***

15 (a) *PILOT PROGRAM REQUIRED.*—*Each Secretary of*
 16 *a military department shall conduct a pilot program to*
 17 *evaluate the effect that the use of sustainable building mate-*
 18 *rials as the primary construction material in military con-*
 19 *struction may have on the environmental sustainability, in-*
 20 *frastructure resilience, cost effectiveness, and construction*
 21 *timeliness of military construction.*

22 (b) *PROJECT SELECTION AND LOCATIONS.*—

23 (1) *MINIMUM NUMBER OF PROJECTS.*—*Each Sec-*
 24 *retary of a military department shall carry out at*

1 *least one military construction project under the pilot*
2 *program.*

3 (2) *PROJECT LOCATIONS.—The pilot program*
4 *shall be conducted at military installations in the*
5 *continental United States—*

6 (A) *that are identified as vulnerable to ex-*
7 *treme weather events; and—*

8 (B) *for which a military construction*
9 *project is authorized but a request for proposal*
10 *has not been released.*

11 (c) *INCLUSION OF MILITARY UNACCOMPANIED HOUS-*
12 *ING PROJECT.—The Secretaries of the military departments*
13 *shall coordinate the selection of military construction*
14 *projects to be carried out under the pilot program so that*
15 *at least one of the military construction projects involves*
16 *construction of military unaccompanied housing.*

17 (d) *DURATION OF PROGRAM.—The authority of the*
18 *Secretary of a military department to carry out a military*
19 *construction project under the pilot program shall expire*
20 *on September 30, 2024. Any construction commenced under*
21 *the pilot program before the expiration date may continue*
22 *to completion.*

23 (e) *REPORTING REQUIREMENT.—*

24 (1) *REPORT REQUIRED.—Not later than 180*
25 *days after the date of the enactment of this Act, and*

1 every 180 days thereafter through December 31, 2024,
2 the Secretaries of the military departments shall sub-
3 mit to the congressional defense committees a report
4 on the progress of the pilot program.

5 (2) *REPORT ELEMENTS.*—The report shall in-
6 clude the following:

7 (A) A description of the status of the mili-
8 tary construction projects selected to be con-
9 ducted under the pilot program.

10 (B) An explanation of the reasons why those
11 military construction projects were selected.

12 (C) An analysis of the following:

13 (i) The projected or actual carbon foot-
14 print over the full life cycle of the various
15 sustainable building materials evaluated in
16 the pilot program.

17 (ii) The life cycle costs of the various
18 sustainable building materials evaluated in
19 the pilot program.

20 (iii) The resilience to extreme weather
21 events of the various sustainable building
22 materials evaluated in the pilot program.

23 (iv) Any impact on construction time-
24 liness of using the various sustainable

1 *building materials evaluated in the pilot*
2 *program.*

3 *(v) The cost effectiveness of the mili-*
4 *tary construction projects conducted under*
5 *the pilot program using sustainable build-*
6 *ing materials as compared to other mate-*
7 *rials historically used in military construc-*
8 *tion.*

9 *(D) Any updated guidance the Under Sec-*
10 *retary of Defense for Acquisition and*
11 *Sustainment has released in relation to the pro-*
12 *curement policy for future military construction*
13 *projects based on comparable benefits realized*
14 *from use of sustainable building materials, in-*
15 *cluding guidance on prioritizing sustainable ma-*
16 *terials in establishing evaluation criteria for*
17 *military construction project contracts when*
18 *technically feasible.*

19 *(f) SUSTAINABLE BUILDING MATERIALS DEFINED.—*
20 *In this section, the term “sustainable building material”*
21 *means any building material the use of which will reduce*
22 *carbon emissions over the life cycle of the building. The term*
23 *includes mass timber, concrete, and other carbon-reducing*
24 *materials.*

1 **SEC. 2862. PILOT PROGRAM ON ESTABLISHMENT OF AC-**
2 **COUNT FOR REIMBURSEMENT FOR USE OF**
3 **TESTING FACILITIES AT INSTALLATIONS OF**
4 **THE DEPARTMENT OF THE AIR FORCE.**

5 (a) *PILOT PROGRAM REQUIRED.*—Not later than 180
6 days after the date of the enactment of this Act, the Sec-
7 retary of the Air Force shall establish a pilot program to
8 authorize installations of the Department of the Air Force
9 to establish a reimbursable account for the purpose of being
10 reimbursed for the use of testing facilities on such installa-
11 tion.

12 (b) *INSTALLATIONS SELECTED.*—The Secretary of the
13 Air Force shall select not more than two installations of
14 the Department of the Air Force to participate in the pilot
15 program from among any such installations that are part
16 of the Air Force Flight Test Center construct and are cur-
17 rently funded for Facility, Sustainment, Restoration, and
18 Modernization (FSRM) through the Research, Development,
19 Test, and Evaluation account of the Department of the Air
20 Force.

21 (c) *OVERSIGHT OF FUNDS.*—

22 (1) *INSTALLATION COMMANDER.*—The com-
23 mander of an installation selected for the pilot pro-
24 gram shall have direct oversight over 50 percent of the
25 funds allocated to the installation for Facility,
26 Sustainment, Restoration, and Modernization.

1 (2) *AIR FORCE CIVIL ENGINEER CENTER COM-*
2 *MANDER.—The Commander of the Air Force Civil*
3 *Engineer Center shall have direct oversight over the*
4 *remaining 50 percent of Facility, Sustainment, Res-*
5 *toration, and Modernization funds allocated to an in-*
6 *stallation selected for the pilot program.*

7 (d) *BRIEFING AND REPORT.—*

8 (1) *BRIEFING.—Not later than 30 days after es-*
9 *tablishing the pilot program, the Secretary of the Air*
10 *Force shall brief the congressional defense committees*
11 *on the pilot program.*

12 (2) *ANNUAL REPORT.—Not later than one year*
13 *after establishing the pilot program under subsection*
14 *(a), and annually thereafter through the year fol-*
15 *lowing termination of the pilot program, the Sec-*
16 *retary of the Air Force shall submit to the congres-*
17 *sional defense committees a report on the pilot pro-*
18 *gram.*

19 (e) *TERMINATION.—The pilot program shall terminate*
20 *on December 1, 2026.*

1 ***Subtitle H—Asia-Pacific and Indo-***
2 ***Pacific Issues***

3 ***SEC. 2871. IMPROVED OVERSIGHT OF CERTAIN INFRA-***
4 ***STRUCTURE SERVICES PROVIDED BY NAVAL***
5 ***FACILITIES ENGINEERING SYSTEMS COM-***
6 ***MAND PACIFIC.***

7 *The Secretary of the Navy shall designate an adminis-*
8 *trative position within the Naval Facilities Engineering*
9 *Systems Command Pacific for the purpose of improving the*
10 *continuity of management and oversight of real property*
11 *and infrastructure assets in the Pacific Area of Responsi-*
12 *bility related to the training needs of the Armed Forces,*
13 *particularly regarding leased property for which the lease*
14 *will expire within 10 years after the date of the enactment*
15 *of this Act.*

16 ***SEC. 2872. ANNUAL CONGRESSIONAL BRIEFING ON RE-***
17 ***NEWAL OF DEPARTMENT OF DEFENSE EASE-***
18 ***MENTS AND LEASES OF LAND IN HAWAII.***

19 *(a) ANNUAL BRIEFING REQUIRED.—Not later than*
20 *February 1 of each year, the Secretary of Defense shall brief*
21 *the congressional defense committee on the progress being*
22 *made by the Department of Defense to renew each Depart-*
23 *ment of Defense land lease and easement in the State of*
24 *Hawaii that—*

25 *(1) encompasses one acre or more; and*

1 (2) *will expire within 10 years after the date of*
2 *the briefing.*

3 (b) *REQUIRED ELEMENTS OF BRIEFING.—Each brief-*
4 *ing provided under subsection (a) shall include the fol-*
5 *lowing:*

6 (1) *The location, size, and expiration date of*
7 *each lease and easement described in such subsection.*

8 (2) *Major milestones and expected timelines for*
9 *maintaining access to the land covered by such lease*
10 *and easement.*

11 (3) *Actions completed over the preceding two*
12 *years for such lease and easement.*

13 (4) *Department-wide and service-specific au-*
14 *thorities governing the extension of such lease and*
15 *easement.*

16 (5) *A summary of coordination efforts between*
17 *the Secretary of Defense and the Secretaries of the*
18 *military departments.*

19 (6) *The status of efforts to develop an inventory*
20 *of military land in Hawai‘i, including current and*
21 *possible future uses of the land, that would assist in*
22 *land negotiations with the State of Hawai‘i.*

23 (7) *The risks and potential solutions to ensure*
24 *the renewability of required and critical leases and*
25 *easements.*

1 **SEC. 2873. HAWAII MILITARY LAND USE MASTER PLAN.**

2 (a) *UPDATE OF MASTER PLAN REQUIRED.*—Not later
3 than December 31, 2025, the Commander of the United
4 States Indo-Pacific Command shall update the Hawai‘i
5 Military Land Use Master Plan, which was first produced
6 by the Department of Defense in 1995 and last updated
7 in 2021.

8 (b) *ELEMENTS.*—In updating the Hawai‘i Military
9 Land Use Master Plan as required by subsection (a), the
10 Commander of the United States Indo-Pacific Command
11 shall consider, address, and include the following:

12 (1) *The priorities of each individual Armed*
13 *Force and joint priorities within the State of*
14 *Hawai‘i.*

15 (2) *The historical background of Armed Forces*
16 *and Department of Defense use of lands in Hawai‘i*
17 *and the cultural significance of the historical land*
18 *holdings.*

19 (3) *A summary of all leases and easements held*
20 *by the Department of Defense.*

21 (4) *An overview of Army, Navy, Marine Corps,*
22 *Air Force, Space Force, Coast Guard, Hawai‘i Na-*
23 *tional Guard, and Hawai‘i Air National Guard as-*
24 *sets in the State, including the following for each*
25 *asset:*

26 (A) *The location and size of facilities.*

1 (B) *Any tenet commands.*

2 (C) *Training lands.*

3 (D) *Purpose of the asset.*

4 (E) *Priorities for the asset for the next five*
5 *years, including any planned divestitures and*
6 *expansions.*

7 (5) *A summary of encroachment planning ef-*
8 *forts.*

9 (6) *A summary of efforts to synchronize the*
10 *inter-service use of training lands and ranges.*

11 (c) *COOPERATION.*—*The Commander of the United*
12 *States Indo-Pacific Command shall update the Hawai‘i*
13 *Military Land Use Master Plan under this section in con-*
14 *junction with the Deputy Assistant Secretary of Defense for*
15 *Real Property.*

16 (d) *SUBMISSION OF UPDATED PLAN.*—*Not later than*
17 *30 days after the date of the completion of the update to*
18 *the Hawai‘i Military Land Use Master Plan required by*
19 *subsection (a), the Commander of the United States Indo-*
20 *Pacific Command shall submit the updated master plan to*
21 *the Committees on Armed Services of the Senate and the*
22 *House of Representatives.*

1 ***Subtitle I—One-Time Reports and***
2 ***Other Matters***

3 ***SEC. 2881. CLARIFICATION OF INSTALLATION AND MAINTENANCE REQUIREMENTS REGARDING FIRE EX-***
4 ***TINGUISHERS IN DEPARTMENT OF DEFENSE***
5 ***FACILITIES.***
6

7 *Section 2861 of the Military Construction Authoriza-*
8 *tion Act for Fiscal Year 2020 (division B of Public Law*
9 *116–92; 10 U.S.C. 113 note; 133 Stat. 1899) is amended*
10 *by striking “requirements of national model fire codes devel-*
11 *oped by the National Fire Protection Association and the*
12 *International Code Council” and inserting “NFPA 1, Fire*
13 *Code of the National Fire Protection Association and appli-*
14 *able requirements of the international building code and*
15 *international fire code of the International Code Council”.*

16 ***SEC. 2882. GAO REVIEW AND REPORT OF MILITARY CON-***
17 ***STRUCTION CONTRACTING AT MILITARY IN-***
18 ***STALLATIONS INSIDE THE UNITED STATES.***

19 *(a) REVIEW REQUIRED.—The Comptroller General of*
20 *the United States shall perform a review to assess the con-*
21 *tracting approaches authorized pursuant to section 2802 of*
22 *title 10, United States Code, used to maintain and upgrade*
23 *military installations inside the United States.*

24 *(b) ELEMENTS OF REVIEW.—In conducting the review*
25 *required by subsection (a), the Comptroller General should*

1 consider, to the extent practicable, such issues as the fol-
2 lowing:

3 (1) *The extent to which the Department of De-*
4 *fense uses competitive procedures when awarding con-*
5 *tracts to contractors to maintain or upgrade military*
6 *installations inside the United States.*

7 (2) *The number of contractors awarded such a*
8 *contract that are considered a small business, and the*
9 *percentage that these contracts comprise of all such*
10 *contracts.*

11 (3) *The extent to which the primary business lo-*
12 *cation of each contractor awarded such a contract is*
13 *located within 60 miles of the military installation*
14 *where the contract is to be performed.*

15 (4) *The extent to which contractors awarded such*
16 *a contract in turn use subcontractors and suppliers*
17 *whose primary business location is located within 60*
18 *miles of the military installation where the contract*
19 *is to be performed.*

20 (5) *The extent to which the source selection pro-*
21 *cedures used by the responsible contracting organiza-*
22 *tion considers whether offerors are small businesses or*
23 *are businesses that are located within 60 miles of the*
24 *military installation where the contract is to be per-*
25 *formed.*

1 (6) *Any other matters the Comptroller General*
 2 *determines relevant to the review.*

3 (c) *REPORT REQUIRED.*—*Not later than March 31,*
 4 *2023, the Comptroller General shall submit to the Commit-*
 5 *tees on Armed Services of the Senate and the House of Rep-*
 6 *resentatives a report containing the results of the review*
 7 *required by subsection (a).*

8 (d) *SMALL BUSINESS DEFINED.*—*In this section, the*
 9 *term “small business” means a contractor that is a small-*
 10 *business concern as such term is defined under section 3*
 11 *of the Small Business Act (15 U.S.C. 632).*

12 ***DIVISION C—DEPARTMENT OF***
 13 ***ENERGY NATIONAL SECURITY***
 14 ***AUTHORIZATIONS AND***
 15 ***OTHER AUTHORIZATIONS***
 16 ***TITLE XXXI—DEPARTMENT OF***
 17 ***ENERGY NATIONAL SECURITY***
 18 ***PROGRAMS***

Subtitle A—National Security Programs and Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Plutonium pit production capacity.

Sec. 3112. Improvements to cost estimates informing analyses of alternatives.

Sec. 3113. University-based defense nuclear policy collaboration program.

Sec. 3114. Defense environmental cleanup programs.

Sec. 3115. Modification of requirements for certain construction projects.

Sec. 3116. Updates to infrastructure modernization initiative.

- Sec. 3117. Extension of authority for appointment of certain scientific, engineering, and technical personnel.*
- Sec. 3118. Extension of authority for acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.*
- Sec. 3119. Extension of enhanced procurement authority to manage supply chain risk.*
- Sec. 3120. Prohibition on availability of funds to reconvert or retire W76–2 warheads.*
- Sec. 3121. Portfolio management framework for National Nuclear Security Administration.*

Subtitle C—Reports and Other Matters

- Sec. 3131. Modifications to certain reporting requirements.*
- Sec. 3132. Modification to terminology for reports on financial balances for atomic energy defense activities.*
- Sec. 3133. Improvements to annual reports on condition of the United States nuclear weapons stockpile.*
- Sec. 3134. Report on plant-directed research and development.*
- Sec. 3135. Reports on risks to and gaps in industrial base for nuclear weapons components, subsystems, and materials.*
- Sec. 3136. Transfer of building located at 4170 Allium Court, Springfield, Ohio.*
- Sec. 3137. Comprehensive strategy for treating, storing, and disposing of defense nuclear waste resulting from stockpile maintenance and modernization activities.*
- Sec. 3138. Acquisition of high-performance computing capabilities by National Nuclear Security Administration.*
- Sec. 3139. Study on the W80–4 nuclear warhead life extension program.*
- Sec. 3140. Study on Runit Dome and related hazards.*
- Sec. 3141. Sense of Congress regarding compensation of individuals relating to uranium mining and nuclear testing.*

1 ***Subtitle A—National Security***
 2 ***Programs and Authorizations***

3 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
 4 ***TION.***

5 ***(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are***
 6 *hereby authorized to be appropriated to the Department of*
 7 *Energy for fiscal year 2022 for the activities of the National*
 8 *Nuclear Security Administration in carrying out programs*
 9 *as specified in the funding table in section 4701.*

10 ***(b) AUTHORIZATION OF NEW PLANT PROJECTS.—***
 11 *From funds referred to in subsection (a) that are available*

1 *for carrying out plant projects, the Secretary of Energy*
2 *may carry out new plant projects for the National Nuclear*
3 *Security Administration as follows:*

4 *Project 22–D–513, Power Sources Capability,*
5 *Sandia National Laboratories, Albuquerque, New*
6 *Mexico, \$13,827,000.*

7 *Project 22–D–514, Digital Infrastructure Capa-*
8 *bility Expansion, Lawrence Livermore National Lab-*
9 *oratory, Livermore, California, \$8,000,000.*

10 *Project 22–D–531, KL Chemistry and Radio-*
11 *logical Health Building, Knolls Atomic Power Lab-*
12 *oratory, Schenectady, New York, \$41,620,000.*

13 *Project 22–D–532, KL Security Upgrades,*
14 *Knolls Atomic Power Laboratory, Schenectady, New*
15 *York, \$5,100,000.*

16 *Shipping & Receiving (Exterior), Los Alamos*
17 *National Laboratory, Los Alamos, New Mexico,*
18 *\$9,700,000.*

19 *TCAP Restoration Column A, Savannah River*
20 *Site, Aiken, South Carolina, \$4,700,000.*

21 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

22 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
23 *hereby authorized to be appropriated to the Department of*
24 *Energy for fiscal year 2022 for defense environmental*

1 *cleanup activities in carrying out programs as specified in*
2 *the funding table in section 4701.*

3 (b) *AUTHORIZATION OF NEW PLANT PROJECTS.—*

4 *From funds referred to in subsection (a) that are available*
5 *for carrying out plant projects, the Secretary of Energy*
6 *may carry out, for defense environmental cleanup activities,*
7 *the following new plant projects:*

8 *Project 22–D–401, 400 Area Fire Station, Hanford*
9 *Site, Richland, Washington, \$15,200,000.*

10 *Project 22–D–402, 200 Area Water Treatment Facil-*
11 *ity, Hanford Site, Richland, Washington, \$12,800,000.*

12 *Project 22–D–403, Idaho Spent Nuclear Fuel Staging*
13 *Facility, Idaho National Laboratory, Idaho Falls, Idaho,*
14 *\$3,000,000.*

15 *Project 22–D–404, Additional ICDF Landfill Disposal*
16 *Cell and Evaporation Ponds Project, Idaho National Lab-*
17 *oratory, Idaho Falls, Idaho, \$5,000,000.*

18 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

19 *Funds are hereby authorized to be appropriated to the*
20 *Department of Energy for fiscal year 2022 for other defense*
21 *activities in carrying out programs as specified in the fund-*
22 *ing table in section 4701.*

1 **SEC. 3104. NUCLEAR ENERGY.**

2 *Funds are hereby authorized to be appropriated to the*
3 *Department of Energy for fiscal year 2022 for nuclear en-*
4 *ergy as specified in the funding table in section 4701.*

5 **Subtitle B—Program Authoriza-**
6 **tions, Restrictions, and Limita-**
7 **tions**

8 **SEC. 3111. PLUTONIUM PIT PRODUCTION CAPACITY.**

9 *(a) CERTIFICATIONS.—Section 4219 of the Atomic En-*
10 *ergy Defense Act (50 U.S.C. 2538a) is amended by adding*
11 *at the end the following new subsections:*

12 *“(d) CERTIFICATIONS ON PLUTONIUM ENTERPRISE.—*

13 *“(1) REQUIREMENT.—Not later than 30 days*
14 *after the date on which a covered project achieves a*
15 *critical decision milestone, the Assistant Secretary for*
16 *Environmental Management and the Deputy Admin-*
17 *istrator for Defense Programs shall jointly certify to*
18 *the congressional defense committees that the oper-*
19 *ations, infrastructure, and workforce of such project*
20 *are adequate to carry out the delivery and disposal of*
21 *planned waste shipments relating to the plutonium*
22 *enterprise, as outlined in the critical decision memo-*
23 *randa of the Department of Energy with respect to*
24 *such project.*

25 *“(2) FAILURE TO CERTIFY.—If the Assistant*
26 *Secretary for Environmental Management and the*

1 *Deputy Administrator for Defense Programs fail to*
2 *make a certification under paragraph (1) by the date*
3 *specified in such paragraph with respect to a covered*
4 *project achieving a critical decision milestone, the As-*
5 *stant Secretary and the Deputy Administrator shall*
6 *jointly submit to the congressional defense committees,*
7 *by not later than 30 days after such date, a plan to*
8 *ensure that the operations, infrastructure, and work-*
9 *force of such project will be adequate to carry out the*
10 *delivery and disposal of planned waste shipments de-*
11 *scribed in such paragraph.*

12 “(e) *REPORTS.*—

13 “(1) *REQUIREMENT.*—*Not later than March 1 of*
14 *each year during the period beginning on the date on*
15 *which the first covered project achieves critical deci-*
16 *sion 2 in the acquisition process and ending on the*
17 *date on which the second project achieves critical deci-*
18 *sion 4 and begins operations, the Administrator for*
19 *Nuclear Security shall submit to the congressional de-*
20 *fense committees a report on the planned production*
21 *goals of both covered projects during the first 10 years*
22 *of the operation of the projects.*

23 “(2) *ELEMENTS.*—*Each report under paragraph*
24 *(1) shall include—*

1 “(A) the number of war reserve plutonium
2 pits planned to be produced during each year,
3 including the associated warhead type;

4 “(B) a description of risks and challenges to
5 meeting the performance baseline for the covered
6 projects, as approved in critical decision 2 in the
7 acquisition process;

8 “(C) options available to the Administrator
9 to balance scope, costs, and production require-
10 ments at the projects to decrease overall risk to
11 the plutonium enterprise and enduring pluto-
12 nium pit requirements; and

13 “(D) an explanation of any changes to the
14 production goals or requirements as compared to
15 the report submitted during the previous year.

16 “(f) COVERED PROJECT DEFINED.—In this subsection,
17 the term ‘covered project’ means—

18 “(1) the Savannah River Plutonium Processing
19 Facility, Savannah River Site, Aiken, South Caro-
20 lina (Project 21–D–511); or

21 “(2) the Plutonium Pit Production Project, Los
22 Alamos National Laboratory, Los Alamos, New Mex-
23 ico (Project 21–D–512).”.

24 “(b) BRIEFING.—Not later than May 1, 2022, the Ad-
25 ministrator for Nuclear Security and the Director for Cost

1 *Estimating and Program Evaluation shall jointly provide*
2 *to the congressional defense committees a briefing on the*
3 *ability of the National Nuclear Security Administration to*
4 *carry out the plutonium enterprise of the Administration,*
5 *including with respect to the adequacy of the program man-*
6 *agement staff of the Administration to execute covered*
7 *projects (as defined in subsection (f) of section 4219 of the*
8 *Atomic Energy Defense Act (50 U.S.C. 2538a), as amended*
9 *by subsection (a)).*

10 **SEC. 3112. IMPROVEMENTS TO COST ESTIMATES INFORM-**
11 **ING ANALYSES OF ALTERNATIVES.**

12 (a) *IN GENERAL.*—*Subtitle A of title XLVII of the*
13 *Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is*
14 *amended by adding at the end the following new section:*

15 **“SEC. 4718. IMPROVEMENTS TO COST ESTIMATES INFORM-**
16 **ING ANALYSES OF ALTERNATIVES.**

17 **“(a) REQUIREMENT FOR ANALYSES OF ALTER-**
18 **NATIVES.**—*The Administrator shall ensure that any cost es-*
19 *timate used in an analysis of alternatives for a project car-*
20 *ried out using funds authorized by a DOE national security*
21 *authorization is designed to fully satisfy the requirements*
22 *outlined in the mission needs statement approved at critical*
23 *decision 0 in the acquisition process, as set forth in Depart-*
24 *ment of Energy Order 413.3B (relating to program man-*

1 agement and project management for the acquisition of cap-
 2 ital assets) or a successor order.

3 “(b) *USE OF PROJECT ENGINEERING AND DESIGN*
 4 *FUNDS.*—*In the case of a project the total estimated cost*
 5 *of which exceeds \$500,000,000 and that has not reached*
 6 *critical decision 1 in the acquisition process, the Adminis-*
 7 *trator may use funds authorized by a DOE national secu-*
 8 *rity authorization for project engineering and design to*
 9 *begin the development of a conceptual design to facilitate*
 10 *the development of a cost estimate for the project during*
 11 *the analysis of alternatives for the project if—*

12 “(1) *the Administrator—*

13 “(A) *determines that such use of funds*
 14 *would improve the quality of the cost estimate*
 15 *for the project; and*

16 “(B) *notifies the congressional defense com-*
 17 *mittees of that determination; and*

18 “(2) *a period of 15 days has elapsed after the*
 19 *date on which such committees receive the notifica-*
 20 *tion.”.*

21 (b) *CLERICAL AMENDMENT.*—*The table of contents for*
 22 *the Atomic Energy Defense Act is amended by inserting*
 23 *after the item relating to section 4717 the following new*
 24 *item:*

“*Sec. 4718. Improvements to cost estimates informing analyses of alternatives.*”.

1 **SEC. 3113. UNIVERSITY-BASED DEFENSE NUCLEAR POLICY**
2 **COLLABORATION PROGRAM.**

3 *Title XLVIII of the Atomic Energy Defense Act (50*
4 *U.S.C. 2781 et seq.) is amended by adding at the end the*
5 *following new section (and conforming the table of contents*
6 *accordingly):*

7 **“SEC. 4853. UNIVERSITY-BASED DEFENSE NUCLEAR POLICY**
8 **COLLABORATION PROGRAM.**

9 *“(a) PROGRAM.—The Administrator shall carry out a*
10 *program under which the Administrator establishes a pol-*
11 *icy research consortium of institutions of higher education*
12 *and nonprofit entities in support of implementing and in-*
13 *novating the defense nuclear policy programs of the Admin-*
14 *istration. The Administrator shall establish and carry out*
15 *such program in a manner similar to the program estab-*
16 *lished under section 4814.*

17 *“(b) PURPOSES.—The purposes of the consortium*
18 *under subsection (a) are as follows:*

19 *“(1) To shape the formulation and application of*
20 *policy through the conduct of research and analysis*
21 *regarding defense nuclear policy programs.*

22 *“(2) To maintain open-source databases on*
23 *issues relevant to understanding defense nuclear non-*
24 *proliferation, arms control, nuclear deterrence, foreign*
25 *nuclear programs, and nuclear security.*

1 “(3) *To facilitate the collaboration of research*
2 *centers of excellence relating to defense nuclear policy*
3 *to better distribute expertise to specific issues and sce-*
4 *narios regarding such threats.*

5 “(c) *DUTIES.—*

6 “(1) *SUPPORT.—The Administrator shall ensure*
7 *that the consortium established under subsection (a)*
8 *provides support to individuals described in para-*
9 *graph (2) through the use of nongovernmental fellow-*
10 *ships, scholarships, research internships, workshops,*
11 *short courses, summer schools, and research grants.*

12 “(2) *INDIVIDUALS DESCRIBED.—The individuals*
13 *described in this paragraph are graduate students,*
14 *academics, and policy specialists, who are focused on*
15 *policy innovation related to—*

16 “(A) *defense nuclear nonproliferation;*

17 “(B) *arms control;*

18 “(C) *nuclear deterrence;*

19 “(D) *the study of foreign nuclear programs;*

20 “(E) *nuclear security; or*

21 “(F) *educating and training the next gen-*
22 *eration of defense nuclear policy experts.”.*

1 **SEC. 3114. DEFENSE ENVIRONMENTAL CLEANUP PRO-**
2 **GRAMS.**

3 (a) *ESTABLISHMENT OF PROGRAMS.*—*Subtitle A of*
4 *title XLIV of the Atomic Energy Defense Act (50 U.S.C.*
5 *2581 et seq.) is amended by inserting after section 4406*
6 *the following new section (and conforming the table of con-*
7 *tents at the beginning of such Act accordingly):*

8 **“SEC. 4406A. OTHER PROGRAMS RELATING TO TECH-**
9 **NOLOGY DEVELOPMENT.**

10 *“(a) INCREMENTAL TECHNOLOGY DEVELOPMENT PRO-*
11 *GRAM.—*

12 *“(1) ESTABLISHMENT.—The Secretary may es-*
13 *tablish a program, to be known as the ‘Incremental*
14 *Technology Development Program’, to improve the ef-*
15 *iciency and effectiveness of the defense environmental*
16 *cleanup processes of the Office.*

17 *“(2) FOCUS.—*

18 *“(A) IMPROVEMENTS.—In carrying out the*
19 *Incremental Technology Development Program,*
20 *the Secretary shall focus on the continuous im-*
21 *provement of new or available technologies, in-*
22 *cluding—*

23 *“(i) decontamination chemicals and*
24 *techniques;*

1 “(ii) remote sensing and wireless com-
2 munication to reduce manpower and lab-
3 oratory efforts;

4 “(iii) detection, assay, and certifi-
5 cation instrumentation; and

6 “(iv) packaging materials, methods,
7 and shipping systems.

8 “(B) OTHER AREAS.—The Secretary may
9 include in the Incremental Technology Develop-
10 ment Program mission-relevant development,
11 demonstration, and deployment activities unre-
12 lated to the focus areas described in subpara-
13 graph (A).

14 “(3) USE OF NEW AND EMERGING TECH-
15 NOLOGIES.—

16 “(A) DEVELOPMENT AND DEMONSTRA-
17 TION.—In carrying out the Incremental Tech-
18 nology Development Program, the Secretary shall
19 ensure that site offices of the Office conduct tech-
20 nology development, demonstration, testing, per-
21 mitting, and deployment of new and emerging
22 technologies to establish a sound technical basis
23 for the selection of technologies for defense envi-
24 ronmental cleanup or infrastructure operations.

1 “(B) *COLLABORATION REQUIRED.*—*The*
2 *Secretary shall collaborate, to the extent prac-*
3 *ticable, with the heads of other departments and*
4 *agencies of the Federal Government, the National*
5 *Laboratories, other Federal laboratories, appro-*
6 *priate State regulators and agencies, and the De-*
7 *partment of Labor in the development, dem-*
8 *onstration, testing, permitting, and deployment*
9 *of new technologies under the Incremental Tech-*
10 *nology Development Program.*

11 “(4) *AGREEMENTS TO CARRY OUT PROJECTS.*—

12 “(A) *AUTHORITY.*—*In carrying out the In-*
13 *cremental Technology Development Program, the*
14 *Secretary may enter into agreements with non-*
15 *governmental entities for technology development,*
16 *demonstration, testing, permitting, and deploy-*
17 *ment projects to improve technologies in accord-*
18 *ance with paragraph (2).*

19 “(B) *SELECTION.*—*The Secretary shall se-*
20 *lect projects under subparagraph (A) through a*
21 *rigorous process that involves—*

22 “(i) *transparent and open competition;*

23 *and*

24 “(ii) *a review process that, if prac-*
25 *ticable, is conducted in an independent*

1 *manner consistent with Department guid-*
2 *ance on selecting and funding public-pri-*
3 *ate partnerships.*

4 “(C) *COST-SHARING.*—*The Federal share of*
5 *the costs of the development, demonstration, test-*
6 *ing, permitting, and deployment of new tech-*
7 *nologies carried out under this paragraph shall*
8 *be not more than 70 percent.*

9 “(D) *BRIEFING.*—*Not later than 120 days*
10 *before the date on which the Secretary enters into*
11 *the first agreement under subparagraph (A), the*
12 *Secretary shall provide to the congressional de-*
13 *fense committees a briefing on the process of se-*
14 *lecting and funding efforts within the Incre-*
15 *mental Technology Development Program, in-*
16 *cluding with respect to the plans of the Secretary*
17 *to ensure a scientifically rigorous process that*
18 *minimizes potential conflicts of interest.*

19 “(b) *HIGH-IMPACT TECHNOLOGY DEVELOPMENT PRO-*
20 *GRAM.*—

21 “(1) *ESTABLISHMENT.*—*The Secretary shall es-*
22 *tablish a program, to be known as the ‘High-Impact*
23 *Technology Development Program’, under which the*
24 *Secretary shall enter into agreements with nongovern-*

1 *mental entities for projects that pursue technologies*
2 *that, with respect to the mission—*

3 *“(A) holistically address difficult challenges;*

4 *“(B) hold the promise of breakthrough im-*
5 *provements; or*

6 *“(C) align existing or in-use technologies*
7 *with difficult challenges.*

8 *“(2) AREAS OF FOCUS.—The Secretary may in-*
9 *clude as areas of focus for a project carried out under*
10 *the High-Impact Technology Development Program*
11 *the following:*

12 *“(A) Developing and demonstrating im-*
13 *proved methods for source and plume character-*
14 *ization and monitoring, with an emphasis on—*

15 *“(i) real-time field acquisition; and*

16 *“(ii) the use of indicator species anal-*
17 *yses with advanced contaminant transport*
18 *models to enable better understanding of*
19 *contaminant migration.*

20 *“(B) Developing and determining the limits*
21 *of performance for remediation technologies and*
22 *integrated remedial systems that prevent migra-*
23 *tion of contaminants, including by producing as-*
24 *sociated guidance and design manuals for tech-*

1 *nologies that could be widely used across the*
2 *complex.*

3 *“(C) Demonstrating advanced monitoring*
4 *approaches that use multiple lines of evidence for*
5 *monitoring long-term performance of—*

6 *“(i) remediation systems; and*

7 *“(ii) noninvasive near-field monitoring*
8 *techniques.*

9 *“(D) Developing and demonstrating meth-*
10 *ods to characterize the physical and chemical at-*
11 *tributes of waste that control behavior, with an*
12 *emphasis on—*

13 *“(i) rapid and nondestructive exam-*
14 *ination and assay techniques; and*

15 *“(ii) methods to determine radio-nu-*
16 *clide, heavy metals, and organic constitu-*
17 *ents.*

18 *“(E) Demonstrating the technical basis for*
19 *determining when enhanced or natural attenu-*
20 *ation is an appropriate approach for remedi-*
21 *ation of complex sites.*

22 *“(F) Developing and demonstrating innova-*
23 *tive methods to achieve real-time and, if prac-*
24 *ticable, in situ characterization data for tank*
25 *waste and process streams that could be useful*

1 *for all phases of the waste management program,*
2 *including improving the accuracy and represent-*
3 *ativeness of characterization data for residual*
4 *waste in tanks and ancillary equipment.*

5 “(G) *Adapting existing waste treatment*
6 *technologies or demonstrating new waste treat-*
7 *ment technologies at the pilot plant scale using*
8 *real wastes or realistic surrogates—*

9 “(i) *to address engineering adapta-*
10 *tions;*

11 “(ii) *to ensure compliance with waste*
12 *treatment standards and other applicable*
13 *requirements under Federal and State law*
14 *and any existing agreements or consent de-*
15 *crees to which the Department is a party;*
16 *and*

17 “(iii) *to enable successful deployment*
18 *at full-scale and in support of operations.*

19 “(H) *Developing and demonstrating rapid*
20 *testing protocols that—*

21 “(i) *are accepted by the Environmental*
22 *Protection Agency, the Nuclear Regulatory*
23 *Commission, the Department, and the sci-*
24 *entific community;*

1 “(ii) can be used to measure long-term
2 waste form performance under realistic dis-
3 posal environments;

4 “(iii) can determine whether a sta-
5 bilized waste is suitable for disposal; and

6 “(iv) reduce the need for extensive,
7 time-consuming, and costly analyses on
8 every batch of waste prior to disposal.

9 “(I) Developing and demonstrating direct
10 stabilization technologies to provide waste forms
11 for disposing of elemental mercury.

12 “(J) Developing and demonstrating innova-
13 tive and effective retrieval methods for removal of
14 waste residual materials from tanks and ancil-
15 lary equipment, including mobile retrieval
16 equipment or methods capable of immediately re-
17 moving waste from leaking tanks, and con-
18 necting pipelines.

19 “(3) PROJECT SELECTION.—

20 “(A) SELECTION.—The Secretary shall se-
21 lect projects to be carried out under the High-Im-
22 pact Technology Development Program through
23 a rigorous process that involves—

24 “(i) transparent and open competition;
25 and

1 “(ii) a review process that, if prac-
2 ticable, is conducted in an independent
3 manner consistent with Department guid-
4 ance on selecting and funding public-pri-
5 vate partnerships.

6 “(B) *BRIEFING*.—Not later than 120 days
7 before the date on which the Secretary enters into
8 the first agreement under paragraph (1), the
9 Secretary shall provide to the congressional de-
10 fense committees a briefing on the process of se-
11 lecting and funding efforts within the High-Im-
12 pact Technology Development Program, includ-
13 ing with respect to the plans of the Secretary to
14 ensure a scientifically rigorous process that
15 minimizes potential conflicts of interest.

16 “(c) *ENVIRONMENTAL MANAGEMENT UNIVERSITY PRO-*
17 *GRAM*.—

18 “(1) *ESTABLISHMENT*.—The Secretary shall es-
19 tablish a program, to be known as the ‘*Environ-*
20 *mental Management University Program*’, to—

21 “(A) engage faculty, post-doctoral fellows or
22 researchers, and graduate students of institutions
23 of higher education on subjects relating to the
24 mission to show a clear path for students for em-

1 *ployment within the environmental management*
2 *enterprise;*

3 “(B) *provide institutions of higher edu-*
4 *cation and the Department access to advances in*
5 *engineering and science;*

6 “(C) *clearly identify to institutions of high-*
7 *er education the tools necessary to enter into the*
8 *environmental management field professionally;*
9 *and*

10 “(D) *encourage current employees of the De-*
11 *partment to pursue advanced degrees.*

12 “(2) *AREAS OF FOCUS.—The Secretary may in-*
13 *clude as areas of focus for a grant made under the*
14 *Environmental Management University Program the*
15 *following:*

16 “(A) *The atomic- and molecular-scale chem-*
17 *istries of waste processing.*

18 “(B) *Contaminant immobilization in engi-*
19 *neered and natural systems.*

20 “(C) *Developing innovative materials, with*
21 *an emphasis on nanomaterials or biomaterials,*
22 *that could enable sequestration of challenging*
23 *hazardous or radioactive constituents such as*
24 *technetium and iodine.*

1 “(D) *Elucidating and exploiting complex*
2 *speciation and reactivity far from equilibrium.*

3 “(E) *Understanding and controlling chem-*
4 *ical and physical processes at interfaces.*

5 “(F) *Harnessing physical and chemical*
6 *processes to revolutionize separations.*

7 “(G) *Tailoring waste forms for contami-*
8 *nants in harsh chemical environments.*

9 “(H) *Predicting and understanding sub-*
10 *surface system behavior and response to pertur-*
11 *bations.*

12 “(3) *INDIVIDUAL RESEARCH GRANTS.—In car-*
13 *rying out the Environmental Management University*
14 *Program, the Secretary may make individual re-*
15 *search grants to faculty, post-doctoral fellows or re-*
16 *searchers, and graduate students of institutions of*
17 *higher education for three-year research projects, with*
18 *an option for an extension of one additional two-year*
19 *period.*

20 “(4) *GRANTS FOR INTERDISCIPLINARY COLLABO-*
21 *RATIONS.—In carrying out the Environmental Man-*
22 *agement University Program, the Secretary may*
23 *make research grants for strategic partnerships*
24 *among scientists, faculty, post-doctoral fellows or re-*

1 *searchers, and graduate students of institutions of*
2 *higher education for three-year research projects.*

3 “(5) *HIRING OF UNDERGRADUATES.*—*In car-*
4 *rying out the Environmental Management University*
5 *Program, the Secretary may establish a summer in-*
6 *ternship program for undergraduates of institutions*
7 *of higher education to work on projects relating to en-*
8 *vironmental management.*

9 “(6) *WORKSHOPS.*—*In carrying out the Envi-*
10 *ronmental Management University Program, the Sec-*
11 *retary may hold workshops with the Office of Envi-*
12 *ronmental Management, the Office of Science, and*
13 *members of academia and industry concerning envi-*
14 *ronmental management challenges and solutions.*

15 “(d) *DEFINITIONS.*—*In this section:*

16 “(1) *The term ‘complex’ means all sites managed*
17 *in whole or in part by the Office.*

18 “(2) *The term ‘Department’ means the Depart-*
19 *ment of Energy.*

20 “(3) *The term ‘institution of higher education’*
21 *has the meaning given the term in section 101(a) of*
22 *the Higher Education Act of 1965 (20 U.S.C.*
23 *1001(a)).*

24 “(4) *The term ‘mission’ means the mission of the*
25 *Office.*

1 “(5) The term ‘National Laboratory’ has the
2 meaning given the term in section 2 of the Energy
3 Policy Act of 2005 (42 U.S.C. 15801).

4 “(6) The term ‘Office’ means the Office of Envi-
5 ronmental Management of the Department.

6 “(7) The term ‘Secretary’ means the Secretary of
7 Energy, acting through the Assistant Secretary for
8 Environmental Management.”.

9 (b) *INDEPENDENT ASSESSMENT OF DEFENSE ENVI-*
10 *RONMENTAL CLEANUP PROGRAMS.—*

11 (1) *INDEPENDENT ASSESSMENT.—*Not later than
12 one year after the date of the enactment of this Act,
13 the Chief of Engineers of the Army shall develop and
14 transmit to the Secretary of Energy and the congress-
15 sional defense committees an independent assessment
16 of the lifecycle costs and schedules of the defense envi-
17 ronmental cleanup programs of the Office of Environ-
18 mental Management of the Department of Energy.

19 (2) *FOCUS OF ASSESSMENT.—*The Chief of Engi-
20 neers shall ensure that the assessment under para-
21 graph (1) is focused on—

22 (A) identifying key remaining technical
23 risks and uncertainties of the defense environ-
24 mental cleanup programs; and

1 **(b) NOTIFICATION REQUIREMENT FOR CERTAIN**
2 **MINOR CONSTRUCTION PROJECTS.**—

3 **(1) IN GENERAL.**—*Section 4703 of the Atomic*
4 *Energy Defense Act (50 U.S.C. 2743) is amended—*

5 **(A)** *by redesignating subsection (d) as sub-*
6 *section (e); and*

7 **(B)** *by inserting after subsection (c) the fol-*
8 *lowing new subsection (d):*

9 **“(d) NOTIFICATION REQUIRED FOR CERTAIN**
10 **PROJECTS.**—*Notwithstanding subsection (a), the Secretary*
11 *may not start a minor construction project with a total*
12 *estimated cost of more than \$5,000,000 until—*

13 **(1)** *the Secretary notifies the congressional de-*
14 *fense committees of such project and total estimated*
15 *cost; and*

16 **(2)** *a period of 15 days has elapsed after the*
17 *date on which such notification is received.”.*

18 **(2) CONFORMING REPEAL.**—*Section 3118(c) of*
19 *the National Defense Authorization Act for Fiscal*
20 *Year 2010 (Public Law 111–84; 50 U.S.C. 2743 note)*
21 *is repealed.*

22 **(c) INCREASE IN CONSTRUCTION DESIGN THRESH-**
23 **OLD.**—*Section 4706(b) of the Atomic Energy Defense Act*
24 *(50 U.S.C. 2746(b)) is amended by striking “\$2,000,000”*
25 *each place it appears and inserting “\$5,000,000”.*

1 **SEC. 3116. UPDATES TO INFRASTRUCTURE MODERNIZA-**
2 **TION INITIATIVE.**

3 *Section 3111(b) of the National Defense Authorization*
4 *Act for Fiscal Year 2018 (Public Law 115–91; 50 U.S.C.*
5 *2402 note) is amended—*

6 *(1) in paragraph (1), by striking “reduce the de-*
7 *ferred maintenance and repair needs of the nuclear*
8 *security enterprise by not less than 30 percent by*
9 *2025” and inserting “reduce the total deferred main-*
10 *tenance per replacement plant value of the nuclear se-*
11 *curity enterprise by not less than 45 percent by*
12 *2030”;*

13 *(2) in paragraph (2)(A)(i)(II), by striking*
14 *“\$50,000,000” and inserting “\$75,000,000”;*

15 *(3) in paragraph (3)—*

16 *(A) in the paragraph heading, by striking*
17 *“INITIAL PLAN” and inserting “PLAN RE-*
18 *QUIRED”;* and

19 *(B) in the matter preceding subparagraph*
20 *(A)—*

21 *(i) by striking “2018” and inserting*
22 *“2022”;* and

23 *(ii) by striking “an initial plan” and*
24 *inserting “a plan”;*

25 *(4) in paragraph (4)—*

1 (A) by striking “2024” and inserting
2 “2023”; and

3 (B) by striking “2025” and inserting
4 “2030”; and

5 (5) by adding at the end the following new para-
6 graphs:

7 “(5) ANNUAL REPORTS.—Not later than March
8 1, 2023, and annually thereafter through 2030, the
9 Administrator for Nuclear Security shall submit to
10 the congressional defense committees a report with re-
11 spect to whether the updated plan under paragraph
12 (3) is being implemented in a manner adequate to
13 achieve the goal specified in paragraph (1).”.

14 **SEC. 3117. EXTENSION OF AUTHORITY FOR APPOINTMENT**
15 **OF CERTAIN SCIENTIFIC, ENGINEERING, AND**
16 **TECHNICAL PERSONNEL.**

17 Section 4601(c)(1) of the Atomic Energy Defense Act
18 (50 U.S.C. 2701(c)(1)) is amended by striking “September
19 30, 2021” and inserting “September 30, 2026”.

1 **SEC. 3118. EXTENSION OF AUTHORITY FOR ACCEPTANCE OF**
2 **CONTRIBUTIONS FOR ACCELERATION OF RE-**
3 **MOVAL OR SECURITY OF FISSILE MATERIALS,**
4 **RADIOLOGICAL MATERIALS, AND RELATED**
5 **EQUIPMENT AT VULNERABLE SITES WORLD-**
6 **WIDE.**

7 (a) *IN GENERAL.*—Section 3132 of the Ronald W.
8 Reagan National Defense Authorization Act for Fiscal Year
9 2005 (50 U.S.C. 2569) is—

10 (1) transferred to title XLIII of the Atomic En-
11 ergy Defense Act (50 U.S.C. 2565 et seq.);

12 (2) redesignated as section 4306B;

13 (3) inserted after section 4306A; and

14 (4) amended, in subsection (f)(6), by striking
15 “December 31, 2023” and inserting “December 31,
16 2028”.

17 (b) *CLERICAL AMENDMENT.*—The table of contents for
18 the Atomic Energy Defense Act is amended by inserting
19 after the item relating to section 4306A the following new
20 item:

“Sec. 4306B. Acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites world-wide.”.

1 **SEC. 3119. EXTENSION OF ENHANCED PROCUREMENT AU-**
2 **THORITY TO MANAGE SUPPLY CHAIN RISK.**

3 *Section 4806(g) of the Atomic Energy Defense Act (50*
4 *U.S.C. 2786(g)) is amended by striking “June 30, 2023”*
5 *and inserting “December 31, 2028”.*

6 **SEC. 3120. PROHIBITION ON AVAILABILITY OF FUNDS TO**
7 **RECONVERT OR RETIRE W76-2 WARHEADS.**

8 *(a) PROHIBITION.—Except as provided in subsection*
9 *(b), none of the funds authorized to be appropriated by this*
10 *Act or otherwise made available for fiscal year 2022 for the*
11 *National Nuclear Security Administration may be obli-*
12 *gated or expended to reconvert or retire a W76-2 warhead.*

13 *(b) WAIVER.—The Administrator for Nuclear Security*
14 *may waive the prohibition in subsection (a) if the Adminis-*
15 *trator, in consultation with the Secretary of Defense, the*
16 *Director of National Intelligence, and the Chairman of the*
17 *Joint Chiefs of Staff, certifies in writing to the congres-*
18 *sional defense committees—*

19 *(1) that Russia and China do not possess naval*
20 *capabilities similar to the W76-2 warhead in the ac-*
21 *tive stockpiles of the respective country; or*

22 *(2) that the Department of Defense does not have*
23 *a valid military requirement for the W76-2 warhead.*

1 **SEC. 3121. PORTFOLIO MANAGEMENT FRAMEWORK FOR NA-**
2 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
3 **TION.**

4 (a) *IN GENERAL.*—Not later than one year after the
5 date of the enactment of this Act, the Administrator for Nu-
6 clear Security shall—

7 (1) *in consultation with the Nuclear Weapons*
8 *Council established under section 179 of title 10,*
9 *United States Code, develop and implement a port-*
10 *folio management framework for the nuclear security*
11 *enterprise that—*

12 (A) *defines the National Nuclear Security*
13 *Administration’s portfolio of nuclear weapons*
14 *stockpile and infrastructure maintenance and*
15 *modernization programs;*

16 (B) *establishes a portfolio governance struc-*
17 *ture, including portfolio-level selection criteria,*
18 *prioritization criteria, and performance metrics;*

19 (C) *outlines the approach of the National*
20 *Nuclear Security Administration to managing*
21 *that portfolio; and*

22 (D) *incorporates the leading practices iden-*
23 *tified by the Comptroller General of the United*
24 *States in the report titled “Nuclear Security En-*
25 *terprise: NNSA Should Use Portfolio Manage-*
26 *ment Leading Practices to Support Moderniza-*

1 *tion Efforts*” (GAO–21–398) and dated June
2 2021; and

3 (2) complete an integrated, comprehensive assess-
4 ment of the portfolio management capabilities re-
5 quired to execute the weapons activities portfolio of
6 the National Nuclear Security Administration.

7 (b) *BRIEFING REQUIREMENT*.—Not later than June 1,
8 2022, the Administrator shall provide to the congressional
9 defense committees a briefing on—

10 (1) the progress of the Administrator in devel-
11 oping the framework described in paragraph (1) of
12 subsection (a) and completing the assessment required
13 by paragraph (2) of that subsection; and

14 (2) the plans of the Administrator for imple-
15 menting the recommendations of the Comptroller Gen-
16 eral in the report referred to in paragraph (1)(D) of
17 that subsection.

18 (c) *NUCLEAR SECURITY ENTERPRISE DEFINED*.—In
19 this section, the term “nuclear security enterprise” has the
20 meaning given that term in section 4002 of the Atomic En-
21 ergy Defense Act (50 U.S.C. 2501).

1 ***Subtitle C—Reports and Other***
2 ***Matters***

3 ***SEC. 3131. MODIFICATIONS TO CERTAIN REPORTING RE-***
4 ***QUIREMENTS.***

5 *(a) NOTIFICATION OF EMPLOYEE PRACTICES AFFECT-*
6 *ING NATIONAL SECURITY.—Section 3245 of the National*
7 *Nuclear Security Administration Act (50 U.S.C. 2443) is*
8 *amended by striking subsections (a) and (b) and inserting*
9 *the following new subsections:*

10 *“(a) ANNUAL NOTIFICATION OF SECURITY CLEARANCE*
11 *REVOICATIONS.—At or about the time that the President’s*
12 *budget is submitted to Congress under section 1105(a) of*
13 *title 31, United States Code, the Administrator shall notify*
14 *the appropriate congressional committees of—*

15 *“(1) the number of covered employees whose secu-*
16 *rity clearance was revoked during the year prior to*
17 *the year in which the notification is made; and*

18 *“(2) for each employee counted under paragraph*
19 *(1), the length of time such employee has been em-*
20 *ployed at the Administration, as the case may be,*
21 *since such revocation.*

22 *“(b) ANNUAL NOTIFICATION OF TERMINATIONS AND*
23 *REMOVALS.—Not later than December 31 of each year, the*
24 *Administrator shall notify the appropriate congressional*
25 *committees of each instance in which the Administrator ter-*

1 *minated the employment of a covered employee or removed*
2 *and reassigned a covered employee for cause during that*
3 *year.”.*

4 *(b) REPORTS ON CERTAIN TRANSFERS OF CIVIL NU-*
5 *CLEAR TECHNOLOGY.—Section 3136(a) of the National De-*
6 *fense Authorization Act for Fiscal Year 2016 (42 U.S.C.*
7 *2077a(a)) is amended—*

8 *(1) in the matter preceding paragraph (1), by*
9 *striking “Not less frequently than every 90 days,” and*
10 *inserting “At the same time as the President submits*
11 *to Congress the annual budget request under section*
12 *1105 of title 31, United States Code, for a fiscal*
13 *year;”;*

14 *(2) in paragraph (1), by striking “the preceding*
15 *90 days” and inserting “the preceding year”; and*

16 *(3) in the heading, by striking “REPORT” and*
17 *inserting “ANNUAL REPORTS”.*

18 *(c) CERTAIN ANNUAL REVIEWS BY NUCLEAR SCIENCE*
19 *ADVISORY COMMITTEE.—Section 3173(a)(4)(B) of the Na-*
20 *tional Defense Authorization Act for Fiscal Year 2013 (42*
21 *U.S.C. 2065(a)(4)(B)) is amended by striking “annual re-*
22 *views” and inserting “triennial reviews”.*

1 **SEC. 3132. MODIFICATION TO TERMINOLOGY FOR REPORTS**
2 **ON FINANCIAL BALANCES FOR ATOMIC EN-**
3 **ERGY DEFENSE ACTIVITIES.**

4 *Section 4732 of the Atomic Energy Defense Act (50*
5 *U.S.C. 2772) is amended—*

6 *(1) in subsection (b)(2)—*

7 *(A) in subparagraph (G), by striking “com-*
8 *mitted” and inserting “encumbered”;*

9 *(B) in subparagraph (H), by striking “un-*
10 *committed” and inserting “unencumbered”; and*

11 *(C) in subparagraph (I), by striking “un-*
12 *committed” and inserting “unencumbered”; and*

13 *(2) in subsection (c)—*

14 *(A) by striking paragraphs (1) and (3);*

15 *(B) by redesignating paragraphs (2) and*
16 *(4) as paragraphs (1) and (3), respectively;*

17 *(C) in paragraph (1), as redesignated by*
18 *subparagraph (B), by striking “by the con-*
19 *tractor” and inserting “from the contractor”;*

20 *(D) by inserting after paragraph (1), as so*
21 *redesignated, the following new paragraph (2):*

22 *“(2) ENCUMBERED.—The term ‘encumbered’,*
23 *with respect to funds, means the funds have been obli-*
24 *gated to a contract and are being held for a specific*
25 *known purpose by the contractor.”;*

1 (E) in paragraph (3), as so redesignated, by
2 striking “by the contractor” and inserting “from
3 the contractor”; and

4 (F) by inserting after paragraph (3), as so
5 redesignated, the following new paragraph (4):

6 “(4) UNENCUMBERED.—The term
7 ‘unencumbered’, with respect to funds, means the
8 funds have been obligated to a contract and are not
9 being held for a specific known purpose by the con-
10 tractor.”.

11 **SEC. 3133. IMPROVEMENTS TO ANNUAL REPORTS ON CON-**
12 **DITION OF THE UNITED STATES NUCLEAR**
13 **WEAPONS STOCKPILE.**

14 Section 4205(e)(3) of the Atomic Energy Defense Act
15 (50 U.S.C. 2525(e)(3)) is amended—

16 (1) in subparagraph (A), by inserting “, includ-
17 ing with respect to cyber assurance,” after “methods”;
18 and

19 (2) in subparagraph (B), by inserting “, and the
20 confidence of the head in such tools and methods”
21 after “the assessments”.

22 **SEC. 3134. REPORT ON PLANT-DIRECTED RESEARCH AND**
23 **DEVELOPMENT.**

24 Section 4812A of the Atomic Energy Defense Act (50
25 U.S.C. 2793) is amended—

1 (1) *by redesignating subsections (b) and (c) as*
2 *subsections (c) and (d), respectively; and*

3 (2) *by inserting after subsection (a) the following*
4 *new subsection (b):*

5 “(b) *PLANT-DIRECTED RESEARCH AND DEVELOP-*
6 *MENT.—*

7 “(1) *IN GENERAL.—The report required by sub-*
8 *section (a) shall include, with respect to plant-di-*
9 *rected research and development, the following:*

10 “(A) *A financial accounting of expenditures*
11 *for such research and development, disaggregated*
12 *by nuclear weapons production facility.*

13 “(B) *A breakdown of the percentage of re-*
14 *search and development conducted by each such*
15 *facility that is plant-directed research and devel-*
16 *opment.*

17 “(C) *An explanation of how each such facil-*
18 *ity plans to increase the availability and utiliza-*
19 *tion of funds for plant-directed research and de-*
20 *velopment.*

21 “(2) *PLANT-DIRECTED RESEARCH AND DEVELOP-*
22 *MENT DEFINED.—In this subsection, the term ‘plant-*
23 *directed research and development’ means research*
24 *and development selected by the director of a nuclear*
25 *weapons production facility.’”*

1 **SEC. 3135. REPORTS ON RISKS TO AND GAPS IN INDUS-**
2 **TRIAL BASE FOR NUCLEAR WEAPONS COMPO-**
3 **NENTS, SUBSYSTEMS, AND MATERIALS.**

4 *Section 3113 of the William M. (Mac) Thornberry Na-*
5 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
6 *lic Law 116–283; 50 U.S.C. 2512 note) is amended by add-*
7 *ing at the end the following new subsection:*

8 *“(e) REPORTS.—The Administrator, acting through*
9 *the official designated under subsection (a), shall submit to*
10 *the Committees on Armed Services of the Senate and the*
11 *House of Representatives, contemporaneously with each*
12 *briefing required by subsection (d)(2), a report—*

13 *“(1) identifying actual or potential risks to or*
14 *specific gaps in any element of the industrial base*
15 *that supports the nuclear weapons components, sub-*
16 *systems, or materials of the National Nuclear Secu-*
17 *rity Administration;*

18 *“(2) describing the actions the Administration is*
19 *taking to further assess, characterize, and prioritize*
20 *such risks and gaps;*

21 *“(3) describing mitigating actions, if any, the*
22 *Administration has underway or planned to mitigate*
23 *any such risks or gaps;*

24 *“(4) setting forth the anticipated timelines and*
25 *resources needed for such mitigating actions; and*

1 “(5) describing the nature of any coordination
2 with or burden sharing by other departments or agen-
3 cies of the Federal Government or the private sector
4 to address such risks and gaps.”.

5 **SEC. 3136. TRANSFER OF BUILDING LOCATED AT 4170**
6 **ALLIUM COURT, SPRINGFIELD, OHIO.**

7 (a) *IN GENERAL.*—The National Nuclear Security Ad-
8 ministration shall release all of its reversionary rights with-
9 out reimbursement to the building located at 4170 Allium
10 Court, Springfield, Ohio, also known as the Advanced Tech-
11 nical Intelligence Center for Human Capital Development,
12 to the Community Improvement Corporation of Clark
13 County and the Chamber of Commerce.

14 (b) *FEE SIMPLE INTEREST.*—The fee simple interest
15 in the property, on which the building described in sub-
16 section (a) is located, shall be transferred from the Advanced
17 Technical Intelligence Center for Human Capital Develop-
18 ment to the Community Improvement Corporation of Clark
19 County prior to or concurrent with the release of the rever-
20 sionary rights of the National Nuclear Security Adminis-
21 tration under subsection (a).

1 **SEC. 3137. COMPREHENSIVE STRATEGY FOR TREATING,**
2 **STORING, AND DISPOSING OF DEFENSE NU-**
3 **CLEAR WASTE RESULTING FROM STOCKPILE**
4 **MAINTENANCE AND MODERNIZATION ACTIVI-**
5 **TIES.**

6 (a) *IN GENERAL.*—Not later than one year after the
7 date of the enactment of the National Defense Authorization
8 Act for Fiscal Year 2022, the Administrator for Nuclear Se-
9 curity shall submit to the congressional defense committees
10 and the Comptroller General of the United States a com-
11 prehensive strategy for treating, storing, and disposing of
12 defense nuclear waste generated as a result of stockpile
13 maintenance and modernization activities.

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

16 (1) A projection of the location, type, and quan-
17 tity of defense nuclear waste the National Nuclear Se-
18 curity Administration anticipates generating as a re-
19 sult of stockpile maintenance and modernization ac-
20 tivities during the periods of five and 10 fiscal years
21 after the submission of the strategy, with a long-term
22 outlook for the period of 25 fiscal years after such
23 submission.

24 (2) Budgetary estimates associated with the pro-
25 jection under paragraph (1) during the period of five
26 fiscal years after the submission of the strategy.

1 (3) *A description of how the National Nuclear*
2 *Security Administration plans to coordinate with the*
3 *Office of Environmental Management of the Depart-*
4 *ment of Energy to treat, store, and dispose of the type*
5 *and quantity of waste projected to be generated under*
6 *paragraph (1).*

7 (4) *An identification of—*

8 (A) *disposal facilities that could accept that*
9 *waste;*

10 (B) *disposal facilities that could accept that*
11 *waste with modifications; and*

12 (C) *in the case of facilities described in sub-*
13 *paragraph (B), the modifications necessary for*
14 *such facilities to accept that waste.*

15 (c) *FOLLOW-ON STRATEGY.—Concurrent with the sub-*
16 *mission of the budget of the President to Congress under*
17 *section 1105(a) of title 31, United States Code, for fiscal*
18 *year 2027, the Administrator shall submit to the congres-*
19 *sional defense committees a follow-on strategy to the strat-*
20 *egy required by subsection (a) that includes—*

21 (1) *the elements set forth in subsection (b); and*

22 (2) *any other matters that the Administrator*
23 *considers appropriate.*

1 **SEC. 3138. ACQUISITION OF HIGH-PERFORMANCE COM-**
2 **PUTING CAPABILITIES BY NATIONAL NU-**
3 **CLEAR SECURITY ADMINISTRATION.**

4 (a) *ROADMAP FOR ACQUISITION.*—

5 (1) *IN GENERAL.*—*Not later than two years after*
6 *the date of the enactment of this Act, the Adminis-*
7 *trator for Nuclear Security shall submit to the con-*
8 *gressional defense committees a roadmap for the ac-*
9 *quisition by the Administration of high-performance*
10 *computing capabilities during the 10-year period fol-*
11 *lowing submission of the roadmap.*

12 (2) *ELEMENTS.*—*The roadmap required by*
13 *paragraph (1) shall include the following:*

14 (A) *A description of the high-performance*
15 *computing capabilities required to support the*
16 *mission of the Administration as of the date on*
17 *which the roadmap is submitted under para-*
18 *graph (1).*

19 (B) *An identification of any existing or an-*
20 *ticipated gaps in such capabilities.*

21 (C) *A description of the high-performance*
22 *computing capabilities anticipated to be required*
23 *by the Administration during the 10-year period*
24 *following submission of the roadmap, including*
25 *computational performance and other require-*
26 *ments, as appropriate.*

1 (D) *A description of the strategy of the Ad-*
2 *ministration for acquiring such capabilities.*

3 (E) *An assessment of the ability of the in-*
4 *dustrial base to support that strategy.*

5 (F) *Such other matters the Administrator*
6 *considers appropriate.*

7 (3) *CONSULTATION AND CONSIDERATIONS.—In*
8 *developing the roadmap required by paragraph (1),*
9 *the Administrator shall—*

10 (A) *consult with the Secretary of Energy;*
11 *and*

12 (B) *take into consideration the findings of*
13 *the review of the future of computing beyond*
14 *exascale computing conducted by the National*
15 *Academy of Sciences under section 3172 of the*
16 *William M. (Mac) Thornberry National Defense*
17 *Authorization Act for Fiscal Year 2021 (Public*
18 *Law 116–283).*

19 (b) *INDEPENDENT ASSESSMENT OF HIGH-PERFORM-*
20 *ANCE COMPUTING ACQUISITIONS.—*

21 (1) *IN GENERAL.—The Administrator shall seek*
22 *to enter into an agreement with a federally funded re-*
23 *search and development center to assess the first ac-*
24 *quisition of high-performance computing capabilities*

1 *by the Administration after the date of the enactment*
2 *of this Act.*

3 (2) *ELEMENTS.*—*The assessment required by*
4 *paragraph (1) of the acquisition of high-performance*
5 *computing capabilities described in that paragraph*
6 *shall include an assessment of the following:*

7 (A) *The mission needs of the Administra-*
8 *tion met by the acquisition.*

9 (B) *The evidence used to support the acqui-*
10 *sition decision, such as an analysis of alter-*
11 *natives or business case analyses.*

12 (C) *Market research performed by the Ad-*
13 *vanced Simulation and Computing Program re-*
14 *lated to the acquisition.*

15 (3) *REPORT REQUIRED.*—

16 (A) *IN GENERAL.*—*Not later than 90 days*
17 *after entering into the arrangement under para-*
18 *graph (1), the Administrator shall submit to the*
19 *congressional defense committees a report on the*
20 *assessment conducted under paragraph (1).*

21 (B) *FORM OF REPORT.*—*The report re-*
22 *quired by subparagraph (A) shall be submitted*
23 *in unclassified form but may include a classified*
24 *annex.*

1 **SEC. 3139. STUDY ON THE W80-4 NUCLEAR WARHEAD LIFE**
2 **EXTENSION PROGRAM.**

3 (a) *STUDY.*—Not later than 30 days after the date of
4 the enactment of this Act, the Director for Cost Estimation
5 and Program Evaluation shall initiate a study on the
6 W80-4 nuclear warhead life extension program.

7 (b) *MATTERS INCLUDED.*—The study under subsection
8 (a) shall include the following:

9 (1) *An explanation of any increases in actual or*
10 *projected costs of the W80-4 nuclear warhead life ex-*
11 *tension program.*

12 (2) *An analysis of projections of total program*
13 *costs and planned program schedules.*

14 (3) *An analysis of the potential impacts on other*
15 *programs as a result of additional funding required*
16 *to maintain the planned program schedule for the*
17 *W80-4 nuclear warhead life extension program, in-*
18 *cluding with respect to—*

19 (A) *other life-extension programs;*

20 (B) *infrastructure programs; and*

21 (C) *research, development, test, and evalua-*
22 *tion programs.*

23 (4) *An analysis of the impacts that a delay of*
24 *the program will have on other programs due to—*

25 (A) *technical or management challenges;*

26 *and*

1 (B) changes in requirements for the pro-
2 gram.

3 (c) *SUBMISSION.*—Not later than 180 days after the
4 date of the enactment of this Act, the Director shall submit
5 to the congressional defense committees the study under sub-
6 section (a).

7 (d) *FORM.*—The study under subsection (a) shall be
8 in unclassified form, but may include a classified annex.

9 **SEC. 3140. STUDY ON RUNIT DOME AND RELATED HAZARDS.**

10 (a) *STUDY.*—Not later than 60 days after the date of
11 enactment of this Act, the Secretary of Energy shall seek
12 to enter into an agreement with a federally funded research
13 and development center to conduct a study on the impacts
14 of climate change on the “Runit Dome” nuclear waste dis-
15 posal site in Enewetak Atoll, Marshall Islands, and on other
16 environmental hazards due to nuclear weapons testing in
17 the vicinity thereof. The report shall include a scientific
18 analysis of threats to the environment and to the residents
19 of Enewetak Atoll, including—

20 (1) the “Runit Dome” nuclear waste disposal
21 site;

22 (2) crypts used to contain nuclear waste and
23 other toxins on Enewetak Atoll; and

24 (3) radionuclides and other toxins present in the
25 lagoon of Enewetak Atoll.

1 (b) *PUBLIC COMMENTS.*—*In conducting the study*
2 *under subsection (a), the federally funded research and de-*
3 *velopment center shall solicit public comments.*

4 (c) *REPORT.*—*Not later than 18 months after the date*
5 *of the enactment of this Act, the Secretary shall submit to*
6 *the congressional defense committees a report containing the*
7 *study conducted under subsection (a).*

8 **SEC. 3141. SENSE OF CONGRESS REGARDING COMPENSA-**
9 **TION OF INDIVIDUALS RELATING TO URA-**
10 **NIUM MINING AND NUCLEAR TESTING.**

11 (a) *FINDINGS.*—*Congress makes the following findings:*

12 (1) *The Radiation Exposure Compensation Act*
13 *(Public Law 101–426; 42 U.S.C. 2210 note) was en-*
14 *acted in 1990 to provide monetary compensation to*
15 *individuals who contracted certain cancers and other*
16 *serious diseases following their exposure to radiation*
17 *released during atmospheric nuclear weapons testing*
18 *during the Cold War or following exposure to radi-*
19 *ation as a result of employment in the uranium in-*
20 *dustry during the Cold War.*

21 (2) *The Radiation Exposure Compensation Act*
22 *expires on July 9, 2022. Unless that Act is extended,*
23 *individuals who contract certain cancers and other se-*
24 *rious diseases because of events described in para-*

1 *graph (1) may be unable to claim compensation for*
 2 *such diseases.*

3 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 4 *that the United States Government should continue to ap-*
 5 *propriately compensate and recognize the individuals de-*
 6 *scribed in subsection (a).*

7 **TITLE XXXII—DEFENSE NU-**
 8 **CLEAR FACILITIES SAFETY**
 9 **BOARD**

Sec. 3201. Authorization.

*Sec. 3202. References to Chairperson and Vice Chairperson of Defense Nuclear
 Facilities Safety Board.*

10 **SEC. 3201. AUTHORIZATION.**

11 *There are authorized to be appropriated for fiscal year*
 12 *2022, \$31,000,000 for the operation of the Defense Nuclear*
 13 *Facilities Safety Board under chapter 21 of the Atomic En-*
 14 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

15 **SEC. 3202. REFERENCES TO CHAIRPERSON AND VICE**
 16 **CHAIRPERSON OF DEFENSE NUCLEAR FACILI-**
 17 **TIES SAFETY BOARD.**

18 *Chapter 21 of the Atomic Energy Act of 1954 (42*
 19 *U.S.C. 2286 et seq.) is amended—*

20 *(1) in section 311(c), in the subsection heading,*
 21 *by striking “CHAIRMAN, VICE CHAIRMAN” and insert-*
 22 *ing “CHAIRPERSON, VICE CHAIRPERSON”; and*

23 *(2) by striking “Chairman” each place it ap-*
 24 *pears and inserting “Chairperson”.*

1 **TITLE XXXIV—NAVAL**
 2 **PETROLEUM RESERVES**

Sec. 3401. Authorization of appropriations.

3 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) *AMOUNT.*—*There are hereby authorized to be ap-*
 5 *propriated to the Secretary of Energy \$13,650,000 for fiscal*
 6 *year 2022 for the purpose of carrying out activities under*
 7 *chapter 869 of title 10, United States Code, relating to the*
 8 *naval petroleum reserves.*

9 (b) *PERIOD OF AVAILABILITY.*—*Funds appropriated*
 10 *pursuant to the authorization of appropriations in sub-*
 11 *section (a) shall remain available until expended.*

12 **TITLE XXXV—MARITIME**
 13 **SECURITY**

Subtitle A—Maritime Administration

Sec. 3501. Authorization of the Maritime Administration.

Subtitle B—Other Matters

Sec. 3511. Effective period for issuance of documentation for recreational vessels.

Sec. 3512. Committees on maritime matters.

Sec. 3513. Port Infrastructure Development Program.

Sec. 3514. Uses of emerging marine technologies and practices.

Sec. 3515. Prohibition on participation of long term charters in Tanker Security Fleet.

Sec. 3516. Coastwise endorsement.

Sec. 3517. Report on efforts of combatant commands to combat threats posed by illegal, unreported, and unregulated fishing.

Sec. 3518. Authorization to purchase duplicate medals.

1 ***Subtitle A—Maritime***
2 ***Administration***

3 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**
4 **TRATION.**

5 (a) *IN GENERAL.*—*There are authorized to be appro-*
6 *priated to the Department of Transportation for fiscal year*
7 *2022 for programs associated with maintaining the United*
8 *States merchant marine, the following amounts:*

9 (1) *For expenses necessary for operations of the*
10 *United States Merchant Marine Academy,*
11 *\$90,532,000, of which—*

12 (A) *\$85,032,000 shall be for Academy oper-*
13 *ations, which may be used to hire personnel pur-*
14 *suant to subsection (d) and to implement any*
15 *recommendations of the Merchant Marine Acad-*
16 *emy Advisory Council established under sub-*
17 *section (c); and*

18 (B) *\$5,500,000 shall remain available until*
19 *expended for capital asset management at the*
20 *Academy.*

21 (2) *For expenses necessary to support the State*
22 *maritime academies, \$50,780,000, of which—*

23 (A) *\$2,400,000 is for the Student Incentive*
24 *Program;*

25 (B) *\$6,000,000 is for direct payments;*

1 (C) \$3,800,000 is for training ship fuel as-
2 sistance;

3 (D) \$8,080,000 is for offsetting the costs of
4 training ship sharing; and

5 (E) \$30,500,000 is for maintenance and re-
6 pair of State maritime academy training vessels.

7 (3) For expenses necessary to support the Na-
8 tional Security Multi-Mission Vessel Program,
9 \$315,600,000.

10 (4) For expenses necessary to support Maritime
11 Administration operations and programs,
12 \$60,853,000.

13 (5) For expenses necessary to dispose of vessels in
14 the National Defense Reserve Fleet, \$10,000,000.

15 (6) For expenses necessary to maintain and pre-
16 serve a United States flag merchant marine to serve
17 the national security needs of the United States under
18 chapter 531 of title 46, United States Code,
19 \$318,000,000.

20 (7) For expenses necessary for the loan guarantee
21 program authorized under chapter 537 of title 46,
22 United States Code, \$33,000,000, of which—

23 (A) \$30,000,000 may be used for the cost
24 (as defined in section 502(5) of the Federal Cred-

1 *it Reform Act of 1990 (2 U.S.C. 661a(5)) of*
2 *loan guarantees under the program; and*

3 *(B) \$3,000,000 may be used for administra-*
4 *tive expenses relating to loan guarantee commit-*
5 *ments under the program.*

6 *(8) For expenses necessary to provide for the*
7 *Tanker Security Fleet, as authorized under chapter*
8 *534 of title 46, United States Code, \$60,000,000.*

9 *(9) For expenses necessary to support maritime*
10 *environmental and technical assistance activities au-*
11 *thorized under section 50307 of title 46, United States*
12 *Code, \$10,000,000.*

13 *(10) For expenses necessary to support marine*
14 *highway program activities authorized under chapter*
15 *556 of such title, \$11,000,000.*

16 *(11) For expenses necessary to provide assistance*
17 *to small shipyards and for the maritime training*
18 *program authorized under section 54101 of title 46,*
19 *United States Code, \$40,000,000.*

20 *(12) For expenses necessary to implement the*
21 *Port and Intermodal Improvement Program,*
22 *\$750,000,000, to remain available until expended, ex-*
23 *cept that no such funds may be used to provide a*
24 *grant to purchase fully automated cargo handling*
25 *equipment that is remotely operated or remotely mon-*

1 *itored with or without the exercise of human interven-*
 2 *tion or control, if the Secretary determines such*
 3 *equipment would result in a net loss of jobs within*
 4 *a port of port terminal.*

5 *(b) AVAILABILITY OF AMOUNTS.—The amounts au-*
 6 *thorized to be appropriated under subsection (a) shall re-*
 7 *main available as follows:*

8 *(1) The amounts authorized to be appropriated*
 9 *under paragraphs (1)(A), (2)(A), and (4)(A) shall re-*
 10 *main available until September 30, 2022.*

11 *(2) The amounts authorized to be appropriated*
 12 *under paragraphs (1)(B), (2)(B), (D), and (E), (3),*
 13 *(4)(B), (5), (6), (7)(A), (8), and (9) shall remain*
 14 *available until expended without fiscal year limita-*
 15 *tion.*

16 *(c) UNITED STATES MERCHANT MARINE ACADEMY*
 17 *ADVISORY COUNCIL; UNFILLED VACANCIES.—*

18 *(1) IN GENERAL.—Chapter 513 of title 46,*
 19 *United States Code, is amended by adding at the end*
 20 *the following new sections:*

21 **“§51323. United States Merchant Marine Academy**

22 **Advisory Council**

23 *“(a) ESTABLISHMENT.—The Secretary of Transpor-*
 24 *tation shall establish an advisory council, to be known as*

1 *the ‘United States Merchant Marine Academy Advisory*
2 *Council’ (in this section referred to as the ‘Council’).*

3 “(b) *MEMBERSHIP.*—

4 “(1) *IN GENERAL.*—*The Secretary shall select not*
5 *fewer than 8 and not more than 14 individuals to*
6 *serve as members of the Council. Such individuals*
7 *shall have such expertise as the Secretary determines*
8 *necessary and appropriate for providing advice and*
9 *guidance on improving the Academy.*

10 “(2) *GOVERNMENTAL EXPERTS.*—*The number of*
11 *members of the Council who are employees of the Fed-*
12 *eral Government may not exceed the number of mem-*
13 *bers of the Council who are not employees of the Fed-*
14 *eral Government.*

15 “(3) *EMPLOYEE STATUS.*—*Members of the Coun-*
16 *cil shall not be considered employees of the United*
17 *States Government by reason of their membership on*
18 *the Council for any purpose and shall not receive*
19 *compensation other than reimbursement of travel ex-*
20 *penses and per diem allowance in accordance with*
21 *section 5703 of title 5.*

22 “(c) *RESPONSIBILITIES.*—*The Council shall provide*
23 *advice to the Secretary at the time and in the manner re-*
24 *quested by the Secretary.*

1 “(d) *PERSONALLY IDENTIFIABLE INFORMATION.*—In
 2 carrying out its responsibilities under this subsection, the
 3 Council shall comply with the obligations of the Department
 4 of Transportation to protect personally identifiable infor-
 5 mation.

6 “§ 51324. *Unfilled vacancies*

7 “(a) *IN GENERAL.*—In the event of an unfilled va-
 8 cancy for any critical position at the United States Mer-
 9 chant Marine Academy, the Secretary of Transportation
 10 may appoint, without regard to the provisions of subchapter
 11 I of chapter 33 of title 5, other than sections 3303 and 3328
 12 of that title, a qualified candidate for the purposes of filling
 13 up to 20 of such positions.

14 “(b) *CRITICAL POSITION DEFINED.*—In this section,
 15 the term ‘critical position’ means a position that contrib-
 16 utes to the improvement of—

17 “(1) the culture or infrastructure of the Acad-
 18 emy;

19 “(2) student health and well being;

20 “(3) Academy governance; or

21 “(4) any other priority areas identified by the
 22 Council.”.

23 (2) *CLERICAL AMENDMENT.*—The table of sec-
 24 tions at the beginning of such chapter is amended by
 25 adding at the end the following new items:

“51323. *United States Merchant Marine Academy Advisory Council.*
 “51324. *Unfilled vacancies.*”.

1 ***Subtitle B—Other Matters***

2 ***SEC. 3511. EFFECTIVE PERIOD FOR ISSUANCE OF DOCU-***
 3 ***MENTATION FOR RECREATIONAL VESSELS.***

4 *Section 12105(e)(2) of title 46, United States Code, is*
 5 *amended—*

6 (1) *by striking subparagraphs (A) and (B) and*
 7 *inserting the following:*

8 “(A) *IN GENERAL.—The owner or operator*
 9 *of a recreational vessel may choose a period of ef-*
 10 *fectiveness of between 1 and 5 years for a certifi-*
 11 *cate of documentation for a recreational vessel or*
 12 *the renewal thereof.”; and*

13 (2) *by redesignating subparagraph (C) as sub-*
 14 *paragraph (B).*

15 ***SEC. 3512. COMMITTEES ON MARITIME MATTERS.***

16 (a) *IN GENERAL.—*

17 (1) *Chapter 555 of title 46, United States Code,*
 18 *is redesignated as chapter 504 of such title and trans-*
 19 *ferred to appear after chapter 503 of such title.*

20 (2) *Chapter 504 of such title, as redesignated by*
 21 *paragraph (1), is amended in the chapter heading by*
 22 *striking “MISCELLANEOUS” and inserting*
 23 ***“COMMITTEES”.***

1 (3) *Sections 55501 and 55502 of such title are*
 2 *redesignated as section 50401 and section 50402, re-*
 3 *spectively, of such title and transferred to appear in*
 4 *chapter 504 of such title (as redesignated by para-*
 5 *graph (1)).*

6 (4) *The section heading for section 50401 of such*
 7 *title, as redesignated by paragraph (3), is amended to*
 8 *read as follows: “UNITED STATES COMMITTEE ON THE*
 9 *MARINE TRANSPORTATION SYSTEM”.*

10 (b) *CONFORMING AMENDMENT.—Section 8332(b)(1) of*
 11 *the Elijah E. Cummings Coast Guard Authorization Act*
 12 *of 2020 (division G of the William M. (Mac) Thornberry*
 13 *National Defense Authorization Act for Fiscal Year 2021*
 14 *(Public Law 116–283)) is amended by striking “section*
 15 *55502” and inserting “section 50402”.*

16 (c) *CLERICAL AMENDMENTS.—*

17 (1) *The analysis for chapter 504 of title 46,*
 18 *United States Code, as redesignated by subsection*
 19 *(a)(1), is amended to read as follows:*

“CHAPTER 504—COMMITTEES

“Sec.

“50401. *United States Committee on the Marine Transportation System.*

“50402. *Maritime Transportation System National Advisory Committee.*”.

20 (2) *The table of chapters for subtitle V of title 46,*
 21 *United States Code, is amended—*

22 (A) *by inserting after the item relating to*
 23 *chapter 503 the following:*

“504. Committees50401”;
and

1 (B) by striking the item relating to chapter
 2 555.

3 **SEC. 3513. PORT INFRASTRUCTURE DEVELOPMENT PRO-**
 4 **GRAM.**

5 (a) *IN GENERAL.*—

6 (1) *Part C of subtitle V of title 46, United States*
 7 *Code, is amended by adding at the end the following:*

8 **“CHAPTER 543—PORT INFRASTRUCTURE**
 9 **DEVELOPMENT PROGRAM**

“Sec.
 “54301. *Port infrastructure development program.*

10 **“§ 54301. *Port infrastructure development program*”.**

11 (2) *Subsections (c), (d), and (e) of section 50302*
 12 *of such title are redesignated as subsections (a), (b),*
 13 *and (c) of section 54301 of such title, respectively,*
 14 *and transferred to appear in chapter 543 of such title*
 15 *(as added by paragraph (1)).*

16 (b) *AMENDMENTS TO SECTION 54301.*—*Section 54301*
 17 *of such title, as redesignated by subsection (a)(2), is amend-*
 18 *ed—*

19 (1) *in subsection (a)—*

20 (A) *in paragraph (2) by striking “or sub-*
 21 *section (d)” and inserting “or subsection (b)”;*

22 (B) *in paragraph (3)(A)(ii)—*

1 *(i) in subclause (II) by striking “; or”*
2 *and inserting a semicolon;*

3 *(ii) by striking subclause (III); and*

4 *(iii) by adding at the end the fol-*
5 *lowing:*

6 *“(III) operational improvements,*
7 *including projects to improve port re-*
8 *silience; or*

9 *“(IV) environmental and emission*
10 *mitigation measures; including projects*
11 *for—*

12 *“(aa) port electrification or*
13 *electrification master planning;*

14 *“(bb) harbor craft or equip-*
15 *ment replacements or retrofits;*

16 *“(cc) development of port or*
17 *terminal microgrids;*

18 *“(dd) providing idling reduc-*
19 *tion infrastructure;*

20 *“(ee) purchase of cargo han-*
21 *dling equipment and related in-*
22 *frastructure;*

23 *“(ff) worker training to sup-*
24 *port electrification technology;*

1 “(gg) installation of port
2 bunkering facilities from ocean-
3 going vessels for fuels;

4 “(hh) electric vehicle charge
5 or hydrogen refueling infrastruc-
6 ture for drayage and medium or
7 heavy duty trucks and locomotives
8 that service the port and related
9 grid upgrades; or

10 “(ii) other related port ac-
11 tivities, including charging infra-
12 structure, electric rubber-tired
13 gantry cranes, and anti-idling
14 technologies.”;

15 (C) in paragraph (5)—

16 (i) in subparagraph (A) by striking
17 “or subsection (d)” and inserting “or sub-
18 section (b)”;

19 (ii) in subparagraph (B) by striking
20 “subsection (d)” and inserting “subsection
21 (b)”;

22 (D) in paragraph (6)(B)—

23 (i) in clause (i) by striking “; and”
24 and inserting a semicolon;

1 (ii) in clause (ii) by striking the pe-
2 riod and inserting “; and”; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(iii) a port’s increased resilience as a
6 result of the project.”;

7 (E) in paragraph (7)—

8 (i) in subparagraph (B)—

9 (I) by striking “subsection (d)” in
10 each place it appears and inserting
11 “subsection (b)”; and

12 (II) by striking “18 percent” and
13 inserting “25 percent”;

14 (ii) in subparagraph (C) by striking
15 “subsection (d)(3)(A)(ii)(III)” and inserting
16 “subsection (b)(3)(A)(ii)(III)”;

17 (F) in paragraph (8)—

18 (i) in subparagraph (A) by striking
19 “or subsection (d)” and inserting “or sub-
20 section (b)”; and

21 (ii) in subparagraph (B)—

22 (I) in clause (i) by striking “sub-
23 section (d)” and inserting “subsection
24 (b)”; and

1 (ii) in clause (ii) by striking
2 “subsection (d)” and inserting “sub-
3 section (b)”;

4 (G) in paragraph (9) by striking “sub-
5 section (d)” and inserting “subsection (b)”;

6 (H) in paragraph (10)—

7 (i) in subparagraph (A), by striking
8 “subsection (d)” and inserting “subsection
9 (b)”;

10 (ii) by redesignating subparagraphs
11 (B) and (C) as subparagraphs (C) and (D),
12 respectively; and

13 (iii) by inserting after subparagraph
14 (A) the following new subparagraph (B):

15 “(B) *EFFICIENT USE OF NON-FEDERAL*
16 *FUNDS.—*

17 “(i) *IN GENERAL.—Notwithstanding*
18 *any other provision of law and subject to*
19 *approval by the Secretary, in the case of*
20 *any grant for a project under this section,*
21 *during the period beginning on the date on*
22 *which the grant recipient is selected and*
23 *ending on the date on which the grant*
24 *agreement is signed—*

1 “(I) the grant recipient may obli-
2 gate and expend non-Federal funds
3 with respect to the project for which the
4 grant is provided; and

5 “(II) any non-Federal funds obli-
6 gated or expended in accordance with
7 subclause (I) shall be credited toward
8 the non-Federal cost share for the
9 project for which the grant is provided.

10 “(ii) REQUIREMENTS.—

11 “(I) APPLICATION.—In order to
12 obligate and expend non-Federal funds
13 under clause (i), the grant recipient
14 shall submit to the Secretary a request
15 to obligate and expend non- Federal
16 funds under that clause, including—

17 “(aa) a description of the ac-
18 tivities the grant recipient intends
19 to fund;

20 “(bb) a justification for ad-
21 vancing the activities described in
22 item (aa), including an assess-
23 ment of the effects to the project
24 scope, schedule, and budget if the
25 request is not approved; and

1 “(cc) the level of risk of the
2 activities described in item (aa).

3 “(II) APPROVAL.—The Secretary
4 shall approve or disapprove each re-
5 quest submitted under subclause (I).

6 “(III) COMPLIANCE WITH APPLI-
7 CABLE REQUIREMENTS.—Any obliga-
8 tion or expenditure of non-Federal
9 funds under clause (i) shall be in com-
10 pliance with all applicable require-
11 ments, including any requirements in-
12 cluded in the grant agreement.

13 “(iii) EFFECT.—The obligation or ex-
14 penditure of any non-Federal funds in ac-
15 cordance with this subparagraph shall
16 not—

17 “(I) affect the signing of a grant
18 agreement or other applicable grant
19 procedures with respect to the applica-
20 ble grant;

21 “(II) create an obligation on the
22 part of the Federal Government to
23 repay any non-Federal funds if the
24 grant agreement is not signed; or

1 “(III) affect the ability of the re-
2 cipient of the grant to obligate or ex-
3 pend non-Federal funds to meet the
4 non-Federal cost share for the project
5 for which the grant is provided after
6 the period described in clause (i).”;
7 and

8 (I) in paragraph (12)—

9 (i) by striking “subsection (d)” and in-
10 serting “subsection (b)”; and

11 (ii) by adding at the end the following:

12 “(D) *RESILIENCE*.—The term ‘resilience’
13 means the ability to anticipate, prepare for,
14 adapt to, withstand, respond to, and recover
15 from operational disruptions and sustain critical
16 operations at ports, including disruptions caused
17 by natural or manmade hazards, such as sea
18 level rise, flooding, earthquakes, hurricanes, tsu-
19 nami inundation or other extreme weather
20 events.”;

21 (2) in subsection (b)—

22 (A) in the subsection heading by striking
23 “INLAND” and inserting “INLAND RIVER”;

1 (B) in paragraph (1) by striking “sub-
2 section (c)(7)(B)” and inserting “subsection
3 (a)(7)(B)”;

4 (C) in paragraph (3)(A)(ii)(III) by striking
5 “subsection (c)(3)(B)” and inserting “subsection
6 (a)(3)(B)”;

7 (D) in paragraph (5)(A) by striking “sub-
8 section (c)(8)(B)” and inserting “subsection
9 (a)(8)(B)”;

10 (3) in subsection (c)—

11 (A) by striking “subsection (c) or subsection
12 (d)” and inserting “subsection (a) or subsection
13 (b)”;

14 (B) by striking “subsection (c)(2)” and in-
15 serting “subsection (a)(2)”.

16 (c) *GRANTS FOR EMISSION MITIGATION MEASURES.*—
17 For fiscal year 2022, the Secretary may make grants under
18 section 54301(a) of title 46, United States Code, as redesign-
19 ated by subsection (a)(2) and amended by subsection (b),
20 to provide for emission mitigation measures that provide
21 for the use of shore power for vessels to which sections 3507
22 and 3508 of such title apply, if such grants meet the other
23 requirements set out in such section 54301(a).

24 (d) *CLERICAL AMENDMENTS.*—The table of chapters
25 for subtitle V of title 46, United States Code, as amended

1 *by this title, is further amended by inserting after the item*
 2 *relating to chapter 541 the following:*

“543. **Port Infrastructure Development Program**54301”.

3 **SEC. 3514. USES OF EMERGING MARINE TECHNOLOGIES**
 4 **AND PRACTICES.**

5 *Section 50307 of title 46, United States Code, is*
 6 *amended—*

7 *(1) by redesignating subsection (e) as subsection*
 8 *(f); and*

9 *(2) by inserting after subsection (d) the following*
 10 *new subsection (e):*

11 *“(e) USES.—The results of activities conducted under*
 12 *subsection (b)(1) shall be used to inform—*

13 *“(1) the policy decisions of the United States re-*
 14 *lated to domestic regulations; and*

15 *“(2) the position of the United States on matters*
 16 *before the International Maritime Organization.”.*

17 **SEC. 3515. PROHIBITION ON PARTICIPATION OF LONG**
 18 **TERM CHARTERS IN TANKER SECURITY**
 19 **FLEET.**

20 *(a) DEFINITION OF LONG TERM CHARTER.—Section*
 21 *53401 of title 46, United States Code, is amended by adding*
 22 *at the end the following new paragraph:*

23 *“(8) LONG TERM CHARTER.—The term ‘long*
 24 *term charter’ means any time charter of a product*
 25 *tank vessel to the United States Government that, to-*

1 *gether with options, occurs for a continuous period of*
 2 *more than 180 days.”.*

3 (b) *PARTICIPATION OF LONG TERM CHARTERS IN*
 4 *TANKER SECURITY FLEET.*—Section 53404(b) of such title
 5 *is amended—*

6 (1) *by striking “The program participant of a”*
 7 *and inserting “Any”;*

8 (2) *by inserting “long term” before “charter”;*

9 (3) *by inserting “not” before “eligible”;* and

10 (4) *by striking “receive payments pursuant to*
 11 *any operating agreement that covers such vessel” and*
 12 *inserting “participate in the Fleet”.*

13 **SEC. 3516. COASTWISE ENDORSEMENT.**

14 *Notwithstanding section 12112 of title 46, United*
 15 *States Code, the Secretary of the department in which the*
 16 *Coast Guard is operating may issue a certificate of docu-*
 17 *mentation with a coastwise endorsement for the vessel*
 18 *WIDGEON (United States official number 1299656).*

19 **SEC. 3517. REPORT ON EFFORTS OF COMBATANT COM-**
 20 **MANDS TO COMBAT THREATS POSED BY ILLE-**
 21 **GAL, UNREPORTED, AND UNREGULATED**
 22 **FISHING.**

23 (a) *REPORT REQUIRED.*—*Not later than 180 days*
 24 *after the date of the enactment of this Act, the Secretary*
 25 *of the Navy, in consultation with the Director of the Office*

1 *of Naval Research, the co-chairs of the collaborative inter-*
2 *agency working group on maritime security and IUU fish-*
3 *ing established under section 3551 of the Maritime Security*
4 *and Fisheries Enforcement Act (16 U.S.C. 8031), and the*
5 *heads of other relevant agencies, as determined by the Sec-*
6 *retary, shall submit to the appropriate congressional com-*
7 *mittees a report on the combatant commands' maritime do-*
8 *main awareness efforts to combat the threats posed by ille-*
9 *gal, unreported, and unregulated fishing.*

10 (b) *CONTENTS OF REPORT.*—*The report required by*
11 *subsection (a) shall include a detailed summary of each of*
12 *the following for each combatant command:*

13 (1) *The activities undertaken to date to combat*
14 *the threats posed by illegal, unreported, and unregu-*
15 *lated fishing in the geographic area of the combatant*
16 *command, including the steps taken to build partner*
17 *capacity to combat such threats.*

18 (2) *Coordination with the Armed Forces of the*
19 *United States, partner nations, and public-private*
20 *partnerships to combat such threats.*

21 (3) *Efforts undertaken to support unclassified*
22 *data integration, analysis, and delivery with regional*
23 *partners to combat such threats.*

24 (4) *Information sharing and coordination with*
25 *efforts of the collaborative interagency working group*

1 *on maritime security and IUU fishing established*
2 *under section 3551 of the Maritime Security and*
3 *Fisheries Enforcement Act (16 U.S.C. 8031).*

4 (5) *Best practices and lessons learned from exist-*
5 *ing and previous efforts relating to such threats, in-*
6 *cluding strategies for coordination and success in*
7 *public-private partnerships.*

8 (6) *Limitations related to affordability, resource*
9 *constraints, or other gaps or factors that affect the*
10 *success or expansion of efforts related to such threats.*

11 (7) *Any new authorities needed to support efforts*
12 *to combat such threats.*

13 (c) *FORM OF REPORT.*—*The report required by sub-*
14 *section (a) shall be submitted in unclassified form, but may*
15 *include a classified annex.*

16 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*
17 *this section, the term “appropriate congressional commit-*
18 *tees” means—*

19 (1) *the Committee on Armed Services, the Com-*
20 *mittee on Commerce, Science, and Transportation,*
21 *the Committee on Foreign Relations, and the Com-*
22 *mittee on Appropriations of the Senate; and*

23 (2) *the Committee on Armed Services, the Com-*
24 *mittee on Natural Resources, the Committee on*
25 *Transportation and Infrastructure, the Committee on*

1 *vidual who, between December 7, 1941, and December 31,*
2 *1946—*

3 *(1) was a member of the United States merchant*
4 *marine, including the Army Transport Service and*
5 *the Navy Transport Service, serving as a crewmember*
6 *of a vessel that was—*

7 *(A) operated by the War Shipping Admin-*
8 *istration, the Office of Defense Transportation,*
9 *or an agent of such departments;*

10 *(B) operated in waters other than inland*
11 *waters, the Great Lakes, and other lakes, bays, or*
12 *harbors of the United States;*

13 *(C) under contract or charter to, or prop-*
14 *erty of, the Government of the United States;*
15 *and*

16 *(D) serving in the Armed Forces; and*

17 *(2) while so serving, was licensed or otherwise*
18 *documented for service as a crewmember of such a*
19 *vessel by an officer or employee of the United States*
20 *authorized to license or document the person for such*
21 *service.*

1 ***DIVISION D—FUNDING TABLES***

2 ***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-***
 3 ***BLES.***

4 *(a) IN GENERAL.—Whenever a funding table in this*
 5 *division specifies a dollar amount authorized for a project,*
 6 *program, or activity, the obligation and expenditure of the*
 7 *specified dollar amount for the project, program, or activity*
 8 *is hereby authorized, subject to the availability of appro-*
 9 *priations.*

10 *(b) MERIT-BASED DECISIONS.—*

11 *(1) IN GENERAL.—A decision to commit, obli-*
 12 *gate, or expend funds with or to a specific entity on*
 13 *the basis of a dollar amount authorized pursuant to*
 14 *subsection (a) shall—*

15 *(A) except as provided in paragraph (2), be*
 16 *based on merit-based selection procedures in ac-*
 17 *cordance with the requirements of sections*
 18 *2304(k) and 2374 of title 10, United States Code,*
 19 *or on competitive procedures; and*

20 *(B) comply with other applicable provisions*
 21 *of law.*

22 *(2) EXCEPTION.—Paragraph (1)(A) does not*
 23 *apply to a decision to commit, obligate, or expend*
 24 *funds on the basis of a dollar amount authorized pur-*

1 *suant to subsection (a) if the project, program, or ac-*
2 *tivity involved—*

3 *(A) is listed in section 4201; and*

4 *(B) is identified as Community Project*
5 *Funding through the inclusion of the abbrevia-*
6 *tion “CPF” immediately before the name of the*
7 *project, program, or activity.*

8 *(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING*
9 *AUTHORITY.—An amount specified in the funding tables in*
10 *this division may be transferred or reprogrammed under*
11 *a transfer or reprogramming authority provided by another*
12 *provision of this Act or by other law. The transfer or re-*
13 *programming of an amount specified in such funding tables*
14 *shall not count against a ceiling on such transfers or*
15 *reprogrammings under section 1001 of this Act or any other*
16 *provision of law, unless such transfer or reprogramming*
17 *would move funds between appropriation accounts.*

18 *(d) APPLICABILITY TO CLASSIFIED ANNEX.—This sec-*
19 *tion applies to any classified annex that accompanies this*
20 *Act.*

21 *(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral*
22 *or written communication concerning any amount specified*
23 *in the funding tables in this division shall supersede the*
24 *requirements of this section.*

1 **TITLE XLI—PROCUREMENT**

2 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2022 Request	Conference Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
001	UTILITY F/W AIRCRAFT		20,000
	Program increase—fixed wing avionics upgrade		[20,000]
004	SMALL UNMANNED AIRCRAFT SYSTEM	16,005	16,005
ROTARY			
007	AH-64 APACHE BLOCK IIIA REMAN	504,136	494,136
	Unit cost growth		[-10,000]
008	AH-64 APACHE BLOCK IIIA REMAN	192,230	192,230
010	UH-60 BLACKHAWK M MODEL (MYP)	630,263	841,763
	UH-60 Black Hawk for Army Guard		[211,500]
011	UH-60 BLACKHAWK M MODEL (MYP)	146,068	146,068
012	UH-60 BLACK HAWK L AND V MODELS	166,205	166,205
013	CH-47 HELICOPTER	145,218	397,218
	Army UFR—Support minimum sustainment rate		[252,000]
014	CH-47 HELICOPTER AP	18,559	47,559
	Program increase—F Block II		[29,000]
MODIFICATION OF AIRCRAFT			
017	GRAY EAGLE MODS2	3,143	33,143
	Program increase—recapitalization of legacy MQ-1C to extended range MDO configuration		[30,000]
018	MULTI SENSOR ABN RECON	127,665	122,910
	Unjustified cost—spares		[-4,755]
019	AH-64 MODS	118,560	118,560
020	CH-47 CARGO HELICOPTER MODS (MYP)	9,918	11,918
	Program increase—improved vibration control		[2,000]
021	GRC S SEMA MODS	2,762	2,762
022	ARL SEMA MODS	9,437	9,437
023	EMARSS SEMA MODS	1,568	1,568
024	UTILITY/CARGO AIRPLANE MODS	8,530	8,530
025	UTILITY HELICOPTER MODS	15,826	40,826
	UH-72 modernization		[25,000]
026	NETWORK AND MISSION PLAN	29,206	29,206
027	COMMS, NAV SURVEILLANCE	58,117	58,117
029	AVIATION ASSURED PNT	47,028	45,862
	Excess to need		[-1,166]
030	GATM ROLLUP	16,776	16,776
032	UAS MODS	3,840	3,840
GROUND SUPPORT AVIONICS			
033	AIRCRAFT SURVIVABILITY EQUIPMENT	64,561	64,561
034	SURVIVABILITY CM	5,104	5,104
035	CMWS	148,570	148,570
036	COMMON INFRARED COUNTERMEASURES (CIRCM)	240,412	238,012
	Training support cost growth		[-2,400]
OTHER SUPPORT			
038	COMMON GROUND EQUIPMENT	13,561	13,561
039	AIRCREW INTEGRATED SYSTEMS	41,425	41,425
040	AIR TRAFFIC CONTROL	21,759	21,759
	TOTAL AIRCRAFT PROCUREMENT, ARMY	2,806,452	3,357,631
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
002	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	35,473	35,473
003	M-SHORAD—PROCUREMENT	331,575	331,575
004	MSE MISSILE	776,696	776,696
005	PRECISION STRIKE MISSILE (PRSM)	166,130	166,130
006	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	25,253	20,253
	Maintain level of effort		[-5,000]
AIR-TO-SURFACE MISSILE SYSTEM			
007	HELLFIRE SYS SUMMARY	118,800	115,800
	Unit cost growth		[-3,000]
008	JOINT AIR-TO-GROUND MSLS (JAGM)	152,177	214,177
	Army UFR—Additional JAGM procurement		[67,000]
	Unit cost growth		[-5,000]
009	LONG RANGE PRECISION MUNITION	44,744	44,744
ANTI-TANK/ASSAULT MISSILE SYS			
010	JAVELIN (AAWS-M) SYSTEM SUMMARY	120,842	125,842
	Army UFR—Light Weight Command Launch Units		[5,000]
011	TOW 2 SYSTEM SUMMARY	104,412	102,412
	Excess to need		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS)	935,917	968,262
	Army UFR—Restores GMLRS procurement		[50,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	<i>Tooling request previously funded</i>		[-17,655]
013	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	29,574	29,574
014	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	128,438	128,438
016	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	68,278	68,278
	MODIFICATIONS		
017	PATRIOT MODS	205,469	205,469
021	AVENGER MODS	11,227	11,227
022	ITAS/TOW MODS	4,561	4,561
023	MLRS MODS	273,856	273,856
024	HIMARS MODIFICATIONS	7,192	7,192
	SPARES AND REPAIR PARTS		
025	SPARES AND REPAIR PARTS	5,019	5,019
	SUPPORT EQUIPMENT & FACILITIES		
026	AIR DEFENSE TARGETS	10,618	10,618
	TOTAL MISSILE PROCUREMENT, ARMY	3,556,251	3,645,596
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	ARMORED MULTI PURPOSE VEHICLE (AMPV)	104,727	104,727
002	ASSAULT BREACHER VEHICLE (ABV)	16,454	16,454
003	MOBILE PROTECTED FIREPOWER	286,977	286,977
	MODIFICATION OF TRACKED COMBAT VEHICLES		
005	STRYKER UPGRADE	1,005,028	1,120,028
	<i>Excess growth</i>		[-24,000]
	<i>Program increase</i>		[139,000]
006	BRADLEY PROGRAM (MOD)	461,385	538,354
	<i>Army UFR—Improved Bradley Acquisition System upgrade</i>		[56,969]
	<i>Program increase</i>		[20,000]
007	M109 FOV MODIFICATIONS	2,534	2,534
008	PALADIN INTEGRATED MANAGEMENT (PIM)	446,430	673,430
	<i>Army UFR—PIM increase</i>		[227,000]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	52,059	52,059
010	ASSAULT BRIDGE (MOD)	2,136	2,136
013	JOINT ASSAULT BRIDGE	110,773	110,773
015	ABRAMS UPGRADE PROGRAM	981,337	1,350,337
	<i>Army UFR—Abrams ARNG M1A2SEP3 fielding</i>		[369,000]
016	VEHICLE PROTECTION SYSTEMS (VPS)	80,286	80,286
	WEAPONS & OTHER COMBAT VEHICLES		
018	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPONS	31,623	31,623
019	MORTAR SYSTEMS	37,485	50,338
	<i>Army UFR—120mm mortar cannon</i>		[12,853]
020	XM320 GRENADE LAUNCHER MODULE (GLM)	8,666	8,666
021	PRECISION SNIPER RIFLE	11,040	10,040
	<i>Unit cost growth</i>		[-1,000]
023	CARBINE	4,434	4,434
024	NEXT GENERATION SQUAD WEAPON	97,087	97,087
026	HANDGUN	4,930	4,930
	MOD OF WEAPONS AND OTHER COMBAT VEH		
027	MK-19 GRENADE MACHINE GUN MODS	13,027	13,027
028	M777 MODS	21,976	23,771
	<i>Army UFR—Software Defined Radio-Hardware Integration Kits</i>		[1,795]
030	M2 50 CAL MACHINE GUN MODS	3,612	21,527
	<i>Army UFR—Additional M2A1s for MATVs</i>		[17,915]
	SUPPORT EQUIPMENT & FACILITIES		
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,068	1,068
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	90,819	90,819
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,875,893	4,695,425
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	47,490	79,890
	<i>Army UFR—Enhanced Performance Round and Tracer</i>		[32,400]
002	CTG, 7.62MM, ALL TYPES	74,870	101,926
	<i>Program increase</i>		[28,473]
	<i>Unit cost growth</i>		[-1,417]
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	76,794	76,794
004	CTG, HANDGUN, ALL TYPES	7,812	7,812
005	CTG, .50 CAL, ALL TYPES	29,716	58,116
	<i>Program increase</i>		[28,400]
006	CTG, 20MM, ALL TYPES	4,371	4,371
008	CTG, 30MM, ALL TYPES	34,511	34,511
009	CTG, 40MM, ALL TYPES	35,231	46,731
	<i>Army UFR—MK19 training and war reserves</i>		[14,000]
	<i>BA54 and BA55 uncertainty</i>		[-2,500]
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	23,219	23,219
011	81MM MORTAR, ALL TYPES	52,135	52,135
012	120MM MORTAR, ALL TYPES	104,144	98,944

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	Unit cost growth		[-5,200]
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	224,503	217,603
	Unit cost growth		[-6,900]
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	26,709	57,553
	Army UPL		[30,844]
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	174,015	174,715
	Army UFR—Additional inventory		[5,000]
	Unit cost growth		[-4,300]
016	PROJ 155MM EXTENDED RANGE M982	73,498	61,498
	Unit cost growth		[-12,000]
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	150,873	143,373
	Unit cost growth		[-7,500]
	MINES		
018	MINES & CLEARING CHARGES, ALL TYPES	25,980	20,980
	Excess to need		[-5,000]
019	CLOSE TERRAIN SHAPING OBSTACLE	34,761	34,761
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	24,408	22,408
	Excess to need		[-2,000]
021	ROCKET, HYDRA 70, ALL TYPES	109,536	117,536
	Program increase		[8,000]
	OTHER AMMUNITION		
022	CAD/PAD, ALL TYPES	6,549	6,549
023	DEMOLITION MUNITIONS, ALL TYPES	27,904	27,904
024	GRENADES, ALL TYPES	37,437	37,437
025	SIGNALS, ALL TYPES	7,530	7,530
026	SIMULATORS, ALL TYPES	8,350	8,350
027	REACTIVE ARMOR TILES	17,755	17,755
	MISCELLANEOUS		
028	AMMO COMPONENTS, ALL TYPES	2,784	2,784
029	ITEMS LESS THAN \$5 MILLION (AMMO)	17,797	17,797
030	AMMUNITION PECULIAR EQUIPMENT	12,290	12,290
031	FIRST DESTINATION TRANSPORTATION (AMMO)	4,331	4,331
032	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
034	INDUSTRIAL FACILITIES	538,120	642,620
	Army UFR—Demolition of Legacy Nitrate Esters (Nitroglycerin) NG1 Facility, Radford Army Ammunition Plant (RFAAP), Virginia.		[40,000]
	Army UFR—Environmental, Safety, Construction, Maintenance and Repair of GOCO Facilities in VA, TN, MO, PA, & IA.		[40,000]
	Army UFR—Pyrotechnics Energetic Capability (PEC) construction at Lake City Army Ammunition Plant (LCAAP), Missouri.		[12,000]
	Army UFR—Solvent Propellant Facility, Preliminary Design, Radford Army Ammu- nition Plant, Virginia.		[12,500]
035	CONVENTIONAL MUNITIONS DEMILITARIZATION	139,410	232,410
	Program increase		[93,000]
036	ARMS INITIATIVE	3,178	3,178
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,158,110	2,455,910
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	12,539	18,931
	Army UFR—M872 semitrailer		[6,392]
003	SEMITRAILERS, TANKERS	17,985	17,985
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	60,706	60,706
005	GROUND MOBILITY VEHICLES (GMV)	29,807	37,307
	Program increase—infantry squad vehicle		[7,500]
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	574,562	605,562
	Army UFR—Additional JLTV fielding		[120,000]
	Early to need		[-89,000]
009	TRUCK, DUMP, 20T (CCE)	9,882	19,632
	Program increase		[9,750]
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	36,885	61,885
	Program increase		[25,000]
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE	16,450	16,450
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	26,256	26,256
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	64,282	64,282
014	PLS ESP	16,943	16,943
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV		109,000
	Program increase		[109,000]
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	17,957	17,957
018	MODIFICATION OF IN SVC EQUIP	29,349	212,650
	HMMWV modifications		[183,301]
	NON-TACTICAL VEHICLES		
020	PASSENGER CARRYING VEHICLES	1,232	1,232
021	NONTACTICAL VEHICLES, OTHER	24,246	19,246

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	<i>Excess carryover</i>		[−5,000]
	COMM—JOINT COMMUNICATIONS		
022	SIGNAL MODERNIZATION PROGRAM	140,036	142,536
	<i>Army UFR—Multi-Domain Task Force All-Domain Operations Center cloud pilot</i>		[2,500]
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	436,524	429,024
	<i>Excess to need</i>		[−7,500]
025	DISASTER INCIDENT RESPONSE COMMS TERMINAL	3,863	3,863
026	JCSE EQUIPMENT (USRDECOM)	4,845	4,845
	COMM—SATELLITE COMMUNICATIONS		
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	97,369	97,369
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	120,550	120,550
031	SHF TERM	38,129	38,129
032	ASSURED POSITIONING, NAVIGATION AND TIMING	115,291	112,791
	<i>Excess to need</i>		[−2,500]
033	SMART-T (SPACE)	15,407	15,407
034	GLOBAL BRDCST SVC—GBS	2,763	2,763
	COMM—C3 SYSTEM		
037	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	99,858	99,858
	COMM—COMBAT COMMUNICATIONS		
038	HANDHELD MANPACK SMALL FORM FIT (HMS)	775,069	730,069
	<i>Cost deviation</i>		[−5,000]
	<i>Single channel data radio program decrease</i>		[−35,000]
	<i>Support cost excess to need</i>		[−5,000]
040	ARMY LINK 16 SYSTEMS	17,749	17,749
042	UNIFIED COMMAND SUITE	17,984	17,984
043	COTS COMMUNICATIONS EQUIPMENT	191,702	185,702
	<i>Unit cost growth</i>		[−6,000]
044	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	15,957	15,957
045	ARMY COMMUNICATIONS & ELECTRONICS	89,441	79,441
	<i>Insufficient justification</i>		[−10,000]
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE-INTEL	13,317	13,317
048	DEFENSE MILITARY DECEPTION INITIATIVE	5,207	5,207
049	MULTI-DOMAIN INTELLIGENCE	20,095	20,095
	INFORMATION SECURITY		
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	987	987
052	COMMUNICATIONS SECURITY (COMSEC)	126,273	126,273
053	DEFENSIVE CYBER OPERATIONS	27,389	31,489
	<i>Army UFR—Cybersecurity / IT Network Mapping</i>		[4,100]
056	SIO CAPABILITY	21,303	21,303
057	BIOMETRIC ENABLING CAPABILITY (BEC)	914	914
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	9,209	24,209
	<i>Land mobile radios</i>		[15,000]
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	219,026	219,026
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,875	4,875
064	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	223,001	225,041
	<i>EUCOM UFR—Mission Partner Environment</i>		[2,040]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
067	JTT/CIBS-M	5,463	5,463
068	TERRESTRIAL LAYER SYSTEMS (TLS)	39,240	39,240
070	DCGS-A-INTEL	92,613	119,563
	<i>Army UFR—Additional fixed node cloud servers</i>		[26,950]
071	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	8,088	8,088
072	TROJAN	30,828	30,828
073	MOD OF IN-SVC EQUIP (INTEL SPT)	39,039	39,039
074	BIOMETRIC TACTICAL COLLECTION DEVICES	11,097	11,097
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	783	783
077	AIR VIGILANCE (AV)	13,486	13,486
079	FAMILY OF PERSISTENT SURVEILLANCE CAP.	14,414	14,414
080	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,111	19,111
081	CI MODERNIZATION	421	421
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
082	SENTINEL MODS	47,642	47,642
083	NIGHT VISION DEVICES	1,092,341	828,875
	<i>IVAS ahead of need</i>		[−213,466]
	<i>Transfer to RDTE, Army line 98</i>		[−50,000]
084	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	21,103	21,103
085	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	6,153	6,153
086	FAMILY OF WEAPON SIGHTS (FWS)	184,145	184,145
087	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	2,371	2,371
088	FORWARD LOOKING INFRARED (IFLIR)	11,929	11,929
089	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	60,058	60,058
090	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	263,661	259,661
	<i>Unit cost growth</i>		[−4,000]
091	JOINT EFFECTS TARGETING SYSTEM (JETS)	62,082	62,082

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
093	COMPUTER BALLISTICS: LHMCB XM32	2,811	2,811
094	MORTAR FIRE CONTROL SYSTEM	17,236	17,236
095	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	2,830	2,830
096	COUNTERFIRE RADARS	31,694	26,694
	<i>Excess to need</i>		<i>[-5,000]</i>
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
097	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE	49,410	49,410
098	FIRE SUPPORT C2 FAMILY	9,853	9,853
099	AIR & MSL DEFENSE PLANNING & CONTROL SYS	67,193	67,193
100	LAMD BATTLE COMMAND SYSTEM	301,872	291,872
	<i>Excess costs previously funded</i>		<i>[-10,000]</i>
101	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,182	5,182
102	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	31,349	31,349
104	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	11,271	11,271
105	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	16,077	16,077
107	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,160	9,160
	<i>Program increase—land surveying systems</i>		<i>[6,000]</i>
	ELECT EQUIP—AUTOMATION		
108	ARMY TRAINING MODERNIZATION	9,833	9,833
109	AUTOMATED DATA PROCESSING EQUIP	130,924	133,924
	<i>Army UFR—ATRRS unlimited data rights</i>		<i>[3,000]</i>
110	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	44,635	39,635
	<i>Program decrease</i>		<i>[-5,000]</i>
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	1,452	1,452
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	69,943	69,943
113	CONTRACT WRITING SYSTEM	16,957	16,957
114	CSS COMMUNICATIONS	73,110	73,110
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	12,905	12,905
	ELECT EQUIP—SUPPORT		
117	BCT EMERGING TECHNOLOGIES	13,835	13,835
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	18,304	18,304
	CHEMICAL DEFENSIVE EQUIPMENT		
119	BASE DEFENSE SYSTEMS (BDS)	62,295	62,295
120	CBRN DEFENSE	55,632	55,632
	BRIDGING EQUIPMENT		
122	TACTICAL BRIDGING	9,625	9,625
123	TACTICAL BRIDGE, FLOAT-RIBBON	76,082	76,082
124	BRIDGE SUPPLEMENTAL SET	19,867	19,867
125	COMMON BRIDGE TRANSPORTER (CBT) RECAP	109,796	109,796
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
126	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,628	5,628
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	26,823	75,123
	<i>Army UFR—Additional HMDS</i>		<i>[48,300]</i>
131	ROBOTICS AND APPLIQUE SYSTEMS	124,233	134,233
	<i>Army UFR—Common Robotic System-Individual (CRS-I)</i>		<i>[10,000]</i>
132	RENDER SAFE SETS KITS OUTFITS	84,000	87,158
	<i>Army UFR—Additional render safe equipment</i>		<i>[3,158]</i>
	COMBAT SERVICE SUPPORT EQUIPMENT		
134	HEATERS AND ECUS	7,116	5,116
	<i>Contract delay</i>		<i>[-2,000]</i>
135	SOLDIER ENHANCEMENT	1,286	7,786
	<i>Program increase</i>		<i>[6,500]</i>
136	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	9,741	9,741
137	GROUND SOLDIER SYSTEM	150,244	150,244
138	MOBILE SOLDIER POWER	17,815	17,815
139	FORCE PROVIDER	28,860	28,860
140	FIELD FEEDING EQUIPMENT	2,321	2,321
141	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	40,240	40,240
142	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	36,163	36,163
	PETROLEUM EQUIPMENT		
144	QUALITY SURVEILLANCE EQUIPMENT	744	744
145	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	72,296	76,716
	<i>Army UFR—Modular Fuel System (MFS)</i>		<i>[4,420]</i>
	MEDICAL EQUIPMENT		
146	COMBAT SUPPORT MEDICAL	122,145	122,145
	MAINTENANCE EQUIPMENT		
147	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	14,756	12,856
	<i>Excess carryover</i>		<i>[-1,900]</i>
	CONSTRUCTION EQUIPMENT		
154	ALL TERRAIN CRANES	112,784	107,784
	<i>Cost savings</i>		<i>[-5,000]</i>
156	CONST EQUIP ESP	8,694	8,694
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
158	ARMY WATERCRAFT ESP	44,409	58,009
	<i>Army UFR—Landing Craft Utility modernization</i>		<i>[13,600]</i>
159	MANEUVER SUPPORT VESSEL (MSV)	76,660	76,660
	GENERATORS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
161	GENERATORS AND ASSOCIATED EQUIP	47,606	47,606
162	TACTICAL ELECTRIC POWER RECAPITALIZATION	10,500	10,500
	MATERIAL HANDLING EQUIPMENT		
163	FAMILY OF FORKLIFTS	13,325	13,325
	TRAINING EQUIPMENT		
164	COMBAT TRAINING CENTERS SUPPORT	79,565	79,565
165	TRAINING DEVICES, NONSYSTEM	174,644	174,644
166	SYNTHETIC TRAINING ENVIRONMENT (STE)	122,104	92,266
	<i>RVCT ahead of need</i>		[-29,838]
168	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	11,642	10,642
	<i>Excess carryover</i>		[-1,000]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
170	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	42,934	42,934
172	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,304	24,304
	OTHER SUPPORT EQUIPMENT		
174	PHYSICAL SECURITY SYSTEMS (OPA3)	86,930	86,930
175	BASE LEVEL COMMON EQUIPMENT	27,823	27,823
176	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	32,392	32,392
177	BUILDING, PRE-FAB, RELOCATABLE	32,227	32,227
179	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	76,917	76,917
	OPA2		
180	INITIAL SPARES—C&E	9,272	9,272
	TOTAL OTHER PROCUREMENT, ARMY	8,873,558	8,987,865
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A-18E/F (FIGHTER) HORNET	87,832	977,161
	<i>Production line shutdown</i>		[-10,671]
	<i>Program increase—12 additional aircraft</i>		[900,000]
003	JOINT STRIKE FIGHTER CV	2,111,009	2,060,757
	<i>Unit cost savings</i>		[-50,252]
004	JOINT STRIKE FIGHTER CV	246,781	246,781
005	JSF STOVL	2,256,829	2,317,929
	<i>F-35 B PGSE & depot support—USMC UPL</i>		[128,800]
	<i>Target cost savings</i>		[-67,700]
006	JSF STOVL	216,720	216,720
007	CH-53K (HEAVY LIFT)	1,286,296	1,503,126
	<i>Excess to need—pub/tech data</i>		[-14,782]
	<i>GFE electronics excess growth</i>		[-3,388]
	<i>Program increase—two additional aircraft</i>		[250,000]
	<i>Unjustified growth—NRE production capacity</i>		[-15,000]
008	CH-53K (HEAVY LIFT)	182,871	182,871
009	V-22 (MEDIUM LIFT)	751,716	1,500,516
	<i>Program increase—five additional MV-22</i>		[414,400]
	<i>Program increase—four additional CMV-22</i>		[334,400]
011	H-1 UPGRADES (UH-1V/AH-1Z)	939	939
013	P-8A POSEIDON	44,595	384,595
	<i>Additional aircraft</i>		[340,000]
014	E-2D ADV HAWKEYE	766,788	957,788
	<i>Navy UFR—Additional E-2D</i>		[191,000]
015	E-2D ADV HAWKEYE	118,095	118,095
	TRAINER AIRCRAFT		
016	ADVANCED HELICOPTER TRAINING SYSTEM	163,490	163,490
	OTHER AIRCRAFT		
017	KC-130J	520,787	947,187
	<i>Marine Corps UFR—KC-130J weapons system trainer</i>		[31,500]
	<i>Marine Corps UFR—Replace KC-130J aircraft</i>		[197,900]
	<i>Two additional C-130J aircraft—Navy UPL</i>		[197,000]
018	KC-130J	68,088	68,088
021	MQ-4 TRITON	160,151	483,151
	<i>Additional aircraft</i>		[323,000]
023	MQ-8 UAV	49,249	49,249
024	STUASLo UAV	13,151	13,151
025	MQ-25	47,468	47,468
027	MARINE GROUP 5 UAS	233,686	273,686
	<i>Marine Corps UFR—Additional aircraft</i>		[40,000]
	MODIFICATION OF AIRCRAFT		
030	F-18 A-D UNIQUE	163,095	244,595
	<i>F/A-18 aircraft structural life management (OSIP 11-99) inner wing installation excess cost growth</i>		[-1,000]
	<i>Marine Corps UFR—F-18 ALR-67(V)5 radar warning receiver</i>		[55,000]
	<i>Marine Corps UFR—F-18C/D AESA radar upgrade</i>		[27,500]
031	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	482,899	482,899
032	MARINE GROUP 5 UAS SERIES	1,982	1,982
033	AEA SYSTEMS	23,296	20,221
	<i>Excess support costs</i>		[-3,075]
034	AV-8 SERIES	17,882	17,882
035	INFRARED SEARCH AND TRACK (IRST)	138,827	120,377

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	Limit production growth		[-18,450]
036	ADVERSARY	143,571	143,571
037	F-18 SERIES	327,571	327,571
038	H-53 SERIES	112,436	109,136
	Excess to need		[-3,300]
039	MH-60 SERIES	94,794	94,794
040	H-1 SERIES	124,194	118,837
	Excess to need		[-5,337]
041	EP-3 SERIES	28,848	28,848
042	E-2 SERIES	204,826	199,991
	Electronic support measures (OSIP 007-21) excess installation costs		[-1,800]
	Electronic support measures (OSIP 007-21) previously funded		[-1,785]
	NAVWAR A-kit installation (OSIP 011-19) previously funded		[-1,250]
043	TRAINER A/C SERIES	7,849	7,849
044	C-2A	2,843	2,843
045	C-130 SERIES	145,610	143,106
	A and B kits (OSIP 019-14) unit cost growth		[-2,504]
046	FEWSG	734	734
047	CARGO/TRANSPORT A/C SERIES	10,682	10,682
048	E-6 SERIES	128,029	128,029
049	EXECUTIVE HELICOPTERS SERIES	45,326	45,326
051	T-45 SERIES	158,772	158,772
052	POWER PLANT CHANGES	24,915	24,915
053	JPATS SERIES	22,955	22,955
054	AVIATION LIFE SUPPORT MODS	2,477	2,477
055	COMMON ECM EQUIPMENT	119,574	119,574
056	COMMON AVIONICS CHANGES	118,839	118,839
057	COMMON DEFENSIVE WEAPON SYSTEM	5,476	5,476
058	ID SYSTEMS	13,154	13,154
059	P-8 SERIES	131,298	115,998
	Program delays		[-15,300]
060	MAGTF EW FOR AVIATION	29,151	29,151
061	MQ-8 SERIES	31,624	31,624
062	V-22 (TILT/ROTOR ACFT) OSPREY	312,835	312,835
063	NEXT GENERATION JAMMER (NGJ)	266,676	266,676
064	F-35 STOVL SERIES	177,054	168,154
	Block 4 B kits early to need		[-8,900]
065	F-35 CV SERIES	138,269	131,369
	TR-3/B4 delay		[-6,900]
066	QRC	98,563	98,563
067	MQ-4 SERIES	7,100	7,100
068	RQ-21 SERIES	14,123	14,123
	AIRCRAFT SPARES AND REPAIR PARTS		
072	SPARES AND REPAIR PARTS	2,339,077	2,466,977
	Marine Corps UFR—F-35B engine spares		[117,800]
	Marine Corps UFR—KC-130J initial spares		[7,000]
	Marine Corps UFR—KC-130J weapons system trainer initial spares		[3,100]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
073	COMMON GROUND EQUIPMENT	517,267	517,267
074	AIRCRAFT INDUSTRIAL FACILITIES	80,500	80,500
075	WAR CONSUMABLES	42,496	42,496
076	OTHER PRODUCTION CHARGES	21,374	21,374
077	SPECIAL SUPPORT EQUIPMENT	271,774	271,774
	TOTAL AIRCRAFT PROCUREMENT, NAVY	16,477,178	19,804,184
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,144,446	1,144,446
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,319	7,319
	STRATEGIC MISSILES		
003	TOMAHAWK	124,513	138,140
	MK14 canisters previously funded		[-3,743]
	Program increase—ten additional tomahawks		[17,370]
	TACTICAL MISSILES		
005	SIDEWINDER	86,366	82,788
	Unit cost adjustment—AUR Block II		[-2,624]
	Unit cost adjustment—CATM Block II		[-954]
006	STANDARD MISSILE	521,814	521,814
007	STANDARD MISSILE	45,357	45,357
008	JASSM	37,039	37,039
009	SMALL DIAMETER BOMB II	40,877	40,877
010	RAM	92,981	73,015
	Contract award delay		[-19,966]
011	JOINT AIR GROUND MISSILE (JAGM)	49,702	49,702
012	HELLFIRE	7,557	7,557
013	AERIAL TARGETS	150,339	150,339
014	DRONES AND DECOYS	30,321	30,321

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
015	OTHER MISSILE SUPPORT	3,474	3,474
016	LRASM	161,212	161,212
017	NAVAL STRIKE MISSILE (NSM)	59,331	52,377
	Program decrease		[-6,954]
	MODIFICATION OF MISSILES		
018	TOMAHAWK MODS	206,233	206,233
019	ESSM	248,619	161,519
	ESSM block 2 contract award delays		[-87,100]
021	AARGM	116,345	116,345
022	STANDARD MISSILES MODS	148,834	148,834
	SUPPORT EQUIPMENT & FACILITIES		
023	WEAPONS INDUSTRIAL FACILITIES	1,819	1,819
	ORDNANCE SUPPORT EQUIPMENT		
026	ORDNANCE SUPPORT EQUIPMENT	191,905	191,905
	TORPEDOES AND RELATED EQUIP		
027	SSTD	4,545	4,545
028	MK-48 TORPEDO	159,107	172,477
	Contract award delay		[-34,000]
	Navy UFR—Heavyweight Torpedo (HWT) quantity increase		[50,000]
	Program decrease		[-2,630]
029	ASW TARGETS	13,630	13,630
	MOD OF TORPEDOES AND RELATED EQUIP		
030	MK-54 TORPEDO MODS	106,112	106,112
031	MK-48 TORPEDO ADCAP MODS	35,680	35,680
032	MARITIME MINES	8,567	8,567
	SUPPORT EQUIPMENT		
033	TORPEDO SUPPORT EQUIPMENT	93,400	93,400
034	ASW RANGE SUPPORT	3,997	3,997
	DESTINATION TRANSPORTATION		
035	FIRST DESTINATION TRANSPORTATION	4,023	4,023
	GUNS AND GUN MOUNTS		
036	SMALL ARMS AND WEAPONS	14,909	14,909
	MODIFICATION OF GUNS AND GUN MOUNTS		
037	CIWS MODS	6,274	6,274
038	COAST GUARD WEAPONS	45,958	45,958
039	GUN MOUNT MODS	68,775	68,775
040	LCS MODULE WEAPONS	2,121	2,121
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,822	14,822
	SPARES AND REPAIR PARTS		
043	SPARES AND REPAIR PARTS	162,382	166,682
	Navy UFR—Maritime outfitting and interim spares		[4,300]
	TOTAL WEAPONS PROCUREMENT, NAVY	4,220,705	4,134,404
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	48,635	43,424
	Excess to need—BLU-137		[-5,211]
002	JDAM	74,140	48,526
	Contract award delay		[-25,614]
003	AIRBORNE ROCKETS, ALL TYPES	75,383	75,383
004	MACHINE GUN AMMUNITION	11,215	11,215
005	PRACTICE BOMBS	52,225	52,225
006	CARTRIDGES & CART ACTUATED DEVICES	70,876	70,492
	MK122 parachute deploy rocket unit cost overestimation		[-384]
007	AIR EXPENDABLE COUNTERMEASURES	61,600	57,069
	IR decoys previously funded		[-4,531]
008	JATOS	6,620	6,620
009	5 INCH/54 GUN AMMUNITION	28,922	27,923
	Unit cost growth—5"/54 prop charge, full DA65		[-999]
010	INTERMEDIATE CALIBER GUN AMMUNITION	36,038	31,537
	ALaMO contract award delay		[-4,501]
011	OTHER SHIP GUN AMMUNITION	39,070	39,070
012	SMALL ARMS & LANDING PARTY AMMO	45,493	44,195
	NSW SMCA previously funded		[-1,298]
013	PYROTECHNIC AND DEMOLITION	9,163	9,163
015	AMMUNITION LESS THAN \$5 MILLION	1,575	1,575
	MARINE CORPS AMMUNITION		
016	MORTARS	50,707	50,707
017	DIRECT SUPPORT MUNITIONS	120,037	118,157
	Excess to need—20mm Carl Gustaf trainer system		[-1,880]
018	INFANTRY WEAPONS AMMUNITION	94,001	63,259
	Excess to need—BA54 & BA55 termination		[-30,742]
019	COMBAT SUPPORT MUNITIONS	35,247	35,247
020	AMMO MODERNIZATION	16,267	16,267
021	ARTILLERY MUNITIONS	105,669	95,169
	Contract delay		[-10,500]
022	ITEMS LESS THAN \$5 MILLION	5,135	5,135
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	988,018	902,358

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
SHIPBUILDING AND CONVERSION, NAVY			
FLEET BALLISTIC MISSILE SHIPS			
001	OHIO REPLACEMENT SUBMARINE	3,003,000	3,003,000
002	OHIO REPLACEMENT SUBMARINE AP	1,643,980	1,773,980
	Program increase—submarine supplier development		[130,000]
OTHER WARSHIPS			
003	CARRIER REPLACEMENT PROGRAM	1,068,705	1,062,205
	Program decrease		[-6,500]
004	CVN-81	1,299,764	1,287,719
	Program decrease		[-12,045]
005	VIRGINIA CLASS SUBMARINE	4,249,240	4,449,240
	Industrial base expansion		[200,000]
006	VIRGINIA CLASS SUBMARINE AP	2,120,407	2,105,407
	Program adjustment		[-15,000]
007	CVN REFUELING OVERHAULS	2,456,018	2,436,018
	Excess growth		[-20,000]
008	CVN REFUELING OVERHAULS	66,262	66,262
009	DDG 1000	56,597	56,597
010	DDG-51	2,016,787	4,929,073
	Change order excessive cost growth		[-11,651]
	Electronics excessive cost growth		[-35,500]
	Plans cost excessive cost growth		[-47,000]
	Program decrease		[-20,463]
	Termination liability not required		[-33,000]
	Two additional ships		[3,059,900]
011	DDG-51 AP		120,000
	Program increase—Advance procurement for DDG-51		[120,000]
013	FFG-FRIGATE	1,087,900	1,087,900
014	FFG-FRIGATE	69,100	69,100
AMPHIBIOUS SHIPS			
015	LPD FLIGHT II	60,636	60,636
016	LPD FLIGHT II AP		250,000
	Program increase		[250,000]
019	LHA REPLACEMENT	68,637	168,637
	Program increase		[100,000]
020	EXPEDITIONARY FAST TRANSPORT (EPF)		540,000
	Two additional ships		[540,000]
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST			
021	TAO FLEET OILER	668,184	1,336,384
	One additional ship		[668,200]
022	TAO FLEET OILER AP	76,012	0
	Unjustified request		[-76,012]
023	TAGOS SURTASS SHIPS	434,384	434,384
024	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	183,800	183,800
025	LCU 1700	67,928	67,928
026	OUTFITTING	655,707	622,926
	Outfitting early to need		[-32,781]
027	SHIP TO SHORE CONNECTOR	156,738	286,738
	Ship to shore connector		[130,000]
028	SERVICE CRAFT	67,866	67,866
029	LCAC SLEP	32,712	32,712
030	AUXILIARY VESSELS (USED SEALIFT)	299,900	120,000
	Program reduction		[-179,900]
031	COMPLETION OF PY SHIPBUILDING PROGRAMS	660,795	660,795
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	22,571,059	27,279,307
OTHER PROCUREMENT, NAVY			
SHIP PROPULSION EQUIPMENT			
001	SURFACE POWER EQUIPMENT	41,414	41,414
GENERATORS			
002	SURFACE COMBATANT HM&E	83,746	83,746
NAVIGATION EQUIPMENT			
003	OTHER NAVIGATION EQUIPMENT	72,300	72,300
OTHER SHIPBOARD EQUIPMENT			
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	234,932	234,932
005	DDG MOD	583,136	583,136
006	FIREFIGHTING EQUIPMENT	15,040	15,040
007	COMMAND AND CONTROL SWITCHBOARD	2,194	2,194
008	LHA/LHD MIDLIFE	133,627	120,854
	Program decrease		[-12,773]
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	4,387	4,387
010	POLLUTION CONTROL EQUIPMENT	18,159	18,159
011	SUBMARINE SUPPORT EQUIPMENT	88,284	98,284
	Spare Seawolf-class bow dome		[10,000]
012	VIRGINIA CLASS SUPPORT EQUIPMENT	22,669	22,669
013	LCS CLASS SUPPORT EQUIPMENT	9,640	9,640
014	SUBMARINE BATTERIES	21,834	21,834

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
015	LPD CLASS SUPPORT EQUIPMENT	34,292	29,478
	Program decrease		[-4,814]
016	DDG 1000 CLASS SUPPORT EQUIPMENT	126,107	111,761
	Program decrease		[-14,346]
017	STRATEGIC PLATFORM SUPPORT EQUIP	12,256	12,256
018	DSSP EQUIPMENT	10,682	10,682
019	CG MODERNIZATION	156,951	156,951
020	LCAC	21,314	21,314
021	UNDERWATER EOD EQUIPMENT	24,146	24,146
022	ITEMS LESS THAN \$5 MILLION	84,789	84,789
023	CHEMICAL WARFARE DETECTORS	2,997	2,997
	REACTOR PLANT EQUIPMENT		
025	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,307,651	1,475,051
	Navy UFR—A-120 availability		[167,400]
026	REACTOR POWER UNITS	3,270	3,270
027	REACTOR COMPONENTS	438,729	438,729
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	10,772	10,772
	SMALL BOATS		
029	STANDARD BOATS	58,770	58,770
	PRODUCTION FACILITIES EQUIPMENT		
030	OPERATING FORCES IPE	168,822	150,822
	Program decrease		[-18,000]
	OTHER SHIP SUPPORT		
031	LCS COMMON MISSION MODULES EQUIPMENT	74,231	74,231
032	LCS MCM MISSION MODULES	40,630	30,119
	Program decrease		[-10,511]
033	LCS ASW MISSION MODULES	1,565	1,565
034	LCS SUW MISSION MODULES	3,395	3,395
035	LCS IN-SERVICE MODERNIZATION	122,591	122,591
036	SMALL & MEDIUM UUV	32,534	32,534
	SHIP SONARS		
038	SPQ-9B RADAR	15,927	15,927
039	AN/SQ-89 SURF ASW COMBAT SYSTEM	131,829	126,871
	Program decrease		[-4,958]
040	SSN ACOUSTIC EQUIPMENT	379,850	360,898
	Virginia class technical insertion kits previously funded		[-18,952]
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	13,965	13,965
	ASW ELECTRONIC EQUIPMENT		
042	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,578	24,578
043	SSTD	11,010	11,010
044	FIXED SURVEILLANCE SYSTEM	363,651	363,651
045	SURTASS	67,500	67,500
	ELECTRONIC WARFARE EQUIPMENT		
046	AN/SLQ-32	370,559	370,559
	RECONNAISSANCE EQUIPMENT		
047	SHIPBOARD IW EXPLOIT	261,735	261,735
048	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,777	3,777
	OTHER SHIP ELECTRONIC EQUIPMENT		
049	COOPERATIVE ENGAGEMENT CAPABILITY	24,641	46,924
	Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2)		[8,983]
	Navy UFR—Maritime outfitting and interim spares		[13,300]
050	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,439	14,439
051	ATDLS	101,595	101,595
052	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,535	3,535
053	MINESWEEPING SYSTEM REPLACEMENT	15,640	15,640
054	SHALLOW WATER MCM	5,610	5,610
055	NAVSTAR GPS RECEIVERS (SPACE)	33,097	33,097
056	AMERICAN FORCES RADIO AND TV SERVICE	2,513	2,513
057	STRATEGIC PLATFORM SUPPORT EQUIP	4,823	4,823
	AVIATION ELECTRONIC EQUIPMENT		
058	ASHORE ATC EQUIPMENT	83,464	83,464
059	AFLOAT ATC EQUIPMENT	67,055	67,055
060	ID SYSTEMS	46,918	46,918
061	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	35,386	35,386
062	NAVAL MISSION PLANNING SYSTEMS	17,951	17,951
	OTHER SHORE ELECTRONIC EQUIPMENT		
063	MARITIME INTEGRATED BROADCAST SYSTEM	2,360	2,360
064	TACTICAL/MOBILE CAI SYSTEMS	18,919	18,919
065	DCGS-N	16,691	16,691
066	CANES	412,002	441,002
	Navy UFR—Resilient Communications PNT for Combat Logistics Fleet (CLF)		[29,000]
067	RADLAC	9,074	9,074
068	CANES-INTELL	51,593	51,593
069	GPETE	23,930	23,930
070	MASF	8,795	8,795
071	INTEG COMBAT SYSTEM TEST FACILITY	5,829	5,829

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
072	EMI CONTROL INSTRUMENTATION	3,925	3,925
073	ITEMS LESS THAN \$5 MILLION	156,042	156,042
	SHIPBOARD COMMUNICATIONS		
074	SHIPBOARD TACTICAL COMMUNICATIONS	43,212	43,212
075	SHIP COMMUNICATIONS AUTOMATION	90,724	90,724
076	COMMUNICATIONS ITEMS UNDER \$5M	44,447	44,447
	SUBMARINE COMMUNICATIONS		
077	SUBMARINE BROADCAST SUPPORT	47,579	47,579
078	SUBMARINE COMMUNICATION EQUIPMENT	64,642	64,642
	SATELLITE COMMUNICATIONS		
079	SATELLITE COMMUNICATIONS SYSTEMS	38,636	38,636
080	NAVY MULTIBAND TERMINAL (NMT)	34,723	34,723
	SHORE COMMUNICATIONS		
081	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	2,651	2,651
	CRYPTOGRAPHIC EQUIPMENT		
082	INFO SYSTEMS SECURITY PROGRAM (ISSP)	146,879	146,879
083	MIO INTEL EXPLOITATION TEAM	977	977
	CRYPTOLOGIC EQUIPMENT		
084	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,809	17,809
	OTHER ELECTRONIC SUPPORT		
092	COAST GUARD EQUIPMENT	63,214	63,214
	SONOBUOYS		
094	SONOBUOYS—ALL TYPES	249,121	303,521
	Navy UFR—Additional sonobuoys		[54,400]
	AIRCRAFT SUPPORT EQUIPMENT		
095	MINOTAUR	4,963	4,963
096	WEAPONS RANGE SUPPORT EQUIPMENT	98,898	98,898
097	AIRCRAFT SUPPORT EQUIPMENT	178,647	178,647
098	ADVANCED ARRESTING GEAR (AAG)	22,265	22,265
099	METEOROLOGICAL EQUIPMENT	13,687	13,687
100	LEGACY AIRBORNE MCM	4,446	4,446
101	LAMPS EQUIPMENT	1,470	1,470
102	AVIATION SUPPORT EQUIPMENT	70,665	70,665
103	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	86,584	86,584
	SHIP GUN SYSTEM EQUIPMENT		
104	SHIP GUN SYSTEMS EQUIPMENT	5,536	5,536
	SHIP MISSILE SYSTEMS EQUIPMENT		
105	HARPOON SUPPORT EQUIPMENT	204	204
106	SHIP MISSILE SUPPORT EQUIPMENT	237,987	237,987
107	TOMAHAWK SUPPORT EQUIPMENT	88,726	88,726
	FBM SUPPORT EQUIPMENT		
108	STRATEGIC MISSILE SYSTEMS EQUIP	281,259	281,259
	ASW SUPPORT EQUIPMENT		
109	SSN COMBAT CONTROL SYSTEMS	143,289	143,289
110	ASW SUPPORT EQUIPMENT	30,595	30,595
	OTHER ORDNANCE SUPPORT EQUIPMENT		
111	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	1,721	1,721
112	ITEMS LESS THAN \$5 MILLION	8,746	8,746
	OTHER EXPENDABLE ORDNANCE		
113	ANTI-SHIP MISSILE DECOY SYSTEM	76,994	76,994
114	SUBMARINE TRAINING DEVICE MODS	75,813	75,813
115	SURFACE TRAINING EQUIPMENT	127,814	127,814
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
116	PASSENGER CARRYING VEHICLES	4,140	4,140
117	GENERAL PURPOSE TRUCKS	2,805	2,805
118	CONSTRUCTION & MAINTENANCE EQUIP	48,403	46,403
	Excess carryover		[-2,000]
119	FIRE FIGHTING EQUIPMENT	15,084	15,084
120	TACTICAL VEHICLES	27,400	27,400
121	POLLUTION CONTROL EQUIPMENT	2,607	2,607
122	ITEMS LESS THAN \$5 MILLION	51,963	51,963
123	PHYSICAL SECURITY VEHICLES	1,165	1,165
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	24,698	24,698
125	FIRST DESTINATION TRANSPORTATION	5,385	5,385
126	SPECIAL PURPOSE SUPPLY SYSTEMS	660,750	660,750
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	3,465	3,465
128	TRAINING AND EDUCATION EQUIPMENT	60,114	60,114
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	31,007	31,007
130	MEDICAL SUPPORT EQUIPMENT	7,346	14,346
	Navy UFR—Expeditionary medical readiness		[7,000]
132	NAVAL MIP SUPPORT EQUIPMENT	2,887	2,887
133	OPERATING FORCES SUPPORT EQUIPMENT	12,815	12,815
134	CAISR EQUIPMENT	6,324	6,324
135	ENVIRONMENTAL SUPPORT EQUIPMENT	25,098	25,098
136	PHYSICAL SECURITY EQUIPMENT	110,647	107,471

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	Program decrease		[-3,176]
137	ENTERPRISE INFORMATION TECHNOLOGY	31,709	31,709
	OTHER		
141	NEXT GENERATION ENTERPRISE SERVICE	41	41
142	CYBERSPACE ACTIVITIES	12,859	12,859
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	19,808	19,808
	SPARES AND REPAIR PARTS		
143	SPARES AND REPAIR PARTS	424,405	517,105
	Navy UFR—Maritime outfitting and interim spares		[92,700]
	TOTAL OTHER PROCUREMENT, NAVY	10,875,912	11,169,165
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	36,836	36,836
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	532,355	532,355
003	LAV PIP	23,476	23,476
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	32	32
005	ARTILLERY WEAPONS SYSTEM	67,548	221,347
	Marine Corps UFR—Ground-launched anti-ship missiles		[57,799]
	Marine Corps UFR—Ground-launched long range fires		[96,000]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	35,402	35,402
	GUIDED MISSILES		
008	GROUND BASED AIR DEFENSE	9,349	9,349
009	ANTI-ARMOR MISSILE-JAVELIN	937	937
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	20,481	20,481
011	ANTI-ARMOR MISSILE-TOW	14,359	12,359
	Unit cost growth		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS)	98,299	98,299
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	18,247	18,247
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	33,554	33,554
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	167	167
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
016	ITEMS UNDER \$5 MILLION (COMM & ELEC)	64,879	130,779
	Marine Corps UFR—Fly-Away Broadcast System		[9,000]
	Marine Corps UFR—INOD Block III long-range sight		[16,900]
	Marine Corps UFR—Squad binocular night vision goggle		[40,000]
017	AIR OPERATIONS C2 SYSTEMS	1,291	1,291
	RADAR + EQUIPMENT (NON-TEL)		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	297,369	645,369
	Marine Corps UFR—Additional G/ATOR units		[304,000]
	Marine Corps UFR—Additional radar retrofit kits and FRP systems		[44,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
020	GCS-MC	604	604
021	FIRE SUPPORT SYSTEM	39,810	39,810
022	INTELLIGENCE SUPPORT EQUIPMENT	67,309	72,860
	Marine Corps UFR—SCINet equipment		[5,551]
024	UNMANNED AIR SYSTEMS (INTEL)	24,299	24,299
025	DCGS-MC	28,633	28,633
026	UAS PAYLOADS	3,730	3,730
	OTHER SUPPORT (NON-TEL)		
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	97,060	97,060
030	COMMON COMPUTER RESOURCES	83,606	79,606
	Training and education headquarters support unjustified request		[-2,000]
	Wargaming hardware early to need		[-2,000]
031	COMMAND POST SYSTEMS	53,708	39,708
	NOTM refresh early to need		[-14,000]
032	RADIO SYSTEMS	468,678	444,678
	TCM ground radios sparing previously funded		[-10,000]
	Unjustified request		[-14,000]
033	COMM SWITCHING & CONTROL SYSTEMS	49,600	43,600
	Excess growth		[-6,000]
034	COMM & ELEC INFRASTRUCTURE SUPPORT	110,835	116,635
	Excess growth		[-10,000]
	Marine Corps UFR—Base telecommunications equipment upgrades		[15,800]
035	CYBERSPACE ACTIVITIES	25,377	46,577
	Marine Corps UFR—Defensive Cyber Ops-Internal Defensive Measures suites		[21,200]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	4,034	4,034
	ADMINISTRATIVE VEHICLES		
038	COMMERCIAL CARGO VEHICLES	17,848	17,848
	TACTICAL VEHICLES		
039	MOTOR TRANSPORT MODIFICATIONS	23,363	21,924
	Excess growth		[-1,439]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
040	JOINT LIGHT TACTICAL VEHICLE	322,013	322,013
042	TRAILERS	9,876	9,876
	ENGINEER AND OTHER EQUIPMENT		
044	TACTICAL FUEL SYSTEMS	2,161	2,161
045	POWER EQUIPMENT ASSORTED	26,625	18,955
	<i>Intelligent power distribution previously funded</i>		[-7,670]
046	AMPHIBIOUS SUPPORT EQUIPMENT	17,119	15,909
	<i>Excess carryover</i>		[-1,210]
047	EOD SYSTEMS	94,472	107,672
	<i>Marine Corps UFR—BCWD/UnSAT/Explosive Hazard Defeat Systems</i>		[7,800]
	<i>Marine Corps UFR—ENFIRE/Explosive Hazard Defeat Systems</i>		[5,400]
	MATERIALS HANDLING EQUIPMENT		
048	PHYSICAL SECURITY EQUIPMENT	84,513	84,513
	GENERAL PROPERTY		
049	FIELD MEDICAL EQUIPMENT	8,105	8,105
050	TRAINING DEVICES	37,814	35,211
	<i>CACCTUS lap equipment previously funded</i>		[-2,603]
051	FAMILY OF CONSTRUCTION EQUIPMENT	34,658	50,458
	<i>Marine Corps UFR—All-terrain crane</i>		[10,800]
	<i>Marine Corps UFR—Rough terrain container handler</i>		[5,000]
052	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,439	15,439
	OTHER SUPPORT		
053	ITEMS LESS THAN \$5 MILLION	4,402	15,002
	<i>Marine Corps UFR—Lightweight water purification system</i>		[10,600]
	SPARES AND REPAIR PARTS		
054	SPARES AND REPAIR PARTS	32,819	32,819
	TOTAL PROCUREMENT, MARINE CORPS	3,043,091	3,620,019
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
001	B-21 RAIDER	108,027	108,027
	TACTICAL FORCES		
002	F-35	4,167,604	4,392,604
	<i>Air Force UFR—F-35 power modules</i>		[175,000]
	<i>USG depot acceleration</i>		[50,000]
003	F-35	352,632	352,632
005	F-15EX	1,186,903	1,762,903
	<i>Air Force UFR—Additional aircraft, spares, support equipment</i>		[576,000]
006	F-15EX	147,919	147,919
	TACTICAL AIRLIFT		
007	KC-46A MDAP	2,380,315	2,315,315
	<i>Excess growth</i>		[-65,000]
	OTHER AIRLIFT		
008	C-130J	128,896	128,896
009	MC-130J	220,049	220,049
	UPT TRAINERS		
011	ADVANCED TRAINER REPLACEMENT T-X	10,397	0
	<i>Procurement funds ahead of need</i>		[-10,397]
	HELICOPTERS		
012	MH-139A		75,000
	<i>Program increase</i>		[75,000]
013	COMBAT RESCUE HELICOPTER	792,221	792,221
	MISSION SUPPORT AIRCRAFT		
016	CIVIL AIR PATROL A/C	2,813	11,400
	<i>Program increase</i>		[8,587]
	OTHER AIRCRAFT		
017	TARGET DRONES	116,169	116,169
019	E-11 BACN/HAG	124,435	124,435
021	MQ-9	3,288	78,567
	<i>Program increase—four aircraft</i>		[75,279]
	STRATEGIC AIRCRAFT		
023	B-2A	29,944	29,944
024	B-1B	30,518	27,406
	<i>Radio crypto mod ahead of need</i>		[-3,112]
025	B-52	82,820	82,820
026	COMBAT RESCUE HELICOPTER	61,191	45,891
	<i>Early to need—contract delay</i>		[-15,300]
027	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,001	57,001
	TACTICAL AIRCRAFT		
028	A-10	83,621	83,621
029	E-11 BACN/HAG	68,955	68,955
030	F-15	234,340	232,457
	<i>F-15E MIDS-JTRS installs excess to need</i>		[-1,883]
031	F-16	613,166	733,166
	<i>F-16 AESAs</i>		[100,000]
	<i>Program increase—HUD upgrade</i>		[20,000]
032	F-22A	424,722	384,722
	<i>Program decrease</i>		[-40,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
033	F-35 MODIFICATIONS	304,135	1,388,935
	F-35 upgrades to Block 4		[1,100,000]
	TR-3/B4 delay		[-15,200]
034	F-15 EPAW	149,797	149,797
036	KC-46A MDAP	1,984	1,984
	AIRLIFT AIRCRAFT		
037	C-5	25,431	25,431
038	C-17A	59,570	59,570
040	C-32A	1,949	1,949
041	C-37A	5,984	5,984
	TRAINER AIRCRAFT		
042	GLIDER MODS	142	142
043	T-6	8,735	8,735
044	T-1	3,872	872
	Excess to need		[-3,000]
045	T-38	49,851	49,851
	OTHER AIRCRAFT		
046	U-2 MODS	126,809	126,809
047	KC-10A (ATCA)	1,902	1,902
049	VC-25A MOD	96	96
050	C-40	262	262
051	C-130	29,071	169,771
	Program increase—eight blade propeller upgrade		[75,700]
	Program increase—engine enhancement program		[50,000]
	Program increase—modular airborne firefighting system		[15,000]
052	C-130J MODS	110,784	110,784
053	C-135	61,376	61,376
054	COMPASS CALL	195,098	270,098
	Air Force UFR—Additional spare engines		[75,000]
056	RC-135	207,596	207,596
057	E-3	109,855	109,855
058	E-4	19,081	19,081
059	E-8	16,312	43,312
	Program increase—CDL		[27,000]
060	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	30,327	26,627
	Block 40/45 carryover		[-3,700]
062	H-1	1,533	1,533
063	H-60	13,709	32,709
	OLR mod early to need		[-1,000]
	Restore degraded visual environment		[20,000]
064	RQ-4 MODS	3,205	3,205
065	HC/MC-130 MODIFICATIONS	150,263	148,815
	Communications modernization phase 1 NRE ahead of need		[-1,448]
066	OTHER AIRCRAFT	54,828	54,828
067	MQ-9 MODS	144,287	144,287
068	MQ-9 UAS PAYLOADS	40,800	40,800
069	SENIOR LEADER C3 SYSTEM—AIRCRAFT	23,554	23,554
070	CV-22 MODS	158,162	240,562
	SOCOM UFR—CV-22 reliability acceleration		[82,400]
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	915,710	915,710
	COMMON SUPPORT EQUIPMENT		
072	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,761	138,761
	POST PRODUCTION SUPPORT		
073	B-2A	1,651	1,651
074	B-2B	38,811	38,811
075	B-52	5,602	5,602
078	F-15	2,324	2,324
079	F-16	10,456	10,456
081	RQ-4 POST PRODUCTION CHARGES	24,592	24,592
	INDUSTRIAL PREPAREDNESS		
082	INDUSTRIAL RESPONSIVENESS	18,110	18,110
	WAR CONSUMABLES		
083	WAR CONSUMABLES	35,866	35,866
	OTHER PRODUCTION CHARGES		
084	OTHER PRODUCTION CHARGES	979,388	1,019,388
	Classified modifications—program increase		[40,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	18,092	18,092
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	15,727,669	18,132,595
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	57,793	57,793
	BALLISTIC MISSILES		
002	GROUND BASED STRATEGIC DETERRENT	8,895	8,895
	TACTICAL		
003	REPLAC EQUIP & WAR CONSUMABLES	7,681	7,681

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
004	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON	160,850	116,850
	Procurement early to need		[-44,000]
006	JOINT AIR-SURFACE STANDOFF MISSILE	710,550	660,550
	Program decrease		[-50,000]
008	SIDEWINDER (AIM-9X)	107,587	107,587
009	AMRAAM	214,002	214,002
010	PREDATOR HELLFIRE MISSILE	103,684	103,684
011	SMALL DIAMETER BOMB	82,819	82,819
012	SMALL DIAMETER BOMB II	294,649	294,649
	INDUSTRIAL FACILITIES		
013	INDUSTRIAL PREPAREDNESS/POL PREVENTION	757	757
	CLASS IV		
015	ICBM FUZE MOD	53,013	65,263
	Realignment of funds		[12,250]
016	ICBM FUZE MOD AP	47,757	35,507
	Realignment of funds		[-12,250]
017	MM III MODIFICATIONS	88,579	88,579
019	AIR LAUNCH CRUISE MISSILE (ALCM)	46,799	46,799
	MISSILE SPARES AND REPAIR PARTS		
020	MSL SPARES/REPAIR PARTS (INITIAL)	16,212	16,212
021	MSL SPARES/REPAIR PARTS (REPLEN)	63,547	63,547
022	INITIAL SPARES/REPAIR PARTS	4,045	4,045
	SPECIAL PROGRAMS		
027	SPECIAL UPDATE PROGRAMS	30,352	30,352
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	570,240	570,240
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,669,811	2,575,811
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
002	AF SATELLITE COMM SYSTEM	43,655	39,655
	Unjustified cost growth		[-4,000]
003	COUNTERSPACE SYSTEMS	64,804	64,804
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	39,444	39,444
005	GENERAL INFORMATION TECH—SPACE	3,316	5,116
	Space Force UFR—Modernize space aggressor equipment		[1,800]
006	GPSIII FOLLOW ON	601,418	601,418
007	GPS III SPACE SEGMENT	84,452	84,452
008	GLOBAL POSITIONING (SPACE)	2,274	2,274
009	HERITAGE TRANSITION	13,529	13,529
010	SPACEBORNE EQUIP (COMSEC)	26,245	48,945
	Space Force UFR—Space-rated crypto devices to support launch		[22,700]
011	MILSATCOM	24,333	24,333
012	SBIR HIGH (SPACE)	154,526	154,526
013	SPECIAL SPACE ACTIVITIES	142,188	142,188
014	MOBILE USER OBJECTIVE SYSTEM	45,371	45,371
015	NATIONAL SECURITY SPACE LAUNCH	1,337,347	1,337,347
016	NUDET DETECTION SYSTEM	6,690	6,690
017	PTES HUB	7,406	7,406
018	ROCKET SYSTEMS LAUNCH PROGRAM	10,429	10,429
020	SPACE MODS	64,371	64,371
021	SPACELIFT RANGE SYSTEM SPACE	93,774	93,774
	SPARES		
022	SPARES AND REPAIR PARTS	1,282	1,282
	TOTAL PROCUREMENT, SPACE FORCE	2,766,854	2,787,354
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	36,597	36,597
	CARTRIDGES		
002	CARTRIDGES	169,163	164,163
	Excess to need		[-5,000]
	BOMBS		
003	PRACTICE BOMBS	48,745	48,745
004	GENERAL PURPOSE BOMBS	176,565	176,565
005	MASSIVE ORDNANCE PENETRATOR (MOP)	15,500	15,500
006	JOINT DIRECT ATTACK MUNITION	124,102	48,584
	Program carryover		[-75,518]
007	B-61	2,709	2,709
	OTHER ITEMS		
008	CAD/PAD	47,210	47,210
009	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,151	6,151
010	SPARES AND REPAIR PARTS	535	535
011	MODIFICATIONS	292	292
012	ITEMS LESS THAN \$5,000,000	9,164	9,164
	FLARES		
013	FLARES	95,297	95,297
	FUZES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
014	FUZES	50,795	50,795
	SMALL ARMS		
015	SMALL ARMS	12,343	12,343
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	795,168	714,650
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	8,448	8,448
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	5,804	5,804
003	CAP VEHICLES	1,066	1,800
	Program increase—Civil Air Patrol		[734]
004	CARGO AND UTILITY VEHICLES	57,459	57,459
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	97,326	92,326
	Excess carryover		[-5,000]
006	SECURITY AND TACTICAL VEHICLES	488	488
007	SPECIAL PURPOSE VEHICLES	75,694	77,694
	CNGB UFR—Temperature control trailers		[2,000]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	12,525	12,525
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	34,933	34,933
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	9,134	9,134
011	BASE MAINTENANCE SUPPORT VEHICLES	111,820	103,728
	Program decrease		[-8,092]
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	66,022	66,022
014	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	885,051	885,051
	INTELLIGENCE PROGRAMS		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES	5,809	5,809
016	INTELLIGENCE TRAINING EQUIPMENT	5,719	5,719
017	INTELLIGENCE COMM EQUIPMENT	25,844	25,844
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	44,516	44,516
019	BATTLE CONTROL SYSTEM—FIXED	2,940	2,940
020	THEATER AIR CONTROL SYS IMPROVEMEN	43,442	47,842
	EUCOM UFR—Air base air defens ops center		[4,400]
021	3D EXPEDITIONARY LONG-RANGE RADAR	96,186	248,186
	Air Force UFR—Build command and control framework		[152,000]
022	WEATHER OBSERVATION FORECAST	32,376	32,376
023	STRATEGIC COMMAND AND CONTROL	37,950	37,950
024	CHEYENNE MOUNTAIN COMPLEX	8,258	8,258
025	MISSION PLANNING SYSTEMS	14,717	14,717
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	43,917	88,247
	EUCOM UFR—Mission Partner Environment		[13,800]
	INDOPACOM UFR—Mission Partner Environment		[30,530]
028	AF GLOBAL COMMAND & CONTROL SYS	414	414
030	MOBILITY COMMAND AND CONTROL	10,619	10,619
031	AIR FORCE PHYSICAL SECURITY SYSTEM	101,896	116,797
	EUCOM UFR—Counter-UAS for UASFE installations		[1,241]
	EUCOM UFR—Sensors for air base air defense		[11,660]
	Space Force UFR—Maui Optical Site security system		[2,000]
032	COMBAT TRAINING RANGES	222,598	222,598
033	COMBAT TRAINING RANGES	14,730	14,730
034	MINIMUM ESSENTIAL EMERGENCY COMM N	77,119	77,119
035	WIDE AREA SURVEILLANCE (WAS)	38,794	38,794
036	C3 COUNTERMEASURES	131,238	131,238
037	INTEGRATED PERSONNEL AND PAY SYSTEM	15,240	15,240
038	GCSS-AF FOS	3,959	3,959
040	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	4,387	4,387
041	THEATER BATTLE MGT C2 SYSTEM	4,052	4,052
042	AIR & SPACE OPERATIONS CENTER (AOC)	2,224	2,224
	AIR FORCE COMMUNICATIONS		
043	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED	58,499	58,499
044	AFNET	65,354	65,354
045	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,377	4,377
046	USCENTCOM	18,101	18,101
047	USSTRATCOM	4,226	4,226
	ORGANIZATION AND BASE		
048	TACTICAL C-E EQUIPMENT	162,955	157,817
	Program decrease		[-5,138]
049	RADIO EQUIPMENT	14,232	15,732
	Space Force UFR—radio equipment		[1,500]
051	BASE COMM INFRASTRUCTURE	200,797	262,797
	EUCOM UFR—Modernize IT infrastructure		[55,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	Space Force UFR—Lifecycle SIPR/NIP replacement		[7,000]
	MODIFICATIONS		
052	COMM ELECT MODS	18,607	18,607
	PERSONAL SAFETY & RESCUE EQUIP		
053	PERSONAL SAFETY AND RESCUE EQUIPMENT	106,449	106,449
	DEPOT PLANT-MTRLS HANDLING EQ		
054	POWER CONDITIONING EQUIPMENT	11,274	11,274
055	MECHANIZED MATERIAL HANDLING EQUIP	8,594	8,594
	BASE SUPPORT EQUIPMENT		
056	BASE PROCURED EQUIPMENT	1	33,251
	CNGB UFR—Modular small arms ranges		[25,000]
	EUCOM UFR—Tactical decoy devices		[8,250]
057	ENGINEERING AND EOD EQUIPMENT	32,139	32,139
058	MOBILITY EQUIPMENT	63,814	63,814
059	FUELS SUPPORT EQUIPMENT (FSE)	17,928	17,928
060	BASE MAINTENANCE AND SUPPORT EQUIPMENT	48,534	48,534
	SPECIAL SUPPORT PROJECTS		
062	DARP RC135	27,359	27,359
063	DCGS-AF	261,070	261,070
065	SPECIAL UPDATE PROGRAM	777,652	777,652
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	20,983,908	21,183,908
	Program increase		[200,000]
	SPARES AND REPAIR PARTS		
066	SPARES AND REPAIR PARTS (CYBER)	978	978
067	SPARES AND REPAIR PARTS	9,575	9,575
	TOTAL OTHER PROCUREMENT, AIR FORCE	25,251,137	25,748,022
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
081	AGILE PROCUREMENT TRANSITION PILOT		100,000
	Program increase		[100,000]
	MAJOR EQUIPMENT, SDA		
024	MAJOR EQUIPMENT, DPAA	494	494
047	MAJOR EQUIPMENT, OSD	31,420	31,420
048	JOINT CAPABILITY TECH DEMONSTRATION (JCTD)	74,060	74,060
	MAJOR EQUIPMENT, NSA		
046	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	315	315
	MAJOR EQUIPMENT, DISA		
010	INFORMATION SYSTEMS SECURITY	18,923	18,923
011	TELEPORT PROGRAM	34,908	34,908
012	JOINT FORCES HEADQUARTERS—DODIN	1,968	1,968
013	ITEMS LESS THAN \$5 MILLION	42,270	42,270
014	DEFENSE INFORMATION SYSTEM NETWORK	18,025	18,025
015	WHITE HOUSE COMMUNICATION AGENCY	44,522	44,522
016	SENIOR LEADERSHIP ENTERPRISE	54,592	54,592
017	JOINT REGIONAL SECURITY STACKS (JRSS)	62,657	62,657
018	JOINT SERVICE PROVIDER	102,039	102,039
019	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	80,645	80,645
	MAJOR EQUIPMENT, DLA		
021	MAJOR EQUIPMENT	530,896	510,896
	Excess growth		[-20,000]
	MAJOR EQUIPMENT, DCSA		
002	MAJOR EQUIPMENT	3,014	3,014
	MAJOR EQUIPMENT, TJS		
049	MAJOR EQUIPMENT, TJS	7,830	7,830
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
029	THAAD	251,543	361,122
	MDA UFR—Additional interceptors		[109,579]
031	AEGIS BMD	334,621	334,621
032	AEGIS BMD	17,493	17,493
033	BMDS AN/TPY-2 RADARS	2,738	2,738
034	SM-3 ILLAS	295,322	336,822
	MDA UFR—Additional AURs		[41,500]
035	ARROW 3 UPPER TIER SYSTEMS	62,000	62,000
036	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	30,000	30,000
037	DEFENSE OF GUAM PROCUREMENT	40,000	80,000
	INDOPACOM UFR—Guam Defense System		[40,000]
038	AEGIS ASHORE PHASE III	25,866	25,866
039	IRON DOME	108,000	108,000
040	AEGIS BMD HARDWARE AND SOFTWARE	81,791	81,791
	MAJOR EQUIPMENT, DHRA		
004	PERSONNEL ADMINISTRATION	4,042	4,042
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
026	VEHICLES	118	118
027	OTHER MAJOR EQUIPMENT	12,681	12,681
	MAJOR EQUIPMENT, DODEA		
023	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,963	2,963

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2022 Request</i>	<i>Conference Authorized</i>
	MAJOR EQUIPMENT, DMACT		
022	MAJOR EQUIPMENT	8,498	8,498
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	635,338	635,338
	AVIATION PROGRAMS		
052	ARMED OVERWATCH/TARGETING	170,000	166,000
	<i>Unit cost growth</i>		[-4,000]
053	MANNED ISR	2,500	2,500
054	MC-12	2,250	2,250
055	MH-60 BLACKHAWK	29,900	29,900
056	ROTARY WING UPGRADES AND SUSTAINMENT	202,278	202,278
057	UNMANNED ISR	55,951	55,951
058	NON-STANDARD AVIATION	3,282	3,282
059	U-28	4,176	4,176
060	MH-47 CHINOOK	130,485	130,485
061	CV-22 MODIFICATION	41,762	47,572
	<i>SOCOM UFR—CV-22 reliability acceleration</i>		[5,810]
062	MQ-9 UNMANNED AERIAL VEHICLE	8,020	8,020
063	PRECISION STRIKE PACKAGE	165,224	165,224
064	AC/MC-130J	205,216	205,216
065	C-130 MODIFICATIONS	13,373	13,373
	SHIPBUILDING		
066	UNDERWATER SYSTEMS	17,227	23,327
	<i>SOCOM UFR—Combat diving advanced equipment acceleration</i>		[5,200]
	<i>SOCOM UFR—Modernized forward look sonar</i>		[900]
	AMMUNITION PROGRAMS		
067	ORDNANCE ITEMS <\$5M	168,072	168,072
	OTHER PROCUREMENT PROGRAMS		
068	INTELLIGENCE SYSTEMS	131,889	131,889
069	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,991	5,991
070	OTHER ITEMS <\$5M	62,722	62,722
071	COMBATANT CRAFT SYSTEMS	17,080	17,080
072	SPECIAL PROGRAMS	44,351	75,531
	<i>SOCOM UFR—Medium fixed wing mobility modifications</i>		[31,180]
073	TACTICAL VEHICLES	26,806	26,806
074	WARRIOR SYSTEMS <\$5M	284,548	294,548
	<i>Radio integration system program upgrade</i>		[10,000]
075	COMBAT MISSION REQUIREMENTS	27,513	27,513
077	OPERATIONAL ENHANCEMENTS INTELLIGENCE	20,252	20,252
078	OPERATIONAL ENHANCEMENTS	328,569	389,872
	<i>SOCOM UFR—Armored ground mobility systems acceleration</i>		[33,303]
	<i>SOCOM UFR—Fused panoramic night vision goggles acceleration</i>		[28,000]
	CBDP		
079	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	167,918	167,918
080	CB PROTECTION & HAZARD MITIGATION	189,265	183,884
	<i>TATPE excess growth</i>		[-5,381]
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,548,212	5,924,303
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
001	MISCELLANEOUS EQUIPMENT		950,000
	<i>Program increase</i>		[950,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		950,000
	TOTAL PROCUREMENT	132,205,078	146,884,599

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION**
 3
 4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2022 Request</i>	<i>Conference Authorized</i>
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY			

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
BASIC RESEARCH				
001	0601102A	DEFENSE RESEARCH SCIENCES	297,241	328,788
		Program increase		[22,047]
		Program increase—digital thread for advanced manufacturing		[5,000]
		Program increase—lightweight high entropy metallic alloy discovery		[3,000]
		Program increase—unmanned aerial systems hybrid propulsion		[1,500]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES	66,981	96,981
		Program increase—defense university research instrumentation program		[30,000]
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,003	103,003
		Program increase—biotechnology advancements		[4,000]
		SMART and cognitive research for RF/radar		[5,000]
004	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,067	5,067
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,183	15,183
		Program increase—extreme events in structurally evolving materials		[5,000]
		SUBTOTAL BASIC RESEARCH	473,475	549,022
APPLIED RESEARCH				
006	0602115A	BIOMEDICAL TECHNOLOGY	11,925	11,925
007	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	1,976	1,976
008	0602141A	LETHALITY TECHNOLOGY	64,126	65,126
		CPF—research and development of next generation explosives and propellants.		[1,000]
009	0602142A	ARMY APPLIED RESEARCH	28,654	28,654
010	0602143A	SOLDIER LETHALITY TECHNOLOGY	105,168	115,168
		Program increase—Pathfinder air assault		[10,000]
011	0602144A	GROUND TECHNOLOGY	56,400	105,400
		Additive manufacturing materials		[8,000]
		CPF—Army Research Lab (ARL) Additive Manufacturing/Machine Learning (AM/ML) Initiative.		[5,000]
		Military footwear research		[2,500]
		Modeling enabled multifunctional materials development (MEMMD)		[6,000]
		Program increase—advanced manufacturing materials processes initiative.		[10,000]
		Program increase—advanced polymers for force protection		[8,000]
		Program increase—ceramic materials for extreme environments		[2,500]
		Program increase—earthen structures soil enhancement		[3,000]
		Program increase—polar proving ground and training program		[2,000]
		Program increase—verified inherent control		[2,000]
012	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	172,166	192,666
		CPF—high-efficiency truck users forum (HTUF)		[2,500]
		CPF—structural thermoplastics large-scale low-cost tooling solutions		[4,500]
		Light detection and ranging (LiDAR) technology		[2,500]
		Program increase—prototyping energy smart autonomous ground systems		[8,000]
		Tactical behaviors for autonomous maneuver		[3,000]
013	0602146A	NETWORK C3I TECHNOLOGY	84,606	120,406
		Alternative PNT		[8,000]
		CPF—future nano- and micro-fabrication - Advanced Materials Engineering Research Institute.		[6,800]
		CPF—multiple drone, multiple sensor ISR capabilities		[5,000]
		Distributed radio frequency sensor/effector technology for strategic defense		[8,000]
		Intelligent electronic protection technologies		[6,000]
		UAS sensor research		[2,000]
014	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	64,285	67,285
		Program increase—novel printed armaments components		[3,000]
015	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	91,411	91,411
016	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	19,316	72,566
		Advancement of critical HEL technologies		[10,000]
		Counter-UAS applied research		[5,000]
		Cyber electromagnetic (CEMA) missile defender		[15,000]
		High energy laser integration		[10,000]
		Program increase—kill chain automation		[8,000]
		Program increase—precision long range integrated strike		[5,250]
017	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	15,034	15,034
018	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	25,967	25,967
019	0602182A	C3I APPLIED RESEARCH	12,406	12,406
020	0602183A	AIR PLATFORM APPLIED RESEARCH	6,597	16,597
		High density eVTOL power source		[10,000]
021	0602184A	SOLDIER APPLIED RESEARCH	11,064	11,064
022	060213A	C3I APPLIED CYBER	12,123	12,123
023	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	20,643	20,643
024	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,701	18,701
025	0602787A	MEDICAL TECHNOLOGY	91,720	95,720
		CPF—human performance optimization (HPO) center		[2,000]
		CPF—suicide prevention with focus on rural, remote, isolated, and OCONUS locations.		[2,000]
		SUBTOTAL APPLIED RESEARCH	914,288	1,100,838

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
ADVANCED TECHNOLOGY DEVELOPMENT				
026	0603002A	MEDICAL ADVANCED TECHNOLOGY	43,804	43,804
027	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	14,273	14,273
028	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	22,231	22,231
029	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	909	909
030	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	17,743	17,743
031	0603042A	C3I ADVANCED TECHNOLOGY	3,151	3,151
032	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	754	754
033	0603044A	SOLDIER ADVANCED TECHNOLOGY	890	890
034	0603115A	MEDICAL DEVELOPMENT	26,521	26,521
035	0603116A	LETHALITY ADVANCED TECHNOLOGY	8,066	8,066
036	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	76,815	76,815
037	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	107,966	115,966
		Program increase		[8,000]
038	0603119A	GROUND ADVANCED TECHNOLOGY	23,403	68,403
		Additive manufacturing capabilities for austere operating environments ..		[14,000]
		CPF—military operations in a permafrost environment		[3,000]
		Ground advanced technology—3D printed structures		[2,000]
		Polar research and testing		[4,000]
		Program increase—3D printing of infrastructure		[5,000]
		Program increase—cold weather research		[2,000]
		Program increase—entry control points at installations		[5,000]
		Program increase—graphene applications for military engineering		[2,000]
		Program increase—rapid entry and sustainment for the arctic		[8,000]
039	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	24,747	24,747
040	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	53,736	53,736
041	0603457A	C3I CYBER ADVANCED DEVELOPMENT	31,426	31,426
042	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	189,123	229,123
		Program increase		[40,000]
043	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	164,951	179,951
		Cyber and connected vehicle integration research		[3,500]
		Program increase—combat vehicle lithium 6T battery development		[1,500]
		Robotics development		[5,000]
		Vehicle cyber security research		[5,000]
044	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	155,867	161,867
		C3I assured position, navigation, and timing technology		[4,000]
		Command post modernization		[2,000]
045	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	93,909	113,909
		Missile effects planning tool development		[10,000]
		Project AG5		[10,000]
046	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	179,677	187,677
		Program increase—20mm chaingun development for FLARA		[8,000]
047	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	48,826	68,826
		Program increase—armored combat vehicle HEL integration		[10,000]
		Program increase—missile MENTOR		[10,000]
048	0603920A	HUMANITARIAN DEMINING	8,649	8,649
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,297,437	1,459,437
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
049	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,702	25,702
		Electro-magnetic denial and protect		[6,000]
		PNT resiliency lab		[8,000]
050	0603308A	ARMY SPACE SYSTEMS INTEGRATION	18,755	20,755
		Program increase—multi-function and multi-mission payload		[2,000]
051	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING		5,000
		Program increase—machine learning for integrated fires		[5,000]
052	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	50,314	48,814
		Test and evaluation excess		[-1,500]
053	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	79,873	77,373
		Testing excess		[-2,500]
054	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	170,590	166,590
		Excess to need		[-4,000]
055	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	2,897	2,897
056	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	113,365	113,365
057	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	18,000	21,804
		Soldier maneuver sensors adv dev lethality smart system—Army UPL		[3,804]
058	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	11,921	11,921
059	0603790A	NATO RESEARCH AND DEVELOPMENT	3,777	3,777
060	0603801A	AVIATION—ADV DEV	1,125,641	1,134,141
		Excess to need		[-24,500]
		Program increase—FLRAA		[33,000]
061	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,055	7,055

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
062	0603807A	MEDICAL SYSTEMS—ADV DEV	22,071	22,071
063	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	17,459	17,459
064	0604017A	ROBOTICS DEVELOPMENT	87,198	75,048
		<i>Excess carryover</i>		[-7,150]
		<i>Unjustified growth—other support costs</i>		[-5,000]
065	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	50,674	43,674
		<i>IFPC-HEL late contract award</i>		[-7,000]
067	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	19,638	19,638
068	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	50,548	50,548
069	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	28,347	28,347
070	0604100A	ANALYSIS OF ALTERNATIVES	10,091	10,091
071	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	926	926
072	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	69,697	75,697
		<i>Army UFR—Acceleration of FTUAS</i>		[6,000]
073	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	327,690	307,567
		<i>Long term power and support costs ahead of need</i>		[-20,123]
074	0604115A	TECHNOLOGY MATURATION INITIATIVES	270,124	180,324
		<i>Insufficient justification</i>		[-80,000]
		<i>Program decrease</i>		[-9,800]
075	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	39,376	39,376
076	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	189,483	189,483
077	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	96,679	96,679
078	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	194,195	196,795
		<i>Prior-year carryover</i>		[-2,000]
		<i>Program increase—multi-sensor terrain data capture and processing</i>		[4,600]
079	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	13,379	13,379
080	0604182A	HYPERSONICS	300,928	300,928
081	0604403A	FUTURE INTERCEPTOR	7,895	7,895
082	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	19,148	19,148
083	0604541A	UNIFIED NETWORK TRANSPORT	35,409	35,409
084	0604644A	MOBILE MEDIUM RANGE MISSILE	286,457	286,457
085	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,040	2,040
086	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	52,988	52,988
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	3,806,330	3,711,161
		SYSTEM DEVELOPMENT & DEMONSTRATION		
089	0604201A	AIRCRAFT AVONICS	6,654	6,654
090	0604270A	ELECTRONIC WARFARE DEVELOPMENT	30,840	26,440
		<i>Early to need</i>		[-4,400]
091	0604601A	INFANTRY SUPPORT WEAPONS	67,873	72,873
		<i>Program increase—turret gunner survivability and simulation environment.</i>		[5,000]
092	0604604A	MEDIUM TACTICAL VEHICLES	11,374	11,374
093	0604611A	JAVELIN	7,094	7,094
094	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	31,602	30,077
		<i>Leader/follower test support ahead of need</i>		[-1,525]
095	0604633A	AIR TRAFFIC CONTROL	4,405	4,405
096	0604642A	LIGHT TACTICAL WHEELED VEHICLES	2,055	7,655
		<i>Army UFR—Electric light reconnaissance vehicle</i>		[5,600]
097	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	137,256	135,506
		<i>Government support excess</i>		[-1,750]
098	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,690	112,690
		<i>Transfer from Other Procurement, Army line 83</i>		[50,000]
099	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,658	1,658
100	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	26,540	26,540
101	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	59,518	59,518
102	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	22,331	22,331
103	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,807	8,807
104	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV ...	7,453	7,453
107	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	21,534	21,534
108	0604802A	WEAPONS AND MUNITIONS—ENG DEV	309,778	306,722
		<i>C-DAEM overestimation</i>		[-3,056]
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	59,261	52,261
		<i>Excess carryover</i>		[-7,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,121	20,121
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	44,424	44,424
112	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	14,137	9,137
		<i>Insufficient justification</i>		[-5,000]
113	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	162,704	162,704
114	0604820A	RADAR DEVELOPMENT	127,919	127,919

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
115	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	17,623	17,623
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,454	6,454
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	106,354	127,354
		Army UPR—Active protection systems for Bradley and Stryker		[21,000]
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	122,168	120,168
		GFIM unjustified growth		[-2,000]
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	76,936	58,736
		Program decrease		[-18,200]
122	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	35,560	35,560
124	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,364	16,364
125	0605031A	JOINT TACTICAL NETWORK (JTN)	28,954	28,954
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	16,630	16,630
130	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHI- CLE (NBCRV) SENSOR SUITE	7,618	7,618
131	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	18,892	13,892
		Cyber situational understanding reduction		[-5,000]
132	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,849	28,849
133	0605047A	CONTRACT WRITING SYSTEM	22,960	20,960
		Program reduction		[-2,000]
135	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	65,603	65,603
136	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	233,512	233,512
137	0605053A	GROUND ROBOTICS	18,241	18,241
138	0605054A	EMERGING TECHNOLOGY INITIATIVES	254,945	254,945
139	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC)	4,326	4,326
140	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	15,616	15,616
141	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	962	962
142	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	54,972	54,972
143	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	122,175	122,175
144	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	2,275	2,275
145	0605224A	MULTI-DOMAIN INTELLIGENCE	9,313	9,313
146	0605225A	SIO CAPABILITY DEVELOPMENT	22,713	22,713
147	0605231A	PRECISION STRIKE MISSILE (PRSM)	188,452	188,452
148	0605232A	HYPERSONICS EMD	111,473	111,473
149	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	18,790	18,790
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,134	2,134
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	157,873	157,873
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION	33,386	33,386
153	0605625A	MANNED GROUND VEHICLE	225,106	203,106
		Excess carryover		[-10,000]
		Unjustified growth—other support costs		[-7,000]
		Unjustified growth—program management		[-5,000]
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MPI)	14,454	14,454
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,564	2,564
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,201	1,201
157	0303032A	TROJAN—RH12	3,362	3,362
161	0304270A	ELECTRONIC WARFARE DEVELOPMENT	75,520	75,520
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,392,358	3,402,027
		MANAGEMENT SUPPORT		
162	0604256A	THREAT SIMULATOR DEVELOPMENT	18,439	18,439
163	0604258A	TARGET SYSTEMS DEVELOPMENT	17,404	17,404
164	0604759A	MAJOR T&E INVESTMENT	68,139	68,139
165	0605103A	RAND ARROYO CENTER	33,126	33,126
166	0605301A	ARMY KWAJALEIN ATOLL	240,877	240,877
167	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	79,710	79,710
169	0605601A	ARMY TEST RANGES AND FACILITIES	354,227	354,227
170	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	49,253	49,253
171	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,389	36,389
172	0605606A	AIRCRAFT CERTIFICATION	2,489	2,489
173	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,689	6,689
174	0605706A	MATERIEL SYSTEMS ANALYSIS	21,558	21,558
175	0605709A	EXPLOITATION OF FOREIGN ITEMS	13,631	13,631
176	0605712A	SUPPORT OF OPERATIONAL TESTING	55,122	55,122
177	0605716A	ARMY EVALUATION CENTER	65,854	65,854
178	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,633	2,633
179	0605801A	PROGRAMWIDE ACTIVITIES	96,589	96,589
180	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,808	26,808
181	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFE- TY	43,042	48,042
		Program increase—polymer case ammunition		[5,000]
182	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,789	1,789
183	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	52,108	52,108
185	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	80,952	80,952
186	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	5,363	5,363
187	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	39,041	39,041

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
188	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	5,466	5,466
		SUBTOTAL MANAGEMENT SUPPORT	1,416,698	1,421,698
		OPERATIONAL SYSTEMS DEVELOPMENT		
		UNDISTRIBUTED		
190	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	12,314	12,314
191	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,868	8,868
192	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	22,828	30,828
		<i>Agile manufacturing for advanced armament systems</i>		[8,000]
194	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	4,773	4,773
195	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,372	70,372
		<i>CH-47 Chinook cargo on/off loading system</i>		[8,000]
		<i>Program increase—T55-714C acceleration</i>		[10,000]
196	0607139A	IMPROVED TURBINE ENGINE PROGRAM	275,024	315,024
		<i>Army improved turbine engine program</i>		[40,000]
197	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	12,417	12,417
198	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	4,594	4,594
199	0607145A	APACHE FUTURE DEVELOPMENT	10,067	25,067
		<i>Program increase</i>		[15,000]
200	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	56,681	56,681
201	0607150A	INTEL CYBER DEVELOPMENT	3,611	12,471
		<i>Army UPR—Cyber-Info Dominance Center</i>		[8,860]
202	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	28,029	28,029
203	0607313A	ELECTRONIC WARFARE DEVELOPMENT	5,673	5,673
204	0607665A	FAMILY OF BIOMETRICS	1,178	1,178
205	0607865A	PATRIOT PRODUCT IMPROVEMENT	125,932	125,932
206	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	25,547	25,547
207	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	211,523	276,523
		<i>Program increase—Abrams modernization</i>		[65,000]
208	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	213,281	208,136
		<i>Excess carryover</i>		[-5,145]
210	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	132	132
211	0203758A	DIGITIZATION	3,936	3,936
212	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	127	127
213	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,265	10,265
214	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	262	262
215	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	182	182
216	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	63,937	63,937
217	0208053A	JOINT TACTICAL GROUND SYSTEM	13,379	13,379
219	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	24,531	24,531
220	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,720	11,720
		<i>Carryover</i>		[-4,000]
221	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	52,739	61,739
		<i>Army UPR—ERP convergence/modernization</i>		[9,000]
222	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,247	15,247
226	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	5,430	5,430
227	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	8,410	8,410
228	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	24,460	24,460
233	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,066	2,066
234	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,720	76,720
		<i>Digital night vision cameras</i>		[15,000]
		SUBTOTAL UNDISTRIBUTED		169,715
999	9999999999	CLASSIFIED PROGRAMS	2,993	2,993
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..	1,380,248	1,549,963
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
237	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT ..	118,811	118,811
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	118,811	118,811
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	12,799,645	13,312,957
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	117,448	167,448
		<i>Defense university research instrumentation program</i>		[20,000]
		<i>University research programs</i>		[30,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH		23,399
		<i>Program increase</i>		[23,399]
003	0601153N	DEFENSE RESEARCH SCIENCES	484,421	489,406
		<i>CPF—Digital twins for Navy maintenance</i>		[1,985]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Program increase		[3,000]
		SUBTOTAL BASIC RESEARCH	601,869	680,253
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	23,013	31,013
		Program increase—multi-mission UAV-borne electronic attack		[8,000]
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,888	138,388
		Relative positioning of autonomous platforms		[3,000]
		Resilient Innovative Sustainable Economies via University Partnerships (RISE-UP)		[2,000]
		Talent and technology for Navy power and energy systems		[10,500]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	51,112	58,612
		Program increase—unmanned logistics solutions		[7,500]
007	0602235N	COMMON PICTURE APPLIED RESEARCH	51,477	51,477
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	70,547	78,547
		Anti-corrosion nanotechnologies		[3,000]
		High mobility ground robots to assist dismounted infantry in urban operations		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	85,157	85,157
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	70,086	70,086
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,405	6,405
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	57,484	98,984
		Academic partnerships for undersea vehicle research and manufacturing		[16,500]
		Continuous distributed sensing systems		[4,000]
		CPF—connected AI for autonomous UUV systems		[5,000]
		CPF—persistent maritime surveillance		[5,000]
		Program increase—undersea warfare applied research ocean aero		[11,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	173,356	193,356
		Program increase—long endurance, autonomous mobile acoustic detection systems		[20,000]
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,160	32,160
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	152,976	152,976
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES	79,254	79,254
		SUBTOTAL APPLIED RESEARCH	975,915	1,076,415
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	21,661	21,661
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,146	8,146
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	224,155	274,055
		Marine Corps UFR—Maritime Targeting Cell-Expeditionary		[5,300]
		Marine Corps UFR—Unmanned adversary technology investment		[10,000]
		Next generation logistics—autonomous littoral connector		[9,600]
		Program increase—low-cost atrittable aircraft technology		[25,000]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,429	13,429
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	265,299	265,299
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,236	57,236
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,935	4,935
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	47,167	47,167
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,981	1,981
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	133,779	153,779
		Atritable group III ultra-long endurance unmanned aircraft for persistent ISR		[10,000]
		Program increase—railgun		[10,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	777,788	847,688
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	16,879	16,879
028	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVs)	144,846	102,846
		LUSV integrated combat system early to need		[-42,000]
029	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	27,849	27,849
030	0603216N	AVIATION SURVIVABILITY	16,815	16,815
031	0603239N	NAVAL CONSTRUCTION FORCES	5,290	5,290
033	0603254N	ASW SYSTEMS DEVELOPMENT	17,612	17,612
034	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,111	3,111
035	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	32,310	32,310
036	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	58,013	58,013
037	0603506N	SURFACE SHIP TORPEDO DEFENSE	1,862	1,862
038	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,182	7,182
039	0603525N	PILOT FISH	408,087	408,087
040	0603527N	RETRACT LARCH	44,197	44,197
041	0603536N	RETRACT JUNIPER	144,541	144,541
042	0603542N	RADIOLOGICAL CONTROL	761	761
043	0603553N	SURFACE ASW	1,144	1,144

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	99,782	99,782
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	14,059	14,059
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	111,590	111,590
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	106,957	106,957
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	203,572	203,572
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	78,122	78,122
050	0603576N	CHALK EAGLE	80,270	80,270
051	0603581N	LITTORAL COMBAT SHIP (LCS)	84,924	84,924
052	0603582N	COMBAT SYSTEM INTEGRATION	17,322	17,322
053	0603595N	OHIO REPLACEMENT	296,231	303,731
		Program increase—composites development		[7,500]
054	0603596N	LCS MISSION MODULES	75,995	75,995
055	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	7,805	7,805
056	0603599N	FRIGATE DEVELOPMENT	109,459	109,459
057	0603609N	CONVENTIONAL MUNITIONS	7,296	7,296
058	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	77,065	67,707
		Armored reconnaissance vehicle GFE excess to need		[-4,400]
		Armored reconnaissance vehicle testing early to need		[-4,958]
059	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	34,785	34,785
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	8,774	8,774
061	0603721N	ENVIRONMENTAL PROTECTION	20,677	20,677
062	0603724N	NAVY ENERGY PROGRAM	33,824	43,824
		AR3P auto refueling system		[10,000]
063	0603725N	FACILITIES IMPROVEMENT	6,327	6,327
064	0603734N	CHALK CORAL	579,389	579,389
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	669	669
066	0603746N	RETRACT MAPLE	295,295	295,295
067	0603748N	LINK PLUMERIA	692,280	692,280
068	0603751N	RETRACT ELM	83,904	83,904
069	0603764M	LINK EVERGREEN	221,253	264,453
		Marine Corps UFR—Additional development		[43,200]
071	0603790N	NATO RESEARCH AND DEVELOPMENT	5,805	5,805
072	0603795N	LAND ATTACK TECHNOLOGY	4,017	4,017
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,589	29,589
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/ VAL	24,450	24,450
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	81,803	81,803
076	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	48,793	48,793
077	0604027N	DIGITAL WARFARE OFFICE	46,769	55,752
		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All- Domain Command and Control (JADC2)		[8,983]
078	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	84,676	84,676
079	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	59,299	59,299
081	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	88,063	81,407
		Contract award excess to need		[-6,656]
082	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	121,509	121,509
083	0604126N	LITTORAL AIRBORNE MCM	18,669	15,187
		COBRA Block II early to need		[-3,482]
084	0604127N	SURFACE MINE COUNTERMEASURES	13,655	13,655
085	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	33,246	33,246
086	0604289M	NEXT GENERATION LOGISTICS	1,071	1,071
087	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	9,825	9,825
088	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	6,555	6,555
089	0604454N	LX (R)	3,344	3,344
090	0604536N	ADVANCED UNDERSEA PROTOTYPING	58,473	51,283
		Test and evaluation excess to need		[-7,190]
091	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	5,529	5,529
092	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	97,944	97,944
093	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT	9,340	9,340
094	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT	127,756	104,756
		Project 3343 lack of program justification		[-23,000]
095	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)	60,028	60,028
096	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	170,838	123,838
		USV machinery qualification insufficient justification		[-47,000]
097	0605514M	GROUND BASED ANTI-SHIP MISSILE (MARFORRES)	102,716	102,716
098	0605516M	LONG RANGE FIRES (MARFORRES)	88,479	88,479
099	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,372,340	1,498,340
		Navy UFR—Additional CPS development		[126,000]
100	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,571	8,571
101	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	16,204	23,204
		Program increase—K-max unmanned logistics system		[7,000]
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	506	506
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	7,077,987	7,141,984

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
SYSTEM DEVELOPMENT & DEMONSTRATION				
103	0603208N	TRAINING SYSTEM AIRCRAFT	5,864	5,864
104	0604212N	OTHER HELO DEVELOPMENT	56,444	49,312
		Attack and utility replacement aircraft excess studies and analysis		[-7,132]
105	0604214M	AV-8B AIRCRAFT—ENG DEV	10,146	10,146
106	0604215N	STANDARDS DEVELOPMENT	4,082	4,082
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	46,418	54,418
		Program increase—MH-60 modernization		[8,000]
108	0604221N	P-3 MODERNIZATION PROGRAM	579	579
109	0604230N	WARFARE SUPPORT SYSTEM	10,167	10,167
110	0604231N	COMMAND AND CONTROL SYSTEMS	122,913	122,913
111	0604234N	ADVANCED HAWKEYE	386,860	386,860
112	0604245M	H-1 UPGRADES	50,158	50,158
113	0604261N	ACOUSTIC SEARCH SENSORS	46,066	46,066
114	0604262N	V-22A	107,984	107,984
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	22,746	22,746
116	0604269N	EA-18	68,425	68,425
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	139,535	136,593
		Dual band decoy previously funded		[-2,942]
118	0604273M	EXECUTIVE HELO DEVELOPMENT	45,932	45,932
119	0604274N	NEXT GENERATION JAMMER (NGJ)	243,923	235,423
		Test and evaluation delays		[-8,500]
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	234,434	243,417
		Navy tactical grid development for JADC2		[8,983]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	248,096	230,100
		Contract delays		[-17,996]
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	371,575	371,575
123	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	904	904
124	0604329N	SMALL DIAMETER BOMB (SDB)	46,769	46,769
125	0604366N	STANDARD MISSILE IMPROVEMENTS	343,511	343,511
126	0604373N	AIRBORNE MCM	10,881	10,881
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	46,121	52,621
		Program increase—stratospheric balloons		[6,500]
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)		15,000
		Program increase		[15,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	77,852	77,852
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	95,693	95,693
131	0604504N	AIR CONTROL	27,499	27,499
132	0604512N	SHIPBOARD AVIATION SYSTEMS	8,924	8,924
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,631	11,631
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	96,556	96,556
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	147	147
136	0604558N	NEW DESIGN SSN	503,252	603,252
		SSN Block VI design and advanced capabilities		[100,000]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	62,115	62,115
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	54,829	54,829
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,290	4,290
140	0604601N	MINE DEVELOPMENT	76,027	65,646
		Encapsulated effector contract delays		[-10,381]
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	94,386	94,386
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,348	8,348
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV	42,144	42,144
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS ..	7,375	7,375
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	149,433	149,433
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	87,862	84,488
		Project 0173 MK9 CWTI replacement delay		[-3,374]
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/JEW)	69,006	69,006
149	0604761N	INTELLIGENCE ENGINEERING	20,684	20,684
150	0604771N	MEDICAL DEVELOPMENT	3,967	11,467
		Program increase—autonomous aerial technology for distributed logistics		[7,500]
151	0604777N	NAVIGATION/ID SYSTEM	48,837	48,837
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	577	577
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	262	262
154	0604850N	SSN(X)	29,829	29,829
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	11,277	11,277
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	243,828	239,892
		Contract writing systems reduction		[-3,936]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,426	8,426
158	0605180N	TACAMO MODERNIZATION	150,592	90,472
		Unjustified air vehicle acquisition strategy		[-60,120]
159	0605212M	CH-53K RDTE	256,903	256,903
160	0605215N	MISSION PLANNING	88,128	88,128
161	0605217N	COMMON AVIONICS	60,117	92,017
		Marine Corps UPR—MANGL Digital Interoperability		[31,900]
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	6,320	6,320

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
163	0605327N	T-AO 205 CLASS	4,336	4,336
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	268,937	268,937
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	356	356
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	27,279	27,279
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	173,784	173,784
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	80,709	80,709
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,005	2,005
170	0204202N	DDG-1000	112,576	112,576
174	0304785N	ISR & INFO OPERATIONS	136,140	133,781
		Program decrease		[-2,359]
175	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,318	26,318
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	5,910,089	5,971,232
		MANAGEMENT SUPPORT		
176	0604256N	THREAT SIMULATOR DEVELOPMENT	20,862	20,862
177	0604258N	TARGET SYSTEMS DEVELOPMENT	12,113	12,113
178	0604759N	MAJOR T&E INVESTMENT	84,617	84,617
179	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,108	3,108
180	0605154N	CENTER FOR NAVAL ANALYSES	38,590	38,590
183	0605804N	TECHNICAL INFORMATION SERVICES	934	934
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	93,966	93,966
185	0605856N	STRATEGIC TECHNICAL SUPPORT	3,538	3,538
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	135,149	135,149
187	0605864N	TEST AND EVALUATION SUPPORT	429,277	429,277
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	24,872	24,872
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	17,653	17,653
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,065	8,065
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	47,042	44,042
		Wargaming capability project restructured		[-3,000]
192	0605898N	MANAGEMENT HQ—R&D	35,614	35,614
193	0606355N	WARFARE INNOVATION MANAGEMENT	38,958	38,958
194	0305327N	INSIDER THREAT	2,581	2,581
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,747	1,747
		SUBTOTAL MANAGEMENT SUPPORT	998,686	995,686
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604840M	F-35 C2D2	515,746	515,746
200	0604840N	F-35 C2D2	481,962	481,962
201	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS (MARFORRES).	65,381	65,381
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	176,486	176,486
203	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	177,098	198,998
		D5LE2 integration and test early to need		[-2,100]
		Next generation strategic inertial measurement unit		[9,000]
		Strategic weapons system shipboard navigation modernization		[15,000]
204	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,775	45,775
205	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	64,752	64,752
206	0101402N	NAVY STRATEGIC COMMUNICATIONS	35,451	35,451
207	0204136N	F/A-18 SQUADRONS	189,224	196,224
		Program increase—neural network algorithms on advanced processors		[3,000]
		Program increase—noise reduction research		[4,000]
208	0204228N	SURFACE SUPPORT	13,733	13,733
209	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPIC).	132,181	132,181
210	0204311N	INTEGRATED SURVEILLANCE SYSTEM	84,276	84,276
211	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	6,261	6,261
212	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,657	1,657
213	0204460M	GROUND/AIR TASK ORIENTED RADAR (GIATOR)	21,367	68,367
		Marine Corps UFR—Air traffic control Block IV development		[23,000]
		Marine Corps UFR—Radar signal processor refresh		[12,000]
		Marine Corps UFR—Software mods to implement NIFC		[12,000]
214	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	56,741	56,741
215	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	62,006	62,006
216	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	133,520	125,823
		Program decrease		[-7,697]
217	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,804	28,804
218	0205632N	MK-48 ADCAP	114,492	114,492
219	0205633N	AVIATION IMPROVEMENTS	132,486	132,486
220	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	113,760	113,760
221	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	89,897	92,697
		Compact solid state antenna—USMC UPL		[2,800]
222	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC28)	9,324	12,824
		Marine Corps UFR—Software development for NIFC integration		[3,500]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
223	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	108,235	108,235
224	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	13,185	13,185
225	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	37,695	44,295
		Marine Corps UFR—G-BOSS High Definition modernization		[3,700]
		Marine Corps UFR—SCINet transition		[2,900]
226	0206629M	AMPHIBIOUS ASSAULT VEHICLE	7,551	7,551
227	0207161N	TACTICAL AIM MISSILES	23,881	23,881
228	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,564	32,564
229	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,101	3,101
234	0303138N	AFLOAT NETWORKS	30,890	35,690
		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2).		[4,800]
235	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,311	33,311
236	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,514	7,514
237	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,837	9,837
238	0305205N	UAS INTEGRATION AND INTEROPERABILITY	9,797	9,797
239	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	38,800	38,800
240	0305220N	MQ-4C TRITON	13,029	13,029
241	0305231N	MQ-8 UAV	26,543	26,543
242	0305232M	RQ-11 UAV	533	533
243	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	1,772	1,772
245	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	59,252	59,252
246	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,274	9,274
247	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	36,378	36,378
248	0305421N	RQ-4 MODERNIZATION	134,323	134,323
249	0307577N	INTELLIGENCE MISSION DATA (IMD)	907	907
250	0308601N	MODELING AND SIMULATION SUPPORT	9,772	9,772
251	0702207N	DEPOT MAINTENANCE (NON-IP)	36,880	41,880
		CPF—defense industrial skills and technology training		[5,000]
252	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,329	3,329
999	9999999999	CLASSIFIED PROGRAMS	1,872,586	1,872,586
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	5,313,319	5,404,222
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS				
UNDISTRIBUTED				
254	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	13,703	13,703
255	0608113N	NAVY NEXT GENERATION ENTERPRISE NETWORK (NGEN)—SOFTWARE PILOT PROGRAM.	955,151	955,151
256	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	14,855	14,855
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	983,709	983,709
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	22,639,362	23,101,189
RESEARCH, DEVELOPMENT, TEST & EVAL, AF				
BASIC RESEARCH				
001	0601102F	DEFENSE RESEARCH SCIENCES	328,303	347,823
		Program increase—basic research		[19,520]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	162,403	193,903
		CPF—neural-enabled prosthetics		[1,500]
		University research programs		[30,000]
		SUBTOTAL BASIC RESEARCH	490,706	541,726
APPLIED RESEARCH				
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	79,901	79,901
005	0602102F	MATERIALS	113,460	145,460
		Continuous composites 3D printing		[7,000]
		CPF—affordable multifunctional aerospace composites		[10,000]
		Digital maintenance advisor		[5,000]
		High energy synchrotron x-ray research		[5,000]
		Maturation of carbon/carbon thermal protection systems		[5,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	163,032	170,532
		Ground test and development of hypersonic engines		[5,000]
		Nano-UAS for the military warfighter		[2,500]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	136,273	136,273
008	0602203F	AEROSPACE PROPULSION	174,683	181,683
		Low-cost small turbine engine research		[7,000]
009	0602204F	AEROSPACE SENSORS	198,918	461,918
		Chip-locking microelectronics security		[6,000]
		Cyber assurance and assessment of electronic hardware systems		[7,000]
		Microelectronics research network		[250,000]
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEAD-QUARTERS ACTIVITIES.	8,891	8,891

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
012	0602602F	CONVENTIONAL MUNITIONS	151,757	151,757
013	0602605F	DIRECTED ENERGY TECHNOLOGY	111,052	113,552
		CPF—directed energy research and education for workforce development		[2,500]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	169,110	181,110
		CPF—assessment of a national laboratory for transformational computing.		[2,000]
		Program increase—quantum network testbed		[10,000]
		SUBTOTAL APPLIED RESEARCH	1,307,077	1,631,077
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	131,643	187,643
		Procure Valkyrie aircraft		[75,000]
		Program reduction		[-19,000]
018	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	31,905	41,905
		Metals affordability research		[10,000]
019	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	21,057	21,057
020	0603203F	ADVANCED AEROSPACE SENSORS	45,464	54,764
		Authorization software for autonomous sensors		[9,300]
021	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	70,486	85,486
		Enhanced capability hypersonic airbreathing testbed		[15,000]
022	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	75,273	159,773
		CPF—development of advanced propulsion technologies for hypersonic systems.		[5,000]
		Ground testing of reusable high mach turbine engines		[20,000]
		Next generation UAS propulsion development		[30,000]
		Reusable high mach turbine engine		[29,500]
023	0603270F	ELECTRONIC COMBAT TECHNOLOGY	46,591	46,591
026	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	24,589	24,589
027	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	157,423	157,423
028	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,258	33,258
		Program increase—LIDAR CUAS automated target recognition		[5,000]
029	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	45,259	157,259
		Aerospace and defense supply ecosystem		[6,000]
		CPF—additive manufacturing and ultra-high performance concrete		[5,000]
		Program increase		[70,000]
		Smart manufacturing digital thread initiative		[10,000]
		Sustainment and modernization research and development program		[7,000]
		Universal robotic controller		[6,000]
		Virtual, augmented, and mixed reality readiness		[8,000]
030	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	56,772	56,772
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	734,720	1,026,520
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
031	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,795	5,795
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,939	21,939
033	0603790F	NATO RESEARCH AND DEVELOPMENT	4,114	4,114
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	49,621	49,621
036	0604001F	NC3 ADVANCED CONCEPTS	6,900	6,900
037	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	986	986
038	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	203,849	203,849
039	0604004F	ADVANCED ENGINE DEVELOPMENT	123,712	380,712
		Program increase—AETP		[257,000]
040	0604006F	ARCHITECTURE INITIATIVES	82,438	128,438
		Acceleration of tactical datalink waveform		[80,000]
		Program decrease		[-34,000]
041	0604015F	LONG RANGE STRIKE—BOMBER	2,872,624	2,872,624
042	0604032F	DIRECTED ENERGY PROTOTYPING	10,820	10,820
043	0604033F	HYPERSONICS PROTOTYPING	438,378	438,378
044	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	39,742	39,742
045	0604257F	ADVANCED TECHNOLOGY AND SENSORS	23,745	23,745
046	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER	95,788	95,788
047	0604317F	TECHNOLOGY TRANSFER	15,768	23,268
		Program increase—academic partnership intermediary agreement tech transfer.		[7,500]
048	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	15,886	15,886
049	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	71,229	71,229
050	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	40,103	40,103
051	0604858F	TECH TRANSITION PROGRAM	343,545	442,545
		Blended wing body prototype phase 1		[15,000]
		C-17 active winglets phase 1		[2,000]
		KC-135 winglets		[2,000]
		NORTHCOM UFR—Proliferated low earth orbit Arctic communications		[80,000]
052	0605230F	GROUND BASED STRATEGIC DETERRENT	2,553,541	2,553,541
054	0207110F	NEXT GENERATION AIR DOMINANCE	1,524,667	1,524,667

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)		50,000
		Build command and control framework		[50,000]
056	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	10,905	10,905
057	0208030F	WAR RESERVE MATERIEL—AMMUNITION	3,943	3,943
059	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,881	43,881
061	0305601F	MISSION PARTNER ENVIRONMENTS	16,420	16,420
062	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	242,499	282,499
		Coordination with private sector to protect against foreign malicious cyber actors.		[15,000]
		CYBERCOM UPR enhanced attribution transition		[25,000]
063	0306415F	ENABLED CYBER ACTIVITIES	16,578	16,578
066	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	20,343	20,343
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	8,899,759	9,399,259
		SYSTEM DEVELOPMENT & DEMONSTRATION		
078	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	23,499	23,499
079	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	167,520	167,520
080	0604222F	NUCLEAR WEAPONS SUPPORT	30,050	30,050
081	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,110	2,110
082	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	169,836	169,836
083	0604287F	PHYSICAL SECURITY EQUIPMENT	8,469	8,469
085	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,047	9,047
086	0604604F	SUBMUNITIONS	2,954	2,954
087	0604617F	AGILE COMBAT SUPPORT	16,603	16,603
089	0604706F	LIFE SUPPORT SYSTEMS	25,437	25,437
090	0604735F	COMBAT TRAINING RANGES	23,980	34,180
		Air Force combat training ranges		[7,200]
		Gulf test range improvement		[3,000]
092	0604932F	LONG RANGE STANDOFF WEAPON	609,042	609,042
093	0604933F	ICBM FUZE MODERNIZATION	129,709	129,709
095	0605056F	OPEN ARCHITECTURE MANAGEMENT	37,109	37,109
096	0605221F	KC-46	1	1
097	0605223F	ADVANCED PILOT TRAINING	188,898	188,898
098	0605229F	HH-60W	66,355	30,506
		Early to need—capability upgrades and modernization		[-35,849]
101	0207171F	F-15 EPAWSS	112,012	112,012
102	0207328F	STAND IN ATTACK WEAPON	166,570	166,570
103	0207701F	FULL COMBAT MISSION TRAINING	7,064	12,064
		Program increase—airborne augmented reality for pilot training		[5,000]
105	0401221F	KC-46A TANKER SQUADRONS	73,459	67,459
		Underexecution		[-6,000]
107	0401319F	VC-25B	680,665	655,665
		Early to need		[-25,000]
108	0701212F	AUTOMATED TEST SYSTEMS	15,445	15,445
109	0804772F	TRAINING DEVELOPMENTS	4,482	4,482
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,570,316	2,518,667
		MANAGEMENT SUPPORT		
124	0604256F	THREAT SIMULATOR DEVELOPMENT	41,909	41,909
125	0604759F	MAJOR T&E INVESTMENT	130,766	130,766
126	0605101F	RAND PROJECT AIR FORCE	36,017	36,017
128	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	12,582	12,582
129	0605807F	TEST AND EVALUATION SUPPORT	811,032	811,032
131	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	243,796	243,796
132	0605828F	ACQ WORKFORCE- GLOBAL REACH	435,930	435,930
133	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	435,274	435,274
135	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,806	243,806
136	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	103,041	103,041
137	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	226,055	226,055
138	0605898F	MANAGEMENT HQ—R&D	4,079	4,079
139	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,788	70,788
140	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	30,057	30,057
141	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	85,799	80,799
		Program decrease		[-5,000]
142	0606398F	MANAGEMENT HQ—T&E	6,163	6,163
143	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES ..	537	537
144	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	25,340	35,340
		Program increase—NC3 rapid engineering architecture collaboration hub		[10,000]
145	0308602F	ENTERPRISE INFORMATION SERVICES (EIS)	28,720	28,720
146	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	37,211	37,211
147	0804731F	GENERAL SKILL TRAINING	1,506	1,506
148	0804772F	TRAINING DEVELOPMENTS	2,957	2,957
150	1001004F	INTERNATIONAL ACTIVITIES	2,420	2,420

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
156	1206864F	SPACE TEST PROGRAM (STP)	3	3
		SUBTOTAL MANAGEMENT SUPPORT	3,015,788	3,020,788
		OPERATIONAL SYSTEMS DEVELOPMENT		
157	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	5,509	5,509
158	0604445F	WIDE AREA SURVEILLANCE	2,760	2,760
160	0604840F	F-35 C2D2	985,404	985,404
161	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	22,010	22,010
162	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	51,492	51,492
163	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,391	71,391
164	0605278F	HC/MC-130 RECAP RDT&E	46,796	46,796
165	0606018F	NC3 INTEGRATION	26,532	26,532
167	0101113F	B-52 SQUADRONS	715,811	660,811
		CERP rapid prototyping materiel contract delay		[-55,000]
168	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	453	453
169	0101126F	B-1B SQUADRONS	29,127	29,127
170	0101127F	B-2 SQUADRONS	144,047	144,047
171	0101213F	MINUTEMAN SQUADRONS	113,622	113,622
172	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	15,202	15,202
174	0101328F	ICBM REENTRY VEHICLES	96,313	96,313
176	0102110F	UH-1N REPLACEMENT PROGRAM	16,132	16,132
177	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	771	771
178	0102412F	NORTH WARNING SYSTEM (NWS)	99	25,199
		NORTHCOM UFR—Over the horizon radar		[25,100]
179	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	42,300	42,300
180	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	5,889	5,889
181	0205219F	MQ-9 UAV	85,135	84,121
		Early to need—program protection technology insertion		[-1,014]
182	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	3,111	3,111
183	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	36,607	36,607
184	0207131F	A-10 SQUADRONS	39,224	39,224
185	0207133F	F-16 SQUADRONS	224,573	224,573
186	0207134F	F-15E SQUADRONS	239,616	239,616
187	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,855	15,855
188	0207138F	F-22A SQUADRONS	647,296	647,296
189	0207142F	F-35 SQUADRONS	69,365	69,365
190	0207146F	F-15EX	118,126	118,126
191	0207161F	TACTICAL AIM MISSILES	32,974	32,974
192	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,288	51,288
193	0207227F	COMBAT RESCUE—PARARESCUE	852	852
194	0207247F	AF TENCAP	23,685	23,685
195	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	12,083	12,083
196	0207253F	COMPASS CALL	91,266	91,266
197	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,715	103,715
198	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	117,325	117,325
199	0207327F	SMALL DIAMETER BOMB (SDB)	27,109	27,109
200	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	3	3
201	0207412F	CONTROL AND REPORTING CENTER (CRC)	9,875	9,875
202	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	171,014	171,014
203	0207418F	AFSPECWAR—TACP	4,598	4,598
205	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	21,863	21,863
206	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,905	7,905
207	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)	15,000	15,000
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	13,081	13,081
209	0207452F	DCAPES	4,305	4,305
210	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,984	1,984
211	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	7,392	7,392
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	1,971	1,971
213	0207590F	SEEK EAGLE	30,539	30,539
214	0207601F	USAF MODELING AND SIMULATION	17,110	17,110
215	0207605F	WARGAMING AND SIMULATION CENTERS	7,535	7,535
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	32,008	32,008
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,007	4,007
218	0208006F	MISSION PLANNING SYSTEMS	92,557	92,557
219	0208007F	TACTICAL DECEPTION	489	489
220	0208064F	OPERATIONAL HQ—CYBER	2,115	2,115
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	72,487	72,487
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	18,449	18,449
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	79,079	79,079
224	0208099F	UNIFIED PLATFORM (UP)	101,893	101,893
228	0208288F	INTEL DATA APPLICATIONS	493	493
229	0301025F	GEOBASE	2,782	2,782
231	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	5,224	5,224
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	2,463	2,463
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	26,331	26,331

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	58,165	58,165
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	8,032	8,032
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	452	452
244	0303248F	ALL DOMAIN COMMON PLATFORM	64,000	64,000
246	0304260F	AIRBORNE SIGINT ENTERPRISE	97,546	93,546
		<i>Excess carryover—special projects</i>		[–4,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,770	8,770
		<i>CPF—mobilizing civilian expertise for national security education on geo-economics, and innovation in the era of great power competition.</i>		[5,000]
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,663	1,663
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,888	15,888
		<i>Excess to need</i>		[–3,000]
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,672	4,672
254	0305103F	CYBER SECURITY INITIATIVE	290	290
255	0305111F	WEATHER SERVICE	26,228	36,228
		<i>Program increase—commercial weather data pilot</i>		[10,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL).	8,749	8,749
257	0305116F	AERIAL TARGETS	1,528	126,528
		<i>Unmanned adversary air platforms</i>		[125,000]
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	223	223
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	8,733	8,733
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,335	21,335
265	0305202F	DRAGON U–2	17,146	35,846
		<i>Air Force UFR—Antenna replacement</i>		[18,700]
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	71,791	151,291
		<i>Air Force UFR—ASARS processor and antenna development</i>		[67,000]
		<i>Program increase—wide area motion imagery</i>		[12,500]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,799	14,799
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	24,568	24,568
270	0305220F	RQ–4 UAV	83,124	83,124
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	17,224	17,224
272	0305238F	NATO AGS	19,473	19,473
273	0305240F	SUPPORT TO DCGS ENTERPRISE	40,421	40,421
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	14,473	14,473
275	0305881F	RAPID CYBER ACQUISITION	4,326	4,326
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,567	2,567
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,169	6,169
278	0401115F	C–130 AIRLIFT SQUADRON	9,752	9,752
279	0401119F	C–5 AIRLIFT SQUADRONS (IF)	17,507	17,507
280	0401130F	C–17 AIRCRAFT (IF)	16,360	16,360
281	0401132F	C–130J PROGRAM	14,112	14,112
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,540	5,540
283	0401218F	KC–135S	3,564	3,564
285	0401318F	CV–22	17,189	17,189
286	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,640	6,640
288	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	26,921	26,921
289	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	7,071	7,071
291	0804743F	OTHER FLIGHT TRAINING	1,999	1,999
293	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,841	1,841
294	0901218F	CIVILIAN COMPENSATION PROGRAM	3,560	3,560
295	0901220F	PERSONNEL ADMINISTRATION	3,368	3,368
296	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,248	1,248
297	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	4,852	4,852
301	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	6,737	6,737
999	999999999	CLASSIFIED PROGRAMS	15,868,973	15,868,973
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	21,743,006	21,943,292
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
317	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	96,100	96,100
318	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM.	186,918	186,918
319	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	135,263	135,263
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	418,281	418,281
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	39,179,653	40,499,610
		RDTE, SPACE FORCE APPLIED RESEARCH		
001	12066018F	SPACE TECHNOLOGY	181,209	201,709
		<i>Battery cycle life improvements</i>		[3,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Program increase—hybrid space architecture		[5,000]
		Program increase—radiation hardened microprocessor		[5,000]
		Program increase—university consortia for space technology		[7,500]
		SUBTOTAL APPLIED RESEARCH	181,209	201,709
		ADVANCED TECHNOLOGY DEVELOPMENT		
002	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	75,919	136,919
		Space Force UFR—accelerate cisunar flight experiment		[61,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	75,919	136,919
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
003	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	434,194	434,194
004	1203710SF	EO/IR WEATHER SYSTEMS	162,274	162,274
005	1203905SF	SPACE SYSTEM SUPPORT	37,000	37,000
006	1206422SF	WEATHER SYSTEM FOLLOW-ON	61,521	61,521
007	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	123,262	130,262
		Space Force UFR—Maui optical site		[7,000]
008	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	101,851	129,851
		Space Force UFR—Expand Blackjack radio frequency payloads		[28,000]
009	1206438SF	SPACE CONTROL TECHNOLOGY	32,931	32,931
010	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	56,546	71,546
		Program increase		[15,000]
011	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	100,320	100,320
012	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	243,285	243,285
013	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	160,056	160,056
014	1206857SF	SPACE RAPID CAPABILITIES OFFICE	66,193	66,193
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,579,433	1,629,433
		SYSTEM DEVELOPMENT & DEMONSTRATION		
015	1203269SF	GPS III FOLLOW-ON (GPS III-F)	264,265	264,265
016	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	56,279	56,279
017	1206421SF	COUNTERSPACE SYSTEMS	38,063	38,063
018	1206422SF	WEATHER SYSTEM FOLLOW-ON	1,438	1,438
019	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	127,026	136,026
		Space Force UFR—Add space domain rapid innovation pathfinders		[9,000]
020	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	28,218	28,218
021	1206432SF	POLAR MILSATCOM (SPACE)	127,870	127,870
022	1206442SF	NEXT GENERATION OPIR	2,451,256	2,451,256
023	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	23,400	23,400
024	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	221,510	280,710
		Maintain competition for Ph3—DOD unique requirements		[50,000]
		Space Force UFR—Liquid oxygen explosive tests		[9,200]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	3,339,325	3,407,525
		MANAGEMENT SUPPORT		
025	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	19,319	52,619
		Space Force UFR—signal emulation generation subsystem		[33,300]
026	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	214,051	214,051
027	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	12,119	12,119
028	1206759SF	MAJOR T&E INVESTMENT—SPACE	71,503	71,503
029	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,769	21,769
		CPF—small rocket program		[4,000]
030	1206862SF	TACTICALLY RESPONSIVE LAUNCH		50,000
		Program increase		[50,000]
031	1206864SF	SPACE TEST PROGRAM (STP)	20,881	20,881
		SUBTOTAL MANAGEMENT SUPPORT	355,642	442,942
		OPERATIONAL SYSTEM DEVELOPMENT		
033	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	4,731	4,731
034	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	156,788	156,788
035	1203040SF	DCO-SPACE	2,150	2,150
036	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	112,012	112,012
037	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	36,810	36,810
038	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	1,966	1,966
039	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	1,699	5,699
		Space Force UFR—Improve operations of payload adapter		[4,000]
040	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	18,054	33,354
		Space Force UFR—Digital core services for distributed space test and training		[15,300]
041	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,115	23,115
		CPF—tactically responsive launch/deployable spaceport		[7,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		<i>Program increase</i>		[5,000]
042	1203265SF	GPS III SPACE SEGMENT	7,207	7,207
043	1203330SF	SPACE SUPERIORITY ISR	18,109	18,109
044	1203620SF	NATIONAL SPACE DEFENSE CENTER	1,280	1,280
045	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	12,292	12,292
046	1203906SF	NCMC—TW/AA SYSTEM	9,858	9,858
047	1203913SF	NUDET DETECTION SYSTEM (SPACE)	45,887	45,887
048	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	64,763	64,763
049	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	413,766	413,766
053	1206770SF	ENTERPRISE GROUND SERVICES	191,713	191,713
999	999999999	CLASSIFIED PROGRAMS	4,474,809	4,680,009
		<i>Space Force UFR—classified</i>		[205,200]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	5,585,009	5,821,509
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS				
UNDISTRIBUTED				
054	1203614SF	JSPOC MISSION SYSTEM	154,529	154,529
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	154,529	154,529
		TOTAL RDTE, SPACE FORCE	11,271,066	11,794,566
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
BASIC RESEARCH				
001	0601000BR	DTRA BASIC RESEARCH	11,828	12,705
		<i>Program increase</i>		[877]
002	0601101E	DEFENSE RESEARCH SCIENCES	395,781	454,281
		<i>Adversary Influence Operations (IO)—detection, modeling, mitigation</i>		[5,000]
		<i>Artificial Intelligence (AI)—trustworthy, human integrated, robust</i>		[5,000]
		<i>Biotechnology for challenging environments</i>		[7,000]
		<i>CPF—novel analytical and empirical approaches to the prediction and monitoring of disease transmission.</i>		[1,500]
		<i>High assurance software systems—resilient, adaptable, trustworthy</i>		[5,000]
		<i>Increase for DARPA-funded university research activities</i>		[15,000]
		<i>Program increase—ERI 2.0</i>		[20,000]
003	0601108DSZ	HIGH ENERGY LASER RESEARCH INITIATIVES	15,390	15,390
004	0601110DSZ	BASIC RESEARCH INITIATIVES	39,828	77,061
		<i>Consortium to study irregular warfare</i>		[8,000]
		<i>CPF—Florida Memorial University Department of Natural Sciences STEM equipment.</i>		[400]
		<i>CPF—SOUTHCOM Enhanced Domain Awareness (EDA) initiative</i>		[1,300]
		<i>DEPSCoR</i>		[10,000]
		<i>Minerva management and social science research</i>		[13,000]
		<i>Program increase</i>		[4,533]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	76,018	86,018
		<i>Assessing immune memory</i>		[5,000]
		<i>Traumatic brain injury research</i>		[5,000]
006	0601120DSZ	NATIONAL DEFENSE EDUCATION PROGRAM	112,195	132,195
		<i>Civics education</i>		[2,000]
		<i>CPF—Florida Memorial Avionics Smart Scholars</i>		[1,000]
		<i>SMART scholarships for AI related education</i>		[13,000]
		<i>SMART scholarships program increase</i>		[4,000]
007	0601228DSZ	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	31,136	73,247
		<i>CPF—augmenting quantum sensing research, education, and training in DOD COE at DSU.</i>		[1,111]
		<i>CPF—HBCU training for the future of aerospace</i>		[1,000]
		<i>Program increase</i>		[40,000]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,708	37,208
		<i>Program increase—chemically resistant, high-performance military cordage, rope, and webbing.</i>		[2,500]
		SUBTOTAL BASIC RESEARCH	716,884	888,105
APPLIED RESEARCH				
009	0602000DSZ	JOINT MUNITIONS TECHNOLOGY	19,591	19,591
010	0602115E	BIOMEDICAL TECHNOLOGY	108,698	118,698
		<i>Bridging the gap after spinal cord injury</i>		[5,000]
		<i>Non-invasive neurotechnology rehabilitation take home trials</i>		[5,000]
012	0602230DSZ	DEFENSE TECHNOLOGY INNOVATION	22,918	82,918
		<i>6G and beyond experimentation efforts</i>		[50,000]
		<i>Artificial intelligence (AI)—trustworthy, human integrated, robust</i>		[10,000]
013	0602234DSZ	LINCOLN LABORATORY RESEARCH PROGRAM	55,692	55,692
014	0602251DSZ	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	65,015	115,015
		<i>AI research and development</i>		[50,000]
015	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	430,363	745,363

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		National Security Commission on Artificial Intelligence implementation		[200,000]
		Program increase—AI, cyber, and data analytics		[15,000]
016	0602383E	Quantum computing acceleration		[100,000]
		BIOLOGICAL WARFARE DEFENSE	31,421	31,421
017	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	206,956	213,456
		Biodetection system for joint force infrastructure protection		[6,500]
018	0602668D8Z	CYBER SECURITY RESEARCH	15,380	35,380
		AI-enabled cyber defense acceleration study		[10,000]
		Program increase		[10,000]
019	0602702E	TACTICAL TECHNOLOGY	202,515	249,515
		MADFIRES		[30,000]
		Program increase—AI, cyber and data analytics		[17,000]
020	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	317,024	378,624
		Adaptive immunomodulation-based therapeutics (ElectRx)		[4,600]
		Agile chemical manufacturing technologies (ACMT)		[20,000]
		Bioengineered electronics and electromagnetic devices (Bio-INC)		[6,000]
		Bioremediation of battlefields		[7,000]
		Maritime materials technologies (M2T)		[5,000]
		Materiel protection through biologics		[5,000]
		Neuroprotection from brain injury		[9,000]
		Regenerative engineering for complex tissue regeneration & limb reconstruction.		[5,000]
021	0602716E	ELECTRONICS TECHNOLOGY	357,384	393,384
		Program increase—ERI 2.0		[36,000]
022	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	197,011	197,011
023	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,601	9,601
024	0602890D8Z	HIGH ENERGY LASER RESEARCH	45,997	115,997
		Directed energy innovation—improved beam control		[50,000]
		Joint Directed Energy Transition Office		[20,000]
025	1160401BB	SOF TECHNOLOGY DEVELOPMENT	44,829	48,829
		Program increase—sustained human performance and resilience		[4,000]
		SUBTOTAL APPLIED RESEARCH	2,130,395	2,810,495
		ADVANCED TECHNOLOGY DEVELOPMENT		
026	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	23,213	23,213
027	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,665	4,665
028	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	69,376	69,376
029	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,432	25,432
031	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	399,362	404,362
		Reduced order models		[5,000]
032	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	15,800	29,700
		BATMAA BMDs advanced technology		[8,700]
		MDA UFR—Cybersecurity improvements		[5,200]
033	0603180C	ADVANCED RESEARCH	21,466	26,466
		Program increase—high speed flight experiment testing		[5,000]
034	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	51,340	51,340
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,063	19,063
036	0603286E	ADVANCED AEROSPACE SYSTEMS	174,043	256,043
		Glide breaker		[20,000]
		Hypersonic Air-Breathing Weapon Concept (HAWC)		[37,000]
		OpFires		[10,000]
		Tactical Boost Glide (TBG)		[15,000]
037	0603287E	SPACE PROGRAMS AND TECHNOLOGY	101,524	186,524
		Blackjack critical risk reduction		[25,000]
		Blackjack schedule assurance		[30,000]
		Robotic Servicing of Geosynchronous Satellites (RSGS)		[30,000]
038	0603288D8Z	ANALYTIC ASSESSMENTS	24,012	24,012
039	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	51,513	51,513
042	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	115,443	193,443
		Defense critical supply chain documentation and monitoring		[3,000]
		Rapid Innovation Program		[75,000]
043	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	31,873	31,873
044	0603375D8Z	TECHNOLOGY INNOVATION	54,433	54,433
045	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	197,824	197,824
046	0603527D8Z	RETRACT LARCH	99,175	99,175
047	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	18,221	18,221
048	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	102,669	102,669
049	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	2,984	2,984
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	134,022	380,322
		Additive manufacturing training		[5,000]
		Biotechnology innovation—enabling modular and scalable bioindustrial and reusable assets.		[200,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Certification-based workforce training programs for manufacturing		[3,000]
		CPF—cold spray and rapid deposition lab		[1,300]
		Cybersecurity for industrial control systems		[3,000]
		Data analytics and visual system		[3,000]
		HPC-enabled advanced manufacturing		[8,000]
		Hypersonics advanced manufacturing		[10,000]
		Integrated silicon-based lasers		[10,000]
		Virtual reality-enabled smart installation experimentation		[3,000]
051	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	37,543	47,543
		Program increase—steel performance initiative		[10,000]
053	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS ...	12,418	12,418
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	51,863	81,863
		Program increase—APFF replacement, disposal, and cleanup technology		[15,000]
		Program increase—PFAS remediation and disposal technology		[15,000]
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUP- PORT.	160,821	160,821
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,169	2,169
057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	116,716	140,716
		Program increase—ERI 2.0		[24,000]
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	251,794	295,394
		Classified increase		[21,000]
		Deep water active sonar		[15,000]
		Network UP		[5,000]
		SHARE alignment with OTNK research		[1,100]
		SHARE ICN performance enhancements for operational use		[1,500]
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	584,771	779,246
		Air combat evolution (ACE)		[8,200]
		Artificial intelligence research activities		[100,000]
		Assault breaker II		[50,000]
		Classified increase		[20,400]
		Ocean of things		[875]
		Ocean of things phase 3 demonstration		[10,000]
		Timely information for maritime engagements (TIMEly)		[5,000]
060	0603767E	SENSOR TECHNOLOGY	294,792	367,392
		Classified increase		[27,800]
		SECTRE munitions digital twin for in theater/flight target additions and performance improvements.		[4,400]
		Systems of systems-enhanced small units (SESU)		[4,400]
		Thermal imaging technology experiment-recon (TITE-R)		[36,000]
061	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOP- MENT.	6,398	9,198
		Systems of systems-enhanced small units (SESU)		[2,800]
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	14,677	14,977
		CODE enhancements for SESU		[300]
065	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	107,397	107,397
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	267,161	267,161
067	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,270	31,270
		Program increase		[10,000]
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	74,300	74,300
070	0303310D8Z	CWMD SYSTEMS		5,000
		Data storage capabilities for special operations forces		[5,000]
074	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	93,415	98,415
		SOF platform agnostic data storage capability		[5,000]
075	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVEL- OPMENT.	172,638	172,638
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	4,007,596	4,920,571
		ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES		
076	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIP- MENT RDT&E ADC&P.	28,687	28,687
077	0603600D8Z	WALKOFF	108,652	108,652
078	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES .. CDO for ADA		5,000
		ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PRO- GRAM.	71,429	89,429
		Military energy resilience catalyst		[3,000]
		Program increase—APFF replacement, disposal, and cleanup technology		[5,000]
		Program increase—PFAS remediation and disposal technology		[10,000]
080	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	277,949	213,382
		Unjustified request, lacking acquisition strategy—LHD		[-64,567]
081	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEG- MENT.	745,144	740,144
		Unjustified growth—ground support and fire control LHD lack of vali- dated requirement and acquisition strategy.		[-5,000]
082	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL ..	129,445	129,445
083	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	224,750	227,762
		MDA UPR—Cybersecurity improvements		[3,012]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
084	0603890C	BMD ENABLING PROGRAMS	595,301	631,881
		MDA UFR—Cybersecurity improvements		[44,830]
		Unjustified growth—LHD lack of validated requirement and acquisition strategy.		[-8,250]
085	0603891C	SPECIAL PROGRAMS—MDA	413,374	413,374
086	0603892C	AEGIS BMD	732,512	694,418
		Layered homeland defense lack of requirement		[-86,494]
		MDA UFR—Radar upgrades		[48,400]
087	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS	603,448	587,424
		MDA UFR—Cybersecurity improvements		[2,000]
		MDA UFR—JADC2 integration		[4,476]
		Unjustified growth—LHD lack of validated requirement and acquisition strategy.		[-22,500]
088	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	50,594	50,594
089	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	52,403	52,403
090	0603906C	REGARDING TRENCH	11,952	11,952
091	0603907C	SEA BASED X-BAND RADAR (SBX)	147,241	147,241
092	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
093	0603914C	BALLISTIC MISSILE DEFENSE TEST	362,906	362,906
094	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	553,334	568,784
		Advanced target front end configuration 3 tech maturation		[5,000]
		Architecture RTS development		[10,000]
		MDS architecture IAC prototype		[5,000]
		Unjustified growth—LHD lack of validated requirement and acquisition strategy.		[-4,550]
096	0603923D8Z	COALITION WARFARE	5,103	5,103
097	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	374,665	474,665
		5G acceleration activities		[100,000]
098	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,259	3,259
099	0604102C	GUAM DEFENSE DEVELOPMENT	78,300	138,300
		INDOPACOM UFR—Guam Defense System		[60,000]
100	0604115C	TECHNOLOGY MATURATION INITIATIVES		34,000
		Program increase—diode pumped alkali laser		[14,000]
		Short pulse laser directed energy demonstration		[20,000]
103	0604181C	HYPERSONIC DEFENSE	247,931	309,796
		MDA UFR—Accelerate hypersonic defensive systems		[61,865]
104	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	716,456	831,456
		Mission-based acquisition		[100,000]
		Program increase—mobile nuclear microreactor		[15,000]
105	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	509,195	548,995
		Advanced analog & mixed signal microelectronics design and manufacturing.		[6,800]
		Radiation-hardened application specific integrated circuits		[18,000]
		Trusted and assured GaN and GaAs RFIC technology		[15,000]
106	0604331D8Z	RAPID PROTOTYPING PROGRAM	103,575	182,575
		ADA network resiliency/cloud		[79,000]
107	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	11,213	26,213
		National security innovation capital program increase		[15,000]
108	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,778	2,778
109	0604551BR	CATAPULT	7,166	7,166
110	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T	23,200	23,200
111	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)		75,000
		INDOPACOM UFR—Restoration of HDR-H		[75,000]
113	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) ..	3,519	3,519
114	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS	17,439	17,439
115	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	133,335	133,335
116	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	926,125	926,125
117	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	32,697	32,697
118	0604878C	AEGIS BMD TEST	117,055	111,255
		Unjustified growth—AEGIS LHLD test funding early to need		[-5,800]
119	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	77,428	77,428
120	0604880C	LAND-BASED SM-3 (LBSM3)	43,158	43,158
121	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	61,424	61,424
122	0202057C	SAFETY PROGRAM MANAGEMENT	2,323	2,323
123	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,568	2,568
125	0305103C	CYBER SECURITY INITIATIVE	1,142	1,142
126	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	636,179	648,179
		Laser communication terminal technologies		[6,000]
		Space laser communications		[6,000]
127	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	15,176	15,176
128	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	292,811	292,811
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,854,341	10,394,563

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
SYSTEM DEVELOPMENT & DEMONSTRATION				
129	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	5,682	5,682
131	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	299,848	299,848
132	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,345	9,345
133	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,063	14,063
134	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	4,265	4,265
135	06050218E	HOMELAND PERSONNEL SECURITY INITIATIVE	7,205	7,205
136	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	5,447	5,447
137	0605027D8Z	OUSDC) IT DEVELOPMENT INITIATIVES	16,892	34,892
		ADVANA for ADA		[18,000]
138	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	679	679
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	32,254	32,254
142	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	5,500	5,500
143	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,148	7,148
144	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	113,895	113,895
146	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,991	3,991
149	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	2,227	2,227
150	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,246	20,246
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	548,687	566,687
MANAGEMENT SUPPORT				
151	0603829J	JOINT CAPABILITY EXPERIMENTATION	8,444	8,444
152	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	7,508	7,508
153	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	7,859	7,859
154	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	550,140	550,140
155	0604942D8Z	ASSESSMENTS AND EVALUATIONS	17,980	17,980
156	0605001E	MISSION SUPPORT	73,145	73,145
157	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	71,410	71,410
159	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	52,671	52,671
161	0605142D8Z	SYSTEMS ENGINEERING	40,030	40,030
162	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	4,612	4,612
163	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	14,429	14,429
164	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	4,759	4,759
165	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,952	1,952
166	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	110,503	110,503
172	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,639	3,639
173	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	25,889	63,889
		Regional secure computing enclave pilot		[38,000]
174	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	39,774	237,774
		ISR & information operations		[10,000]
		PNT modernization—signals of opportunity		[140,000]
		Spectrum innovation—low SWaP-C directional sources		[68,000]
175	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	61,453	61,453
176	06058038E	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	18,762	18,762
177	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,366	27,366
178	0605898E	MANAGEMENT HQ—R&D	12,740	12,740
179	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,549	3,549
180	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	15,438	15,438
181	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	2,897	2,897
182	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	918	918
183	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	31,638	31,638
184	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,925	2,925
185	0204571J	JOINT STAFF ANALYTICAL SUPPORT	977	977
186	0208045K	CAI INTEROPERABILITY	55,361	60,361
		Joint warfighting network architecture		[5,000]
189	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	853	853
191	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	969	969
192	0305172K	COMBINED ADVANCED APPLICATIONS	15,696	15,696
194	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,073	3,073
197	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	29,530	29,530
198	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	689	689
199	0901598C	MANAGEMENT HQ—MDA	24,102	24,102
200	0903235K	JOINT SERVICE PROVIDER (JSP)	2,645	2,645

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
999	9999999999	CLASSIFIED PROGRAMS	37,520	37,520
		SUBTOTAL MANAGEMENT SUPPORT	1,383,845	1,644,845
		OPERATIONAL SYSTEMS DEVELOPMENT		
202	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	5,355	5,355
203	0604532K	JOINT ARTIFICIAL INTELLIGENCE	10,033	67,833
		JAIC for ADA		[57,800]
206	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	58,189	149,689
		Accelerated training in defense manufacturing (ATDM) pilot		[10,000]
		Carbon/carbon industrial base enhancement		[6,000]
		Demonstration program on domestic production of rare earth elements from coal byproducts.		[3,000]
		Digital manufacturing		[1,500]
		Directed energy supply chain assurance		[2,000]
		Industrial skills training		[2,500]
		Machine and advanced manufacturing—IACMI		[20,000]
		Program increase		[20,000]
		Radar resiliency		[2,500]
		Rare earth element separation technologies		[4,000]
		Submarine construction workforce training pipeline		[20,000]
207	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	18,721	18,721
208	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	7,398	7,398
209	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	58,261	58,261
215	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,233	16,233
216	0303126K	LONG-HAUL COMMUNICATIONS—DCS	10,275	10,275
217	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	4,892	4,892
218	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	83,751	83,751
219	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	49,191	69,191
		Workforce transformation cyber initiative pilot program		[20,000]
220	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	423,745	535,845
		Additional cybersecurity support for the defense industrial base		[25,000]
		Hardening DOD networks		[12,100]
		JPHQ DODIN staffing and tools		[50,000]
		Pilot program on public-private partnership with internet ecosystem companies.		[25,000]
221	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,707	5,707
222	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	4,150	4,150
223	0303153K	DEFENSE SPECTRUM ORGANIZATION	19,302	19,302
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,342	9,342
226	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	15,326	15,326
232	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	8,800	8,800
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	3,820	3,820
237	0305186D8Z	POLICY R&D PROGRAMS	4,843	4,843
238	0305199D8Z	NET CENTRICITY	13,471	13,471
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,994	5,994
247	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,273	1,273
255	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,690	1,690
256	0708012S	PACIFIC DISASTER CENTERS	1,799	1,799
257	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	6,390	6,390
259	1105219BB	MQ-9 UAV	19,065	19,065
261	1160403BB	AVIATION SYSTEMS	173,537	173,537
262	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	32,766	32,766
263	1160408BB	OPERATIONAL ENHANCEMENTS	145,830	167,230
		Program increase—AISUM		[21,400]
264	1160431BB	WARRIOR SYSTEMS	78,592	82,803
		SOCOM UFR—Maritime scalable effects acceleration		[4,211]
265	1160432BB	SPECIAL PROGRAMS	6,486	6,486
266	1160434BB	UNMANNED ISR	18,006	18,006
267	1160480BB	SOF TACTICAL VEHICLES	7,703	7,703
268	1160483BB	MARITIME SYSTEMS	58,430	58,430
270	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,990	10,990
999	9999999999	CLASSIFIED PROGRAMS	5,208,029	5,208,029
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	6,607,385	6,914,396
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
		UNDISTRIBUTED		
272	0604532K	JOINT ARTIFICIAL INTELLIGENCE	186,639	186,639
273	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM	123,570	123,570
274	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	18,307	18,307
275	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	32,774	32,774
276	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM	247,452	283,452

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2022 Request</i>	<i>Conference Authorized</i>
		MAVEN for ADA		[36,000]
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY	608,742	644,742
		PILOT PROGRAMS		
		SUBTOTAL UNDISTRIBUTED		36,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	25,857,875	28,784,404
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	105,394	105,394
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	68,549	68,549
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	42,648	62,648
		Joint Test and Evaluation restoration		[20,000]
		SUBTOTAL MANAGEMENT SUPPORT	216,591	236,591
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	216,591	236,591
		TOTAL RDT&E	111,964,192	117,729,317

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**
3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2022 Request</i>	<i>Conference Authorized</i>
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	3,563,856	3,528,856
	Unjustified growth		[-35,000]
020	MODULAR SUPPORT BRIGADES	142,082	142,082
030	ECHELONS ABOVE BRIGADE	758,174	758,174
040	THEATER LEVEL ASSETS	2,753,783	2,653,783
	Unjustified growth		[-100,000]
050	LAND FORCES OPERATIONS SUPPORT	1,110,156	1,110,156
060	AVIATION ASSETS	1,795,522	1,775,522
	Unjustified growth		[-20,000]
070	FORCE READINESS OPERATIONS SUPPORT	7,442,976	7,652,631
	Advanced bomb suit		[12,940]
	Army UFR—Arctic cold weather gloves		[13,867]
	Army UFR—Arctic OCIE		[65,050]
	Army UFR—ECWCS procurement		[8,999]
	Army UFR—Female/small stature body armor		[81,750]
	Army UFR—Garrison Installation Facilities-Related Control Systems (FRCS)		[13,071]
	Army UFR—Heavylift transportation for OIR		[33,854]
	Army UFR—Industrial base special installation control systems		[14,824]
	CENTCOM UFR—Heavylift logistics		[40,300]
	Unjustified growth		[-75,000]
080	LAND FORCES SYSTEMS READINESS	580,921	594,921
	CENTCOM UFR—COMSAT air time		[34,000]
	Unjustified growth		[-20,000]
090	LAND FORCES DEPOT MAINTENANCE	1,257,959	1,346,976
	Army UFR—Tactical Combat Vehicle Repair Cycle Float		[89,017]
100	MEDICAL READINESS	1,102,964	1,102,964
110	BASE OPERATIONS SUPPORT	8,878,603	8,868,603
	Program decrease		[-10,000]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		
	Program increase—FSRM	4,051,869	4,534,869
			[483,000]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	289,891	289,891
140	ADDITIONAL ACTIVITIES	526,517	526,517
160	RESET	397,196	392,196
	Unjustified growth		[-5,000]
170	US AFRICA COMMAND	384,791	518,337
	AFRICOM UFR—Commercial SATCOM		[16,500]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	AFRICOM UFR—ISR improvements		[67,000]
	Army UFR—MQ-9 COCO Support to AFRICOM		[50,046]
180	US EUROPEAN COMMAND	293,932	335,910
	EUCOM UFR—Information Operations		[26,765]
	EUCOM UFR—Mission Partner Environment		[15,213]
190	US SOUTHERN COMMAND	196,726	196,726
200	US FORCES KOREA	67,052	67,052
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	621,836	654,751
	Army UFR—Critical infrastructure risk management cyber resiliency mitigations		[13,630]
	Army UFR—MRCT / Cyber IdW / Ops Cell		[4,655]
	Army UFR—Security Operations Center as a Service (SOCaaS)		[14,630]
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	629,437	726,176
	Army UFR—C-SCRM supplier vetting and equipment inspection		[1,200]
	Army UFR—Cybersecurity control systems assessments		[89,889]
	Army UFR—Cyber-Supply Chain Risk Mgmt (C-SCRM) program		[2,750]
	Army UFR—Defensive cyber sensors		[2,900]
	SUBTOTAL OPERATING FORCES	36,846,243	37,777,093
MOBILIZATION			
230	STRATEGIC MOBILITY	353,967	353,967
240	ARMY PREPOSITIONED STOCKS	381,192	381,192
250	INDUSTRIAL PREPAREDNESS	3,810	3,810
	SUBTOTAL MOBILIZATION	738,969	738,969
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	163,568	163,568
270	RECRUIT TRAINING	75,140	75,140
280	ONE STATION UNIT TRAINING	81,274	81,274
290	SENIOR RESERVE OFFICERS TRAINING CORPS	520,973	520,973
300	SPECIALIZED SKILL TRAINING	998,869	998,869
310	FLIGHT TRAINING	1,309,556	1,309,556
320	PROFESSIONAL DEVELOPMENT EDUCATION	218,651	218,651
330	TRAINING SUPPORT	616,380	629,480
	Army UFR—ATRRS Modernization		[18,100]
	Unjustified growth		[-5,000]
340	RECRUITING AND ADVERTISING	683,569	684,963
	Army UFR—Enterprise Technology Integration, Governance, and Engi- neering Requirements (ETIGER)		[1,394]
350	EXAMINING	169,442	169,442
360	OFF-DUTY AND VOLUNTARY EDUCATION	214,923	231,078
	Army UFR—Tuition assistance		[16,155]
370	CIVILIAN EDUCATION AND TRAINING	220,589	220,589
380	JUNIOR RESERVE OFFICER TRAINING CORPS	187,569	187,569
	SUBTOTAL TRAINING AND RECRUITING	5,460,503	5,491,152
ADMIN & SRVWIDE ACTIVITIES			
400	SERVICEWIDE TRANSPORTATION	684,562	672,562
	Unjustified growth		[-12,000]
410	CENTRAL SUPPLY ACTIVITIES	808,895	808,895
420	LOGISTIC SUPPORT ACTIVITIES	767,053	796,157
	Army UFR—AMC LITeS		[29,104]
430	AMMUNITION MANAGEMENT	469,038	469,038
440	ADMINISTRATION	488,535	484,535
	Unjustified growth		[-4,000]
450	SERVICEWIDE COMMUNICATIONS	1,952,742	2,007,462
	Army UFR—CHRA IT Cloud		[5,300]
	Army UFR—ERP convergence/modernization		[49,420]
460	MANPOWER MANAGEMENT	323,273	323,273
470	OTHER PERSONNEL SUPPORT	663,602	694,670
	Army UFR—Enterprise Technology Integration, Governance, and Engi- neering Requirements (ETIGER)		[1,393]
	Army UFR—HR cloud and IT modernization		[29,675]
480	OTHER SERVICE SUPPORT	2,004,981	2,031,364
	Program increase—DFAS unfunded requirement		[49,983]
	Unjustified growth		[-23,600]
490	ARMY CLAIMS ACTIVITIES	180,178	180,178
500	REAL ESTATE MANAGEMENT	269,009	272,509
	Program increase—real estate inventory tool		[3,500]
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	437,940	437,940

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
520	INTERNATIONAL MILITARY HEADQUARTERS	482,571	482,571
530	MISC. SUPPORT OF OTHER NATIONS	29,670	29,670
9999	CLASSIFIED PROGRAMS	2,008,633	2,026,633
	SOUTHCOM UFR—Additional traditional ISR operations		[18,000]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	11,570,682	11,717,457
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-125,000
	Historical unobligated balances		[-125,000]
	SUBTOTAL UNDISTRIBUTED		-125,000
	TOTAL OPERATION & MAINTENANCE, ARMY	54,616,397	55,599,671
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,465	10,465
020	ECHELONS ABOVE BRIGADE	554,992	554,992
030	THEATER LEVEL ASSETS	120,892	120,892
040	LAND FORCES OPERATIONS SUPPORT	597,718	597,718
050	AVIATION ASSETS	111,095	111,095
060	FORCE READINESS OPERATIONS SUPPORT	385,506	385,506
070	LAND FORCES SYSTEMS READINESS	98,021	98,021
080	LAND FORCES DEPOT MAINTENANCE	34,368	34,368
090	BASE OPERATIONS SUPPORT	584,513	584,513
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	342,433	342,433
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,472	22,472
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,764	2,764
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,476	7,476
	SUBTOTAL OPERATING FORCES	2,872,715	2,872,715
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,400	15,400
150	ADMINISTRATION	19,611	19,611
160	SERVICEWIDE COMMUNICATIONS	37,458	37,458
170	MANPOWER MANAGEMENT	7,162	7,162
180	RECRUITING AND ADVERTISING	48,289	48,289
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	127,920	127,920
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-10,000
	Historical unobligated balances		[-10,000]
	SUBTOTAL UNDISTRIBUTED		-10,000
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,000,635	2,990,635
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	799,854	799,854
020	MODULAR SUPPORT BRIGADES	211,561	211,561
030	ECHELONS ABOVE BRIGADE	835,709	835,709
040	THEATER LEVEL ASSETS	101,179	101,179
050	LAND FORCES OPERATIONS SUPPORT	34,436	34,436
060	AVIATION ASSETS	1,110,416	1,100,416
	Unjustified growth		[-10,000]
070	FORCE READINESS OPERATIONS SUPPORT	704,827	709,927
	CNGB UFR—Weapons of Mass Destruction Civil Support Teams Equip- ment Sustainment		[5,100]
080	LAND FORCES SYSTEMS READINESS	47,886	47,886
090	LAND FORCES DEPOT MAINTENANCE	244,439	244,439
100	BASE OPERATIONS SUPPORT	1,097,960	1,097,960
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	956,988	956,988
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,047,870	1,047,870
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,071	8,071
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,828	7,828
	SUBTOTAL OPERATING FORCES	7,209,024	7,204,124
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,017	8,017
160	ADMINISTRATION	76,993	81,993
	Program increase—State Partnership Program		[5,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
170	SERVICEWIDE COMMUNICATIONS	101,113	101,113
180	MANPOWER MANAGEMENT	8,920	8,920
190	OTHER PERSONNEL SUPPORT	240,292	240,292
200	REAL ESTATE MANAGEMENT	2,850	2,850
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	438,185	443,185
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-40,000
	Historical unobligated balances		[-40,000]
	SUBTOTAL UNDISTRIBUTED		-40,000
	TOTAL OPERATION & MAINTENANCE, ARNG	7,647,209	7,607,309
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,053,668	0
	Program reduction		[-1,053,668]
020	INFRASTRUCTURE	1,818	0
	Program reduction		[-1,818]
030	EQUIPMENT AND TRANSPORTATION	22,911	0
	Program reduction		[-22,911]
040	TRAINING AND OPERATIONS	31,837	0
	Program reduction		[-31,837]
	SUBTOTAL AFGHAN NATIONAL ARMY	1,110,234	0
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	440,628	0
	Program reduction		[-440,628]
070	EQUIPMENT AND TRANSPORTATION	38,551	0
	Program reduction		[-38,551]
080	TRAINING AND OPERATIONS	38,152	0
	Program reduction		[-38,152]
	SUBTOTAL AFGHAN NATIONAL POLICE	517,331	0
	AFGHAN AIR FORCE		
090	SUSTAINMENT	562,056	0
	Program reduction		[-562,056]
110	EQUIPMENT AND TRANSPORTATION	26,600	0
	Program reduction		[-26,600]
120	TRAINING AND OPERATIONS	169,684	0
	Program reduction		[-169,684]
	SUBTOTAL AFGHAN AIR FORCE	758,340	0
	AFGHAN SPECIAL SECURITY FORCES		
130	SUSTAINMENT	685,176	0
	Program reduction		[-685,176]
150	EQUIPMENT AND TRANSPORTATION	78,962	0
	Program reduction		[-78,962]
160	TRAINING AND OPERATIONS	177,767	0
	Program reduction		[-177,767]
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	941,905	0
	TOTAL AFGHANISTAN SECURITY FORCES FUND	3,327,810	0
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	345,000	345,000
020	SYRIA	177,000	177,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	522,000	522,000
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	522,000	522,000
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	6,264,654	6,545,054
	Navy UFR—Flying hour program - fleet operations		[280,400]
020	FLEET AIR TRAINING	2,465,007	2,465,007
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	55,140	55,140

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
040	AIR OPERATIONS AND SAFETY SUPPORT	197,904	197,904
050	AIR SYSTEMS SUPPORT	1,005,932	1,005,932
060	AIRCRAFT DEPOT MAINTENANCE	1,675,356	1,897,556
	Navy UFR—Additional aircraft depot maintenance events		[222,200]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	65,518	65,518
080	AVIATION LOGISTICS	1,460,546	1,460,546
090	MISSION AND OTHER SHIP OPERATIONS	5,858,028	5,893,028
	Navy UFR—Resilient Communications and PNT for Combat Logistics		
	Fleet (CLF)		[29,000]
	Navy UFR—Submarine Tender Overhaul		[42,000]
	Unjustified growth		[-36,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,154,696	1,154,696
110	SHIP DEPOT MAINTENANCE	10,300,078	10,514,878
	Navy UFR—A-120 availability		[39,800]
	Retained cruisers		[135,000]
	USS Connecticut emergent repairs		[40,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,188,454	2,188,454
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,551,846	1,551,846
140	SPACE SYSTEMS AND SURVEILLANCE	327,251	327,251
150	WARFARE TACTICS	798,082	798,082
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	447,486	447,486
170	COMBAT SUPPORT FORCES	2,250,756	2,282,856
	CENTCOM UFR—Naval patrol craft support		[47,100]
	Unjustified growth		[-15,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUP- PORT	192,968	192,968
190	COMBATANT COMMANDERS CORE OPERATIONS	61,614	61,614
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	198,596	445,596
	INDOPACOM UFR—Critical HQ manpower positions		[4,620]
	INDOPACOM UFR—ISR augmentation		[41,000]
	INDOPACOM UFR—Multi-Domain Training and Experimentation Ca- pability		[59,410]
	Program increase—INDOPACOM Future fusion centers		[3,300]
	Program increase—INDOPACOM Mission Partner Environment		[50,170]
	Program increase—INDOPACOM Pacific Movement Coordination Center		[500]
	Program increase—INDOPACOM Wargaming analytical tools		[88,000]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,984	36,984
	Program increase—INDOPACOM Military Information Support Oper- ations		[28,000]
220	CYBERSPACE ACTIVITIES	565,926	560,926
	Identity, credentialing, and access management reduction		[-5,000]
230	FLEET BALLISTIC MISSILE	1,476,247	1,476,247
240	WEAPONS MAINTENANCE	1,538,743	1,513,743
	Historical underexecution		[-25,000]
250	OTHER WEAPON SYSTEMS SUPPORT	592,357	592,357
260	ENTERPRISE INFORMATION	734,970	690,970
	Unjustified growth		[-44,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,961,937	3,511,937
	Program increase—FSRM		[550,000]
280	BASE OPERATING SUPPORT	4,826,314	4,816,314
	Program decrease		[-10,000]
	SUBTOTAL OPERATING FORCES	51,225,390	52,750,890
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	457,015	457,015
300	READY RESERVE FORCE	645,522	645,522
310	SHIP ACTIVATIONS/INACTIVATIONS	353,530	349,030
	Historical underexecution		[-4,500]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	149,384	149,384
330	COAST GUARD SUPPORT	20,639	20,639
	SUBTOTAL MOBILIZATION	1,626,090	1,621,590
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	172,913	172,913
350	RECRUIT TRAINING	13,813	13,813
360	RESERVE OFFICERS TRAINING CORPS	167,152	167,152
370	SPECIALIZED SKILL TRAINING	1,053,104	1,053,104
380	PROFESSIONAL DEVELOPMENT EDUCATION	311,209	311,209
390	TRAINING SUPPORT	306,302	306,302
400	RECRUITING AND ADVERTISING	205,219	205,219

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
410	OFF-DUTY AND VOLUNTARY EDUCATION	79,053	79,053
420	CIVILIAN EDUCATION AND TRAINING	109,754	109,754
430	JUNIOR ROTC	57,323	57,323
	SUBTOTAL TRAINING AND RECRUITING	2,475,842	2,475,842
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,268,961	1,290,961
	Program increase—Naval Audit Service		[25,000]
	Unjustified growth		[-3,000]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	212,952	212,952
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	562,546	562,546
470	MEDICAL ACTIVITIES	285,436	285,436
480	SERVICEWIDE TRANSPORTATION	217,782	217,782
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	479,480	479,480
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	741,045	741,045
520	INVESTIGATIVE AND SECURITY SERVICES	738,187	736,687
	Unjustified growth		[-1,500]
9999	CLASSIFIED PROGRAMS	607,517	603,477
	Classified adjustment		[-4,040]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,113,906	5,130,366
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-58,000
	Historical unobligated balances		[-58,000]
	SUBTOTAL UNDISTRIBUTED		-58,000
	TOTAL OPERATION & MAINTENANCE, NAVY	60,441,228	61,920,688
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,587,456	1,632,756
	Marine Corps UFR—Plate Carrier Gen III		[45,300]
020	FIELD LOGISTICS	1,532,630	1,527,630
	Unjustified growth		[-5,000]
030	DEPOT MAINTENANCE	215,949	215,949
040	MARITIME PREPOSITIONING	107,969	107,969
050	CYBERSPACE ACTIVITIES	233,486	233,486
060	SUSTAINMENT, RESTORATION & MODERNIZATION	1,221,117	1,354,117
	Program increase—FSRM		[133,000]
070	BASE OPERATING SUPPORT	2,563,278	2,560,278
	Unjustified growth		[-3,000]
	SUBTOTAL OPERATING FORCES	7,461,885	7,632,185
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	24,729	24,729
090	OFFICER ACQUISITION	1,208	1,208
100	SPECIALIZED SKILL TRAINING	110,752	110,752
110	PROFESSIONAL DEVELOPMENT EDUCATION	61,539	61,539
120	TRAINING SUPPORT	490,975	490,975
130	RECRUITING AND ADVERTISING	223,643	223,643
140	OFF-DUTY AND VOLUNTARY EDUCATION	49,369	49,369
150	JUNIOR ROTC	26,065	26,065
	SUBTOTAL TRAINING AND RECRUITING	988,280	988,280
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	100,475	100,475
170	ADMINISTRATION	410,729	410,729
9999	CLASSIFIED PROGRAMS	63,422	63,422
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	574,626	574,626
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-10,000
	Historical unobligated balances		[-10,000]
	SUBTOTAL UNDISTRIBUTED		-10,000
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	9,024,791	9,185,091
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	628,522	628,522

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
020	INTERMEDIATE MAINTENANCE	9,593	9,593
030	AIRCRAFT DEPOT MAINTENANCE	135,280	135,280
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	497	497
050	AVIATION LOGISTICS	29,435	29,435
070	COMBAT COMMUNICATIONS	18,469	18,469
080	COMBAT SUPPORT FORCES	136,710	136,710
090	CYBERSPACE ACTIVITIES	440	440
100	ENTERPRISE INFORMATION	26,628	26,628
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,311	42,311
120	BASE OPERATING SUPPORT	103,606	103,606
	SUBTOTAL OPERATING FORCES	1,131,491	1,131,491
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,943	1,943
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,191	12,191
150	ACQUISITION AND PROGRAM MANAGEMENT	3,073	3,073
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,207	17,207
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-2,500
	Historical unobligated balances		[-2,500]
	SUBTOTAL UNDISTRIBUTED		-2,500
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,148,698	1,146,198
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	102,271	148,171
	Marine Corps UFR—Individual combat clothing and equipment		[45,900]
020	DEPOT MAINTENANCE	16,811	16,811
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,702	42,702
040	BASE OPERATING SUPPORT	109,210	109,210
	SUBTOTAL OPERATING FORCES	270,994	316,894
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	14,056	14,056
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	14,056	14,056
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	285,050	330,950
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	706,860	680,530
	A-10 aircraft retention		[1,670]
	Unjustified growth		[-28,000]
020	COMBAT ENHANCEMENT FORCES	2,382,448	2,346,948
	CENTCOM—MQ-9 combat lines		[53,000]
	EUCOM UFR—Air base air defense operations center		[1,500]
	Unjustified growth		[-90,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,555,320	1,542,750
	A-10 aircraft retention		[12,430]
	Contract adversary air		[5,000]
	Unjustified growth		[-30,000]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,661,762	3,707,337
	A-10 aircraft retention		[65,375]
	Unjustified growth		[-20,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,867,114	4,342,114
	Program increase—FSRM		[475,000]
060	CYBERSPACE SUSTAINMENT	179,568	179,568
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,457,653	8,784,538
	A-10 aircraft retention		[15,885]
	A-10/F-35 contract maintenance		[156,000]
	Program increase—F-35 sustainment		[185,000]
	Unjustified growth		[-30,000]
080	FLYING HOUR PROGRAM	5,646,730	5,699,590
	A-10 aircraft retention		[52,860]
090	BASE SUPPORT	9,846,037	9,776,037
	Unjustified growth		[-70,000]
100	GLOBAL C3I AND EARLY WARNING	979,705	988,905
	EUCOM—MPE air component battle network		[9,200]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
110	OTHER COMBAT OPS SPT PROGRAMS	1,418,515	1,399,625
	EUCOM UFR—Air base air defense		[110]
	Unjustified growth		[-19,000]
120	CYBERSPACE ACTIVITIES	864,761	864,761
150	SPACE CONTROL SYSTEMS	13,223	13,223
160	US NORTHCOM/NORAD	196,774	196,774
170	US STRATCOM	475,015	475,015
180	US CYBERCOM	389,663	416,163
	CYBERCOM UFR—Acceleration of cyber intelligence		[3,200]
	Program increase—cyber training		[23,300]
190	US CENTCOM	372,354	386,354
	CENTCOM UFR—MISO program		[24,000]
	Unjustified growth—OSC-I		[-10,000]
200	US SOCOM	28,733	28,733
220	CENTCOM CYBERSPACE SUSTAINMENT	1,289	1,289
230	USSPACECOM	272,601	282,601
	SPACECOM UFR—Bridging space protection gaps		[10,000]
9999	CLASSIFIED PROGRAMS	1,454,383	1,454,383
	SUBTOTAL OPERATING FORCES	42,770,508	43,567,238
	MOBILIZATION		
240	AIRLIFT OPERATIONS	2,422,784	2,397,784
	Unjustified growth		[-25,000]
250	MOBILIZATION PREPAREDNESS	667,851	667,851
	SUBTOTAL MOBILIZATION	3,090,635	3,065,635
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	156,193	156,193
270	RECRUIT TRAINING	26,072	26,072
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	127,693	127,693
290	SPECIALIZED SKILL TRAINING	491,286	481,286
	Unjustified growth		[-10,000]
300	FLIGHT TRAINING	718,742	718,742
310	PROFESSIONAL DEVELOPMENT EDUCATION	302,092	302,092
320	TRAINING SUPPORT	162,165	162,165
330	RECRUITING AND ADVERTISING	171,339	171,339
340	EXAMINING	8,178	8,178
350	OFF-DUTY AND VOLUNTARY EDUCATION	236,760	236,760
360	CIVILIAN EDUCATION AND TRAINING	306,602	306,602
370	JUNIOR ROTC	65,940	65,940
	SUBTOTAL TRAINING AND RECRUITING	2,773,062	2,763,062
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	1,062,709	1,062,709
390	TECHNICAL SUPPORT ACTIVITIES	169,957	169,957
400	ADMINISTRATION	1,005,827	987,327
	Unjustified growth		[-18,500]
410	SERVICEWIDE COMMUNICATIONS	31,054	31,054
420	OTHER SERVICEWIDE ACTIVITIES	1,470,757	1,470,757
430	CIVIL AIR PATROL	29,128	47,300
	Program increase		[18,172]
450	INTERNATIONAL SUPPORT	81,118	81,118
9999	CLASSIFIED PROGRAMS	1,391,720	1,391,428
	Classified adjustment		[-292]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,242,270	5,241,650
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-150,000
	Historical unobligated balances		[-150,000]
	SUBTOTAL UNDISTRIBUTED		-150,000
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	53,876,475	54,487,585
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	495,615	495,615
020	SPACE LAUNCH OPERATIONS	185,700	185,700
030	SPACE OPERATIONS	611,269	611,269
040	EDUCATION & TRAINING	22,887	22,887
060	DEPOT MAINTENANCE	280,165	306,165

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	Program increase—weapon system sustainment		[26,000]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	213,347	279,647
	Space Force UFR—FSRM Cheyenne Mountain Complex		[66,300]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,158,707	1,246,707
	Program increase—weapon system sustainment		[94,000]
	Unjustified growth		[-6,000]
090	SPACE OPERATIONS -BOS	143,520	143,520
9999	CLASSIFIED PROGRAMS	172,755	172,755
	SUBTOTAL OPERATING FORCES	3,283,965	3,464,265
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	ADMINISTRATION	156,747	146,747
	Unjustified growth		[-10,000]
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE AC- TIVITIES	156,747	146,747
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE ...	3,440,712	3,611,012
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,665,015	1,636,015
	Unjustified growth		[-29,000]
020	MISSION SUPPORT OPERATIONS	179,486	179,486
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	530,540	530,540
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	114,987	123,987
	Program increase—FSRM		[9,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	254,831	254,831
060	BASE SUPPORT	470,801	470,801
070	CYBERSPACE ACTIVITIES	1,372	1,372
	SUBTOTAL OPERATING FORCES	3,217,032	3,197,032
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	91,289	91,289
090	RECRUITING AND ADVERTISING	23,181	23,181
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,966	13,966
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,196	6,196
120	AUDIOVISUAL	442	442
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE AC- TIVITIES	135,074	135,074
	UNDISTRIBUTED		
998	UNDISTRIBUTED		-18,000
	Historical unobligated balances		[-18,000]
	SUBTOTAL UNDISTRIBUTED		-18,000
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,352,106	3,314,106
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,281,432	2,281,432
020	MISSION SUPPORT OPERATIONS	582,848	588,748
	CNGB UFR—HRF/CERFP sustainment		[5,900]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,241,318	1,226,318
	Unjustified growth		[-15,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	353,193	379,193
	Program increase—FSRM		[26,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,077,654	1,067,654
	Unjustified growth		[-10,000]
060	BASE SUPPORT	908,198	908,198
070	CYBERSPACE SUSTAINMENT	23,895	23,895
080	CYBERSPACE ACTIVITIES	17,263	17,263
	SUBTOTAL OPERATING FORCES	6,485,801	6,492,701
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	46,455	46,455
100	RECRUITING AND ADVERTISING	41,764	41,764
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE AC- TIVITIES	88,219	88,219
	UNDISTRIBUTED		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
998	UNDISTRIBUTED		-15,000
	Historical unobligated balances		[-15,000]
	SUBTOTAL UNDISTRIBUTED		-15,000
	TOTAL OPERATION & MAINTENANCE, ANG	6,574,020	6,565,920
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	407,240	402,240
	Unjustified growth		[-5,000]
020	JOINT CHIEFS OF STAFF—CE2T2	554,634	607,734
	AFRICOM UFR—Joint Exercise Program		[18,000]
	INDOPACOM UFR—Joint Exercise Program		[35,100]
030	JOINT CHIEFS OF STAFF—CYBER	8,098	8,098
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,044,479	2,047,789
	SOCOM—Armored ground mobility systems (AGMS) acceleration		[3,310]
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	45,851	45,851
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,614,757	1,614,757
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,081,869	1,088,210
	SOCOM UFR—Modernized forward look sonar		[900]
	SOCOM UFR—Personal signature management acceleration		[5,441]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	180,042	180,042
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,202,060	1,202,060
110	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,175,789	3,175,789
	SUBTOTAL OPERATING FORCES	10,314,819	10,372,570
	TRAINING AND RECRUITING		
130	DEFENSE ACQUISITION UNIVERSITY	171,607	171,607
140	JOINT CHIEFS OF STAFF	92,905	92,905
150	PROFESSIONAL DEVELOPMENT EDUCATION	31,669	31,669
	SUBTOTAL TRAINING AND RECRUITING	296,181	296,181
	ADMIN & SRVWIDE ACTIVITIES		
170	CIVIL MILITARY PROGRAMS	137,311	264,592
	Program increase—National Guard Youth Challenge		[85,281]
	Program increase—STARBASE		[42,000]
190	DEFENSE CONTRACT AUDIT AGENCY	618,526	606,526
	Unjustified growth		[-12,000]
200	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,984	3,984
220	DEFENSE CONTRACT MANAGEMENT AGENCY	1,438,296	1,435,796
	Unjustified growth		[-2,500]
230	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	11,999	11,999
240	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	941,488	931,488
	Unjustified growth		[-10,000]
260	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,859	9,859
270	DEFENSE HUMAN RESOURCES ACTIVITY	816,168	881,168
	DHRA/DSPO—support FY2021 congressional increases		[5,000]
	DHRA/SAPRO—FY2021 baseline restoral		[60,000]
280	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	17,655	17,655
290	DEFENSE INFORMATION SYSTEMS AGENCY	1,913,734	1,934,769
	milCloud 2.0 migration		[21,035]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	530,278	612,378
	Program increase—hardening DOD networks		[62,100]
	Program increase—securing the Department of Defense Information Network		[20,000]
350	DEFENSE LEGAL SERVICES AGENCY	229,498	229,498
360	DEFENSE LOGISTICS AGENCY	402,864	407,664
	Program increase—Procurement Technical Assistance Program		[4,800]
370	DEFENSE MEDIA ACTIVITY	222,655	222,655
380	DEFENSE PERSONNEL ACCOUNTING AGENCY	130,174	155,174
	DPAA (POW/MIA)—support FY2021 congressional increases		[25,000]
390	DEFENSE SECURITY COOPERATION AGENCY	2,067,446	1,922,157
	Program increase		[104,711]
	Transfer to Ukraine Security Assistance		[-250,000]
420	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	39,305	39,305
440	DEFENSE THREAT REDUCTION AGENCY	885,749	885,749
460	DEFENSE THREAT REDUCTION AGENCY—CYBER	36,736	36,736

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
470	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,138,345	3,208,345
	Program increase—Impact Aid		[50,000]
	Program increase—Impact Aid for children with severe disabilities		[20,000]
490	MISSILE DEFENSE AGENCY	502,450	502,450
530	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION—OSD	89,686	104,686
	Program increase—Defense Community Infrastructure Program		[15,000]
540	OFFICE OF THE SECRETARY OF DEFENSE	1,766,614	1,844,114
	Bien Hoa dioxin cleanup		[15,000]
	Cost Assessment Data Enterprise		[3,500]
	Military working dog pilot program		[10,000]
	National Commission on Synthetic Biology		[10,000]
	Office of the Secretary of Defense civilian workforce		[9,000]
	Personnel in the Office of Assistant Secretary of Defense Sustainment and Environment, Safety, and Occupational Health		[3,000]
	Program increase—Afghanistan War Commission		[5,000]
	Program increase—CDC water contamination study and assessment		[15,000]
	Program increase—Commission on Planning, Programming, Budgeting, and Execution Reform		[5,000]
	Program increase—Commission on the National Defense Strategy		[5,000]
	Program increase—Commission on the Strategic Posture of the U.S.		[7,000]
	Unjustified growth—non-pay		[-10,000]
550	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	32,851	32,851
560	SPACE DEVELOPMENT AGENCY	53,851	53,851
570	WASHINGTON HEADQUARTERS SERVICES	369,698	364,698
	Unjustified growth		[-5,000]
999	CLASSIFIED PROGRAMS	17,900,146	17,833,213
	Classified adjustment		[-66,933]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	34,307,366	34,553,360
	UNDISTRIBUTED		
998	UNDISTRIBUTED		490,304
	Depot capital investment		[500,000]
	Program reduction—SOCOM unjustified increase in management and headquarters expenses		[-9,696]
	SUBTOTAL UNDISTRIBUTED		490,304
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	44,918,366	45,712,415
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE ...	15,589	15,589
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	15,589	15,589
	TOTAL MISCELLANEOUS APPROPRIATIONS	15,589	15,589
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	110,051	150,051
	Program increase		[40,000]
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	110,051	150,051
	TOTAL MISCELLANEOUS APPROPRIATIONS	110,051	150,051
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	239,849	344,849
	Program increase—Biological Threat Reduction Program		[105,000]
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	239,849	344,849
	TOTAL MISCELLANEOUS APPROPRIATIONS	239,849	344,849
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		

SEC. 4301. OPERATION AND MAINTENANCE <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2022 Request	Conference Authorized
010	ACQ WORKFORCE DEV FD	54,679	54,679
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	54,679	54,679
	TOTAL MISCELLANEOUS APPROPRIATIONS	54,679	54,679
	MISCELLANEOUS APPROPRIATIONS ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	200,806	299,606
	Program increase for PEAS		[98,800]
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	200,806	299,606
	TOTAL MISCELLANEOUS APPROPRIATIONS	200,806	299,606
	MISCELLANEOUS APPROPRIATIONS ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	298,250	465,550
	Program increase for PEAS		[167,300]
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	298,250	465,550
	TOTAL MISCELLANEOUS APPROPRIATIONS	298,250	465,550
	MISCELLANEOUS APPROPRIATIONS ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	301,768	476,768
	Program increase for PEAS		[175,000]
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	301,768	476,768
	TOTAL MISCELLANEOUS APPROPRIATIONS	301,768	476,768
	MISCELLANEOUS APPROPRIATIONS ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,783	10,979
	Program increase		[2,196]
	SUBTOTAL ENVIRONMENTAL RESTORATION, DE- FENSE	8,783	10,979
	TOTAL MISCELLANEOUS APPROPRIATIONS	8,783	10,979
	MISCELLANEOUS APPROPRIATIONS ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	218,580	292,580
	Program increase for PEAS		[74,000]
	SUBTOTAL ENVIRONMENTAL RESTORATION FOR- MERLY USED SITES	218,580	292,580
	TOTAL MISCELLANEOUS APPROPRIATIONS	218,580	292,580
	UKRAINE SECURITY ASSISTANCE UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE		300,000
	Program increase		[50,000]
	Transfer from Defense Security Cooperation Agency		[250,000]
	TOTAL UKRAINE SECURITY ASSISTANCE		300,000
	TOTAL OPERATION & MAINTENANCE	253,623,852	255,404,231

1 **TITLE XLIV—MILITARY**
 2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)		
<i>Item</i>	FY 2022 Request	Conference Authorized
Military Personnel Appropriations	157,947,920	157,567,460
ARNG CBRN Response Forces Readiness		[9,200]
Manpower costs associated with retaining two cruisers		[45,000]
A-10/F-35 Active duty maintainers		[93,000]
Military personnel historical underexecution		[-527,660]
Medicare-Eligible Retiree Health Care Fund Contributions	9,337,175	9,337,175
TOTAL, Military Personnel	167,285,095	166,904,635

4 **TITLE XLV—OTHER**
 5 **AUTHORIZATIONS**

6 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
<i>Program Title</i>	FY 2022 Request	Conference Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	26,935	26,935
ARMY SUPPLY MANAGEMENT	357,776	357,776
TOTAL WORKING CAPITAL FUND, ARMY	384,711	384,711
WORKING CAPITAL FUND, NAVY		
SUPPLY MANAGEMENT—NAVY	150,000	150,000
TOTAL WORKING CAPITAL FUND, NAVY	150,000	150,000
WORKING CAPITAL FUND, AIR FORCE		
SUPPLY MANAGEMENT	77,453	77,453
TOTAL WORKING CAPITAL FUND, AIR FORCE	77,453	77,453
WORKING CAPITAL FUND, DEFENSE-WIDE		
ENERGY MANAGEMENT—DEFENSE	40,000	40,000
SUPPLY CHAIN MANAGEMENT—DEFENSE	87,765	87,765
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	127,765	127,765
WORKING CAPITAL FUND, DECA		
COMMISSARY OPERATIONS	1,162,071	1,162,071
TOTAL WORKING CAPITAL FUND, DECA	1,162,071	1,162,071
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	93,121	93,121
CHEM DEMILITARIZATION—RDT&E	1,001,231	1,001,231
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,094,352	1,094,352
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	593,250	593,250
DRUG DEMAND REDUCTION PROGRAM	126,024	126,024
NATIONAL GUARD COUNTER-DRUG PROGRAM	96,970	96,970
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,664	5,664
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	821,908	821,908
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	434,700	434,700

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2022 Request	Conference Authorized
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,218	1,218
OFFICE OF THE INSPECTOR GENERAL—RDTE	2,365	2,365
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	80	80
TOTAL OFFICE OF THE INSPECTOR GENERAL	438,363	438,363
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,720,004	9,587,742
Assumptions for care		[-27,800]
Excess funding for capability replacement		[-104,462]
PRIVATE SECTOR CARE	18,092,679	18,068,879
Unjustified support services growth		[-23,800]
CONSOLIDATED HEALTH SUPPORT	1,541,122	1,556,522
Assumptions for care		[-14,600]
Program increase: Anomalous health incidents care capacity		[30,000]
INFORMATION MANAGEMENT	2,233,677	2,233,677
MANAGEMENT ACTIVITIES	335,138	335,138
EDUCATION AND TRAINING	333,234	333,234
BASE OPERATIONS/COMMUNICATIONS	1,926,865	1,921,865
Program decrease		[-5,000]
R&D RESEARCH	9,091	9,091
R&D EXPLORATORY DEVELOPMENT	75,463	75,463
R&D ADVANCED DEVELOPMENT	235,556	235,556
R&D DEMONSTRATION/VALIDATION	142,252	142,252
R&D ENGINEERING DEVELOPMENT	101,054	101,054
R&D MANAGEMENT AND SUPPORT	49,645	49,645
R&D CAPABILITIES ENHANCEMENT	17,619	17,619
UNDISTRIBUTED RDT&E		12,500
Combat triple negative breast cancer		[10,000]
Post-traumatic stress disorder		[2,500]
PROC INITIAL OUTFITTING	20,926	20,926
PROC REPLACEMENT & MODERNIZATION	250,366	250,366
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,302	72,302
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	435,414	435,414
TOTAL DEFENSE HEALTH PROGRAM	35,592,407	35,459,245
TOTAL OTHER AUTHORIZATIONS	39,849,030	39,715,868

1 **TITLE XLVI—MILITARY**
2 **CONSTRUCTION**
3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	<i>Alabama</i>			
Army	Fort Rucker	AIT Barracks Complex	0	66,000
Army	Redstone Arsenal	Propulsion Systems Lab	55,000	55,000
	<i>Belgium</i>			
Army	Shape Headquarters	Command and Control Facility	16,000	16,000
	<i>California</i>			
Army	Fort Irwin	Simulations Center	52,000	52,000
	<i>Georgia</i>			
Army	Fort Gordon	Cyber Center of Excellence School Headquarters and Classrooms (P&D)	0	3,670
Army	Fort Gordon	Cyber Instructional Fac (Admin/Cmd), Inc. 2	69,000	69,000
Army	Fort Stewart	Barracks	0	105,000
	<i>Germany</i>			
Army	East Camp Grafeneoehr	EDI: Barracks and Dining Facility	103,000	103,000
Army	Smith Barracks	Indoor Small Arms Range	17,500	17,500
Army	Smith Barracks	Live Fire Exercise Shoothouse	16,000	16,000
	<i>Hawaii</i>			
Army	Fort Shafter	Ctc—Command and Control Facility	0	55,000
Army	Wheeler Army Airfield	Rotary Wing Parking Apron	0	56,000
Army	Wheeler Army Airfield	Aviation Unit OPS Building	0	84,000
Army	West Loch Nav Mag	Ammunition Storage	51,000	51,000
	<i>Annex</i>			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	<i>Kansas</i>			
Army	Fort Leavenworth	Child Development Center	0	34,000
	<i>Kentucky</i>			
Army	Fort Knox	Child Development Center	0	27,000
	<i>Louisiana</i>			
Army	Fort Polk	Joint Operations Center	55,000	55,000
Army	Fort Polk	Barracks	0	56,000
	<i>Maryland</i>			
Army	Aberdeen Proving Ground	Moving Target Simulator (Combat Systems Simulation Laboratory).	0	0
Army	Fort Detrick	Medical Waste Incinerator	0	23,981
Army	Fort Detrick	USAMRMC Headquarters	0	0
Army	Fort Meade	Barracks	81,000	81,000
	<i>Mississippi</i>			
Army	Engineer Research and Development Center	Communications Center	0	0
Army	Engineer Research and Development Center	Rtd&e (Risk Lab)	0	0
	<i>Missouri</i>			
Army	Fort Leonard Wood	Advanced Individual Training Battalion Complex (P&D).	0	4,000
	<i>New Jersey</i>			
Army	Picatinny Arsenal	Igloo Storage, Installation	0	0
	<i>New Mexico</i>			
Army	White Sands Missile Range	Missile Assembly Support Facility	0	29,000
	<i>New York</i>			
Army	Fort Hamilton	Information Systems Facility	26,000	26,000
Army	West Point Military Reservation	Ctc—Engineering Center	0	17,200
Army	Watervliet Arsenal	Access Control Point	20,000	20,000
	<i>Pennsylvania</i>			
Army	Letterkenny Army Depot	Fire Station	21,000	21,000
	<i>South Carolina</i>			
Army	Fort Jackson	Reception Barracks Complex, Ph2, Inc. 2	34,000	34,000
Army	Fort Jackson	Ctc- Reception Barracks, Ph1	0	21,000
	<i>Texas</i>			
Army	Camp Bullis	Ctc- Vehicle Maintenance Shop	0	16,400
Army	Fort Hood	Barracks	0	61,000
Army	Fort Hood	Barracks	0	69,000
	<i>Virginia</i>			
Army	Joint Base Langley-Eustis	AIT Barracks Complex, Ph4	0	16,000
	<i>Worldwide Classified</i>			
Army	Classified Location	Forward Operating Site	31,000	31,000
	<i>Worldwide Unspecified</i>			
Army	Unspecified Worldwide Locations	Host Nation Support	27,000	27,000
Army	Unspecified Worldwide Locations	Minor Construction	35,543	35,543
Army	Unspecified Worldwide Locations	Planning and Design	124,649	134,649
Army	Worldwide Various Locations	Labs and RDT&E Planning and Design Unfunded Requirement.	0	45,000
Army	Worldwide Various Locations	Cost to Complete—Unspecified Minor Construction	0	69,000
	Military Construction, Army Total		834,692	1,727,943
	<i>Arizona</i>			
Navy	Marine Corps Air Station Yuma	Combat Training Tank Complex	0	29,300
Navy	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters	0	0
	<i>California</i>			
Navy	Marine Corps Base Camp Pendleton	I MEF Consolidated Information Center Inc.	19,869	19,869
Navy	Marine Corps Base Camp Pendleton	Warehouse Replacement	0	22,200
Navy	Marine Corps Base Camp Pendleton	Basilone Road Realignment	0	0
Navy	Marine Corps Air Station Miramar	F-35 Centralized Engine Repair Facility	0	31,400
Navy	Marine Corps Air Station Miramar	Aircraft Maintenance Hangar	0	185,991
Navy	Naval Air Station Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4) Inc.	75,070	50,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Navy	Marine Corps Air Ground Combat Center	Cost to Complete—Wastewater Treatment Plant	0	45,000
Navy	Naval Base Ventura County	Combat Vehicle Maintenance Facility	0	48,700
Navy	Naval Base Ventura County	MQ-25 Aircraft Maintenance Hangar	0	125,291
Navy	Naval Base Coronado	CMV-22B Aircraft Maintenance Hangar	0	63,600
Navy	Marine Corps Base Camp Pendleton	CLB MEU Complex	0	83,900
Navy	Marine Corps Reserve Depot San Diego	Recruit Mess Hall Replacement	0	93,700
Navy	Naval Information Warfare Center Pacific	Reconfigurable Cyber Laboratory	0	0
Navy	Naval Weapons Station Seal Beach	Missile Magazines Inc.	10,840	10,840
Navy	Naval Base San Diego	Pier 6 Replacement Inc.	50,000	50,000
Navy	San Nicholas Island	Directed Energy Weapons Test Facilities	19,907	19,907
<i>District of Columbia</i>				
Navy	Naval Research Laboratory	Electromagnetic & Cyber Countermeasures Laboratory	0	0
Navy	Naval Research Laboratory	Biomolecular Science & Synthetic Biology Laboratory	0	0
<i>El Salvador</i>				
Navy	Cooperative Security Location Comalapa	Hangar and Ramp Expansion	0	0
<i>Florida</i>				
Navy	Naval Air Station Jacksonville	Planning and Design for Ligherage and Small Craft	0	7,000
Navy	Naval Surface Warfare Center Panama City Division	Unmanned Vehicle Littoral Combat Space	0	0
Navy	Naval Surface Warfare Center Panama City Division	Mine Warfare RDT&E Facility	0	0
Navy	Naval Undersea Warfare Center Panama City Division	AUTEC Pier Facility 1902	0	37,980
Navy	Marine Corps Support Facility Blount Island	Ligherage and Small Craft Facility	0	69,400
Navy	Naval Undersea Warfare Center Panama City Division	Array Calibration Facility	0	0
<i>Greece</i>				
Navy	Naval Support Activity Souda Bay	EDI Joint Mobility Processing Center	41,650	41,650
<i>Guam</i>				
Navy	Andersen Air Force Base	Aviation Admin Building	50,890	50,890
Navy	Joint Region Marianas	4th Marines Regiment Facilities	109,507	65,000
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H Inc.	43,200	43,200
Navy	Joint Region Marianas	Combat Logistics Battalion-4 Facility	92,710	49,710
Navy	Joint Region Marianas	Consolidated Armory	43,470	43,470
Navy	Joint Region Marianas	Infantry Battalion Company HQ	44,100	44,100
Navy	Joint Region Marianas	Joint Communication Upgrade Inc.	84,000	84,000
Navy	Joint Region Marianas	Marine Expeditionary Brigade Enablers	66,830	66,830
Navy	Joint Region Marianas	Principal End Item (PEI) Warehouse	47,110	47,110
Navy	Joint Region Marianas	X-Ray Wharf Berth 2	103,800	51,900
<i>Hawaii</i>				
Navy	Marine Corps Training Area Bellows	Perimeter Security Fence	0	6,220
Navy	Marine Corps Base Kaneohe	Bachelor Enlisted Quarters, Ph 2 Inc.	0	101,200
Navy	Marine Corps Base Kaneohe	Electrical Distribution Modernization	0	64,500
<i>Indiana</i>				
Navy	Naval Surface Warfare Center Crane Division	Strategic Systems Engineering & Hardware Assurance Center.	0	0
Navy	Naval Surface Warfare Center Crane Division	Corporate Operations and Training Center	0	0
Navy	Naval Surface Warfare Center Crane Division	Anti-Ship Missile Defense Life Cycle Integration and Test Center.	0	0
<i>Japan</i>				
Navy	Fleet Activities Yokosuka	Pier 5 (Berths 2 and 3) Inc.	15,292	15,292
Navy	Fleet Activities Yokosuka	Ship Handling & Combat Training Facilities	49,900	49,900
<i>Maine</i>				
Navy	Naval Support Activity Cutler	Firchouse (P&D)	0	2,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension Inc.	250,000	250,000
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension Inc.—Navy #1 Ufr.	0	0
<i>Maryland</i>				
Navy	Naval Air Station Patuxent River	Planning and Design for Aircraft Prototyping Facility, Ph 3.	0	1,500
Navy	Naval Air Warfare Center Aircraft Division	Aircraft Prototyping Facility, Ph 3	0	0
Navy	Naval Air Warfare Center Aircraft Division	Rotary Wing T&E Hangar Replacement	0	0
Navy	Naval Surface Warfare Center Carderock Division	Ship Systems Design & Integration Facility	0	0
Navy	Naval Surface Warfare Center Carderock Division	ARD Range Craft Berthing Facility	0	0
Navy	Naval Surface Warfare Center Carderock Division	Navy Combatant Craft Laboratory	0	0
Navy	Naval Surface Warfare Center Indian Head	Planning and Design for Contained Burn Facility	0	1,500
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory Complex, Ph 2.	0	0
Navy	Naval Surface Warfare Center Indian Head	Contained Burn Facility	0	0
Navy	Naval Surface Warfare Center Indian Head	Energetic Chemical Scale-up Facility	0	0
Navy	Naval Surface Warfare Center Indian Head	Energetics Prototyping Facility	0	0
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory Complex, Ph 3.	0	0
<i>Nevada</i>				
Navy	Naval Air Station Fallon	Training Range Land Acquisition—Ph 2	48,250	0
<i>North Carolina</i>				
Navy	Marine Corps Base Camp Lejeune	Cost to Complete—Water Treatment Plant Replacement Hadnot Pt.	0	64,200
Navy	Marine Corps Base Camp Lejeune	II MEF Operations Center Replacement Inc.	42,200	42,200
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar	207,897	57,897
Navy	Marine Corps Air Station Cherry Point	F-35 Flightline Utilities Modernization Ph 2	113,520	30,000
Navy	Marine Corps Air Station Cherry Point	F-35 Joint Strike Fighter Sustainment Center (P-993) (P&D).	0	10,000
Navy	Marine Corps Air Station Cherry Point	Ctc—ATC Tower and Airfield Operations	0	18,700
Navy	Marine Corps Air Station New River	Maintenance Hangar (P&D)	0	13,300
Navy	Marine Corps Air Station New River	Aircraft Maintenance Hangar Addition/Alteration (P&D).	0	2,700
<i>Pennsylvania</i>				
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Control Development Center	0	77,290
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Integration Lab, Ph 1	0	0
Navy	Naval Surface Warfare Center Philadelphia Division	Power & Energy Tech Systems Integration Lab	0	0
<i>Poland</i>				
Navy	Redzikowo	AEGIS Ashore Barracks Planning and Design	0	
<i>Rhode Island</i>				
Navy	Naval Station Newport	Next Generation Torpedo Integration Lab (P&D)	0	1,200
Navy	Naval Station Newport	Submarine Payloads Integration Laboratory (P&D) ..	0	1,400
Navy	Naval Station Newport	Consolidated RDT&E Systems Facility (P&D)	0	1,700
Navy	Naval Station Newport	Next Generation Secure Submarine Platform Facility (P&D).	0	4,000
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Secure Submarine Platform Facility	0	0
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Torpedo Integration Lab	0	0

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Navy	Naval Undersea Warfare Center Newport Division	Submarine Payloads Integration Facility	0	0
Navy	Naval Undersea Warfare Center Newport Division	Consolidation RDT&E Systems Facility	0	0
	<i>South Carolina</i>			
Navy	Marine Corps Air Station Beaufort	Instrument Landing System	0	3,000
Navy	Marine Corps Air Station Beaufort	F-35 Operational Support Facility	0	4,700
Navy	Marine Corps Air Station Beaufort	Ctc—Recycling/Hazardous Waste Facility	0	5,000
Navy	Marine Corps Air Station Beaufort	Aircraft Maintenance Hangar	0	122,600
Navy	Marine Corps Reserve Depot Parris Island	Entry Control Facility	0	6,000
	<i>Spain</i>			
Navy	Naval Station Rota	EDE: Explosive Ordnance Disposal (EOD) Mobile Unit Facilities.	0	85,600
	<i>Texas</i>			
Navy	Naval Air Station Kingsville	Planning and Design for Fire Rescue Safety Center ...	0	2,500
	<i>Virginia</i>			
Navy	Naval Station Norfolk	CMV-22 Aircraft Maintenance Hangar and Airfield Improvement.	0	75,100
Navy	Naval Station Norfolk	Submarine Pier 3 Inc.	88,923	43,923
Navy	Naval Surface Warfare Center Dahlgren Division	Cyber Threat & Weapon Systems Engineering Complex.	0	0
Navy	Naval Surface Warfare Center Dahlgren Division	High Powered Electric Weapons Laboratory	0	0
Navy	Norfolk Naval Shipyard	Dry Dock Saltwater System for CVN-78	156,380	30,000
Navy	Marine Corps Base Quantico	Vehicle Inspection and Visitor Control Center	42,850	42,850
Navy	Marine Corps Base Quantico	Wargaming Center Inc.	30,500	30,500
Navy	Naval Weapons Station Yorktown	Navy Munitions Command (Nmc) Ordnance Facilities Recap, Phase 2.	0	93,500
	<i>Worldwide Unspecified</i>			
Navy	Unspecified Worldwide Locations	Planning and Design	363,252	413,252
Navy	Unspecified Worldwide Locations	Shipyards Investment Optimization Program	0	225,000
Navy	Unspecified Worldwide Locations	Shipyards Investment Optimization Program—Planning and Design.	0	62,820
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	56,435	56,435
Navy	Worldwide Various Locations	PDI: Planning and Design Unfunded Requirement ...	0	68,200
Navy	Worldwide Various Locations	Unspecified Minor Construction	0	75,000
Navy	Worldwide Various Locations	Labs and RDT&E Planning and Design Unfunded Requirement.	0	50,000
	Military Construction, Navy Total		2,368,352	3,895,117
	<i>Alaska</i>			
AF	Eielson Air Force Base	Contaminated Soil Removal	0	44,850
AF	Joint Base Elmendorf-Richardson	Extend Runway 16/34, Inc. 1	79,000	79,000
	<i>Arizona</i>			
AF	Davis-Monthan Air Force Base	South Wilmot Gate	13,400	13,400
AF	Luke Air Force Base	F-35A ADAL AMU Facility Squadron #6	28,000	28,000
AF	Luke Air Force Base	F-35A Squadron Operations Facility #6	21,000	21,000
	<i>Australia</i>			
AF	Royal Australian Air Force Base Darwin	Squadron Operations Facility	7,400	7,400
AF	Royal Australian Air Force Base Tindal	Aircraft Maintenance Support Facility	6,200	6,200
AF	Royal Australian Air Force Base Tindal	Squadron Operations Facility	8,200	8,200
	<i>California</i>			
AF	Edwards Air Force Base	Flight Test Engineering Lab Complex	4,000	4,000
AF	Edwards Air Force Base	Upgrade Munitions Complex	0	0
AF	Edwards Air Force Base	Rocket Engineering, Analysis, and Collaboration Hub (Reach).	0	0

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
AF	Vandenberg Space Force Base	GBSD Re-Entry Vehicle Facility	48,000	48,000
AF	Vandenberg Space Force Base	GBSD Stage Processing Facility	19,000	19,000
<i>Colorado</i>				
AF	Schriever Space Force Base	ADAL Fitness Center	0	30,000
AF	United States Air Force Academy	Add High Bay Vehicle Maintenance	0	4,360
AF	United States Air Force Academy	Cadet Prep School Dormitory	0	0
<i>District of Columbia</i>				
AF	Joint Base Anacostia Bolling	Joint Air Defense Operations Center Ph 2	24,000	24,000
<i>Florida</i>				
AF	Eglin Air Force Base	Weapons Technology Integration Center (P&D)	0	40,000
AF	Eglin Air Force Base	HC-Blackjyre Facilities	0	0
AF	Eglin Air Force Base	JADC2 & Abms Test Facility	0	0
AF	Eglin Air Force Base	F-35A Development/Operational Test 2-Bay Hangar (P&D)	0	4,000
AF	Eglin Air Force Base	Ctc—Advanced Munitions Technology Complex	0	35,000
AF	Eglin Air Force Base	Integrated Control Facility	0	0
AF	Eglin Air Force Base	F-35A Development Test 2-Bay MX Hangar	0	0
AF	Eglin Air Force Base	Flightline Fire Station at Duke Field	0	14,000
<i>Georgia</i>				
AF	Moody Air Force Base	41 Rqs 11h-60w Apron	0	0
<i>Germany</i>				
AF	Spangdahlem Air Base	F/a-22 LO/Composite Repair Facility	22,625	22,625
<i>Guam</i>				
AF	Joint Region Marianas	Airfield Damage Repair Warehouse	30,000	30,000
AF	Joint Region Marianas	Hayman Munitions Storage Igloos, MSA2	9,824	9,824
AF	Joint Region Marianas	Munitions Storage Igloos IV	55,000	55,000
<i>Hawaii</i>				
AF	Maui Experimental Site #3	Secure Integration Support Lab W/ Land Acquisition (P&D)	0	8,800
<i>Hungary</i>				
AF	Kecskemet Air Base	EDI: Construct Airfield Upgrades	20,564	20,564
AF	Kecskemet Air Base	EDI: Construct Parallel Taxiway	38,650	38,650
<i>Italy</i>				
AF	Aviano Air Force Base	Area A1 Entry Control Point	0	10,200
<i>Japan</i>				
AF	Kadena Air Base	Airfield Damage Repair Storage Facility	38,000	38,000
AF	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar	168,000	35,000
AF	Kadena Air Base	Replace Munitions Structures	26,100	26,100
AF	Misawa Air Base	Airfield Damage Repair Facility	25,000	25,000
AF	Yokota Air Base	C-130J Corrosion Control Hangar	67,000	67,000
AF	Yokota Air Base	Airfield Damage Repair Warehouse	0	39,000
AF	Yokota Air Base	Construct CATM Facility	25,000	25,000
<i>Louisiana</i>				
AF	Barksdale Air Force Base	Weapons Generation Facility, Inc. 1	40,000	40,000
AF	Barksdale Air Force Base	New Entrance Road and Gate Complex—Ctc	0	36,000
<i>Maryland</i>				
AF	Joint Base Andrews	Fire Crash Rescue Station	26,000	26,000
AF	Joint Base Andrews	Military Working Dog Kennel—Ctc	0	10,000
<i>Massachusetts</i>				
AF	Hanscom Air Force Base	NC3 Acquisitions Management Facility	66,000	66,000
<i>Nebraska</i>				
AF	Offutt Air Force Base	Replace Trestle F312	0	0
<i>Nevada</i>				
AF	Creech Air Force Base	Warrior Fitness Training Center (P&D)	0	2,200
AF	Creech Air Force Base	Mission Support Facility	0	14,200
<i>New Mexico</i>				
AF	Cannon Air Force Base	192 Bed Dormitory (P&D)	0	5,568
AF	Cannon Air Force Base	Deployment Processing Center (P&D)	0	5,976
AF	Holloman Air Force Base	Indoor Target Flip Facility (P&D)	0	2,340
AF	Holloman Air Force Base	RAMS Indoor Target Flip Facility	0	0
AF	Holloman Air Force Base	Holloman High Speed Test Track Recapitalization	0	0
AF	Holloman Air Force Base	ADAL Fabrication Shop	0	0
AF	Holloman Air Force Base	MQ-9 Formal Training Unit Operations Facility	0	0
AF	Kirtland Air Force Base	Dedicated Facility for the Space Rapid Capabilities Office (P&D)	0	5,280

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
AF	Kirtland Air Force Base	Ctc—Wyoming Gate Antiterrorism Compliance	0	5,600
AF	Kirtland Air Force Base	Pj/Cro Urban Training Complex (P&D)	0	810
AF	Kirtland Air Force Base	High Power Electromagnetic (HPEM) Laboratory	0	0
AF	Kirtland Air Force Base	Laser Effects & Simulation Laboratory	0	0
AF	Kirtland Air Force Base	ADAL Systems & Engineering Lab	0	0
<i>New Jersey</i>				
AF	Joint Base McGuire-Dix-Lakehurst	SFS OPS Confinement Facility (P&D)	0	450
<i>Ohio</i>				
AF	Wright-Patterson Air Force Base	Child Development Center	0	24,000
AF	Wright-Patterson Air Force Base	Human Performance Wing Laboratory	0	0
AF	Wright-Patterson Air Force Base	Bionatronics Research Center Laboratory	0	0
<i>Oklahoma</i>				
AF	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar	160,000	60,000
<i>South Carolina</i>				
AF	Joint Base Charleston	Flightline Support Facility	0	29,000
AF	Joint Base Charleston	Fire and Rescue Station	0	30,000
<i>South Dakota</i>				
AF	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility, Inc. 2	91,000	41,000
AF	Ellsworth Air Force Base	B-21 ADAL Flight Simulator	24,000	24,000
AF	Ellsworth Air Force Base	B-21 Field Training Detachment Facility	47,000	47,000
AF	Ellsworth Air Force Base	B-21 Formal Training Unit/AMU	70,000	70,000
AF	Ellsworth Air Force Base	B-21 Mission Operations Planning Facility	36,000	36,000
AF	Ellsworth Air Force Base	B-21 Washrack & Maintenance Hangar	65,000	65,000
<i>Spain</i>				
AF	Moron Air Base	EDI-Hot Cargo Pad	8,542	8,542
<i>Tennessee</i>				
AF	Arnold Air Force Base	Cooling Water Expansion, Rowland Creek	0	0
AF	Arnold Air Force Base	Add/Alter Test Cell Delivery Bay	0	14,600
AF	Arnold Air Force Base	Primary Pumping Station Upgrades	0	0
<i>Texas</i>				
AF	Joint Base San Antonio	BMT Recruit Dormitory 7	141,000	40,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc. 3	31,000	31,000
AF	Joint Base San Antonio—Fort Sam Houston	Child Development Center	0	29,000
AF	Joint Base San Antonio—Fort Sam Houston	Directed Energy Research Center	0	0
AF	Joint Base San Antonio—Lackland Air Force Base	Child Development Center	0	29,000
AF	Sheppard Air Force Base	Child Development Center	20,000	20,000
<i>United Kingdom</i>				
AF	Royal Air Force Fairford	EDI Construct DABS-FEV Storage	94,000	94,000
AF	Royal Air Force Lakenheath	F-35A Child Development Center	0	24,000
AF	Royal Air Force Lakenheath	F-35A Munition Inspection Facility	31,000	31,000
AF	Royal Air Force Lakenheath	F-35 ADAL Conventional Munitions MX	0	4,500
AF	Royal Air Force Lakenheath	F-35A Weapons Load Training Facility	49,000	49,000
<i>Utah</i>				
AF	Hill Air Force Base	GBSD Organic Software Sustainment Ctr, Inc. 2	31,000	31,000
<i>Virginia</i>				
AF	Joint Base Langley-Eustis	Fuel Systems Maintenance Dock	0	24,000
<i>Worldwide Unspecified</i>				
AF	Various Worldwide Locations	EDI Planning & Design	648	10,648
AF	Various Worldwide Locations	PDI Planning & Design	27,200	47,200
AF	Various Worldwide Locations	Planning & Design	201,453	201,453
AF	Various Worldwide Locations	Intelligence, Surveillance, and Reconnaissance Infrastructure Planning and Design.	0	20,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
AF	Various Worldwide Locations	Cost to Complete—Natural Disaster Conus-Based Projects.	0	100,000
AF	Various Worldwide Locations	EDI: UMMC	0	15,000
AF	Various Worldwide Locations	Unspecified Minor Military Construction	58,884	58,884
AF	Worldwide Various Locations	Labs and RDT&E Planning and Design Unfunded Requirement.	0	75,000
Military Construction, Air Force Total			2,102,690	2,485,424
<i>Alabama</i>				
Def-Wide	Fort Rucker	10 MW RICE Generator Plant and Microgrid Controls.	0	24,000
Def-Wide	Redstone Arsenal	Msic Advanced Analysis Facility Phase 1 (Inc)	0	25,000
<i>Belgium</i>				
Def-Wide	Chievres Air Force Base	Europe West District Superintendent's Office	15,000	15,000
<i>California</i>				
Def-Wide	Marine Corps Base Camp Pendleton	Veterinary Treatment Facility Replacement	13,600	13,600
Def-Wide	Silver Strand Training Complex	SOF ATC Operations Support Facility	21,700	21,700
Def-Wide	Silver Strand Training Complex	SOF NSWG11 Operations Support Facility	12,000	12,000
Def-Wide	Marine Corps Air Station Miramar	Additional LFG Power Meter Station	0	4,054
Def-Wide	Naval Air Weapons Station China Lake	Solar Energy Storage System	0	9,120
Def-Wide	Naval Amphibious Base Coronado	Ctc- SOF Training Command	0	20,500
<i>Colorado</i>				
Def-Wide	Buckley Air Force Base	JCC Expansion	20,000	20,000
<i>District of Columbia</i>				
Def-Wide	Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps	0	2,257
Def-Wide	Joint Base Anacostia-Bolling	PV Carports	0	29,004
<i>Florida</i>				
Def-Wide	MacDill Air Force Base	Transmission and Switching Stations	0	22,000
<i>Georgia</i>				
Def-Wide	Fort Benning	4.8 MW Generation and Microgrid	0	17,593
Def-Wide	Fort Benning	SOF Battalion Headquarters Facility	62,000	62,000
Def-Wide	Fort Stewart	10 MW Generation Plant, With Microgrid Controls	0	22,000
Def-Wide	Kings Bay Naval Submarine Base	Electrical Transmission and Distribution	0	19,314
<i>Germany</i>				
Def-Wide	Ramstein Air Base	Ramstein Middle School	93,000	13,000
<i>Guam</i>				
Def-Wide	Polaris Point Submarine Base	Inner Apra Harbor Resiliency Upgrades Ph1	0	38,300
<i>Hawaii</i>				
Def-Wide	Hdr-Hawaii	Homeland Defense Radar (P&D)	0	9,000
Def-Wide	Joint Base Pearl Harbor-Hickam	Veterinary Treatment Facility Replacement	29,800	29,800
<i>Idaho</i>				
Def-Wide	Mountain Home Air Force Base	Water Treatment Plant and Pump Station	0	33,800
<i>Japan</i>				
Def-Wide	Marine Corps Air Base Iwakuni	Fuel Pier	57,700	57,700
Def-Wide	Kadena Air Base	Operations Support Facility	24,000	24,000
Def-Wide	Kadena Air Base	Truck Unload Facilities	22,300	22,300
Def-Wide	Misawa Air Base	Additive Injection Pump and Storage Sys	6,000	6,000
Def-Wide	Naval Air Facility Atsugi	Smart Grid for Utility and Facility Controls	0	3,810
Def-Wide	Yokota Air Base	Hangar/AMU	108,253	31,653
<i>Kuwait</i>				
Def-Wide	Camp Arifjan	Microgrid Controller, 1.25 MW Solar PV, and 1.5 MWH Battery.	0	15,000
<i>Maryland</i>				
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration, Inc. 5	153,233	153,233
Def-Wide	Fort Meade	NSAW Mission OPS and Records Center Inc. 1	94,000	94,000
Def-Wide	Fort Meade	NSAW Recap Building 4, Inc. 1	104,100	104,100
Def-Wide	Fort Meade	SOF Operations Facility	100,000	75,000
<i>Michigan</i>				
Def-Wide	Camp Grayling	650 KW Gas-Fired Micro-Turbine Generation System	0	5,700
<i>Mississippi</i>				
Def-Wide	Camp Shelby	10 MW Generation Plant an Feeder Level Microgrid System.	0	34,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Def-Wide	Camp Shelby	Electrical Distribution Infrastructure Undergrounding Hardening Project.	0	11,155
	Missouri			
Def-Wide	Fort Leonard Wood	Hospital Replacement, Inc. 4	160,000	160,000
	New Mexico			
Def-Wide	Kirtland Air Force Base	Environmental Health Facility Replacement	8,600	8,600
	New York			
Def-Wide	Fort Drum	Wellfield Expansion Resiliency Project	0	27,000
	North Carolina			
Def-Wide	Camp Lejeune	Ctc—SOF Motor Transport Maintenance Expansion	0	0
Def-Wide	Fort Bragg	Ctc—SOF Intelligence Training Center	0	0
Def-Wide	Fort Bragg	10 MW Microgrid Utilizing Existing and New Generators.	0	19,464
Def-Wide	Fort Bragg	Emergency Water System	0	7,705
	North Dakota			
Def-Wide	Cavalier Air Force Station	Pears Emergency Power Plant Fuel Storage	0	24,150
	Ohio			
Def-Wide	Springfield-Beckley Municipal Airport	Base-Wide Microgrid With Natural Gas Generator, Photovoltaic, and Battery Storage.	0	4,700
	Puerto Rico			
Def-Wide	Fort Allen	Microgrid Control System, 690 KW PV, 275 KW Gen, 570 Kwh Bess.	0	12,190
Def-Wide	Punta Borinquen	Ramey Unit School Replacement	84,000	84,000
Def-Wide	Aguadilla Ramey Unit School	Microgrid Control System, 460 KW PV, 275 KW Generator, 660 Kwh Bess.	0	10,120
	Tennessee			
Def-Wide	Memphis International Airport	PV Arrays and Battery Storage	0	4,780
	Texas			
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Ph 4	35,000	35,000
	United Kingdom			
Def-Wide	Memwith Hill Station	Rafmh Main Gate Rehabilitation	20,000	20,000
Def-Wide	Royal Air Force Lakenheath	Hospital Replacement-Temporary Facilities	19,283	19,283
	Virginia			
Def-Wide	Fort Belvoir	Veterinary Treatment Facility Replacement	29,800	29,800
Def-Wide	Humphries Engineer Center and Support Activity	SOF Battalion Operations Facility	0	36,000
Def-Wide	Pentagon	Consolidated Maintenance Complex (RRMC)	20,000	20,000
Def-Wide	Pentagon	Force Protection Perimeter Enhancements	8,608	8,608
Def-Wide	Pentagon	Public Works Support Facility	21,935	21,935
Def-Wide	Fort Belvoir, NGA Campus East	Led Upgrade Package	0	365
Def-Wide	Pentagon, Mark Center, and Raven Rock Mountain Complex	Recommissioning of Hvac Systems, Part B	0	2,600
Def-Wide	National Geospatial-Intelligence Agency Campus East	Electrical System Redundancy	0	5,299
	Washington			
Def-Wide	Oak Harbor	ACC / Dental Clinic (Oak Harbor)	59,000	59,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	DIA Planning and Design	11,000	11,000
Def-Wide	Unspecified Worldwide Locations	DODEA Planning and Design	13,317	13,317
Def-Wide	Unspecified Worldwide Locations	DODEA Unspecified Minor Construction	8,000	8,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	40,150	40,150
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	246,600	0
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,615	5,615
Def-Wide	Unspecified Worldwide Locations	MDA Unspecified Minor Construction	4,435	4,435
Def-Wide	Unspecified Worldwide Locations	NSA Planning and Design	83,840	83,840
Def-Wide	Unspecified Worldwide Locations	NSA Unspecified Minor Military Construction	12,000	12,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	14,194	14,194
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction	21,746	21,746
Def-Wide	Unspecified Worldwide Locations	TJS Planning and Design	2,000	2,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	WHS Planning and Design	5,275	5,275
Def-Wide	Various Worldwide Locations	DHA Planning and Design	35,099	35,099
Def-Wide	Various Worldwide Locations	DLA Planning and Design	20,862	20,862
Def-Wide	Various Worldwide Locations	DLA Unspecified Minor Construction	6,668	6,668
Def-Wide	Various Worldwide Locations	SOCOM Planning and Design	20,576	20,576
Military Construction, Defense-Wide Total			1,957,289	2,029,569
NATO	Worldwide Unspecified NATO Security Investment Program	NATO Security Investment Program	205,853	205,853
NATO Security Investment Program Total			205,853	205,853
Army NG	Alabama Redstone Arsenal	National Guard Readiness Center	0	17,000
Army NG	Alaska Joint Base Elmendorf-Richardson	Planning and Design for National Guard Readiness Center.	0	5,000
Army NG	Connecticut Connecticut Army National Guard Readiness Center—Putnam	National Guard Readiness Center	17,500	17,500
Army NG	Georgia Fort Benning	Post-Initial Mil. Training Unaccomp. Housing	13,200	13,200
Army NG	Guam Guam National Guard Readiness Center Barrigada	National Guard Readiness Center Addition	34,000	34,000
Army NG	Idaho Jerome National Guard Armory	National Guard Readiness Center	15,000	15,000
Army NG	Illinois Bloomington National Guard Armory	National Guard Vehicle Maintenance Shop	15,000	15,000
Army NG	Kansas Nickell Memorial Armory	National Guard/Reserve Center Building SCIF (P&D)	0	420
Army NG	Nickell Memorial Armory	National Guard/Reserve Center Building	16,732	16,732
Army NG	Louisiana Camp Minden Training Site	Collective Training Unaccompanied Housing	0	13,800
Army NG	Lake Charles National Guard Readiness Center	National Guard Readiness Center	18,500	18,500
Army NG	Maine Saco National Guard Readiness Center	National Guard Vehicle Maintenance Shop	21,200	21,200
Army NG	Michigan Camp Grayling Military Installation	National Guard Readiness Center	0	16,000
Army NG	Mississippi Camp Shelby Training Site	Maneuver Area Training Equipment Site	0	15,500
Army NG	Missouri Aviation Classification Repair Activity Depot	Averard Aircraft Maintenance Hangar Addition (P&D).	0	3,800
Army NG	Montana Butte Military Entrance Training Site	National Guard Readiness Center	16,000	16,000
Army NG	Nebraska Mead Army National Guard Readiness Center	Collective Training Unaccompanied Housing	0	11,000
Army NG	North Dakota Dickinson National Guard Armory	National Guard Readiness Center	15,500	15,500
Army NG	South Dakota Sioux Falls Army National Guard	National Guard Readiness Center	0	15,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	Vermont			
Army NG	Ethan Allen Air Force Base	Family Readiness Center	0	4,665
Army NG	Vermont National Guard Armory	National Guard Readiness Center	0	16,900
	Virginia			
Army NG	Virginia National Guard Readiness Center	Army Aviation Support Facility (P&D)	0	5,805
Army NG	Virginia National Guard Readiness Center	Combined Support Maintenance Shop Addition	6,900	6,900
Army NG	Virginia National Guard Readiness Center	National Guard Readiness Center Addition	6,100	6,100
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	22,000	32,000
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	39,471	39,471
Army NG	Various Worldwide Locations	Army National Guard Transformation Plan	0	0
	Military Construction, Army National Guard Total		257,103	391,993
	Michigan			
Army Res	Southfield	Area Maintenance Support Activity	12,000	12,000
	Ohio			
Army Res	Wright-Patterson Air Force Base	AR Center Training Building/ UHS	19,000	19,000
	Wisconsin			
Army Res	Fort McCoy	Transient Training BN HQ	12,200	12,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	29,200
Army Res	Fort McCoy	Transient Training Officer Barracks	0	29,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	0
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	7,167	7,167
Army Res	Unspecified Worldwide Locations	Cost to Complete	0	0
Army Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction	14,544	14,544
	Military Construction, Army Reserve Total		64,911	123,311
	Michigan			
N/MC Res	Navy Operational Support Center Battle Creek	Reserve Center & Vehicle Maintenance Facility	49,090	49,090
	Minnesota			
N/MC Res	Minneapolis	Joint Reserve Intelligence Center	14,350	14,350
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design	1,257	1,257
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	2,359	2,359
N/MC Res	Unspecified Worldwide Locations	USMCR Planning and Design	4,748	4,748
	Military Construction, Naval Reserve Total		71,804	71,804
	Alabama			
Air NG	Sumpter Smith Air National Guard Base	Security and Services Training Facility	0	7,500
Air NG	Montgomery Regional Airport	Aircraft Maintenance Facility	0	19,200
	Connecticut			
Air NG	Bradley International Airport	Composite ASE/Vehicle MX Facility	0	17,000
	Delaware			
Air NG	Newcastle Air National Guard Base	Fuel Cell/Corrosion Control Hangar	0	17,500
	Idaho			
Air NG	Boise Air National Guard Base Gowen Field	Medical Training Facility	0	6,500
	Illinois			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Air NG	Abraham Lincoln Capital Airport	Base Civil Engineering Facility	0	10,200
	Massachusetts			
Air NG	Barnes Air National Guard	Combined Engine/ASE/NDI Shop	12,200	12,200
	Michigan			
Air NG	Alpena County Regional Airport	Aircraft Maintenance Hangar/Shops	23,000	23,000
Air NG	Selfridge Air National Guard Base	a-10 Maintenance Hangar and Shops	0	28,000
Air NG	W. K. Kellogg Regional Airport	Construct Main Base Entrance	10,000	10,000
	Mississippi			
Air NG	Jackson International Airport	Fire Crash and Rescue Station	9,300	9,300
	New York			
Air NG	Francis S. Gabreski Airport	Base Civil Engineer Complex	0	14,800
Air NG	Schenectady Municipal Airport	C-130 Flight Simulator Facility	10,800	10,800
	Ohio			
Air NG	Camp Perry	Red Horse Logistics Complex	7,800	7,800
	South Carolina			
Air NG	McEntire Joint National Guard Base	Hazardous Cargo Pad	0	9,000
Air NG	McEntire Joint National Guard Base	F-16 Mission Training Center	9,800	9,800
	South Dakota			
Air NG	Joe Foss Field	F-16 Mission Training Center	9,800	9,800
	Texas			
Air NG	Kelly Field Annex	Aircraft Corrosion Control	0	9,500
	Washington			
Air NG	Camp Murray Air National Guard Station	Air Support Operations Complex	0	27,000
	Wisconsin			
Air NG	Truax Field	F-35 3-Bay Specialized Hangar	31,000	31,000
Air NG	Truax Field	Medical Readiness Facility	13,200	13,200
Air NG	Volk Combat Readiness Training Center	Replace Aircraft Maintenance Hangar/Shops (P&D) ..	0	2,280
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	29,068	29,068
Air NG	Various Worldwide Locations	Planning and Design	18,402	34,402
	Wyoming			
Air NG	Cheyenne Municipal Airport	Combined Vehicle Maintenance & ASE Complex	13,400	13,400
		Military Construction, Air National Guard Total	197,770	382,250
	California			
AF Res	Beale Air Force Base	940 ARW SQ OPS &amu Complex	0	33,000
	Florida			
AF Res	Homestead Air Force Reserve Base	Corrosion Control Facility	14,000	14,000
AF Res	Patrick Air Force Base	Simulator C-130J	18,500	18,500
	Indiana			
AF Res	Grissom Air Reserve Base	Logistics Readiness Complex	0	29,000
	Minnesota			
AF Res	Minneapolis-St Paul International Airport	Mission Support Group Facility	14,000	14,000
	New York			
AF Res	Niagara Falls Air Reserve Station	Main Gate	10,600	10,600
	Ohio			
AF Res	Youngstown Air Reserve Base	Assault Runway	0	8,700
	Worldwide Unspecified			
AF Res	Worldwide Various Locations	KC-46 Mob 5 (P&D)	0	15,000
AF Res	Unspecified Worldwide Locations	Planning & Design	5,830	5,830
AF Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction	15,444	15,444
		Military Construction, Air Force Reserve Total	78,374	164,074

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	<i>Italy</i>			
FH Con Army	Vicenza	Family Housing New Construction	92,304	92,304
	<i>Kwajalein Atoll</i>			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	0	10,000
	<i>Pennsylvania</i>			
FH Con Army	Tobyhanna Army Depot	Ctc- Family Housing Replacement Construction	0	7,500
	<i>Puerto Rico</i>			
FH Con Army	Fort Buchanan	Ctc- Family Housing Replacement Construction	0	14,000
	<i>Worldwide Unspecified</i>			
FH Con Army	Unspecified Worldwide Locations	Family Housing P&D	7,545	37,545
	Family Housing Construction, Army Total		99,849	161,349
	<i>Worldwide Unspecified</i>			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,077	18,077
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	38,404	38,404
FH Ops Army	Unspecified Worldwide Locations	Leasing	128,110	128,110
FH Ops Army	Unspecified Worldwide Locations	Maintenance	111,181	111,181
FH Ops Army	Unspecified Worldwide Locations	Management	42,850	42,850
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	556	556
FH Ops Army	Unspecified Worldwide Locations	Services	8,277	8,277
FH Ops Army	Unspecified Worldwide Locations	Utilities	43,772	43,772
	Family Housing Operation And Maintenance, Army Total		391,227	391,227
	<i>Worldwide Unspecified</i>			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	71,884	71,884
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	3,634	3,634
FH Con Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,098	2,098
	Family Housing Construction, Navy And Marine Corps Total		77,616	77,616
	<i>Worldwide Unspecified</i>			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	16,537	16,537
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	54,544	54,544
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,567	62,567
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	95,417	95,417
FH Ops Navy	Unspecified Worldwide Locations	Management	54,083	54,083
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	285	285
FH Ops Navy	Unspecified Worldwide Locations	Services	17,637	17,637
FH Ops Navy	Unspecified Worldwide Locations	Utilities	56,271	56,271
	Family Housing Operation And Maintenance, Navy And Marine Corps Total ..		357,341	357,341
	<i>Georgia</i>			
FH Con AF	Robins Air Force Base	Robins 2 MHPI Restructure	6,000	6,000
	<i>Nebraska</i>			
FH Con AF	Offutt Air Force Base	Offutt MHPI Restructure	50,000	50,000
	<i>Worldwide Unspecified</i>			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	49,258	49,258
FH Con AF	Unspecified Worldwide Locations	Planning & Design	10,458	10,458
	Family Housing Construction, Air Force Total		115,716	115,716
	<i>Worldwide Unspecified</i>			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	26,842	26,842

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	23,275	23,275
FH Ops AF	Unspecified Worldwide Locations	Leasing	9,520	9,520
FH Ops AF	Unspecified Worldwide Locations	Maintenance	141,754	141,754
FH Ops AF	Unspecified Worldwide Locations	Management	70,062	70,062
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,200	2,200
FH Ops AF	Unspecified Worldwide Locations	Services	8,124	8,124
FH Ops AF	Unspecified Worldwide Locations	Utilities	43,668	43,668
Family Housing Operation And Maintenance, Air Force Total			325,445	325,445
Worldwide Unspecified				
FH Ops DW	Unspecified Worldwide Locations	DIA Furnishings	656	656
FH Ops DW	Unspecified Worldwide Locations	DIA Leasing	31,430	31,430
FH Ops DW	Unspecified Worldwide Locations	DIA Utilities	4,166	4,166
FH Ops DW	Unspecified Worldwide Locations	Maintenance	49	49
FH Ops DW	Unspecified Worldwide Locations	NSA Furnishings	83	83
FH Ops DW	Unspecified Worldwide Locations	NSA Leasing	13,387	13,387
FH Ops DW	Unspecified Worldwide Locations	NSA Utilities	14	14
Family Housing Operation And Maintenance, Defense-Wide Total			49,785	49,785
Worldwide Unspecified				
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,081	6,081
Unaccompanied Housing Improvement Fund Total			6,081	6,081
Worldwide Unspecified				
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
Unaccompanied Housing Improvement Fund Total			494	494
Worldwide Unspecified				
BRAC	Base Realignment & Closure, Army	Base Realignment and Closure	65,301	115,301
Base Realignment and Closure—Army Total			65,301	115,301
Worldwide Unspecified				
BRAC	Unspecified Worldwide Locations	Base Realignment & Closure	111,155	161,155
Base Realignment and Closure—Navy Total			111,155	161,155
Worldwide Unspecified				
BRAC	Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	104,216	104,216
Base Realignment and Closure—Air Force Total			104,216	104,216
Worldwide Unspecified				
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure	0	0
BRAC	Unspecified Worldwide Locations	Int-4: DLA Activities	3,967	3,967
Base Realignment and Closure—Defense-wide Total			3,967	3,967
Total, Military Construction			9,847,031	13,347,031

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	Conference Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear energy	149,800	149,800
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Weapons activities	15,484,295	15,981,328
Defense nuclear nonproliferation	1,934,000	1,957,000
Naval reactors	1,860,705	1,860,705
Federal Salaries and Expenses	464,000	464,000
Total, National Nuclear Security Administration	19,743,000	20,263,033
Defense environmental cleanup	6,841,670	6,480,759
Defense Uranium Enrichment D&D	0	0
Other defense activities	1,170,000	920,000
Total, Atomic Energy Defense Activities	27,754,670	27,663,792
Total, Discretionary Funding	27,904,470	27,813,592
Nuclear Energy		
Safeguards and security	149,800	149,800
Total, Nuclear Energy	149,800	149,800
National Nuclear Security Administration		
Federal Salaries and Expenses		
Program direction	464,000	464,000
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	771,664	771,664
W76-2 Modification program	0	0
W88 Alteration program	207,157	207,157
W80-4 Life extension program	1,080,400	1,080,400
W80-4 ALT SLCM	10,000	10,000
W87-1 Modification Program (formerly IW1)	691,031	691,031
W93	72,000	72,000
Subtotal, Stockpile major modernization	2,832,252	2,832,252
Stockpile sustainment	1,180,483	1,180,483
Weapons dismantlement and disposition	51,000	51,000
Production operations	568,941	568,941
Total, Stockpile management	4,632,676	4,632,676
Production modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos plutonium modernization		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Conference Authorized
<i>Los Alamos Plutonium Operations</i>	660,419	660,419
<i>21-D-512, Plutonium Pit Production Project, LANL</i>	350,000	350,000
Subtotal, Los Alamos plutonium modernization	1,010,419	1,010,419
Savannah River plutonium modernization		
<i>Savannah River plutonium operations</i>	128,000	128,000
<i>21-D-511, Savannah River Plutonium Processing Facility, SRS</i>	475,000	475,000
Subtotal, Savannah River plutonium modernization	603,000	603,000
<i>Enterprise Plutonium Support</i>	107,098	107,098
Total, Plutonium Modernization	1,720,517	1,720,517
<i>High Explosives & Energetics</i>	68,785	68,785
Total, Primary Capability Modernization	1,789,302	1,789,302
<i>Secondary Capability Modernization</i>	488,097	488,097
<i>Tritium and Domestic Uranium Enrichment</i>	489,017	489,017
<i>Non-Nuclear Capability Modernization</i>	144,563	144,563
Total, Production modernization	2,910,979	2,910,979
Stockpile research, technology, and engineering		
<i>Assessment science</i>	689,578	769,394
<i>Engineering and integrated assessments</i>	336,766	292,085
<i>Inertial confinement fusion</i>	529,000	580,000
<i>Advanced simulation and computing</i>	747,012	747,012
<i>Weapon technology and manufacturing maturation</i>	292,630	292,630
<i>Academic programs</i>	95,645	101,945
Total, Stockpile research, technology, and engineering	2,690,631	2,783,066
Infrastructure and operations		
Operating		
<i>Operations of facilities</i>	1,014,000	1,014,000
<i>Safety and Environmental Operations</i>	165,354	165,354
<i>Maintenance and Repair of Facilities</i>	670,000	1,020,000
Recapitalization		
<i>Infrastructure and Safety</i>	508,664	508,664
<i>Capabilities Based Investments</i>	143,066	143,066
<i>Planning for Programmatic Construction (Pre-CD-1)</i>	0	0
Subtotal, Recapitalization	651,730	651,730
Total, Operating	2,501,084	2,851,084
Construction		
Programmatic		
<i>22-D-513 Power Sources Capability, SNL</i>	13,827	13,827
<i>21-D-510, HE Synthesis, Formulation, and Production Facility, PX</i>	44,500	36,200
<i>18-D-690, Lithium Processing Facility, Y-12</i>	167,902	167,902
<i>18-D-650, Tritium Finishing Facility, SRS</i>	27,000	27,000
<i>18-D-620, Erasmale Computing Facility Modernization Project, LLNL</i>	0	0
<i>17-D-640, U1a Complex Enhancements Project, NNSS</i>	135,000	135,000
<i>15-D-302, TA-55 Reinvestment Project—Phase 3, LANL</i>	27,000	27,000
<i>15-D-301, HE Science & Engineering Facility, PX</i>	0	0
<i>07-D-220-04, Transuranic Liquid Waste Facility, LANL</i>	0	0
<i>06-D-141, Uranium Processing Facility, Y-12</i>	524,000	600,000
<i>04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL</i>	138,123	138,123
Total, Programmatic	1,077,352	1,145,052
Mission enabling		
<i>22-D-514 Digital Infrastructure Capability Expansion</i>	8,000	8,000
Total, Mission enabling	8,000	8,000
Total, Construction	1,085,352	1,153,052
Total, Infrastructure and operations	3,586,436	4,004,136
Secure transportation asset		
<i>Operations and equipment</i>	213,704	213,704
<i>Program direction</i>	117,060	117,060
Total, Secure transportation asset	330,764	330,764
Defense nuclear security		
<i>Operations and maintenance</i>	824,623	811,521
<i>Security improvements program</i>	0	0
Construction:		
<i>17-D-710, West end protected area reduction project, Y-12</i>	23,000	23,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Conference Authorized
Subtotal, construction	23,000	23,000
Total, Defense nuclear security	847,623	834,521
Information technology and cybersecurity	406,530	406,530
Legacy contractor pensions	78,656	78,656
Total, Weapons Activities	15,484,295	15,981,328
Adjustments		
Use of prior year balances	0	0
Total, Adjustments	0	0
Total, Weapons Activities	15,484,295	15,981,328
 Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	100,660	100,660
Nuclear material removal	42,100	42,100
Material disposition	200,186	200,186
Laboratory and partnership support	0	0
Total, Material management & minimization	342,946	342,946
Global material security		
International nuclear security	79,939	79,939
Domestic radiological security	158,002	158,002
International radiological security	85,000	85,000
Nuclear smuggling detection and deterrence	175,000	185,000
Total, Global material security	497,941	507,941
Nonproliferation and arms control	184,795	184,795
National Technical Nuclear Forensics R&D	45,000	45,000
Defense nuclear nonproliferation R&D		
Proliferation detection	269,407	269,407
Nonproliferation stewardship program	87,329	100,329
Nuclear detonation detection	271,000	271,000
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	627,736	640,736
Nonproliferation construction		
U. S. Construction:		
18-D-150 Surplus Plutonium Disposition Project	156,000	156,000
99-D-143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	0	0
Total, U. S. Construction:	156,000	156,000
Total, Nonproliferation construction	156,000	156,000
Total, Defense Nuclear Nonproliferation Programs	1,854,418	1,877,418
Legacy contractor pensions	38,800	38,800
Nuclear counterterrorism and incident response program		
Emergency Operations	14,597	14,597
Counterterrorism and Counterproliferation	356,185	356,185
Total, Nuclear counterterrorism and incident response program	370,782	370,782
Subtotal, Defense Nuclear Nonproliferation	2,264,000	2,287,000
Adjustments		
Use of prior year balances	0	0
Use of prior year MOX funding	-330,000	-330,000
Total, Adjustments	-330,000	-330,000
Total, Defense Nuclear Nonproliferation	1,934,000	1,957,000
 Naval Reactors		
Naval reactors development	640,684	640,684
Columbia-Class reactor systems development	55,000	55,000
SSG Prototype refueling	126,000	126,000
Naval reactors operations and infrastructure	594,017	594,017
Program direction	55,579	55,579
Construction:		
22-D-532 Security Upgrades KL	5,100	5,100
22-D-531 KL Chemistry & Radiological Health Building	41,620	41,620
21-D-530 KL Steam and Condensate Upgrades	0	0

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Conference Authorized
14-D-901, Spent Fuel Handling Recapitalization Project, NRF	348,705	348,705
Total, Construction	395,425	395,425
Use of Prior Year unobligated balances	-6,000	-6,000
Total, Naval Reactors	1,860,705	1,860,705
TOTAL, National Nuclear Security Administration	19,743,000	20,263,033
Defense Environmental Cleanup		
Closure sites administration	3,987	3,987
Richland:		
River corridor and other cleanup operations	196,000	211,000
Central plateau remediation	689,776	689,776
Richland community and regulatory support	5,121	5,121
18-D-404 Modification of Waste Encapsulation and Storage Facility	8,000	8,000
22-D-401 L-888, 400 Area Fire Station	15,200	15,200
22-D-402 L-897, 200 Area Water Treatment Facility	12,800	12,800
Total, Richland	926,897	941,897
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	817,642	837,642
Construction:		
18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW	586,000	586,000
01-D-16 D, High-level waste facility	60,000	60,000
01-D-16 E, Pretreatment Facility	20,000	20,000
Total, Construction	666,000	666,000
ORP Low-level waste offsite disposal	7,000	7,000
Total, Office of River Protection	1,540,642	1,560,642
Idaho National Laboratory:		
Idaho cleanup and waste disposition	358,925	358,925
Idaho community and regulatory support	2,658	2,658
Construction:		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	3,000	3,000
22-D-404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	5,000	5,000
Total, Construction	8,000	8,000
Total, Idaho National Laboratory	369,583	369,583
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,806	1,806
LNL Excess facilities D&D	35,000	35,000
Separations Processing Research Unit	15,000	15,000
Nevada Test Site	60,737	60,737
Sandia National Laboratory	4,576	4,576
Los Alamos National Laboratory	275,119	275,119
Los Alamos Excess facilities D&D	58,381	58,381
Total, NNSA sites and Nevada off-sites	450,619	450,619
Oak Ridge Reservation:		
OR Nuclear facility D&D	274,923	287,316
U233 Disposition Program	55,000	55,000
OR cleanup and waste disposition	73,725	73,725
Construction:		
17-D-401 On-site waste disposal facility	12,500	12,500
14-D-403 Outfall 200 Mercury Treatment Facility	0	0
Subtotal, Construction:	12,500	12,500
OR community & regulatory support	5,096	5,096
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	424,244	436,637
Savannah River Site:		
Savannah River risk management operations	452,724	454,090
SR legacy pensions	130,882	130,882
SR community and regulatory support	5,805	11,805
Construction:		
20-D-402 Advanced Manufacturing Collaborative Facility (AMC)	0	0
20-D-401 Saltstone Disposal Unit #10, 11, 12	19,500	19,500
19-D-701 SR Security systems replacement	5,000	5,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	Conference Authorized
18-D-402 Saltstone disposal unit #8/9	68,000	68,000
17-D-402 Saltstone Disposal Unit #7	0	0
05-D-405 Salt waste processing facility, SRS	0	0
8-D-402 Emergency Operations Center Replacement, SR	8,999	8,999
Radioactive liquid tank waste stabilization	890,865	890,865
Total, Savannah River Site	1,581,775	1,589,141
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	350,424	350,424
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	55,000	55,000
15-D-412 Exhaust shaft, WIPP	25,000	25,000
21-D-401 Hoisting Capability Project	0	0
Total, Construction	80,000	80,000
Total, Waste Isolation Pilot Plant	430,424	430,424
Program direction—Defense Environmental Cleanup	293,106	293,106
Program support—Defense Environmental Cleanup	62,979	62,979
Safeguards and Security—Defense Environmental Cleanup	316,744	316,744
Technology development and deployment	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund	415,670	0
Use of prior year balances	0	0
Subtotal, Defense environmental cleanup	6,841,670	6,480,759
TOTAL, Defense Environmental Cleanup	6,841,670	6,480,759
Defense Uranium Enrichment D&D	0	0
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	130,809	130,809
Program direction	75,511	75,511
Total, Environment, health, safety and security	206,320	206,320
Independent enterprise assessments		
Enterprise assessments	27,335	27,335
Program direction—Office of Enterprise Assessments	56,049	56,049
Total, Office of Enterprise Assessments	83,384	83,384
Specialized security activities	283,500	283,500
Office of Legacy Management		
Legacy management activities—defense	408,797	158,797
Program direction	19,933	19,933
Total, Office of Legacy Management	428,730	178,730
Defense related administrative support	163,710	163,710
Office of hearings and appeals	4,356	4,356
Subtotal, Other defense activities	1,170,000	920,000
Use of prior year balances	0	0
Total, Other Defense Activities	1,170,000	920,000

1 **DIVISION E—DEPARTMENT OF**
2 **STATE AUTHORIZATION ACT**
3 **OF 2021**

Sec. 5001. Short title.

Sec. 5002. Definitions.

1 **SEC. 5001. SHORT TITLE.**

2 *This division may be cited as the “Department of*
3 *State Authorization Act of 2021”.*

4 **SEC. 5002. DEFINITIONS.**

5 *In this division:*

6 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
7 *TEES.—The term “appropriate congressional commit-*
8 *tees” means the Committee on Foreign Relations of*
9 *the Senate and the Committee on Foreign Affairs of*
10 *the House of Representatives.*

11 (2) *DEPARTMENT.—If not otherwise specified,*
12 *the term “Department” means the Department of*
13 *State.*

14 (3) *SECRETARY.—If not otherwise specified, the*
15 *term “Secretary” means the Secretary of State.*

16 **TITLE LI—ORGANIZATION AND**
17 **OPERATIONS OF THE DE-**
18 **PARTMENT OF STATE**

Sec. 5101. Sense of Congress on importance of Department of State’s work.

Sec. 5102. Assistant Secretary for International Narcotics and Law Enforcement Affairs.

Sec. 5103. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.

Sec. 5104. Office of International Disability Rights.

Sec. 5105. Special appointment authority.

Sec. 5106. Repeal of authority for Special Representative and Policy Coordinator for Burma.

Sec. 5107. Anti-piracy information sharing.

Sec. 5108. Importance of foreign affairs training to national security.

Sec. 5109. Classification and assignment of Foreign Service officers.

Sec. 5110. Reporting on implementation of GAO recommendations.

Sec. 5111. Extension of period for reimbursement of fishermen for costs incurred from the illegal seizure and detention of U.S.-flag fishing vessels by foreign governments.

Sec. 5112. Art in embassies.

Sec. 5113. International fairs and expositions.

Sec. 5114. Amendment or repeal of reporting requirements.

1 **SEC. 5101. SENSE OF CONGRESS ON IMPORTANCE OF DE-**
2 **PARTMENT OF STATE'S WORK.**

3 *It is the sense of Congress that—*

4 *(1) United States global engagement is key to a*
5 *stable and prosperous world;*

6 *(2) United States leadership is indispensable in*
7 *light of the many complex and interconnected threats*
8 *facing the United States and the world;*

9 *(3) diplomacy and development are critical tools*
10 *of national power, and full deployment of these tools*
11 *is vital to United States national security;*

12 *(4) challenges such as the global refugee and mi-*
13 *gration crises, terrorism, historic famine and food in-*
14 *security, and fragile or repressive societies cannot be*
15 *addressed without sustained and robust United States*
16 *diplomatic and development leadership;*

17 *(5) the United States Government must use all*
18 *of the instruments of national security and foreign*
19 *policy at its disposal to protect United States citi-*
20 *zens, promote United States interests and values, and*
21 *support global stability and prosperity;*

22 *(6) United States security and prosperity depend*
23 *on having partners and allies that share our interests*
24 *and values, and these partnerships are nurtured and*

1 *our shared interests and values are promoted through*
2 *United States diplomatic engagement, security co-*
3 *operation, economic statecraft, and assistance that*
4 *helps further economic development, good governance,*
5 *including the rule of law and democratic institutions,*
6 *and the development of shared responses to natural*
7 *and humanitarian disasters;*

8 *(7) as the United States Government agencies*
9 *primarily charged with conducting diplomacy and*
10 *development, the Department and the United States*
11 *Agency for International Development (USAID) re-*
12 *quire sustained and robust funding to carry out this*
13 *important work, which is essential to our ability to*
14 *project United States leadership and values and to*
15 *advance United States interests around the world;*

16 *(8) the work of the Department and USAID*
17 *makes the United States and the world safer and*
18 *more prosperous by alleviating global poverty and*
19 *hunger, fighting HIV/AIDS and other infectious dis-*
20 *eases, strengthening alliances, expanding educational*
21 *opportunities for women and girls, promoting good*
22 *governance and democracy, supporting anti-corrup-*
23 *tion efforts, driving economic development and trade,*
24 *preventing armed conflicts and humanitarian crises,*
25 *and creating American jobs and export opportunities;*

1 (9) *the Department and USAID are vital na-*
2 *tional security agencies, whose work is critical to the*
3 *projection of United States power and leadership*
4 *worldwide, and without which Americans would be*
5 *less safe, United States economic power would be di-*
6 *minished, and global stability and prosperity would*
7 *suffer;*

8 (10) *investing in diplomacy and development be-*
9 *fore conflicts break out saves American lives while*
10 *also being cost-effective; and*

11 (11) *the contributions of personnel working at*
12 *the Department and USAID are extraordinarily val-*
13 *uable and allow the United States to maintain its*
14 *leadership around the world.*

15 **SEC. 5102. ASSISTANT SECRETARY FOR INTERNATIONAL**
16 **NARCOTICS AND LAW ENFORCEMENT AF-**
17 **FAIRS.**

18 (a) *IN GENERAL.*—*Section 1(c) of the State Depart-*
19 *ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(c))*
20 *is amended—*

21 (1) *by redesignating paragraphs (3) and (4) as*
22 *paragraphs (4) and (5), respectively; and*

23 (2) *by inserting after paragraph (2) the fol-*
24 *lowing new paragraph:*

1 “(3) ASSISTANT SECRETARY FOR INTERNATIONAL
2 NARCOTICS AND LAW ENFORCEMENT AFFAIRS.—

3 “(A) IN GENERAL.—There is authorized to
4 be in the Department of State an Assistant Sec-
5 retary for International Narcotics and Law En-
6 forcement Affairs, who shall be responsible to the
7 Secretary of State for all matters, programs, and
8 related activities pertaining to international
9 narcotics, anti-crime, and law enforcement af-
10 fairs in the conduct of foreign policy by the De-
11 partment, including, as appropriate, leading the
12 coordination of programs carried out by United
13 States Government agencies abroad, and such
14 other related duties as the Secretary may from
15 time to time designate.

16 “(B) AREAS OF RESPONSIBILITY.—The As-
17 sistant Secretary for International Narcotics and
18 Law Enforcement Affairs shall maintain contin-
19 uous observation and coordination of all matters
20 pertaining to international narcotics, anti-crime,
21 and law enforcement affairs in the conduct of
22 foreign policy, including programs carried out
23 by other United States Government agencies
24 when such programs pertain to the following
25 matters:

1 “(i) *Combating international narcotics*
2 *production and trafficking.*

3 “(ii) *Strengthening foreign justice sys-*
4 *tems, including judicial and prosecutorial*
5 *capacity, appeals systems, law enforcement*
6 *agencies, prison systems, and the sharing of*
7 *recovered assets.*

8 “(iii) *Training and equipping foreign*
9 *police, border control, other government offi-*
10 *cial, and other civilian law enforcement*
11 *authorities for anti-crime purposes, includ-*
12 *ing ensuring that no foreign security unit*
13 *or member of such unit shall receive such*
14 *assistance from the United States Govern-*
15 *ment absent appropriate vetting.*

16 “(iv) *Ensuring the inclusion of human*
17 *rights and women’s participation issues in*
18 *law enforcement programs, in consultation*
19 *with the Assistant Secretary for Democracy,*
20 *Human Rights, and Labor, and other senior*
21 *officials in regional and thematic bureaus*
22 *and offices.*

23 “(v) *Combating, in conjunction with*
24 *other relevant bureaus of the Department of*
25 *State and other United States Government*

1 *agencies, all forms of transnational orga-*
2 *nized crime, including human trafficking,*
3 *illicit trafficking in arms, wildlife, and cul-*
4 *tural property, migrant smuggling, corrup-*
5 *tion, money laundering, the illicit smug-*
6 *gling of bulk cash, the licit use of financial*
7 *systems for malign purposes, and other new*
8 *and emerging forms of crime.*

9 *“(vi) Identifying and responding to*
10 *global corruption, including strengthening*
11 *the capacity of foreign government institu-*
12 *tions responsible for addressing financial*
13 *crimes and engaging with multilateral or-*
14 *ganizations responsible for monitoring and*
15 *supporting foreign governments’ anti-cor-*
16 *ruption efforts.*

17 *“(C) ADDITIONAL DUTIES.—In addition to*
18 *the responsibilities specified in subparagraph*
19 *(B), the Assistant Secretary for International*
20 *Narcotics and Law Enforcement Affairs shall*
21 *also—*

22 *“(i) carry out timely and substantive*
23 *consultation with chiefs of mission and, as*
24 *appropriate, the heads of other United*
25 *States Government agencies to ensure effec-*

1 *tive coordination of all international nar-*
2 *cotics and law enforcement programs car-*
3 *ried out overseas by the Department and*
4 *such other agencies;*

5 “(ii) *coordinate with the Office of Na-*
6 *tional Drug Control Policy to ensure lessons*
7 *learned from other United States Govern-*
8 *ment agencies are available to the Bureau*
9 *of International Narcotics and Law En-*
10 *forcement Affairs of the Department;*

11 “(iii) *develop standard requirements*
12 *for monitoring and evaluation of Bureau*
13 *programs, including metrics for success that*
14 *do not rely solely on the amounts of illegal*
15 *drugs that are produced or seized;*

16 “(iv) *in coordination with the Sec-*
17 *retary of State, annually certify in writing*
18 *to the Committee on Foreign Relations of*
19 *the Senate that United States and the Com-*
20 *mittee on Foreign Affairs of the House of*
21 *Representatives enforcement personnel post-*
22 *ed abroad whose activities are funded to*
23 *any extent by the Bureau of International*
24 *Narcotics and Law Enforcement Affairs are*

1 *complying with section 207 of the Foreign*
2 *Service Act of 1980 (22 U.S.C. 3927); and*
3 *“(v) carry out such other relevant du-*
4 *ties as the Secretary may assign.*

5 *“(D) RULE OF CONSTRUCTION.—Nothing in*
6 *this paragraph may be construed to limit or im-*
7 *pair the authority or responsibility of any other*
8 *Federal agency with respect to law enforcement,*
9 *domestic security operations, or intelligence ac-*
10 *tivities as defined in Executive Order 12333.”.*

11 *(b) MODIFICATION OF ANNUAL INTERNATIONAL NAR-*
12 *COTICS CONTROL STRATEGY REPORT.—Subsection (a) of*
13 *section 489 of the Foreign Assistance Act of 1961 (22 U.S.C.*
14 *2291h) is amended by inserting after paragraph (9) the fol-*
15 *lowing new paragraph:*

16 *“(10) A separate section that contains an identi-*
17 *fication of all United States Government-supported*
18 *units funded by the Bureau of International Narcotics*
19 *and Law Enforcement Affairs and any Bureau-fund-*
20 *ed operations by such units in which United States*
21 *law enforcement personnel have been physically*
22 *present.”.*

1 **SEC. 5103. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**
2 **POPULATION, REFUGEES, AND MIGRATION.**

3 *Section 1 of the State Department Basic Authorities*
4 *Act of 1956 (22 U.S.C. 2651a) is amended—*

5 *(1) by redesignating subsection (g) as subsection*
6 *(j); and*

7 *(2) by inserting after subsection (f) the following*
8 *new subsections:*

9 *“(g) BUREAU OF CONSULAR AFFAIRS.—There is in the*
10 *Department of State the Bureau of Consular Affairs, which*
11 *shall be headed by the Assistant Secretary of State for Con-*
12 *sular Affairs.*

13 *“(h) BUREAU OF POPULATION, REFUGEES, AND MI-*
14 *GRATION.—There is in the Department of State the Bureau*
15 *of Population, Refugees, and Migration, which shall be*
16 *headed by the Assistant Secretary of State for Population,*
17 *Refugees, and Migration.”.*

18 **SEC. 5104. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

19 *(a) ESTABLISHMENT.—There should be established in*
20 *the Department of State an Office of International Dis-*
21 *ability Rights (referred to in this section as the “Office”).*

22 *(b) DUTIES.—The Office should—*

23 *(1) seek to ensure that all United States foreign*
24 *operations are accessible to, and inclusive of, persons*
25 *with disabilities;*

1 (2) *promote the human rights and full participa-*
2 *tion in international development activities of all per-*
3 *sons with disabilities;*

4 (3) *promote disability inclusive practices and the*
5 *training of Department of State staff on soliciting*
6 *quality programs that are fully inclusive of people*
7 *with disabilities;*

8 (4) *represent the United States in diplomatic*
9 *and multilateral fora on matters relevant to the rights*
10 *of persons with disabilities, and work to raise the pro-*
11 *file of disability across a broader range of organiza-*
12 *tions contributing to international development ef-*
13 *forts;*

14 (5) *conduct regular consultation with civil soci-*
15 *ety organizations working to advance international*
16 *disability rights and empower persons with disabil-*
17 *ities internationally;*

18 (6) *consult with other relevant offices at the De-*
19 *partment that are responsible for drafting annual re-*
20 *ports documenting progress on human rights, includ-*
21 *ing, wherever applicable, references to instances of*
22 *discrimination, prejudice, or abuses of persons with*
23 *disabilities;*

24 (7) *advise the Bureau of Human Resources or its*
25 *equivalent within the Department regarding the hir-*

1 *ing and recruitment and overseas practices of civil*
2 *service employees and Foreign Service officers with*
3 *disabilities and their family members with chronic*
4 *medical conditions or disabilities; and*

5 *(8) carry out such other relevant duties as the*
6 *Secretary of State may assign.*

7 *(c) SUPERVISION.—The Office may be headed by—*

8 *(1) a senior advisor to the appropriate Assistant*
9 *Secretary of State; or*

10 *(2) an officer exercising significant authority*
11 *who reports to the President or Secretary of State,*
12 *appointed by and with the advice and consent of the*
13 *Senate.*

14 *(d) CONSULTATION.—The Secretary of State should di-*
15 *rect Ambassadors at Large, Representatives, Special En-*
16 *voys, and coordinators working on human rights to consult*
17 *with the Office to promote the human rights and full par-*
18 *ticipation in international development activities of all per-*
19 *sons with disabilities.*

20 **SEC. 5105. SPECIAL APPOINTMENT AUTHORITY.**

21 *Section 1 of the State Department Basic Authorities*
22 *Act of 1956 (22 U.S.C. 2651a), as amended by section 6103*
23 *of this Act, is further amended by inserting after subsection*
24 *(h) the following new subsection:*

25 *“(i) SPECIAL APPOINTMENTS.—*

1 “(1) *POSITIONS EXERCISING SIGNIFICANT AU-*
2 *THORITY.—The President may, by and with the ad-*
3 *vice and consent of the Senate, appoint an individual*
4 *as a Special Envoy, Special Representative, Special*
5 *Coordinator, Special Negotiator, Envoy, Representa-*
6 *tive, Coordinator, Special Advisor, or other position*
7 *performing a similar function, regardless of title, at*
8 *the Department of State exercising significant author-*
9 *ity pursuant to the laws of the United States. Except*
10 *as provided in paragraph (3) or in clause 3, section*
11 *2, article II of the Constitution (relating to recess ap-*
12 *pointments), an individual may not be designated as*
13 *a Special Envoy, Special Representative, Special Co-*
14 *ordinator, Special Negotiator, Envoy, Representative,*
15 *Coordinator, Special Advisor, or other position per-*
16 *forming a similar function, regardless of title, at the*
17 *Department exercising significant authority pursuant*
18 *to the laws of the United States without the advice*
19 *and consent of the Senate.*

20 “(2) *POSITIONS NOT EXERCISING SIGNIFICANT*
21 *AUTHORITY.—The President or Secretary of State*
22 *may appoint any Special Envoy, Special Representa-*
23 *tive, Special Coordinator, Special Negotiator, Special*
24 *Envoy, Representative, Coordinator, Special Advisor,*
25 *or other position performing a similar function, re-*

1 *regardless of title, at the Department of State not exer-*
2 *cising significant authority pursuant to the laws of*
3 *the United States without the advice and consent of*
4 *the Senate, if the President or Secretary, not later*
5 *than 15 days before the appointment of a person to*
6 *such a position, submits to the appropriate congres-*
7 *sional committees a notification that includes the fol-*
8 *lowing:*

9 *“(A) A certification that the position does*
10 *not require the exercise of significant authority*
11 *pursuant to the laws of the United States.*

12 *“(B) A description of the duties and pur-*
13 *pose of the position.*

14 *“(C) The rationale for giving the specific*
15 *title and function to the position.*

16 *“(3) LIMITED EXCEPTION FOR TEMPORARY AP-*
17 *POINTMENTS EXERCISING SIGNIFICANT AUTHORITY.—*
18 *The President may maintain or establish a position*
19 *with the title of Special Envoy, Special Representa-*
20 *tive, Special Coordinator, Special Negotiator, Envoy,*
21 *Representative, Coordinator, Special Advisor, or other*
22 *position performing a similar function, regardless of*
23 *title, at the Department of State exercising significant*
24 *authority pursuant to the laws of the United States*
25 *for not longer than 180 days if the Secretary of State,*

1 *not later than 15 days after the appointment of a*
2 *person to such a position, or 30 days after the date*
3 *of the enactment of this subsection, whichever is ear-*
4 *lier, submits to the Committee on Foreign Relations*
5 *of the Senate and the Committee on Foreign Affairs*
6 *of the House of Representatives a notification that in-*
7 *cludes the following:*

8 *“(A) The necessity for conferring such title*
9 *and function.*

10 *“(B) The dates during which such title and*
11 *function will be held.*

12 *“(C) The justification for not submitting the*
13 *proposed conferral of such title and function to*
14 *the Senate as a nomination for advice and con-*
15 *sent to appointment.*

16 *“(D) All relevant information concerning*
17 *any potential conflict of interest which the pro-*
18 *posed recipient of such title and function may*
19 *have with regard to the appointment.*

20 *“(4) RENEWAL OF TEMPORARY APPOINTMENT.—*
21 *The President may renew for one period not to exceed*
22 *180 days any position maintained or established*
23 *under paragraph (3) if the President, not later than*
24 *15 days before issuing such renewal, submits to the*
25 *Committee on Foreign Relations of the Senate and the*

1 *Committee on Foreign Affairs of the House of Rep-*
2 *resentatives a detailed justification on the necessity of*
3 *such extension, including the dates with respect to*
4 *which such title will continue to be held and the jus-*
5 *tification for not submitting such title to the Senate*
6 *as a nomination for advice and consent.*

7 “(5) *EXEMPTION.*—*Paragraphs (1) through (4)*
8 *shall not apply to a Special Envoy, Special Rep-*
9 *resentative, Special Coordinator, Special Negotiator,*
10 *Envoy, Representative, Coordinator, Special Advisor,*
11 *or other person performing a similar function, re-*
12 *gardless of title, at the Department of State if the po-*
13 *sition is expressly mandated by statute.*

14 “(6) *EFFECTIVE DATE.*—*This subsection shall*
15 *apply to appointments made on or after January 3,*
16 *2023.”.*

17 **SEC. 5106. REPEAL OF AUTHORITY FOR SPECIAL REP-**
18 **RESENTATIVE AND POLICY COORDINATOR**
19 **FOR BURMA.**

20 *Section 7 of the Tom Lantos Block Burmese Jade*
21 *(Junta’s Anti-Democratic Efforts) Act of 2008 (Public Law*
22 *110–286; 50 U.S.C. 1701 note) relating to the establishment*
23 *of a Special Representative and Policy Coordinator for*
24 *Burma) is hereby repealed.*

1 **SEC. 5107. ANTI-PIRACY INFORMATION SHARING.**

2 *The Secretary is authorized to provide for the partici-*
3 *ipation by the United States in the Information Sharing*
4 *Centre located in Singapore, as established by the Regional*
5 *Cooperation Agreement on Combating Piracy and Armed*
6 *Robbery against Ships in Asia (ReCAAP).*

7 **SEC. 5108. IMPORTANCE OF FOREIGN AFFAIRS TRAINING**
8 **TO NATIONAL SECURITY.**

9 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
10 *that—*

11 *(1) the Department is a crucial national security*
12 *agency, whose employees, both Foreign and Civil*
13 *Service, require the best possible training at every*
14 *stage of their careers to prepare them to promote and*
15 *defend United States national interests and the health*
16 *and safety of United States citizens abroad;*

17 *(2) the Department's investment of time and re-*
18 *sources with respect to the training and education of*
19 *its personnel is considerably below the level of other*
20 *Federal departments and agencies in the national se-*
21 *curity field, and falls well below the investments*
22 *many allied and adversarial countries make in the*
23 *development of their diplomats;*

24 *(3) the Department faces increasingly complex*
25 *and rapidly evolving challenges, many of which are*
26 *science and technology-driven, and which demand the*

1 *continual, high-quality training and education of its*
2 *personnel;*

3 *(4) the Department must move beyond reliance*
4 *on “on-the-job training” and other informal*
5 *mentorship practices, which lead to an inequality in*
6 *skillset development and career advancement opportu-*
7 *nities, often particularly for minority personnel, and*
8 *towards a robust professional tradecraft training con-*
9 *tinuum that will provide for greater equality in ca-*
10 *reer advancement and increase minority participa-*
11 *tion in the senior ranks;*

12 *(5) the Department’s Foreign Service Institute*
13 *and other training facilities should seek to substan-*
14 *tially increase their educational and training offer-*
15 *ings to Department personnel, including developing*
16 *new and innovative educational and training courses,*
17 *methods, programs, and opportunities; and*

18 *(6) consistent with existing Department gift ac-*
19 *ceptance authority and other applicable laws, the De-*
20 *partment and Foreign Service Institute may accept*
21 *funds and other resources from foundations, not-for-*
22 *profit corporations, and other appropriate sources to*
23 *help the Department and the Institute enhance the*
24 *quantity and quality of training offerings, especially*

1 *in the introduction of new, innovative, and pilot*
2 *model courses.*

3 (b) *TRAINING FLOAT.*—*Not later than 90 days after*
4 *the date of the enactment of this Act, the Secretary of State*
5 *shall develop and submit to the appropriate congressional*
6 *committees a strategy to establish a “training float” to*
7 *allow for up to 15 percent of the Civil and Foreign Service*
8 *to participate in long-term training at any given time. The*
9 *strategy should identify steps necessary to ensure the imple-*
10 *mentation of the training priorities identified in subsection*
11 *(c), sufficient training capacity and opportunities are*
12 *available to Civil and Foreign Service officers, the equitable*
13 *distribution of long-term training opportunities to Civil*
14 *and Foreign Service officers, and the provision of any addi-*
15 *tional resources or authorities necessary to facilitate such*
16 *a training float, including programs at the George P.*
17 *Schultz National Foreign Affairs Training Center, the For-*
18 *ign Service Institute, the Foreign Affairs Security Train-*
19 *ing Center, and other facilities or programs operated by the*
20 *Department of State. The strategy shall identify which*
21 *types of training would be prioritized, the extent (if any)*
22 *to which such training is already being provided to Civil*
23 *and Foreign Service officers by the Department of State,*
24 *any factors incentivizing or disincentivizing such training,*
25 *and why such training cannot be achieved without Civil*

1 *and Foreign Service officers leaving the workforce. In addi-*
2 *tion to training opportunities provided by the Department,*
3 *the strategy shall consider training that could be provided*
4 *by the other United States Government training institu-*
5 *tions, as well as nongovernmental educational institutions.*
6 *The strategy shall consider approaches to overcome dis-*
7 *incentives to pursuing long-term training.*

8 (c) *PRIORITIZATION.*—*In order to provide the Civil*
9 *and Foreign Service with the level of education and train-*
10 *ing needed to effectively advance United States interests*
11 *across the globe, the Department of State should—*

12 (1) *increase its offerings—*

13 (A) *of virtual instruction to make training*
14 *more accessible to personnel deployed throughout*
15 *the world; or*

16 (B) *at partner organizations to provide use-*
17 *ful outside perspectives to Department personnel;*

18 (2) *offer courses utilizing computer-based or as-*
19 *sisted simulations, allowing civilian officers to lead*
20 *decisionmaking in a crisis environment; and*

21 (3) *consider increasing the duration and expand-*
22 *ing the focus of certain training courses, including—*

23 (A) *the A-100 orientation course for Foreign*
24 *Service officers, and*

1 (B) the chief of mission course to more ac-
2 curately reflect the significant responsibilities ac-
3 companying such role.

4 (d) *OTHER AGENCY RESPONSIBILITIES.*—Other na-
5 tional security agencies should increase the enrollment of
6 their personnel in courses at the Foreign Service Institute
7 and other Department of State training facilities to pro-
8 mote a whole-of-government approach to mitigating na-
9 tional security challenges.

10 **SEC. 5109. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**
11 **SERVICE OFFICERS.**

12 The Foreign Service Act of 1980 is amended—

13 (1) in section 501 (22 U.S.C. 3981), by inserting
14 “*If a position designated under this section is unfilled*
15 *for more than 365 calendar days, such position may*
16 *be filled, as appropriate, on a temporary basis, in ac-*
17 *cordance with section 309.*” after “*Positions des-*
18 *ignated under this section are excepted from the com-*
19 *petitive service.*”; and

20 (2) in paragraph (2) of section 502(a) (22
21 U.S.C. 3982(a)), by inserting “, or domestically, in a
22 position working on issues relating to a particular
23 country or geographic area,” after “geographic area”.

1 **SEC. 5110. REPORTING ON IMPLEMENTATION OF GAO REC-**
2 **COMMENDATIONS.**

3 (a) *INITIAL REPORT.*—Not later than 120 days after
4 the date of the enactment of this Act, the Secretary shall
5 submit to the appropriate congressional committees a report
6 that lists all of the Government Accountability Office’s rec-
7 ommendations relating to the Department that have not
8 been fully implemented.

9 (b) *IMPLEMENTATION REPORT.*—

10 (1) *IN GENERAL.*—Not later than 120 days after
11 the date of the submission of the Comptroller Gen-
12 eral’s report under subsection (b), the Secretary shall
13 submit to the appropriate congressional committees a
14 report that describes the implementation status of
15 each recommendation from the Government Account-
16 ability Office included in the report submitted under
17 subsection (a).

18 (2) *JUSTIFICATION.*—The report under para-
19 graph (1) shall include—

20 (A) a detailed justification for each decision
21 not to fully implement a recommendation or to
22 implement a recommendation in a different
23 manner than specified by the Government Ac-
24 countability Office;

25 (B) a timeline for the full implementation
26 of any recommendation the Secretary has de-

1 *cided to adopt, but has not yet fully imple-*
 2 *mented; and*

3 *(C) an explanation for any discrepancies*
 4 *included in the Comptroller General report sub-*
 5 *mitted under subsection (b).*

6 *(c) FORM.—The information required in each report*
 7 *under this section shall be submitted in unclassified form,*
 8 *to the maximum extent practicable, but may be included*
 9 *in a classified annex to the extent necessary.*

10 **SEC. 5111. EXTENSION OF PERIOD FOR REIMBURSEMENT**
 11 **OF FISHERMEN FOR COSTS INCURRED FROM**
 12 **THE ILLEGAL SEIZURE AND DETENTION OF**
 13 **U.S.-FLAG FISHING VESSELS BY FOREIGN**
 14 **GOVERNMENTS.**

15 *(a) IN GENERAL.—Subsection (e) of section 7 of the*
 16 *Fishermen’s Protective Act of 1967 (22 U.S.C. 1977) is*
 17 *amended to read as follows:*

18 *“(e) AMOUNTS.—Payments may be made under this*
 19 *section only to such extent and in such amounts as are pro-*
 20 *vided in advance in appropriation Acts.”.*

21 *(b) RETROACTIVE APPLICABILITY.—*

22 *(1) EFFECTIVE DATE.—The amendment made by*
 23 *subsection (a) shall take effect on the date of the en-*
 24 *actment of this Act and apply as if the date specified*
 25 *in subsection (e) of section 7 of the Fishermen’s Pro-*

1 *tective Act of 1967, as in effect on the day before the*
2 *date of the enactment of this Act, were the day after*
3 *such date of enactment.*

4 (2) *AGREEMENTS AND PAYMENTS.*—*The Sec-*
5 *retary is authorized to—*

6 (A) *enter into agreements pursuant to sec-*
7 *tion 7 of the Fishermen’s Protective Act of 1967*
8 *for any claims to which such section would oth-*
9 *erwise apply but for the date specified in sub-*
10 *section (e) of such section, as in effect on the day*
11 *before the date of the enactment of this Act; and*

12 (B) *make payments in accordance with*
13 *agreements entered into pursuant to such section*
14 *if any such payments have not been made as a*
15 *result of the expiration of the date specified in*
16 *such section, as in effect on the day before the*
17 *date of the enactment of this Act.*

18 **SEC. 5112. ART IN EMBASSIES.**

19 (a) *IN GENERAL.*—*No funds are authorized to be ap-*
20 *propriated for the purchase of any piece of art for the pur-*
21 *poses of installation or display in any embassy, consulate,*
22 *or other foreign mission of the United States if the purchase*
23 *price of such piece of art is in excess of \$37,500, unless*
24 *such purchase is subject to prior consultation with, and the*

1 *regular notification procedures of, the appropriate congres-*
2 *sional committees.*

3 (b) *REPORT.*—*Not later than 90 days after the date*
4 *of the enactment of this Act, the Secretary shall submit to*
5 *the appropriate congressional committees and the Commit-*
6 *tees on Appropriations of the Senate and the House of Rep-*
7 *resentatives a report on the costs of the Art in Embassies*
8 *Program for each of fiscal years 2016 through 2020.*

9 (c) *SUNSET.*—*This section shall terminate on the date*
10 *that is 2 years after the date of the enactment of this Act.*

11 (d) *DEFINITION.*—*In this section, the term “art” in-*
12 *cludes paintings, sculptures, photographs, industrial design,*
13 *and craft art.*

14 **SEC. 5113. INTERNATIONAL FAIRS AND EXPOSITIONS.**

15 *There is authorized to be appropriated \$20,000,000 for*
16 *the Department of State for United States participation in*
17 *international fairs and expositions abroad, including for*
18 *construction and the operation of United States pavilions*
19 *or other major exhibits.*

20 **SEC. 5114. AMENDMENT OR REPEAL OF REPORTING RE-**
21 **QUIREMENTS.**

22 (a) *BURMA.*—

23 (1) *IN GENERAL.*—*Section 570 of Public Law*
24 *104–208 is amended—*

1 (A) by amending subsection (c) to read as
2 *follows:*

3 “(c) *MULTILATERAL STRATEGY.—The President shall*
4 *develop, in coordination with likeminded countries, a com-*
5 *prehensive, multilateral strategy to—*

6 “(1) *support democratic governance and inclu-*
7 *sive and representative civilian government, includ-*
8 *ing by supporting entities promoting democracy in*
9 *Burma and denying legitimacy and resources to the*
10 *military junta;*

11 “(2) *support organizations that represent the*
12 *democratic aspirations of the people of Burma in the*
13 *struggle against the military junta;*

14 “(3) *impose costs on the military junta;*

15 “(4) *secure the unconditional release of all polit-*
16 *ical prisoners in Burma;*

17 “(5) *promote genuine national reconciliation*
18 *among Burma’s diverse ethnic and religious groups;*

19 “(6) *provide humanitarian assistance to inter-*
20 *nally displaced persons in Burma, particularly in*
21 *areas targeted by the military junta, and in neigh-*
22 *boring countries for refugees from Burma;*

23 “(7) *pursue accountability for atrocities, human*
24 *rights violations, and crimes against humanity com-*
25 *mitted by the military junta or the Tatmadaw; and*

1 “(8) counter corrosive malign influence of the
2 *People’s Republic of China and the Russian Federa-*
3 *tion in Burma.*”; and

4 (B) in subsection (d)—

5 (i) in the matter preceding paragraph
6 (1), by striking “six months” and inserting
7 “year”; and

8 (ii) by striking paragraphs (1) through
9 (3) and inserting the following new para-
10 graphs:

11 “(1) progress towards inclusive, democratic gov-
12 ernance in Burma;

13 “(2) improvements in human rights practices
14 and accountability for atrocities, human rights viola-
15 tions, and crimes against humanity committed by the
16 Tatmadaw, or military junta of Burma;

17 “(3) progress toward broad-based and inclusive
18 economic growth;

19 “(4) progress toward genuine national reconcili-
20 ation;

21 “(5) steps taken to impose costs on the military
22 junta;

23 “(6) progress made in advancing the strategy re-
24 ferred to in subsection (c); and

1 “(7) actions by the People’s Republic of China or
2 the Russian Federation that undermine the sov-
3 ereignty, stability, or unity of Burma.”.

4 (2) *EFFECTIVE DATE.*—The amendments made
5 by paragraph (1) shall take effect on the date of the
6 enactment of this Act and apply with respect to the
7 first report required under subsection (d) of section
8 570 of Public Law 104–208 that is required after the
9 date of the enactment of this Act.

10 (b) *REPEALS.*—The following provisions of law are
11 hereby repealed:

12 (1) Subsection (b) of section 804 of Public Law
13 101–246.

14 (2) Section 6 of Public Law 104–45.

15 (3) Subsection (c) of section 702 of Public Law
16 96–465 (22 U.S.C. 4022).

17 (4) Section 404 of the Arms Control and Disar-
18 mament Act (22 U.S.C. 2593b).

19 (5) Section 5 of Public Law 94–304 (22 U.S.C.
20 3005).

21 (6) Subsection (b) of section 502 of the Inter-
22 national Security and Development Cooperation Act
23 of 1985 (22 U.S.C. 2349aa–7).

24 (c) *REPORT TO CONGRESS.*—Not later than 180 days
25 after the date of the enactment of this Act, the Secretary

1 *of State and the Administrator of the United States Agency*
2 *for International Development shall submit to the appro-*
3 *priate congressional committees a report that includes each*
4 *of the following:*

5 (1) *A list of all reports described in subsection*
6 *(d) required to be submitted by their respective agen-*
7 *cy.*

8 (2) *For each such report, a citation to the provi-*
9 *sion of law under which the report is required to be*
10 *submitted.*

11 (3) *The reporting frequency of each such report.*

12 (4) *The estimated cost of each report, to include*
13 *personnel time costs.*

14 (d) *COVERED REPORTS.*—*A report described in this*
15 *subsection is a recurring report that is required to be sub-*
16 *mitted to Congress by the Department of State or the*
17 *United States Agency for International Development, or by*
18 *any officer, official, component, or element of each entity.*

19 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
20 *FINED.*—*In this section, the term “appropriate congres-*
21 *sional committees” means the Committee on Foreign Rela-*
22 *tions of the Senate and the Committee on Foreign Affairs*
23 *of the House of Representatives and the Committees on Ap-*
24 *propriations of the Senate and the House of Representa-*
25 *tives.*

1 **TITLE LII—EMBASSY**
 2 **CONSTRUCTION**

- Sec. 5201. Embassy security, construction, and maintenance.*
Sec. 5202. Standard design in capital construction.
Sec. 5203. Capital construction transparency.
Sec. 5204. Contractor performance information.
Sec. 5205. Growth projections for new embassies and consulates.
Sec. 5206. Long-range planning process.
Sec. 5207. Value engineering and risk assessment.
Sec. 5208. Business volume.
Sec. 5209. Embassy security requests and deficiencies.
Sec. 5210. Overseas security briefings.
Sec. 5211. Contracting methods in capital construction.
Sec. 5212. Competition in embassy construction.
Sec. 5213. Statement of policy.
Sec. 5214. Definitions.

3 **SEC. 5201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-**
 4 **TENANCE.**

5 *For “Embassy Security, Construction, and Mainte-*
 6 *nance”, there is authorized to be appropriated*
 7 *\$1,983,149,000 for fiscal year 2022.*

8 **SEC. 5202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

9 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 10 *that the Department’s Bureau of Overseas Building Oper-*
 11 *ations (OBO) or successor office should give appropriate*
 12 *consideration to standardization in construction, in which*
 13 *each new United States embassy and consulate starts with*
 14 *a standard design and keeps customization to a minimum.*

15 *(b) CONSULTATION.—The Secretary shall carry out*
 16 *any new United States embassy compound or new consulate*
 17 *compound project that utilizes a non-standard design, in-*
 18 *cluding those projects that are in the design or pre-design*

1 *phase as of the date of the enactment of this Act, only in*
2 *consultation with the appropriate congressional committees*
3 *and the Committees on Appropriations of the Senate and*
4 *the House of Representatives. The Secretary shall provide*
5 *the appropriate congressional committees and the Commit-*
6 *tees on Appropriations of the Senate and the House of Rep-*
7 *resentatives, for each such project, the following documenta-*
8 *tion:*

9 (1) *A comparison of the estimated full lifecycle*
10 *costs of the project to the estimated full lifecycle costs*
11 *of such project if it were to use a standard design.*

12 (2) *A comparison of the estimated completion*
13 *date of such project to the estimated completion date*
14 *of such project if it were to use a standard design.*

15 (3) *A comparison of the security of the completed*
16 *project to the security of such completed project if it*
17 *were to use a standard design.*

18 (4) *A justification for the Secretary's selection of*
19 *a non-standard design over a standard design for*
20 *such project.*

21 (5) *A written explanation if any of the docu-*
22 *mentation necessary to support the comparisons and*
23 *justification, as the case may be, described in para-*
24 *graphs (1) through (4) cannot be provided.*

1 (c) *SUNSET.*—*The consultation requirement under*
 2 *subsection (b) shall expire on the date that is 4 years after*
 3 *the date of the enactment of this Act.*

4 **SEC. 5203. CAPITAL CONSTRUCTION TRANSPARENCY.**

5 (a) *IN GENERAL.*—*Section 118 of the Department of*
 6 *State Authorities Act, Fiscal Year 2017 (22 U.S.C. 304)*
 7 *is amended—*

8 (1) *in the section heading , by striking “AN-*
 9 ***N*** ***U*** ***A*** ***L*** ***R*** ***E*** ***P*** ***O*** ***R*** ***T*** ***O*** ***N*** ***E*** ***M*** ***B*** ***A*** ***S*** ***S*** ***Y*** ***C*** ***O*** ***N*** ***S*** ***T*** ***R*** ***O*** ***N***
 10 ***C*** ***O*** ***S*** ***T*** ***S***” and inserting “***BI*** ***A*** ***N*** ***N*** ***U*** ***A*** ***L*** ***R*** ***E*** ***P*** ***O*** ***R*** ***T*** ***O*** ***N***
 11 ***O*** ***V*** ***E*** ***R*** ***S*** ***E*** ***A*** ***S*** ***C*** ***A*** ***P*** ***I*** ***T*** ***A*** ***L*** ***C*** ***O*** ***N*** ***S*** ***T*** ***R*** ***O*** ***N***
 12 ***P*** ***R*** ***O*** ***J*** ***E*** ***C*** ***T*** ***S***”; and

13 (2) *by striking subsections (a) and (b) and in-*
 14 *serting the following new subsections:*

15 “(a) *IN GENERAL.*—*Not later than 180 days after the*
 16 *date of the enactment of this subsection and every 180 days*
 17 *thereafter until the date that is 4 years after such date of*
 18 *enactment, the Secretary shall submit to the appropriate*
 19 *congressional committees and the Committees on Appro-*
 20 *priations of the Senate and the House of Representatives*
 21 *a comprehensive report regarding all ongoing overseas cap-*
 22 *ital construction projects and major embassy security up-*
 23 *grade projects.*

24 “(b) *CONTENTS.*—*Each report required under sub-*
 25 *section (a) shall include the following with respect to each*

1 *ongoing overseas capital construction project and major em-*
2 *bassy security upgrade project:*

3 “(1) *The initial cost estimate as specified in the*
4 *proposed allocation of capital construction and main-*
5 *tenance funds required by the Committees on Appro-*
6 *priations for Acts making appropriations for the De-*
7 *partment of State, foreign operations, and related*
8 *programs.*

9 “(2) *The current cost estimate.*

10 “(3) *The value of each request for equitable ad-*
11 *justment received by the Department to date.*

12 “(4) *The value of each certified claim received by*
13 *the Department to date.*

14 “(5) *The value of any usage of the project’s con-*
15 *tingency fund to date and the value of the remainder*
16 *of the project’s contingency fund.*

17 “(6) *An enumerated list of each request for ad-*
18 *justment and certified claim that remains out-*
19 *standing or unresolved.*

20 “(7) *An enumerated list of each request for equi-*
21 *table adjustment and certified claim that has been*
22 *fully adjudicated or that the Department has settled,*
23 *and the final dollar amount of each adjudication or*
24 *settlement.*

1 “(8) *The date of estimated completion specified*
2 *in the proposed allocation of capital construction and*
3 *maintenance funds required by the Committees on*
4 *Appropriations not later than 45 days after the date*
5 *of the enactment of an Act making appropriations for*
6 *the Department of State, foreign operations, and re-*
7 *lated programs.*

8 “(9) *The current date of estimated completion.*”.

9 (b) *CLERICAL AMENDMENT.—The table of contents in*
10 *section 1(b) of the Department of State Authorities Act, Fis-*
11 *cal Year 2017 (Public Law 114–323; 130 Stat. 1905) is*
12 *amended by amending the item relating to section 118 to*
13 *read as follows:*

 “*Sec. 118. Biannual report on overseas capital construction projects.*”.

14 **SEC. 5204. CONTRACTOR PERFORMANCE INFORMATION.**

15 (a) *DEADLINE FOR COMPLETION.—The Secretary shall*
16 *complete all contractor performance evaluations out-*
17 *standing as of the date of the enactment of this Act required*
18 *by subpart 42.15 of the Federal Acquisition Regulation for*
19 *those contractors engaged in construction of new embassy*
20 *or new consulate compounds by April 1, 2022.*

21 (b) *PRIORITIZATION SYSTEM.—*

22 (1) *IN GENERAL.—Not later than 90 days after*
23 *the date of the enactment of this Act, the Secretary*
24 *shall develop a prioritization system for clearing the*

1 *current backlog of required evaluations referred to in*
2 *subsection (a).*

3 (2) *ELEMENTS.—The system required under*
4 *paragraph (1) should prioritize the evaluations as fol-*
5 *lows:*

6 (A) *Project completion evaluations should be*
7 *prioritized over annual evaluations.*

8 (B) *Evaluations for relatively large con-*
9 *tracts should have priority.*

10 (C) *Evaluations that would be particularly*
11 *informative for the awarding of government con-*
12 *tracts should have priority.*

13 (c) *BRIEFING.—Not later than 90 days after the date*
14 *of the enactment of this Act, the Secretary of State shall*
15 *brief the appropriate congressional committees on the De-*
16 *partment’s plan for completing all evaluations by April 1,*
17 *2022, in accordance with subsection (a) and the*
18 *prioritization system developed pursuant to subsection (b).*

19 (d) *SENSE OF CONGRESS.—It is the sense of Congress*
20 *that—*

21 (1) *contractors deciding whether to bid on De-*
22 *partment contracts would benefit from greater under-*
23 *standing of the Department as a client; and*

1 (2) *the Department should develop a forum*
2 *where contractors can comment on the Department's*
3 *project management performance.*

4 **SEC. 5205. GROWTH PROJECTIONS FOR NEW EMBASSIES**
5 **AND CONSULATES.**

6 (a) *IN GENERAL.—For each new United States em-*
7 *bassy compound (NEC) and new consulate compound*
8 *project (NCC) in or not yet in the design phase as of the*
9 *date of the enactment of this Act, the Department shall*
10 *project growth over the estimated life of the facility using*
11 *all available and relevant data, including the following:*

12 (1) *Relevant historical trends for Department*
13 *personnel and personnel from other agencies rep-*
14 *resented at the NEC or NCC that is to be constructed.*

15 (2) *An analysis of the tradeoffs between risk and*
16 *the needs of United States Government policy con-*
17 *ducted as part of the most recent Vital Presence Vali-*
18 *dation Process, if applicable.*

19 (3) *Reasonable assumptions about the strategic*
20 *importance of the NEC or NCC, as the case may be,*
21 *over the life of the building at issue.*

22 (4) *Any other data that would be helpful in pro-*
23 *jecting the future growth of NEC or NCC.*

24 (b) *OTHER FEDERAL AGENCIES.—The head of each*
25 *Federal agency represented at a United States embassy or*

1 consulate shall provide to the Secretary, upon request,
2 growth projections for the personnel of each such agency
3 over the estimated life of each embassy or consulate, as the
4 case may be.

5 (c) *BASIS FOR ESTIMATES.*—The Department shall
6 base its growth assumption for all NECs and NCCs on the
7 estimates required under subsections (a) and (b).

8 (d) *CONGRESSIONAL NOTIFICATION.*—Any congres-
9 sional notification of site selection for a NEC or NCC sub-
10 mitted after the date of the enactment of this Act shall in-
11 clude the growth assumption used pursuant to subsection
12 (c).

13 **SEC. 5206. LONG-RANGE PLANNING PROCESS.**

14 (a) *PLANS REQUIRED.*—

15 (1) *IN GENERAL.*—Not later than 180 days after
16 the date of the enactment of this Act, and annually
17 thereafter for the next five years as the Secretary of
18 State considers appropriate, the Secretary shall de-
19 velop—

20 (A) a comprehensive 6-year plan docu-
21 menting the Department's overseas building pro-
22 gram for the replacement of overseas diplomatic
23 posts taking into account security factors under
24 the Secure Embassy Construction and Counter-
25 terrorism Act of 1999 and other relevant statutes

1 *and regulations, as well as occupational safety*
2 *and health factors pursuant to the Occupational*
3 *Safety and Health Act of 1970 and other rel-*
4 *evant statutes and regulations, including envi-*
5 *ronmental factors such as indoor air quality that*
6 *impact employee health and safety; and*

7 *(B) a comprehensive 6-year plan detailing*
8 *the Department's long-term planning for the*
9 *maintenance and sustainment of completed dip-*
10 *lomatic posts, which takes into account security*
11 *factors under the Secure Embassy Construction*
12 *and Counterterrorism Act of 1999 and other rel-*
13 *evant statutes and regulations, as well as occu-*
14 *pational safety and health factors pursuant to*
15 *the Occupational Safety and Health Act of 1970*
16 *and other relevant statutes and regulations, in-*
17 *cluding environmental factors such as indoor air*
18 *quality that impact employee health and safety.*

19 *(2) INITIAL REPORT.—The first plan developed*
20 *pursuant to paragraph (1)(A) shall also include a*
21 *one-time status report on existing small diplomatic*
22 *posts and a strategy for establishing a physical diplo-*
23 *matic presence in countries in which there is no cur-*
24 *rent physical diplomatic presence and with which the*
25 *United States maintains diplomatic relations. Such*

1 *report, which may include a classified annex, shall*
2 *include the following:*

3 *(A) A description of the extent to which*
4 *each small diplomatic post furthers the national*
5 *interest of the United States.*

6 *(B) A description of how each small diplo-*
7 *matic post provides American Citizen Services,*
8 *including data on specific services provided and*
9 *the number of Americans receiving services over*
10 *the previous year.*

11 *(C) A description of whether each small*
12 *diplomatic post meets current security require-*
13 *ments.*

14 *(D) A description of the full financial cost*
15 *of maintaining each small diplomatic post.*

16 *(E) Input from the relevant chiefs of mis-*
17 *sion on any unique operational or policy value*
18 *the small diplomatic post provides.*

19 *(F) A recommendation of whether any small*
20 *diplomatic posts should be closed.*

21 *(3) UPDATED INFORMATION.—The annual up-*
22 *dates of each of the plans developed pursuant to para-*
23 *graph (1) shall highlight any changes from the pre-*
24 *vious year's plan to the ordering of construction and*
25 *maintenance projects.*

1 **(b) REPORTING REQUIREMENTS.—**

2 **(1) SUBMISSION OF PLANS TO CONGRESS.—***Not*
3 *later than 60 days after the completion of each plan*
4 *required under subsection (a), the Secretary shall sub-*
5 *mit the plans to the appropriate congressional com-*
6 *mittees and the Committees on Appropriations of the*
7 *Senate and the House of Representatives.*

8 **(2) REFERENCE IN BUDGET JUSTIFICATION MA-**
9 **TERIALS.—***In the budget justification materials sub-*
10 *mitted to the appropriate congressional committees in*
11 *support of the Department’s budget for any fiscal*
12 *year (as submitted with the budget of the President*
13 *under section 1105(a) of title 31, United States Code),*
14 *the plans required under subsection (a) shall be ref-*
15 *erenced to justify funding requested for building and*
16 *maintenance projects overseas.*

17 **(3) FORM OF REPORT.—***Each report required*
18 *under paragraph (1) shall be submitted in unclassi-*
19 *fied form but may include a classified annex.*

20 **(c) SMALL DIPLOMATIC POST DEFINED.—***In this sec-*
21 *tion, the term “small diplomatic post” means any United*
22 *States embassy or consulate that has employed five or fewer*
23 *United States Government employees or contractors on av-*
24 *erage over the 36 months prior to the date of the enactment*
25 *of this Act.*

1 **SEC. 5207. VALUE ENGINEERING AND RISK ASSESSMENT.**

2 (a) *FINDINGS.*—Congress makes the following findings:

3 (1) *Federal departments and agencies are re-*
4 *quired to use value engineering (VE) as a manage-*
5 *ment tool, where appropriate, to reduce program and*
6 *acquisition costs pursuant to OMB Circular A–131,*
7 *Value Engineering, dated December 31, 2013.*

8 (2) *OBO has a Policy Directive and Standard*
9 *Operation Procedure, dated May 24, 2017, on con-*
10 *ducting risk management studies on all international*
11 *construction projects.*

12 (b) *NOTIFICATION REQUIREMENTS.*—

13 (1) *SUBMISSION TO AUTHORIZING COMMIT-*
14 *TEES.*—Any notification that includes the allocation
15 of capital construction and maintenance funds shall
16 be submitted to the appropriate congressional commit-
17 tees.

18 (2) *REQUIREMENT TO CONFIRM COMPLETION OF*
19 *VALUE ENGINEERING AND RISK ASSESSMENT STUD-*
20 *IES.*—The notifications required under paragraph (1)
21 shall include confirmation that the Department has
22 completed the requisite VE and risk management
23 process described in subsection (a), or applicable suc-
24 cessor process.

1 (c) *REPORTING AND BRIEFING REQUIREMENTS.*—The
2 Secretary shall provide to the appropriate congressional
3 committees upon request—

4 (1) a description of each risk management study
5 referred to in subsection (a)(2) and a table detailing
6 which recommendations related to each such study
7 were accepted and which were rejected; and

8 (2) a report or briefing detailing the rationale
9 for not implementing any such recommendations that
10 may otherwise yield significant cost savings to the
11 Department if implemented.

12 **SEC. 5208. BUSINESS VOLUME.**

13 Section 402(c)(2)(E) of the Omnibus Diplomatic Secu-
14 rity and Antiterrorism Act of 1986 (22 U.S.C.
15 4852(c)(2)(E)) is amended by striking “in 3 years” and
16 inserting “cumulatively over 3 years”.

17 **SEC. 5209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.**

18 The Secretary of State shall provide to the appropriate
19 congressional committees, the Committee on Armed Services
20 of the House of Representatives, and the Committee on
21 Armed Services of the Senate upon request information on
22 physical security deficiencies at United States diplomatic
23 posts, including relating to the following:
24

1 (1) *Requests made over the previous year by*
2 *United States diplomatic posts for security upgrades.*

3 (2) *Significant security deficiencies at United*
4 *States diplomatic posts that are not operating out of*
5 *a new embassy compound or new consulate com-*
6 *pound.*

7 **SEC. 5210. OVERSEAS SECURITY BRIEFINGS.**

8 *Not later than one year after the date of the enactment*
9 *of this Act, the Secretary of State shall revise the Foreign*
10 *Affairs Manual to stipulate that information on the current*
11 *threat environment shall be provided to all United States*
12 *Government employees under chief of mission authority*
13 *traveling to a foreign country on official business. To the*
14 *extent practicable, such material shall be provided to such*
15 *employees prior to their arrival at a United States diplo-*
16 *matic post or as soon as possible thereafter.*

17 **SEC. 5211. CONTRACTING METHODS IN CAPITAL CON-**
18 **STRUCTION.**

19 (a) *DELIVERY.*—*Unless the Secretary of State notifies*
20 *the appropriate congressional committees that the use of the*
21 *design-build project delivery method would not be appro-*
22 *priate, the Secretary shall make use of such method at*
23 *United States diplomatic posts that have not yet received*
24 *design or capital construction contracts as of the date of*
25 *the enactment of this Act.*

1 (b) *NOTIFICATION.*—*Before executing a contract for a*
2 *delivery method other than design-build in accordance with*
3 *subsection (a), the Secretary of State shall notify the appro-*
4 *priate congressional committees in writing of the decision,*
5 *including the reasons therefor. The notification required by*
6 *this subsection may be included in any other report regard-*
7 *ing a new United States diplomatic post that is required*
8 *to be submitted to the appropriate congressional commit-*
9 *tees.*

10 (c) *PERFORMANCE EVALUATION.*—*Not later than 180*
11 *days after the date of the enactment of this Act, the Sec-*
12 *retary of State shall report to the appropriate congressional*
13 *committees regarding performance evaluation measures in*
14 *accordance with GAO’s “Standards for Internal Control in*
15 *the Federal Government” that will be applicable to design*
16 *and construction, lifecycle cost, and building maintenance*
17 *programs of the Bureau of Overseas Building Operations*
18 *of the Department.*

19 **SEC. 5212. COMPETITION IN EMBASSY CONSTRUCTION.**

20 *Not later than 45 days after the date of the enactment*
21 *of this Act, the Secretary of State shall submit to the appro-*
22 *priate congressional committee and the Committees on Ap-*
23 *propriations of the Senate and the House of Representatives*
24 *a report detailing steps the Department of State is taking*

1 *to expand the embassy construction contractor base in order*
2 *to increase competition and maximize value.*

3 **SEC. 5213. STATEMENT OF POLICY.**

4 *It is the policy of the United States that the Bureau*
5 *of Overseas Building Operations of the Department or its*
6 *successor office shall continue to balance functionality and*
7 *security with accessibility, as defined by guidelines estab-*
8 *lished by the United States Access Board in constructing*
9 *embassies and consulates, and shall ensure compliance with*
10 *the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et*
11 *seq.) to the fullest extent possible.*

12 **SEC. 5214. DEFINITIONS.**

13 *In this title:*

14 (1) *DESIGN-BUILD.*—*The term “design-build”*
15 *means a method of project delivery in which one enti-*
16 *ty works under a single contract with the Department*
17 *to provide design and construction services.*

18 (2) *NON-STANDARD DESIGN.*—*The term “non-*
19 *standard design” means a design for a new embassy*
20 *compound project or new consulate compound project*
21 *that does not utilize a standardized design for the*
22 *structural, spatial, or security requirements of such*
23 *embassy compound or consulate compound, as the*
24 *case may be.*

1 **TITLE LIII—PERSONNEL ISSUES**

- Sec. 5301. Defense Base Act insurance waivers.*
Sec. 5302. Study on Foreign Service allowances.
Sec. 5303. Science and technology fellowships.
Sec. 5304. Travel for separated families.
Sec. 5305. Home leave travel for separated families.
Sec. 5306. Sense of Congress regarding certain fellowship programs.
Sec. 5307. Technical correction.
Sec. 5308. Foreign Service awards.
Sec. 5309. Workforce actions.
Sec. 5310. Sense of Congress regarding veterans employment at the Department of State.
Sec. 5311. Employee assignment restrictions and preclusions.
Sec. 5312. Recall and reemployment of career members.
Sec. 5313. Strategic staffing plan for the Department of State.
Sec. 5314. Consulting services.
Sec. 5315. Incentives for critical posts.
Sec. 5316. Extension of authority for certain accountability review boards.
Sec. 5317. Foreign Service suspension without pay.
Sec. 5318. Foreign Affairs Manual and Foreign Affairs Handbook changes.
Sec. 5319. Waiver authority for individual occupational requirements of certain positions.
Sec. 5320. Appointment of employees to the Global Engagement Center.
Sec. 5321. Competitive status for certain employees hired by Inspectors General to support the lead IG mission.
Sec. 5322. Report relating to Foreign Service Officer training and development.
Sec. 5323. Cooperation with Office of the Inspector General.
Sec. 5324. Information on educational opportunities for children with special education needs consistent with the Individuals with Disabilities Education Act.
Sec. 5325. Implementation of gap memorandum in selection board process.

2 **SEC. 5301. DEFENSE BASE ACT INSURANCE WAIVERS.**

3 (a) *APPLICATION FOR WAIVERS.*—Not later than 30
4 days after the date of the enactment of this Act, the Sec-
5 retary shall apply to the Department of Labor for a waiver
6 from insurance requirements under the Defense Base Act
7 (42 U.S.C. 1651 et seq.) for all countries with respect to
8 which the requirement was waived prior to January 2017,
9 and for which there is not currently a waiver.

10 (b) *CERTIFICATION REQUIREMENT.*—Not later than 45
11 days after the date of the enactment of this Act, the Sec-

1 *retary shall certify to the appropriate congressional com-*
2 *mittees that the requirement in subsection (a) has been met.*

3 **SEC. 5302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

4 *(a) REPORT REQUIRED.—*

5 *(1) IN GENERAL.—Not later than one year after*
6 *date of the enactment of this Act, the Secretary shall*
7 *submit to the appropriate congressional committees a*
8 *report detailing an empirical analysis on the effect of*
9 *overseas allowances on the foreign assignment of For-*
10 *oreign Service officers (FSOs), to be conducted by a fed-*
11 *erally-funded research and development center with*
12 *appropriate expertise in labor economics and mili-*
13 *tary compensation.*

14 *(2) CONTENTS.—The analysis required under*
15 *paragraph (1) shall—*

16 *(A) identify all allowances paid to FSOs*
17 *assigned permanently or on temporary duty to*
18 *foreign areas;*

19 *(B) examine the efficiency of the Foreign*
20 *Service bidding system in determining foreign*
21 *assignments;*

22 *(C) examine the factors that incentivize*
23 *FSOs to bid on particular assignments, includ-*
24 *ing danger levels and hardship conditions;*

1 (D) examine the Department's strategy and
2 process for incentivizing FSOs to bid on assign-
3 ments that are historically in lower demand, in-
4 cluding with monetary compensation, and
5 whether monetary compensation is necessary for
6 assignments in higher demand;

7 (E) make any relevant comparisons to mili-
8 tary compensation and allowances, noting which
9 allowances are shared or based on the same regu-
10 lations;

11 (F) recommend options for restructuring al-
12 lowances to improve the efficiency of the assign-
13 ments system and better align FSO incentives
14 with the needs of the Foreign Service, including
15 any cost savings associated with such restruc-
16 turing;

17 (G) recommend any statutory changes nec-
18 essary to implement subparagraph (F), such as
19 consolidating existing legal authorities for the
20 provision of hardship and danger pay; and

21 (H) detail any effects of recommendations
22 made pursuant to subparagraphs (F) and (G) on
23 other United States Government departments
24 and agencies with civilian employees perma-
25 nently assigned or on temporary duty in foreign

1 *areas, following consultation with such depart-*
2 *ments and agencies.*

3 *(b) BRIEFING REQUIREMENT.—Before initiating the*
4 *analysis required under subsection (a)(1), and not later*
5 *than 60 days after the date of the enactment of this Act,*
6 *the Secretary shall provide to the appropriate congressional*
7 *committees a briefing on the implementation of this section*
8 *that includes the following:*

9 *(1) The name of the federally funded research*
10 *and development center that will conduct such anal-*
11 *ysis.*

12 *(2) The scope of such analysis and terms of ref-*
13 *erence for such analysis as specified between the De-*
14 *partment and such federally funded research and de-*
15 *velopment center.*

16 *(c) AVAILABILITY OF INFORMATION.—*

17 *(1) IN GENERAL.—The Secretary shall make*
18 *available to the federally-funded research and develop-*
19 *ment center carrying out the analysis required under*
20 *subsection (a)(1) all necessary and relevant informa-*
21 *tion to allow such center to conduct such analysis in*
22 *a quantitative and analytical manner, including his-*
23 *torical data on the number of bids for each foreign as-*
24 *signment and any survey data collected by the De-*

1 *partment from eligible bidders on their bid decision-*
2 *making.*

3 (2) *COOPERATION.*—*The Secretary shall work*
4 *with the heads of other relevant United States Gov-*
5 *ernment departments and agencies to ensure such de-*
6 *partments and agencies provide all necessary and rel-*
7 *evant information to the federally-funded research*
8 *and development center carrying out the analysis re-*
9 *quired under subsection (a)(1).*

10 (d) *INTERIM REPORT TO CONGRESS.*—*The Secretary*
11 *shall require that the chief executive officer of the federally-*
12 *funded research and development center that carries out the*
13 *analysis required under subsection (a)(1) submit to the*
14 *Committee on Foreign Relations of the Senate and the Com-*
15 *mittee on Foreign Affairs of the House of Representatives*
16 *an interim report on such analysis not later than 180 days*
17 *after the date of the enactment of this Act.*

18 **SEC. 5303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

19 *Section 504 of the Foreign Relations Authorization*
20 *Act, Fiscal Year 1979 (22 U.S.C. 2656d) is amended by*
21 *adding at the end the following new subsection:*

22 “(e) *GRANTS AND COOPERATIVE AGREEMENTS RE-*
23 *LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP PRO-*
24 *GRAMS.*—

1 “(1) *IN GENERAL.*—*The Secretary is authorized*
2 *to make grants or enter into cooperative agreements*
3 *related to Department of State science and technology*
4 *fellowship programs, including for assistance in re-*
5 *cruiting fellows and the payment of stipends, travel,*
6 *and other appropriate expenses to fellows.*

7 “(2) *EXCLUSION FROM CONSIDERATION AS COM-*
8 *PENSATION.*—*Stipends under paragraph (1) shall not*
9 *be considered compensation for purposes of section*
10 *209 of title 18, United States Code.*

11 “(3) *MAXIMUM ANNUAL AMOUNT.*—*The total*
12 *amount of grants made pursuant to this subsection*
13 *may not exceed \$500,000 in any fiscal year.”.*

14 **SEC. 5304. TRAVEL FOR SEPARATED FAMILIES.**

15 *Section 901(15) of the Foreign Service Act of 1980 (22*
16 *U.S.C. 4081(15)) is amended—*

17 (1) *in the matter preceding subparagraph (A),*
18 *by striking “1 round-trip per year for each child*
19 *below age 21 of a member of the Service assigned*
20 *abroad” and inserting “in the case of one or more*
21 *children below age 21 of a member of the Service as-*
22 *signed abroad, 1 round-trip per year”;*

23 (2) *in subparagraph (A)—*

24 (A) *by inserting “for each child” before “to*
25 *visit the member abroad”;* and

1 (B) by striking “; or” and inserting a
2 comma;

3 (3) in subparagraph (B)—

4 (A) by inserting “for each child” before “to
5 visit the other parent”; and

6 (B) by inserting “or” after “resides,”;

7 (4) by inserting after subparagraph (B) the fol-
8 lowing new subparagraph:

9 “(C) for one of the child’s parents to visit
10 the child or children abroad if the child or chil-
11 dren do not regularly reside with that parent
12 and that parent is not receiving an education al-
13 lowance or educational travel allowance for the
14 child or children under section 5924(4) of title 5,
15 United States Code,”; and

16 (5) in the matter following subparagraph (C), as
17 added by paragraph (4) of this section, by striking “a
18 payment” and inserting “the cost of round-trip trav-
19 el”.

20 **SEC. 5305. HOME LEAVE TRAVEL FOR SEPARATED FAMI-**
21 **LIES.**

22 Section 903(b) of the Foreign Service Act of 1980 (22
23 U.S.C. 4083(b)) is amended by adding at the end the fol-
24 lowing new sentence: “In cases in which a member of the
25 Service has official orders to an unaccompanied post and

1 *in which the family members of the member reside apart*
2 *from the member at authorized locations outside the United*
3 *States, the member may take the leave ordered under this*
4 *section where that member’s family members reside, not-*
5 *withstanding section 10305 of title 5, United States Code.”.*

6 **SEC. 5306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**
7 **LOWSHIP PROGRAMS.**

8 *It is the sense of Congress that Department fellowships*
9 *that promote the employment of candidates belonging to*
10 *under-represented groups, including the Charles B. Rangel*
11 *International Affairs Graduate Fellowship Program, the*
12 *Thomas R. Pickering Foreign Affairs Fellowship Program,*
13 *and the Donald M. Payne International Development Fel-*
14 *lowship Program, represent smart investments vital for*
15 *building a strong, capable, and representative national se-*
16 *curity workforce.*

17 **SEC. 5307. TECHNICAL CORRECTION.**

18 *Subparagraph (A) of section 601(c)(6) of the Foreign*
19 *Service Act of 1980 (22 U.S.C. 4001(c)(6)) is amended, in*
20 *the matter preceding clause (i), by—*

21 *(1) striking “promotion” and inserting “pro-*
22 *motion, on or after January 1, 2017,”; and*

23 *(2) striking “individual joining the Service on*
24 *or after January 1, 2017,” and inserting “Foreign*
25 *Service officer, appointed under section 302(a)(1),*

1 *who has general responsibility for carrying out the*
2 *functions of the Service”.*

3 **SEC. 5308. FOREIGN SERVICE AWARDS.**

4 (a) *IN GENERAL.*—Section 614 of the Foreign Service
5 Act of 1980 (22 U.S.C. 4013) is amended—

6 (1) *by amending the section heading to read as*
7 *follows: “DEPARTMENT AWARDS”; and*

8 (2) *in the first sentence, by inserting “or Civil*
9 *Service” after “the Service”.*

10 (b) *CONFORMING AMENDMENT.*—The item relating to
11 section 614 in the table of contents of the Foreign Service
12 Act of 1980 is amended to read as follows:

 “Sec. 614. Department awards.”.

13 **SEC. 5309. WORKFORCE ACTIONS.**

14 (a) *SENSE OF CONGRESS ON WORKFORCE RECRUIT-*
15 *MENT.*—It is the sense of Congress that the Secretary should
16 continue to hold entry-level classes for Foreign Service offi-
17 cers and specialists and continue to recruit civil servants
18 through programs such as the Presidential Management
19 Fellows Program and Pathways Internship Programs in a
20 manner and at a frequency consistent with prior years and
21 consistent with the need to maintain a pool of experienced
22 personnel effectively distributed across skill codes and
23 ranks. It is further the sense of Congress that absent contin-
24 uous recruitment and training of Foreign Service officers

1 *and civil servants, the Department will lack experienced,*
2 *qualified personnel in the short, medium, and long terms.*

3 (b) *LIMITATION.—The Secretary should not implement*
4 *any reduction-in-force action under section 3502 or 3595*
5 *of title 5, United States Code, or for any incentive pay-*
6 *ments for early separation or retirement under any other*
7 *provision of law unless—*

8 (1) *the appropriate congressional committees are*
9 *notified not less than 15 days in advance of such obli-*
10 *gation or expenditure; and*

11 (2) *the Secretary has provided to the appropriate*
12 *congressional committees a detailed report that de-*
13 *scribes the Department’s strategic staffing goals, in-*
14 *cluding—*

15 (A) *a justification that describes how any*
16 *proposed workforce reduction enhances the effec-*
17 *tiveness of the Department;*

18 (B) *a certification that such workforce re-*
19 *duction is in the national interest of the United*
20 *States;*

21 (C) *a comprehensive strategic staffing plan*
22 *for the Department, including 5-year workforce*
23 *forecasting and a description of the anticipated*
24 *impact of any proposed workforce reduction; and*

1 (D) a dataset displaying comprehensive
2 workforce data for all current and planned em-
3 ployees of the Department, disaggregated by—

4 (i) Foreign Service officer and Foreign
5 Service specialist rank;

6 (ii) civil service job skill code, grade
7 level, and bureau of assignment;

8 (iii) contracted employees, including
9 the equivalent job skill code and bureau of
10 assignment; and

11 (iv) employees hired under schedule C
12 of subpart C of part 213 of title 5, Code of
13 Federal Regulations, including their equiva-
14 lent grade and job skill code and bureau of
15 assignment.

16 **SEC. 5310. SENSE OF CONGRESS REGARDING VETERANS**
17 **EMPLOYMENT AT THE DEPARTMENT OF**
18 **STATE.**

19 *It is the sense of Congress that—*

20 (1) the Department should continue to promote
21 the employment of veterans, in accordance with sec-
22 tion 301 of the Foreign Service Act of 1980 (22
23 U.S.C. 3941), as amended by section 10406 of this
24 Act, including those veterans belonging to tradition-
25 ally underrepresented groups at the Department;

1 *retary shall revise, and certify to the appropriate congres-*
2 *sional committees regarding such revision, the Foreign Af-*
3 *fairs Manual guidance regarding denial or revocation of a*
4 *security clearance to expressly state that all review and ap-*
5 *peal rights relating thereto shall also apply to any rec-*
6 *ommendation or decision to impose an assignment restric-*
7 *tion or preclusion to an employee.*

8 *(d) ANNUAL REPORT.—Not later than 90 days after*
9 *the date of the enactment of this Act, and annually there-*
10 *after, the Secretary of State shall submit to the Committee*
11 *on Foreign Affairs and the Committee on Appropriations*
12 *of the House of Representatives and the Committee on For-*
13 *ign Relations and the Committee on Appropriations of the*
14 *Senate a report that contains the following:*

15 *(1) A rationale for the use of assignment restric-*
16 *tions by the Department of State, including specific*
17 *case studies related to cleared United States Foreign*
18 *Service and civil service employees of the Department*
19 *that demonstrate country-specific restrictions serve a*
20 *counterintelligence role beyond that which is already*
21 *covered by the security clearance process.*

22 *(2) The number of such Department employees*
23 *subject to assignment restrictions over the previous*
24 *year, with data disaggregated by—*

1 (A) *identification as a Foreign Service offi-*
2 *cer, civil service employee, eligible family mem-*
3 *ber, or other employment status;*

4 (B) *the ethnicity, national origin, and race*
5 *of the precluded employee;*

6 (C) *gender; and*

7 (D) *the country of restriction.*

8 (3) *A description of the considerations and cri-*
9 *teria used by the Bureau of Diplomatic Security to*
10 *determine whether an assignment restriction is war-*
11 *ranted.*

12 (4) *The number of restrictions that were ap-*
13 *pealed and the success rate of such appeals.*

14 (5) *The impact of assignment restrictions in*
15 *terms of unused language skills as measured by For-*
16 *ign Service Institute language scores of such pre-*
17 *cluded employees.*

18 (6) *Measures taken to ensure the diversity of ad-*
19 *judicators and contracted investigators, with accom-*
20 *panying data on results.*

21 **SEC. 5312. RECALL AND REEMPLOYMENT OF CAREER MEM-**
22 **BERS.**

23 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
24 *that—*

1 *evant agency is accepting applications from individuals*
 2 *within the agency’s workforce under merit promotion proce-*
 3 *dures, on publicly accessible sites, including*
 4 *www.usajobs.gov. If using merit promotion procedures, the*
 5 *notice shall expressly state that former employees eligible*
 6 *for reinstatement may apply.”.*

7 *(c) CLERICAL AMENDMENT.—The table of chapters at*
 8 *the beginning of title 5, United States Code, is amended*
 9 *by inserting after the item relating to chapter 102 the fol-*
 10 *lowing:*

“103. Department of State10301.”.

11 **SEC. 5313. STRATEGIC STAFFING PLAN FOR THE DEPART-**
 12 **MENT OF STATE.**

13 *(a) IN GENERAL.—Not later than 18 months after the*
 14 *date of the enactment of this Act, the Secretary shall submit*
 15 *to the appropriate congressional committees and the Com-*
 16 *mittees on Appropriations of the Senate and the House of*
 17 *Representatives a comprehensive 5-year strategic staffing*
 18 *plan for the Department that is aligned with and furthers*
 19 *the objectives of the National Security Strategy of the*
 20 *United States of America issued in December 2017, or any*
 21 *subsequent strategy issued not later than 18 months after*
 22 *the date of the enactment of this Act, which shall include*
 23 *the following:*

24 *(1) A dataset displaying comprehensive work-*
 25 *force data, including all shortages in bureaus de-*

1 *scribed in GAO report GAO-19-220, for all current*
2 *and planned employees of the Department,*
3 *disaggregated by—*

4 *(A) Foreign Service officer and Foreign*
5 *Service specialist rank;*

6 *(B) civil service job skill code, grade level,*
7 *and bureau of assignment;*

8 *(C) contracted employees, including the*
9 *equivalent job skill code and bureau of assign-*
10 *ment;*

11 *(D) employees hired under schedule C of*
12 *subpart C of part 213 of title 5, Code of Federal*
13 *Regulations, including the equivalent grade and*
14 *job skill code and bureau of assignment of such*
15 *employee; and*

16 *(E) overseas region.*

17 *(2) Recommendations on the number of Foreign*
18 *Service officers disaggregated by service cone that*
19 *should be posted at each United States diplomatic*
20 *post and in the District of Columbia, with a detailed*
21 *basis for such recommendations.*

22 *(3) Recommendations on the number of civil*
23 *service officers that should be employed by the Depart-*
24 *ment, with a detailed basis for such recommendations.*

1 (b) *MAINTENANCE.*—*The dataset required under sub-*
2 *section (a)(1) shall be maintained and updated on a regular*
3 *basis.*

4 (c) *CONSULTATION.*—*The Secretary shall lead the de-*
5 *velopment of the plan required under subsection (a) but*
6 *may consult or partner with private sector entities with ex-*
7 *pertise in labor economics, management, or human re-*
8 *sources, as well as organizations familiar with the demands*
9 *and needs of the Department’s workforce.*

10 (d) *REPORT.*—*Not later than 120 days after the date*
11 *of the enactment of this Act, the Secretary of State shall*
12 *submit to the appropriate congressional committees a report*
13 *regarding root causes of Foreign Service and civil service*
14 *shortages, the effect of such shortages on national security*
15 *objectives, and the Department’s plan to implement rec-*
16 *ommendations described in GAO–19–220.*

17 **SEC. 5314. CONSULTING SERVICES.**

18 (a) *IN GENERAL.*—*Chapter 103 of title 5, United*
19 *States Code, as added by section 10312, is amended by add-*
20 *ing at the end the following:*

21 **“§ 10302. Consulting services for the Department of**
22 **State**

23 *“Any consulting service obtained by the Department*
24 *of State through procurement contract pursuant to section*
25 *3109 of title 5, United States Code, shall be limited to those*

1 *contracts with respect to which expenditures are a matter*
 2 *of public record and available for public inspection, except*
 3 *if otherwise provided under existing law, or under existing*
 4 *Executive order issued pursuant to existing law.”.*

5 (b) *CLERICAL AMENDMENT.*—*The table of sections for*
 6 *chapter 103 of title 5, United States Code, as added by sec-*
 7 *tion 10312(b) of this Act, is amended by adding after the*
 8 *item relating to section 10301 of title 5, United States Code,*
 9 *the following new item:*

“10302. Consulting services for the Department of State.”.

10 **SEC. 5315. INCENTIVES FOR CRITICAL POSTS.**

11 *Section 1115(d) of the Supplemental Appropriations*
 12 *Act, 2009 (Public Law 111–32) is amended by striking the*
 13 *last sentence.*

14 **SEC. 5316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**
 15 **COUNTABILITY REVIEW BOARDS.**

16 *Section 301(a)(3) of the Omnibus Diplomatic Security*
 17 *and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) is*
 18 *amended—*

19 (1) *in the heading, by striking “AFGHANISTAN*
 20 *AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,*
 21 *AND”;* and

22 (2) *in subparagraph (A)—*

23 (A) *in clause (i), by striking “Afghanistan*
 24 *or” and inserting “Afghanistan, Yemen, Syria,*
 25 *or”;* and

1 (B) in clause (ii), by striking “beginning on
2 October 1, 2005, and ending on September 30,
3 2009” and inserting “beginning on October 1,
4 2020, and ending on September 30, 2022”.

5 **SEC. 5317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

6 Subsection (c) of section 610 of the Foreign Service Act
7 of 1980 (22 U.S.C. 4010) is amended—

8 (1) in paragraph (1), in the matter preceding
9 subparagraph (A), by striking “suspend” and insert-
10 ing “indefinitely suspend without duties”;

11 (2) by redesignating paragraph (5) as para-
12 graph (7);

13 (3) by inserting after paragraph (4) the fol-
14 lowing new paragraphs:

15 “(5) For each member of the Service suspended
16 under paragraph (1)(A) whose security clearance re-
17 mains suspended for more than one calendar year,
18 not later than 30 days after the end of such calendar
19 year, the Secretary of State shall report to the Com-
20 mittee on Foreign Affairs of the House of Representa-
21 tives and the Committee on Foreign Relations of the
22 Senate in writing regarding the specific reasons relat-
23 ing to the duration of each such suspension.

24 “(6) Any member of the Service suspended under
25 paragraph (1)(B) may be suspended without pay only

1 after a final written decision is provided to such
2 member pursuant to paragraph (2).”; and

3 (4) in paragraph (7), as so redesignated—

4 (A) by striking “this subsection” and all
5 that follows through “The term” in subpara-
6 graph (A) and inserting “this subsection, the
7 term”;

8 (B) by redesignating clauses (i) and (ii) as
9 subparagraphs (A) and (B), respectively, and
10 moving such subparagraphs 2 ems to the left;
11 and

12 (C) by striking subparagraph (B) (relating
13 to the definition of “suspend” and “suspension”).

14 **SEC. 5318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**
15 **FAIRS HANDBOOK CHANGES.**

16 (a) *APPLICABILITY.*—The Foreign Affairs Manual and
17 the Foreign Affairs Handbook apply with equal force and
18 effect and without exception to all Department of State per-
19 sonnel, including the Secretary of State, Department em-
20 ployees, and political appointees, regardless of an individ-
21 ual’s status as a Foreign Service officer, Civil Service em-
22 ployee, or political appointee hired under any legal author-
23 ity.

24 (b) *CERTIFICATION.*—Not later than 30 days after the
25 date of the enactment of this Act, the Secretary of State

1 *shall submit to the appropriate congressional committees a*
2 *certification in unclassified form that the applicability de-*
3 *scribed in subsection (a) has been communicated to all De-*
4 *partment personnel, including the personnel referred to in*
5 *such subsection.*

6 (c) *REPORT.—*

7 (1) *IN GENERAL.—Not later than 180 days after*
8 *the date of the enactment of this Act, and every 180*
9 *days thereafter for 5 years, the Secretary shall submit*
10 *to the appropriate congressional committees a report*
11 *detailing all significant changes made to the Foreign*
12 *Affairs Manual or the Foreign Affairs Handbook.*

13 (2) *COVERED PERIODS.—The first report re-*
14 *quired under paragraph (1) shall cover the 5-year pe-*
15 *riod preceding the submission of such report. Each*
16 *subsequent report shall cover the 180-day period pre-*
17 *ceding submission.*

18 (3) *CONTENTS.—Each report required under*
19 *paragraph (1) shall contain the following:*

20 (A) *The location within the Foreign Affairs*
21 *Manual or the Foreign Affairs Handbook where*
22 *a change has been made.*

23 (B) *The statutory basis for each such*
24 *change, as applicable.*

1 (C) *A side-by-side comparison of the For-*
2 *ign Affairs Manual or Foreign Affairs Hand-*
3 *book before and after such change.*

4 (D) *A summary of such changes displayed*
5 *in spreadsheet form.*

6 **SEC. 5319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**
7 **TIONAL REQUIREMENTS OF CERTAIN POSI-**
8 **TIONS.**

9 *The Secretary of State may waive any or all of the*
10 *individual occupational requirements with respect to an*
11 *employee or prospective employee of the Department of*
12 *State for a civilian position categorized under the GS-0130*
13 *occupational series if the Secretary determines that the in-*
14 *dividual possesses significant scientific, technological, engi-*
15 *neering, or mathematical expertise that is integral to per-*
16 *forming the duties of the applicable position, based on dem-*
17 *onstrated job performance and qualifying experience. With*
18 *respect to each waiver granted under this subsection, the*
19 *Secretary shall set forth in a written document that is*
20 *transmitted to the Director of the Office of Personnel Man-*
21 *agement the rationale for the decision of the Secretary to*
22 *wave such requirements.*

1 **SEC. 5320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**
 2 **ENGAGEMENT CENTER.**

3 *The Secretary may appoint, for a 3-year period that*
 4 *may be extended for up to an additional 2 years, solely*
 5 *to carry out the functions of the Global Engagement Center,*
 6 *employees of the Department without regard to the provi-*
 7 *sions of title 5, United States Code, governing appointment*
 8 *in the competitive service, and may fix the basic compensa-*
 9 *tion of such employees without regard to chapter 51 and*
 10 *subchapter III of chapter 53 of such title.*

11 **SEC. 5321. COMPETITIVE STATUS FOR CERTAIN EMPLOYEES**
 12 **HIRED BY INSPECTORS GENERAL TO SUP-**
 13 **PORT THE LEAD IG MISSION.**

14 *Subparagraph (A) of section 8L(d)(5)(A) of the Inspec-*
 15 *tor General Act of 1978 (5 U.S.C. App.) is amended by*
 16 *striking “a lead Inspector General for” and inserting “any*
 17 *of the Inspectors General specified in subsection (c) for over-*
 18 *sight of”.*

19 **SEC. 5322. REPORT RELATING TO FOREIGN SERVICE OFFI-**
 20 **CER TRAINING AND DEVELOPMENT.**

21 *(a) IN GENERAL.—Not later than 270 days after the*
 22 *date of the enactment of this Act, the Secretary of State*
 23 *shall submit to the appropriate committees of Congress a*
 24 *report on fellowships or details for Department of State*
 25 *Foreign Service generalists at—*

26 *(1) the Department of Defense;*

1 (2) *United States intelligence agencies; and*

2 (3) *congressional offices or committees.*

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

5 (1) *The number of Senior Foreign Service Officer*
6 *generalists who, as of the date of the enactment of this*
7 *Act, have done a tour of at least one year in any of*
8 *the agencies or congressional committees described in*
9 *subsection (a).*

10 (2) *The total number of senior Foreign Service*
11 *Officer generalists as of the date of the enactment of*
12 *this Act.*

13 (3) *The average number of Senior Foreign Serv-*
14 *ice Officer generalists inducted annually during the*
15 *10 years preceding the date of the enactment of this*
16 *Act.*

17 (4) *The total number of Department advisors*
18 *stationed in any of the agencies or congressional of-*
19 *fices described in subsection (a), including the agen-*
20 *cies or offices in which such advisors serve.*

21 (5) *The total number of advisors from other*
22 *United States Government agencies stationed in the*
23 *Department of State (excluding defense attaches, sen-*
24 *ior defense officials, and other Department of Defense*
25 *personnel stationed in United States missions*

1 abroad), the home agency of the advisor, and the of-
2 fices in which such advisors serve.

3 (c) *EDUCATIONAL EXCLUSION.*—For the purposes of
4 the report required under subsection (a), educational pro-
5 grams shall not be included.

6 **SEC. 5323. COOPERATION WITH OFFICE OF THE INSPECTOR**

7 **GENERAL.**

8 (a) *ADMINISTRATIVE DISCIPLINE.*—Not later than 30
9 days after the date of the enactment of this Act, the Sec-
10 retary of State shall make explicit in writing to all Depart-
11 ment of State personnel, including the Secretary of State,
12 Department employees, contractors, and political ap-
13 pointees, and shall consider updating the Foreign Affairs
14 Manual and the Foreign Affairs Handbook to explicitly
15 specify, that if any of such personnel does not comply with-
16 in 60 days with a request for an interview or access to docu-
17 ments from the Office of the Inspector General of the De-
18 partment, such personnel may be subject to appropriate ad-
19 ministrative discipline including, when circumstances war-
20 rant, suspension without pay or removal.

21 (b) *REPORT.*—

22 (1) *IN GENERAL.*—Not later than 180 days after
23 the date of the enactment of this Act and on a quar-
24 terly basis thereafter, the Office of the Inspector Gen-
25 eral of the Department of State and the United States

1 *Agency for Global Media shall submit to the appro-*
2 *priate congressional committees and the Secretary of*
3 *State a report in unclassified form detailing the fol-*
4 *lowing:*

5 *(A) The number of individuals who have*
6 *failed to comply within 60 days with a request*
7 *for an interview or access to documents from the*
8 *Office of the Inspector General pertaining to a*
9 *noncriminal matter.*

10 *(B) The date on which such requests were*
11 *initially made.*

12 *(C) Any extension of time that was volun-*
13 *tarily granted to such individual by the Office of*
14 *the Inspector General.*

15 *(D) The general subject matters regarding*
16 *which the Office of the Inspector General has re-*
17 *quested of such individuals.*

18 *(2) FORM.—Additional information pertaining*
19 *solely to the subject matter of a request described in*
20 *paragraph (1) may be provided in a supplemental*
21 *classified annex, if necessary, but all other informa-*
22 *tion required by the reports required under such*
23 *paragraph shall be provided in unclassified form.*

1 **SEC. 5324. INFORMATION ON EDUCATIONAL OPPORTUNI-**
 2 **TIES FOR CHILDREN WITH SPECIAL EDU-**
 3 **CATION NEEDS CONSISTENT WITH THE INDI-**
 4 **VIDUALS WITH DISABILITIES EDUCATION**
 5 **ACT.**

6 *Not later than March 31, 2022, and annually there-*
 7 *after, the Director of the Office of Overseas Schools of the*
 8 *Department of State shall maintain and update a list of*
 9 *overseas schools receiving assistance from the Office and de-*
 10 *tailing the extent to which each such school provides special*
 11 *education and related services to children with disabilities*
 12 *in accordance with part B of the Individuals with Disabil-*
 13 *ities Education Act (20 U.S.C. 1411 et seq.). Each list re-*
 14 *quired under this section shall be posted on the public*
 15 *website of the Office for access by members of the Foreign*
 16 *Service, the Senior Foreign Service, and their eligible fam-*
 17 *ily members.*

18 **SEC. 5325. IMPLEMENTATION OF GAP MEMORANDUM IN SE-**
 19 **LECTION BOARD PROCESS.**

20 *(a) IN GENERAL.—Section 603 of the Foreign Service*
 21 *Act of 1980 (22 U.S.C. 4003) is amended by adding at the*
 22 *end the following new subsection:*

23 *“(c)(1) A member of the Service or member of the Sen-*
 24 *ior Foreign Service whose performance will be evaluated by*
 25 *a selection board may submit to such selection board a gap*
 26 *memo in advance of such evaluation.*

1 “(2) *Members of a selection board may not consider*
2 *as negative the submission of a gap memo by a member*
3 *described in paragraph (1) when evaluating the perform-*
4 *ance of such member.*

5 “(3) *In this subsection, the term ‘gap memo’ means*
6 *a written record, submitted to a selection board in a stand-*
7 *ard format established by the Director General of the For-*
8 *eign Service, which indicates and explains a gap in the*
9 *record of a member of the Service or member of the Senior*
10 *Foreign Service whose performance will be evaluated by*
11 *such selection board, which gap is due to personal cir-*
12 *cumstances, including for health, family, or other reason*
13 *as determined by the Director General in consultation with*
14 *the Committee on Foreign Affairs of the House of Represent-*
15 *atives and the Committee on Foreign Relations of the Sen-*
16 *ate.*”.

17 (b) *CONSULTATION AND GUIDANCE.—*

18 (1) *CONSULTATION.—Not later than 30 days*
19 *after the date of the enactment of this Act, the Direc-*
20 *tor General of the Foreign Service shall consult with*
21 *the Committee on Foreign Affairs of the House of*
22 *Representatives and the Committee on Foreign Rela-*
23 *tions of the Senate regarding the development of the*
24 *gap memo under subsection (c) of section 603 of the*

1 *Foreign Service Act of 1980 (22 U.S.C. 4003), as*
 2 *added by subsection (a) of this section.*

3 (2) *DEFINITION.—In this subsection, the term*
 4 *“gap memo” has the meaning given such term in sub-*
 5 *section (c) of section 603 of the Foreign Service Act*
 6 *of 1980 (22 U.S.C. 4003), as added by subsection (a)*
 7 *of this section.*

8 **TITLE LIV—A DIVERSE WORK-**
 9 **FORCE: RECRUITMENT, RE-**
 10 **TENTION, AND PROMOTION**

Sec. 5401. Definitions.

Sec. 5402. Exit interviews for workforce.

Sec. 5403. Recruitment and retention.

Sec. 5404. Leadership engagement and accountability.

Sec. 5405. Professional development opportunities and tools.

Sec. 5406. Examination and oral assessment for the Foreign Service.

Sec. 5407. Payne fellowship authorization.

Sec. 5408. Voluntary participation.

11 **SEC. 5401. DEFINITIONS.**

12 *In this title:*

13 (1) *APPLICANT FLOW DATA.—The term “appli-*
 14 *cant flow data” means data that tracks the rate of*
 15 *applications for job positions among demographic*
 16 *categories.*

17 (2) *DEMOGRAPHIC DATA.—The term “demo-*
 18 *graphic data” means facts or statistics relating to the*
 19 *demographic categories specified in the Office of Man-*
 20 *agement and Budget statistical policy directive enti-*
 21 *tled “Standards for Maintaining, Collecting, and Pre-*

1 *senting Federal Data on Race and Ethnicity*” (81
2 *Fed. Reg.* 67398).

3 (3) *DIVERSITY*.—*The term “diversity” means*
4 *those classes of persons protected under the Civil*
5 *Rights Act of 1964 (42 U.S.C. 2000a et seq.) and the*
6 *Americans with Disabilities Act of 1990 (42 U.S.C.*
7 *12101 et seq.).*

8 (4) *WORKFORCE*.—*The term “workforce”*
9 *means—*

10 (A) *individuals serving in a position in the*
11 *civil service (as defined in section 2101 of title*
12 *5, United States Code);*

13 (B) *individuals who are members of the*
14 *Foreign Service (as defined in section 103 of the*
15 *Foreign Service Act of 1980 (22 U.S.C. 3902));*

16 (C) *all individuals serving under a personal*
17 *services contract;*

18 (D) *all individuals serving under a Foreign*
19 *Service Limited appointment under section 309*
20 *of the Foreign Service Act of 1980; or*

21 (E) *individuals other than Locally Em-*
22 *ployed Staff working in the Department of State*
23 *under any other authority.*

1 **SEC. 5402. EXIT INTERVIEWS FOR WORKFORCE.**

2 (a) *RETAINED MEMBERS.*—*The Director General of*
3 *the Foreign Service and the Director of the Bureau of*
4 *Human Resources or its equivalent shall conduct periodic*
5 *interviews with a representative and diverse cross-section*
6 *of the workforce of the Department—*

7 (1) *to understand the reasons of individuals in*
8 *such workforce for remaining in a position in the De-*
9 *partment; and*

10 (2) *to receive feedback on workplace policies, pro-*
11 *fessional development opportunities, and other issues*
12 *affecting the decision of individuals in the workforce*
13 *to remain in the Department.*

14 (b) *DEPARTING MEMBERS.*—*The Director General of*
15 *the Foreign Service and the Director of the Bureau of*
16 *Human Resources or its equivalent shall provide an oppor-*
17 *tunity for an exit interview to each individual in the work-*
18 *force of the Department who separates from service with the*
19 *Department to better understand the reasons of such indi-*
20 *vidual for leaving such service.*

21 (c) *USE OF ANALYSIS FROM INTERVIEWS.*—*The Direc-*
22 *tor General of the Foreign Service and the Director of the*
23 *Bureau of Human Resources or its equivalent shall analyze*
24 *demographic data and other information obtained through*
25 *interviews under subsections (a) and (b) to determine to*

1 *what extent, if any, the diversity of those participating in*
2 *such interviews impacts the results.*

3 *(d) TRACKING DATA.—The Department shall—*

4 *(1) track demographic data relating to partici-*
5 *pants in professional development programs and the*
6 *rate of placement into senior positions for partici-*
7 *pants in such programs;*

8 *(2) annually evaluate such data—*

9 *(A) to identify ways to improve outreach*
10 *and recruitment for such programs, consistent*
11 *with merit system principles; and*

12 *(B) to understand the extent to which par-*
13 *ticipation in any professional development pro-*
14 *gram offered or sponsored by the Department*
15 *differs among the demographic categories of the*
16 *workforce; and*

17 *(3) actively encourage participation from a*
18 *range of demographic categories, especially from cat-*
19 *egories with consistently low participation, in such*
20 *professional development programs.*

21 **SEC. 5403. RECRUITMENT AND RETENTION.**

22 *(a) IN GENERAL.—The Secretary shall—*

23 *(1) continue to seek a diverse and talented pool*
24 *of applicants; and*

1 (2) *instruct the Director General of the Foreign*
2 *Service and the Director of the Bureau of Human Re-*
3 *sources of the Department to have a recruitment plan*
4 *of action for the recruitment of people belonging to*
5 *traditionally under-represented groups, which should*
6 *include outreach at appropriate colleges, universities,*
7 *affinity groups, and professional associations.*

8 (b) *SCOPE.—The diversity recruitment initiatives de-*
9 *scribed in subsection (a) shall include—*

10 (1) *recruiting at women’s colleges, historically*
11 *Black colleges and universities, minority-serving in-*
12 *stitutions, and other institutions serving a significant*
13 *percentage of minority students;*

14 (2) *placing job advertisements in newspapers,*
15 *magazines, and job sites oriented toward diverse*
16 *groups;*

17 (3) *sponsoring and recruiting at job fairs in*
18 *urban and rural communities and land-grant colleges*
19 *or universities;*

20 (4) *providing opportunities through highly re-*
21 *spected, international leadership programs, that focus*
22 *on diversity recruitment and retention;*

23 (5) *expanding the use of paid internships; and*

24 (6) *cultivating partnerships with organizations*
25 *dedicated to the advancement of the profession of*

1 *international affairs and national security to advance*
2 *shared diversity goals.*

3 (c) *EXPAND TRAINING ON ANTI-HARASSMENT AND*
4 *ANTI-DISCRIMINATION.—*

5 (1) *IN GENERAL.—The Secretary shall, through*
6 *the Foreign Service Institute and other educational*
7 *and training opportunities—*

8 (A) *ensure the provision to all individuals*
9 *in the workforce of training on anti-harassment*
10 *and anti-discrimination information and poli-*
11 *cies, including in existing Foreign Service Insti-*
12 *tute courses or modules prioritized in the De-*
13 *partment’s Diversity and Inclusion Strategic*
14 *Plan for 2016–2020 to promote diversity in Bu-*
15 *reau awards or mitigate unconscious bias;*

16 (B) *expand the provision of training on*
17 *workplace rights and responsibilities to focus on*
18 *anti-harassment and anti-discrimination infor-*
19 *mation and policies, including policies relating*
20 *to sexual assault prevention and response; and*

21 (C) *make such expanded training manda-*
22 *tory for—*

23 (i) *individuals in senior and super-*
24 *visory positions;*

1 (ii) individuals having responsibilities
2 related to recruitment, retention, or pro-
3 motion of employees; and

4 (iii) any other individual determined
5 by the Department who needs such training
6 based on analysis by the Department or
7 OPM analysis.

8 (2) *BEST PRACTICES.*—The Department shall
9 give special attention to ensuring the continuous in-
10 corporation of research-based best practices in train-
11 ing provided under this subsection.

12 **SEC. 5404. LEADERSHIP ENGAGEMENT AND ACCOUNT-**
13 **ABILITY.**

14 (a) *REWARD AND RECOGNIZE EFFORTS TO PROMOTE*
15 *DIVERSITY AND INCLUSION.*—

16 (1) *IN GENERAL.*—The Secretary shall imple-
17 ment performance and advancement requirements
18 that reward and recognize the efforts of individuals in
19 senior positions and supervisors in the Department in
20 fostering an inclusive environment and cultivating
21 talent consistent with merit system principles, such as
22 through participation in mentoring programs or
23 sponsorship initiatives, recruitment events, and other
24 similar opportunities.

1 (C) detail assignments to relevant positions

2 in—

3 (i) private or international organiza-
4 tions;

5 (ii) State, local, and Tribal govern-
6 ments;

7 (iii) other branches of the Federal Gov-
8 ernment; or

9 (iv) professional schools of inter-
10 national affairs.

11 (2) TRAINING FOR SENIOR POSITIONS.—

12 (A) IN GENERAL.—The Secretary shall offer,
13 or sponsor members of the workforce to partici-
14 pate in, a Senior Executive Service candidate
15 development program or other program that
16 trains members on the skills required for ap-
17 pointment to senior positions in the Department.

18 (B) REQUIREMENTS.—In determining
19 which members of the workforce are granted pro-
20 fessional development or career advancement op-
21 portunities under subparagraph (A), the Sec-
22 retary shall—

23 (i) ensure any program offered or
24 sponsored by the Department under such
25 subparagraph comports with the require-

1 *ments of subpart C of part 412 of title 5,*
2 *Code of Federal Regulations, or any suc-*
3 *cessor thereto, including merit staffing and*
4 *assessment requirements;*

5 *(ii) consider the number of expected*
6 *vacancies in senior positions as a factor in*
7 *determining the number of candidates to se-*
8 *lect for such programs;*

9 *(iii) understand how participation in*
10 *any program offered or sponsored by the*
11 *Department under such subparagraph dif-*
12 *fers by gender, race, national origin, dis-*
13 *ability status, or other demographic cat-*
14 *egories; and*

15 *(iv) actively encourage participation*
16 *from a range of demographic categories, es-*
17 *pecially from categories with consistently*
18 *low participation.*

19 **SEC. 5406. EXAMINATION AND ORAL ASSESSMENT FOR THE**
20 **FOREIGN SERVICE.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
22 *that the Department should offer both the Foreign Service*
23 *written examination and oral assessment in more locations*
24 *throughout the United States. Doing so would ease the fi-*
25 *nancial burden on potential candidates who do not cur-*

1 rently reside in and must travel at their own expense to
2 one of the few locations where these assessments are offered.

3 (b) *FOREIGN SERVICE EXAMINATIONS.*—Section
4 301(b) of the Foreign Service Act of 1980 (22 U.S.C. 3941)
5 is amended—

6 (1) by striking “The Secretary” and inserting:
7 “(1) The Secretary”; and

8 (2) by adding at the end the following new para-
9 graph:

10 “(2) The Secretary shall ensure that the Board of Ex-
11 aminers for the Foreign Service annually offers the oral as-
12 sessment examinations described in paragraph (1) in cities,
13 chosen on a rotating basis, located in at least three different
14 time zones across the United States.”.

15 **SEC. 5407. PAYNE FELLOWSHIP AUTHORIZATION.**

16 (a) *IN GENERAL.*—Undergraduate and graduate com-
17 ponents of the Donald M. Payne International Development
18 Fellowship Program may conduct outreach to attract out-
19 standing students with an interest in pursuing a Foreign
20 Service career who represent diverse ethnic and socio-
21 economic backgrounds.

22 (b) *REVIEW OF PAST PROGRAMS.*—The Secretary shall
23 review past programs designed to increase minority rep-
24 resentation in international affairs positions.

1 **SEC. 5408. VOLUNTARY PARTICIPATION.**

2 (a) *IN GENERAL.*—*Nothing in this title should be con-*
 3 *strued so as to compel any employee to participate in the*
 4 *collection of the data or divulge any personal information.*
 5 *Department employees shall be informed that their partici-*
 6 *pation in the data collection contemplated by this title is*
 7 *voluntary.*

8 (b) *PRIVACY PROTECTION.*—*Any data collected under*
 9 *this title shall be subject to the relevant privacy protection*
 10 *statutes and regulations applicable to Federal employees.*

11 **TITLE LV—INFORMATION**
 12 **SECURITY**

Sec. 5501. Definitions.

Sec. 5502. List of certain telecommunications providers.

Sec. 5503. Preserving records of electronic communications.

Sec. 5504. Foreign Relations of the United States (FRUS) series and declassification.

13 **SEC. 5501. DEFINITIONS.**

14 *In this title:*

15 (1) *INTELLIGENCE COMMUNITY.*—*The term “in-*
 16 *telligence community” has the meaning given such*
 17 *term in section 3(4) of the National Security Act of*
 18 *1947 (50 U.S.C. 3003(4)).*

19 (2) *RELEVANT CONGRESSIONAL COMMITTEES.*—
 20 *The term “relevant congressional committees”*
 21 *means—*

22 (A) *the appropriate congressional commit-*
 23 *tees;*

1 (B) the Select Committee on Intelligence of
2 the Senate; and

3 (C) the Permanent Select Committee on In-
4 telligence of the House of Representatives.

5 **SEC. 5502. LIST OF CERTAIN TELECOMMUNICATIONS PRO-**
6 **VIDERS.**

7 (a) *LIST OF COVERED CONTRACTORS.*—Not later than
8 30 days after the date of the enactment of this Act, the Sec-
9 retary, in consultation with the Director of National Intel-
10 ligence and other appropriate Federal agencies as deter-
11 mined jointly by the Secretary and the Director of National
12 Intelligence, shall develop or maintain, as the case may be,
13 and update as frequently as the Secretary determines ap-
14 propriate, a list of covered contractors with respect to which
15 the Department should seek to avoid entering into contracts.
16 Not later than 30 days after the initial development of the
17 list under this subsection, any update thereto, and annually
18 thereafter for 5 years after such initial 30 day period, the
19 Secretary shall submit to the appropriate congressional
20 committees a copy of such list.

21 (b) *COVERED CONTRACTOR DEFINED.*—In this section,
22 the term “covered contractor” means a provider of tele-
23 communications, telecommunications equipment, or infor-
24 mation technology equipment, including hardware, soft-
25 ware, or services, that has knowingly assisted or facilitated

1 *a cyber attack or conducted surveillance, including passive*
2 *or active monitoring, carried out against—*

3 *(1) the United States by, or on behalf of, any*
4 *government, or persons associated with such govern-*
5 *ment, listed as a cyber threat actor in the intelligence*
6 *community's 2017 assessment of worldwide threats to*
7 *United States national security or any subsequent*
8 *worldwide threat assessment of the intelligence com-*
9 *munity; or*

10 *(2) individuals, including activists, journalists,*
11 *opposition politicians, or other individuals for the*
12 *purposes of suppressing dissent or intimidating crit-*
13 *ics, on behalf of a country included in the annual*
14 *country reports on human rights practices of the De-*
15 *partment for systematic acts of political repression,*
16 *including arbitrary arrest or detention, torture,*
17 *extrajudicial or politically motivated killing, or other*
18 *gross violations of human rights.*

19 **SEC. 5503. PRESERVING RECORDS OF ELECTRONIC COMMU-**
20 **NICATIONS.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
22 *that all officers and employees of the Department and the*
23 *United States Agency for International Development are*
24 *obligated under chapter 31 of title 44, United States Code*
25 *(popularly referred to as the Federal Records Act of 1950),*

1 *to create and preserve records containing adequate and*
2 *proper documentation of the organization, functions, poli-*
3 *cies, decisions, procedures, and essential transactions or op-*
4 *erations of the Department and United States embassies,*
5 *consulates, and missions abroad, including records of offi-*
6 *cial communications with foreign government officials or*
7 *other foreign entities.*

8 **(b) CERTIFICATION.**—*Not later than 180 days after the*
9 *date of the enactment of this Act, the Secretary shall submit*
10 *to the appropriate congressional committees a certification*
11 *in unclassified form that the Secretary has communicated*
12 *to all Department personnel, including the Secretary of*
13 *State and all political appointees, that such personnel are*
14 *obligated under chapter 31 of title 44, United States Code,*
15 *to treat electronic messaging systems, software, and appli-*
16 *cations as equivalent to electronic mail for the purpose of*
17 *identifying Federal records.*

18 **SEC. 5504. FOREIGN RELATIONS OF THE UNITED STATES**

19 **(FRUS) SERIES AND DECLASSIFICATION.**

20 *The State Department Basic Authorities Act of 1956*
21 *is amended—*

22 (1) *in section 402(a)(2) (22 U.S.C. 4352(a)(2)),*

23 *by striking “26” and inserting “20”; and*

24 (2) *in section 404(a)(1) (22 U.S.C. 4354(a)(1),*

25 *by striking “30” and inserting “25”.*

1 **TITLE LVI—PUBLIC DIPLOMACY**

Sec. 5601. *Short title.*

Sec. 5602. *Avoiding duplication of programs and efforts.*

Sec. 5603. *Improving research and evaluation of public diplomacy.*

Sec. 5604. *Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.*

Sec. 5605. *Streamlining of support functions.*

Sec. 5606. *Guidance for closure of public diplomacy facilities.*

Sec. 5607. *Definitions.*

2 **SEC. 5601. SHORT TITLE.**

3 *This title may be cited as the “Public Diplomacy Mod-*
 4 *ernization Act of 2021”.*

5 **SEC. 5602. AVOIDING DUPLICATION OF PROGRAMS AND EF-** 6 **FORTS.**

7 *The Secretary shall—*

8 (1) *identify opportunities for greater efficiency of*
 9 *operations, including through improved coordination*
 10 *of efforts across public diplomacy bureaus and offices*
 11 *of the Department; and*

12 (2) *maximize shared use of resources between,*
 13 *and within, such public diplomacy bureaus and of-*
 14 *fices in cases in which programs, facilities, or admin-*
 15 *istrative functions are duplicative or substantially*
 16 *overlapping.*

17 **SEC. 5603. IMPROVING RESEARCH AND EVALUATION OF** 18 **PUBLIC DIPLOMACY.**

19 (a) *RESEARCH AND EVALUATION ACTIVITIES.—The*
 20 *Secretary, acting through the Director of Research and*
 21 *Evaluation appointed pursuant to subsection (b), shall—*

1 (1) *conduct regular research and evaluation of*
2 *public diplomacy programs and activities of the De-*
3 *partment, including through the routine use of audi-*
4 *ence research, digital analytics, and impact evalua-*
5 *tions, to plan and execute such programs and activi-*
6 *ties; and*

7 (2) *make available to Congress the findings of*
8 *the research and evaluations conducted under para-*
9 *graph (1).*

10 **(b) DIRECTOR OF RESEARCH AND EVALUATION.—**

11 (1) *APPOINTMENT.—Not later than 90 days after*
12 *the date of the enactment of this Act, the Secretary*
13 *shall appoint a Director of Research and Evaluation*
14 *(referred to in this subsection as the “Director”) in*
15 *the Office of Policy, Planning, and Resources for Pub-*
16 *lic Diplomacy and Public Affairs of the Department.*

17 (2) *LIMITATION ON APPOINTMENT.—The ap-*
18 *pointment of the Director pursuant to paragraph (1)*
19 *shall not result in an increase in the overall full-time*
20 *equivalent positions within the Department.*

21 (3) *RESPONSIBILITIES.—The Director shall—*

22 (A) *coordinate and oversee the research and*
23 *evaluation of public diplomacy programs and*
24 *activities of the Department in order to—*

1 (i) improve public diplomacy strategies
2 and tactics; and

3 (ii) ensure that such programs and ac-
4 tivities are increasing the knowledge, under-
5 standing, and trust of the United States by
6 relevant target audiences;

7 (B) routinely organize and oversee audience
8 research, digital analytics, and impact evalua-
9 tions across all public diplomacy bureaus and of-
10 fices of the Department;

11 (C) support United States diplomatic posts'
12 public affairs sections;

13 (D) share appropriate public diplomacy re-
14 search and evaluation information within the
15 Department and with other appropriate Federal
16 departments and agencies;

17 (E) regularly design and coordinate stand-
18 ardized research questions, methodologies, and
19 procedures to ensure that public diplomacy pro-
20 grams and activities across all public diplomacy
21 bureaus and offices are designed to meet appro-
22 priate foreign policy objectives; and

23 (F) report biannually to the United States
24 Advisory Commission on Public Diplomacy,
25 through the Subcommittee on Research and

1 *Evaluation established pursuant to subsection*
2 *(f), regarding the research and evaluation of all*
3 *public diplomacy bureaus and offices.*

4 (4) *GUIDANCE AND TRAINING.*—*Not later than 1*
5 *year after the appointment of the Director pursuant*
6 *to paragraph (1), the Director shall develop guidance*
7 *and training, including curriculum for use by the*
8 *Foreign Service Institute, for all public diplomacy of-*
9 *ficers of the Department regarding the reading and*
10 *interpretation of public diplomacy program and ac-*
11 *tivity evaluation findings to ensure that such findings*
12 *and related lessons learned are implemented in the*
13 *planning and evaluation of all public diplomacy pro-*
14 *grams and activities of the Department.*

15 (c) *PRIORITIZING RESEARCH AND EVALUATION.*—

16 (1) *IN GENERAL.*—*The head of the Office of Pol-*
17 *icy, Planning, and Resources for Public Diplomacy*
18 *and Public Affairs of the Department shall ensure*
19 *that research and evaluation of public diplomacy and*
20 *activities of the Department, as coordinated and over-*
21 *seen by the Director pursuant to subsection (b), sup-*
22 *ports strategic planning and resource allocation*
23 *across all public diplomacy bureaus and offices of the*
24 *Department.*

1 (2) *ALLOCATION OF RESOURCES.*—Amounts allo-
2 cated for the purpose of research and evaluation of
3 public diplomacy programs and activities of the De-
4 partment pursuant to subsection (b) shall be made
5 available to be disbursed at the direction of the Direc-
6 tor of Research and Evaluation among the research
7 and evaluation staff across all public diplomacy bu-
8 reaus and offices of the Department.

9 (3) *SENSE OF CONGRESS.*—It is the sense of
10 Congress that the Department should gradually in-
11 crease its allocation of funds made available under
12 the headings “Educational and Cultural Exchange
13 Programs” and “Diplomatic Programs” for research
14 and evaluation of public diplomacy programs and ac-
15 tivities of the Department pursuant to subsection (b)
16 to a percentage of program funds that is commensu-
17 rate with Federal Government best practices.

18 (d) *LIMITED EXEMPTION RELATING TO THE PAPER-*
19 *WORK REDUCTION ACT.*—Chapter 35 of title 44, United
20 States Code (commonly known as the “Paperwork Reduc-
21 tion Act”) shall not apply to the collection of information
22 directed at any individuals conducted by, or on behalf of,
23 the Department of State for the purpose of audience re-
24 search, monitoring, and evaluations, and in connection

1 *with the Department's activities conducted pursuant to any*
2 *of the following:*

3 (1) *The Mutual Educational and Cultural Ex-*
4 *change Act of 1961 (22 U.S.C. 2451 et seq.).*

5 (2) *Section 1287 of the National Defense Author-*
6 *ization Act for Fiscal Year 2017 (Public Law 114-*
7 *328; 22 U.S.C. 2656 note).*

8 (3) *The Foreign Assistance Act of 1961 (22*
9 *U.S.C. 2151 et seq.).*

10 (e) *LIMITED EXEMPTION RELATING TO THE PRIVACY*
11 *ACT.—*

12 (1) *IN GENERAL.—The Department shall main-*
13 *tain, collect, use, and disseminate records (as such*
14 *term is defined in section 552a(a)(4) of title 5,*
15 *United States Code) for audience research, digital*
16 *analytics, and impact evaluation of communications*
17 *related to public diplomacy efforts intended for for-*
18 *ign audiences.*

19 (2) *CONDITIONS.—Audience research, digital*
20 *analytics, and impact evaluations under paragraph*
21 *(1) shall be—*

22 (A) *reasonably tailored to meet the purposes*
23 *of this subsection; and*

24 (B) *carried out with due regard for privacy*
25 *and civil liberties guidance and oversight.*

1 (f) *UNITED STATES ADVISORY COMMISSION ON PUB-*
2 *LIC DIPLOMACY.*—

3 (1) *SUBCOMMITTEE FOR RESEARCH AND EVAL-*
4 *UATION.*—*The United States Advisory Commission on*
5 *Public Diplomacy shall establish a Subcommittee on*
6 *Research and Evaluation to monitor and advise re-*
7 *garding audience research, digital analytics, and im-*
8 *portant evaluations carried out by the Department and*
9 *the United States Agency for Global Media.*

10 (2) *ANNUAL REPORT.*—*The Subcommittee on Re-*
11 *search and Evaluation established pursuant to para-*
12 *graph (1) shall submit to the appropriate congres-*
13 *sional committees an annual report, in conjunction*
14 *with the United States Advisory Commission on Pub-*
15 *lic Diplomacy’s Comprehensive Annual Report on the*
16 *performance of the Department and the United States*
17 *Agency for Global Media, describing all actions taken*
18 *by the Subcommittee pursuant to paragraph (1) and*
19 *any findings made as a result of such actions.*

20 **SEC. 5604. PERMANENT REAUTHORIZATION OF THE UNITED**
21 **STATES ADVISORY COMMISSION ON PUBLIC**
22 **DIPLOMACY.**

23 *Section 1334 of the Foreign Affairs Reform and Re-*
24 *structuring Act of 1998 (22 U.S.C. 6553) is amended—*

1 (1) *in the section heading, by striking “**SUN-***
2 *SET” and inserting “**CONTINUATION**”; and*

3 (2) *by striking “until October 1, 2021”.*

4 **SEC. 5605. STREAMLINING OF SUPPORT FUNCTIONS.**

5 (a) *WORKING GROUP ESTABLISHED.—Not later than*
6 *60 days after the date of the enactment of this Act, the Sec-*
7 *retary shall establish a working group to explore the possi-*
8 *bilities and cost-benefit analysis of transitioning to a*
9 *shared services model as such pertains to human resources,*
10 *travel, purchasing, budgetary planning, and all other execu-*
11 *tive support functions for all bureaus of the Department*
12 *that report to the Under Secretary for Public Diplomacy*
13 *of the Department.*

14 (b) *REPORT.—Not later than 180 days after the date*
15 *of the enactment of this Act, the Secretary shall submit to*
16 *the appropriate congressional committees a plan to imple-*
17 *ment any such findings of the working group established*
18 *under subsection (a).*

19 **SEC. 5606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLOMACY**
20 **FACILITIES.**

21 (a) *IN GENERAL.—Not later than 180 days after the*
22 *date of the enactment of this Act, the Secretary of State*
23 *shall adopt, and include in the Foreign Affairs Manual,*
24 *guidelines to collect and utilize information from each dip-*
25 *lomatic post at which the construction of a new embassy*

1 *compound or new consulate compound would result in the*
2 *closure or co-location of an American Space, American Cen-*
3 *ter, American Corner, or any other public diplomacy facil-*
4 *ity under the Secure Embassy Construction and Counter-*
5 *terrorism Act of 1999 (22 U.S.C. 4865 et seq.).*

6 (b) *REQUIREMENTS.—The guidelines required by sub-*
7 *section (a) shall include the following:*

8 (1) *Standardized notification to each chief of*
9 *mission at a diplomatic post describing the require-*
10 *ments of the Secure Embassy Construction and*
11 *Counterterrorism Act of 1999 and the impact on the*
12 *mission footprint of such requirements.*

13 (2) *An assessment and recommendations from*
14 *each chief of mission of potential impacts to public*
15 *diplomacy programming at such diplomatic post if*
16 *any public diplomacy facility referred to in sub-*
17 *section (a) is closed or staff is co-located in accord-*
18 *ance with such Act.*

19 (3) *A process by which assessments and rec-*
20 *ommendations under paragraph (2) are considered by*
21 *the Secretary and the appropriate Under Secretaries*
22 *and Assistant Secretaries of the Department.*

23 (4) *Notification to the appropriate congressional*
24 *committees, prior to the initiation of a new embassy*
25 *compound or new consulate compound design, of the*

1 *intent to close any such public diplomacy facility or*
2 *co-locate public diplomacy staff in accordance with*
3 *such Act.*

4 *(c) REPORT.—Not later than 1 year after the date of*
5 *the enactment of this Act, the Secretary shall submit to the*
6 *appropriate congressional committees a report containing*
7 *the guidelines required under subsection (a) and any rec-*
8 *ommendations for any modifications to such guidelines.*

9 **SEC. 5607. DEFINITIONS.**

10 *In this title:*

11 (1) *AUDIENCE RESEARCH.—The term “audience*
12 *research” means research conducted at the outset of a*
13 *public diplomacy program or the outset of campaign*
14 *planning and design regarding specific audience seg-*
15 *ments to understand the attitudes, interests, knowl-*
16 *edge, and behaviors of such audience segments.*

17 (2) *DIGITAL ANALYTICS.—The term “digital*
18 *analytics” means the analysis of qualitative and*
19 *quantitative data, accumulated in digital format, to*
20 *indicate the outputs and outcomes of a public diplo-*
21 *macy program or campaign.*

22 (3) *IMPACT EVALUATION.—The term “impact*
23 *evaluation” means an assessment of the changes in*
24 *the audience targeted by a public diplomacy program*

1 *or campaign that can be attributed to such program*
 2 *or campaign.*

3 (4) *PUBLIC DIPLOMACY BUREAUS AND OF-*
 4 *FICES.—The term “public diplomacy bureaus and of-*
 5 *fices” means, with respect to the Department, the fol-*
 6 *lowing:*

7 (A) *The Bureau of Educational and Cul-*
 8 *tural Affairs.*

9 (B) *The Bureau of Global Public Affairs.*

10 (C) *The Office of Policy, Planning, and Re-*
 11 *sources for Public Diplomacy and Public Affairs.*

12 (D) *The Global Engagement Center.*

13 (E) *The public diplomacy functions within*
 14 *the regional and functional bureaus.*

15 **TITLE LVII—OTHER MATTERS**

Sec. 5701. Limitation on assistance to countries in default.

Sec. 5702. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.

Sec. 5703. Chief of mission concurrence.

Sec. 5704. Report on efforts of the Coronavirus Repatriation Task Force.

16 **SEC. 5701. LIMITATION ON ASSISTANCE TO COUNTRIES IN** 17 **DEFAULT.**

18 *Section 620(q) of the Foreign Assistance Act of 1961*
 19 *(22 U.S.C. 2370(q)) is amended—*

20 (1) *by striking “No assistance” and inserting the*
 21 *following:*

22 “(1) *No assistance*”;

1 (2) by inserting “the government of” before “any
2 country”;

3 (3) by inserting “the government of” before “such
4 country” each place it appears;

5 (4) by striking “determines” and all that follows
6 and inserting “determines, after consultation with the
7 Committee on Foreign Affairs and the Committee on
8 Appropriations of the House of Representatives and
9 the Committee on Foreign Relations and the Com-
10 mittee on Appropriations of the Senate, that assist-
11 ance for such country is in the national interest of the
12 United States.”; and

13 (5) by adding at the end the following new para-
14 graph:

15 “(2) No assistance shall be furnished under this
16 Act, the Peace Corps Act, the Millennium Challenge
17 Act of 2003, the African Development Foundation
18 Act, the BUILD Act of 2018, section 504 of the
19 FREEDOM Support Act, or section 23 of the Arms
20 Export Control Act to the government of any country
21 which is in default during a period in excess of 1 cal-
22 endar year in payment to the United States of prin-
23 cipal or interest or any loan made to the government
24 of such country by the United States unless the Presi-
25 dent determines, following consultation with the con-

1 gressional committees specified in paragraph (1), that
2 assistance for such country is in the national interest
3 of the United States.”.

4 **SEC. 5702. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**
5 **PREVENTION AND RETURN ACT OF 2014**
6 **AMENDMENT.**

7 Subsection (b) of section 101 of the Sean and David
8 Goldman International Child Abduction Prevention and
9 Return Act of 2014 (22 U.S.C. 9111; Public Law 113–150)
10 is amended—

11 (1) in paragraph (2)—

12 (A) in subparagraph (A)—

13 (i) by inserting “, respectively,” after
14 “access cases”; and

15 (ii) by inserting “and the number of
16 children involved” before the semicolon at
17 the end; and

18 (B) in subparagraph (D), by inserting “re-
19 spectively, the number of children involved,”
20 after “access cases,”;

21 (2) in paragraph (7), by inserting “, and num-
22 ber of children involved in such cases” before the
23 semicolon at the end;

24 (3) in paragraph (8), by striking “and” after the
25 semicolon at the end;

1 (4) *in paragraph (9), by striking the period at*
2 *the end and inserting “; and”; and*

3 (5) *by adding at the end the following new para-*
4 *graph:*

5 “(10) *the total number of pending cases the De-*
6 *partment of State has assigned to case officers and*
7 *number of children involved for each country and as*
8 *a total for all countries.”.*

9 **SEC. 5703. CHIEF OF MISSION CONCURRENCE.**

10 *In the course of a chief of mission providing concur-*
11 *rence to the exercise of the authority pursuant to section*
12 *127e of title 10, United States Code, or section 1202 of the*
13 *National Defense Authorization Act for Fiscal Year 2018—*

14 (1) *each relevant chief of mission shall inform*
15 *and consult in a timely manner with relevant indi-*
16 *viduals at relevant missions or bureaus of the Depart-*
17 *ment of State; and*

18 (2) *the Secretary of State shall take such steps*
19 *as may be necessary to ensure that such relevant indi-*
20 *viduals have the security clearances necessary and ac-*
21 *cess to relevant compartmented and special programs*
22 *to so consult in a timely manner with respect to such*
23 *concurrence.*

1 **SEC. 5704. REPORT ON EFFORTS OF THE CORONAVIRUS RE-**
 2 **PATRIATION TASK FORCE.**

3 *Not later than 90 days after the date of the enactment*
 4 *of this Act, the Secretary of State shall submit to the appro-*
 5 *priate congressional committees, the Committee on Armed*
 6 *Services of the House of Representatives, and the Committee*
 7 *on Armed Services of the Senate a report evaluating the*
 8 *efforts of the Coronavirus Repatriation Task Force of the*
 9 *Department of State to repatriate United States citizens*
 10 *and legal permanent residents in response to the 2020*
 11 *coronavirus outbreak. The report shall identify—*

12 *(1) the most significant impediments to repa-*
 13 *triating such persons;*

14 *(2) the lessons learned from such repatriations;*
 15 *and*

16 *(3) any changes planned to future repatriation*
 17 *efforts of the Department of State to incorporate such*
 18 *lessons learned.*

19 **DIVISION F—OTHER NON-DE-**
 20 **PARTMENT OF DEFENSE MAT-**
 21 **TERS**

22 **TITLE LXI—FINANCIAL**
 23 **SERVICES MATTERS**

Sec. 6101. FinCEN Exchange.

Sec. 6102. Adverse information in cases of trafficking.

Sec. 6103. Support to enhance the capacity of International Monetary Fund members to evaluate the legal and financial terms of sovereign debt contracts.

Sec. 6104. United States policy on Burma at the International Monetary Fund, the World Bank Group, and the Asian Development Bank.

Sec. 6105. United States policy regarding international financial institution assistance with respect to advanced wireless technologies.

Sec. 6106. Illicit finance improvements.

Sec. 6107. Briefing on delegation of examination authority under the Bank Secrecy Act.

1 **SEC. 6101. FINCEN EXCHANGE.**

2 *Section 310(d) of title 31, United States Code, is*
3 *amended—*

4 *(1) in paragraph (2), by inserting “other rel-*
5 *evant private sector entities,” after “financial institu-*
6 *tions,”;*

7 *(2) in paragraph (3)(A)(i)(II), by inserting*
8 *“and other relevant private sector entities” after “fi-*
9 *nancial institutions”; and*

10 *(3) in paragraph (5)—*

11 *(A) in subparagraph (A), by inserting “or*
12 *other relevant private sector entity” after “finan-*
13 *cial institution”; and*

14 *(B) in subparagraph (B)—*

15 *(i) by striking “Information” and in-*
16 *serting the following:*

17 *“(i) USE BY FINANCIAL INSTITU-*
18 *TIONS.—Information”; and*

19 *(ii) by adding at the end the following:*

20 *“(ii) USE BY OTHER RELEVANT PRI-*
21 *VATE SECTOR ENTITIES.—Information re-*
22 *ceived by a relevant private sector entity*

1 that is not a financial institution pursuant
 2 to this section shall not be used for any pur-
 3 pose other than assisting a financial insti-
 4 tution in identifying and reporting on ac-
 5 tivities that may involve the financing of
 6 terrorism, money laundering, proliferation
 7 financing, or other financial crimes, or in
 8 assisting FinCEN or another agency of the
 9 Federal Government in mitigating the risk
 10 of the financing of terrorism, money laun-
 11 dering, proliferation financing, or other
 12 criminal activities.”.

13 **SEC. 6102. ADVERSE INFORMATION IN CASES OF TRAF-**
 14 **FICKING.**

15 (a) *IN GENERAL.*—The Fair Credit Reporting Act (15
 16 U.S.C. 1681 et seq.) is amended by inserting after section
 17 605B the following:

18 **“§ 605C. Adverse information in cases of trafficking**

19 “(a) *DEFINITIONS.*—In this section:

20 “(1) *TRAFFICKING DOCUMENTATION.*—The term
 21 ‘trafficking documentation’ means—

22 “(A) documentation of—

23 “(i) a determination that a consumer
 24 is a victim of trafficking made by a Fed-

1 *eral, State, or Tribal governmental entity;*
2 *or*

3 *“(ii) by a court of competent jurisdic-*
4 *tion; and*

5 *“(B) documentation that identifies items of*
6 *adverse information that should not be furnished*
7 *by a consumer reporting agency because the*
8 *items resulted from a severe form of trafficking*
9 *in persons or sex trafficking of which the con-*
10 *sumer is a victim.*

11 *“(2) TRAFFICKING VICTIMS PROTECTION ACT OF*
12 *2000 DEFINITIONS.—The terms ‘severe forms of traf-*
13 *ficking in persons’ and ‘sex trafficking’ have the*
14 *meanings given, respectively, in section 103 of the*
15 *Trafficking Victims Protection Act of 2000 (22 U.S.C.*
16 *7102).*

17 *“(3) VICTIM OF TRAFFICKING.—The term ‘victim*
18 *of trafficking’ means a person who is a victim of a*
19 *severe form of trafficking in persons or sex trafficking.*

20 *“(b) ADVERSE INFORMATION.—A consumer reporting*
21 *agency may not furnish a consumer report containing any*
22 *adverse item of information about a consumer that resulted*
23 *from a severe form of trafficking in persons or sex traf-*
24 *ficking if the consumer has provided trafficking documenta-*
25 *tion to the consumer reporting agency.*

1 “(c) *RULEMAKING.*—

2 “(1) *IN GENERAL.*—Not later than 180 days
3 after the date of the enactment of this section, the Di-
4 rector shall issue rules to implement subsection (a).

5 “(2) *CONTENTS.*—The rules issued pursuant to
6 paragraph (1) shall establish a method by which con-
7 sumers shall submit trafficking documentation to con-
8 sumer reporting agencies.”.

9 (b) *TABLE OF CONTENTS AMENDMENT.*—The table of
10 contents of the Fair Credit Reporting Act is amended by
11 inserting after the item relating to section 605B the fol-
12 lowing:

 “605C. Adverse information in cases of trafficking.”.

13 (c) *APPLICATION.*—The amendments made by this sec-
14 tion shall apply on the date that is 30 days after the date
15 on which the Director of the Bureau of Consumer Financial
16 Protection issues a rule pursuant to section 605C(c) of the
17 Fair Credit Reporting Act, as added by subsection (a) of
18 this section. Any rule issued by the Director to implement
19 such section 605C shall be limited to preventing a consumer
20 reporting agency from furnishing a consumer report con-
21 taining any adverse item of information about a consumer
22 (as such terms are defined, respectively, in section 603 the
23 Fair Credit Reporting Act (15 U.S.C. 1681a)) that resulted
24 from trafficking.

1 **SEC. 6103. SUPPORT TO ENHANCE THE CAPACITY OF INTER-**
2 **NATIONAL MONETARY FUND MEMBERS TO**
3 **EVALUATE THE LEGAL AND FINANCIAL**
4 **TERMS OF SOVEREIGN DEBT CONTRACTS.**

5 (a) *IN GENERAL.*—*Title XVI of the International Fi-*
6 *ancial Institutions Act (22 U.S.C. 262p et seq.) is amend-*
7 *ed by adding at the end the following:*

8 **“SEC. 1630. SUPPORT TO ENHANCE THE CAPACITY OF FUND**
9 **MEMBERS TO EVALUATE THE LEGAL AND FI-**
10 **NANCIAL TERMS OF SOVEREIGN DEBT CON-**
11 **TRACTS.**

12 *“The Secretary of the Treasury shall instruct the*
13 *United States Executive Director at the International Mon-*
14 *etary Fund to use the voice and vote of the United States*
15 *to advocate that the Fund promote international standards*
16 *and best practices with respect to sovereign debt contracts*
17 *and provide technical assistance to Fund members, and in*
18 *particular to lower middle-income countries and countries*
19 *eligible to receive assistance from the International Develop-*
20 *ment Association, seeking to enhance their capacity to*
21 *evaluate the legal and financial terms of sovereign debt con-*
22 *tracts with multilateral, bilateral, and private sector credi-*
23 *tors.”.*

24 (b) *REPORT TO THE CONGRESS.*—*Within 1 year after*
25 *the date of the enactment of this Act, and annually there-*
26 *after for the next 4 years, the Secretary of the Treasury*

1 *shall report to the Committee on Financial Services of the*
2 *House of Representatives and the Committee on Foreign Re-*
3 *lations of the Senate on—*

4 (1) *the activities of the International Monetary*
5 *Fund in the then most recently completed fiscal year*
6 *to provide technical assistance described in section*
7 *1630 of the International Financial Institutions Act*
8 *(as added by this section), including the ability of the*
9 *Fund to meet the demand for the assistance; and*

10 (2) *the efficacy of efforts by the United States to*
11 *achieve the policy goal described in such section and*
12 *any further actions that should be taken, if necessary,*
13 *to implement that goal.*

14 (c) *SUNSET.—The amendment made by subsection (a)*
15 *shall have no force or effect after the 5-year period that be-*
16 *gins with the date of the enactment of this Act.*

17 **SEC. 6104. UNITED STATES POLICY ON BURMA AT THE**
18 **INTERNATIONAL MONETARY FUND, THE**
19 **WORLD BANK GROUP, AND THE ASIAN DEVEL-**
20 **OPMENT BANK.**

21 (a) *SENSE OF THE CONGRESS.—It is the sense of the*
22 *Congress that the United States should not support the rec-*
23 *ognition of, or dealing with, the State Administration*
24 *Council, or any successor entity controlled by the military,*
25 *as the government of Burma for the purpose of the provision*

1 of any loan or financial assistance by the International
 2 Monetary Fund, the World Bank Group, or the Asian De-
 3 velopment Bank, except for humanitarian assistance chan-
 4 neled through an implementing agency not controlled by the
 5 Burmese military.

6 (b) *POLICY.*—Title XVI of the International Financial
 7 Institutions Act (22 U.S.C. 262p et seq.), as amended by
 8 section 6103, is further amended by adding at the end the
 9 following:

10 **“SEC. 1631. UNITED STATES POLICY ON BURMA AT THE**
 11 **INTERNATIONAL MONETARY FUND, THE**
 12 **WORLD BANK GROUP, AND THE ASIAN DEVEL-**
 13 **OPMENT BANK.**

14 “(a) *POLICY OF THE UNITED STATES.*—The Secretary
 15 of Treasury shall instruct the United States Executive Di-
 16 rectors at the International Monetary Fund, the World
 17 Bank Group, and the Asian Development Bank to inform
 18 the respective institution that it is the policy of the United
 19 States to oppose, and to use the voice and vote of the United
 20 States to vote against, any loan or financial assistance to
 21 Burma through the State Administration Council, or any
 22 successor entity controlled by the military, except for hu-
 23 manitarian assistance channeled through an implementing
 24 agency not controlled by the Burmese military.

1 “(b) *SUBMISSION OF WRITTEN STATEMENTS.*—No
2 *later than 60 calendar days after a meeting of the Board*
3 *of Directors of the World Bank Group or the Asian Develop-*
4 *ment Bank, the Secretary of the Treasury shall submit to*
5 *the Committee on Financial Services of the House of Rep-*
6 *resentatives and the Committee on Foreign Relations of the*
7 *Senate any written statement presented at the meeting by*
8 *the United States Executive Director concerning the United*
9 *States policy described in subsection (a) or the United*
10 *States position on any strategy, policy, loan, extension of*
11 *financial assistance, or technical assistance related to*
12 *Burma considered by the Board.*

13 “(c) *WAIVER.*—*The President of the United States may*
14 *waive the application of subsection (a) on a case-by-case*
15 *basis upon certifying to the Committee on Financial Serv-*
16 *ices of the House of Representatives and the Committee on*
17 *Foreign Relations of the Senate that the waiver—*

18 “(1) *substantially promotes the objective of deliv-*
19 *ering humanitarian assistance to the civilian popu-*
20 *lation of Burma, including a detailed explanation as*
21 *to the need for such a waiver, the nature of the hu-*
22 *manitarian assistance, the mechanisms through which*
23 *such assistance will be delivered, and the oversight*
24 *safeguards that will accompany such assistance; or*

1 “(2) is otherwise in the national interest of the
2 United States, with a detailed explanation of the rea-
3 sons therefor.

4 “(d) *WORLD BANK GROUP DEFINED.*—In this section,
5 the term ‘World Bank Group’ means the International
6 Bank for Reconstruction and Development, the Inter-
7 national Development Association, the International Fi-
8 nance Corporation, and the Multilateral Investment Guar-
9 antee Agency.”.

10 (c) *SUNSET.*—Section 1631 of the International Fi-
11 nancial Institutions Act, as added by subsection (b), is re-
12 pealed on the earlier of—

13 (1) the date the President of the United States
14 submits to the Committee on Financial Services of the
15 House of Representatives and the Committee on For-
16 eign Relations of the Senate a certification that—

17 (A) the Burmese military has released all
18 political prisoners;

19 (B) an elected government has been instated
20 following free and fair elections; and

21 (C) all government institutions involved in
22 the provision of multilateral assistance are fully
23 under civilian control; or

24 (2) the date that is 10 years after the date of the
25 enactment of this Act.

1 **SEC. 6105. UNITED STATES POLICY REGARDING INTER-**
2 **NATIONAL FINANCIAL INSTITUTION ASSIST-**
3 **ANCE WITH RESPECT TO ADVANCED WIRE-**
4 **LESS TECHNOLOGIES.**

5 (a) *IN GENERAL.*—*The Secretary of the Treasury (in*
6 *this section referred to as the “Secretary”) shall instruct*
7 *the United States Executive Director at each international*
8 *financial institution (as defined in section 1701(c)(2) of the*
9 *International Financial Institutions Act (22 U.S.C.*
10 *262r(c)(2))) that it is the policy of the United States to—*

11 (1) *support assistance by the institution with re-*
12 *spect to advanced wireless technologies (such as 5th*
13 *generation wireless technology for digital cellular net-*
14 *works and related technologies) only if the tech-*
15 *nologies provide appropriate security for users;*

16 (2) *proactively encourage assistance with respect*
17 *to infrastructure or policy reforms that facilitate the*
18 *use of secure advanced wireless technologies; and*

19 (3) *cooperate, to the maximum extent prac-*
20 *ticable, with member states of the institution, particu-*
21 *larly with United States allies and partners, in order*
22 *to strengthen international support for such tech-*
23 *nologies.*

24 (b) *WAIVER AUTHORITY.*—*The Secretary may waive*
25 *subsection (a) on a case-by-case basis, on reporting to the*
26 *Committee on Financial Services of the House of Represent-*

1 *atives and the Committee on Foreign Relations of the Sen-*
2 *ate that the waiver—*

3 *(1) will allow the United States to effectively*
4 *promote the objectives of the policy described in sub-*
5 *section (a); or*

6 *(2) is in the national interest of the United*
7 *States, with an explanation of the reasons therefor.*

8 *(c) PROGRESS REPORT.—The Chairman of the Na-*
9 *tional Advisory Council on International Monetary and Fi-*
10 *ancial Policies shall include in the annual report required*
11 *by section 1701 of the International Financial Institutions*
12 *Act (22 U.S.C. 262r) a description of progress made toward*
13 *advancing the policy described in subsection (a) of this sec-*
14 *tion.*

15 *(d) SUNSET.—The preceding provisions of this section*
16 *shall have no force or effect after the earlier of—*

17 *(1) the date that is 7 years after the date of the*
18 *enactment of this Act; or*

19 *(2) the date that the Secretary reports to the*
20 *committees specified in subsection (b) that termi-*
21 *nating the effectiveness of the provisions is important*
22 *to the national interest of the United States, with a*
23 *detailed explanation of the reasons therefor.*

1 **SEC. 6106. ILLICIT FINANCE IMPROVEMENTS.**

2 (a) *SCOPE OF THE MEETINGS OF THE SUPERVISORY*
3 *TEAM ON COUNTERING ILLICIT FINANCE.*—Section 6214(b)
4 *of the William M. (Mac) Thornberry National Defense Au-*
5 *thorization Act for Fiscal Year 2021 (31 U.S.C. 5311 note)*
6 *is amended by striking “to combat the risk relating to pro-*
7 *liferation financing” and inserting “for the purposes of*
8 *countering illicit finance, including proliferation finance*
9 *and sanctions evasion”.*

10 (b) *COMBATING RUSSIAN MONEY LAUNDERING.*—Sec-
11 *tion 9714 of the Combating Russian Money Laundering Act*
12 *(Public Law 116–283) is amended—*

13 (1) *by redesignating subsections (b) and (c) as*
14 *subsections (f) and (g), respectively; and*

15 (2) *by inserting after subsection (a) the fol-*
16 *lowing:*

17 “(b) *CLASSIFIED INFORMATION.*—*In any judicial re-*
18 *view of a finding of the existence of a primary money laun-*
19 *dering concern, or of the requirement for 1 or more special*
20 *measures with respect to a primary money laundering con-*
21 *cern made under this section, if the designation or imposi-*
22 *tion, or both, were based on classified information (as de-*
23 *finied in section 1(a) of the Classified Information Proce-*
24 *dures Act (18 U.S.C. App.), such information may be sub-*
25 *mitted by the Secretary to the reviewing court ex parte and*
26 *in camera. This subsection does not confer or imply any*

1 *right to judicial review of any finding made or any require-*
2 *ment imposed under this section.*

3 “(c) *AVAILABILITY OF INFORMATION.*—*The exemptions*
4 *from, and prohibitions on, search and disclosure provided*
5 *in section 5319 of title 31, United States Code, shall apply*
6 *to any report or record of report filed pursuant to a require-*
7 *ment imposed under subsection (a) of this section. For pur-*
8 *poses of section 552 of title 5, United States Code, this sub-*
9 *section shall be considered a statute described in subsection*
10 *(b)(3)(B) of that section.*

11 “(d) *PENALTIES.*—*The penalties provided for in sec-*
12 *tions 5321 and 5322 of title 31, United States Code, that*
13 *apply to violations of special measures imposed under sec-*
14 *tion 5318A of title 31, United States Code, shall apply to*
15 *violations of any order, regulation, special measure, or*
16 *other requirement imposed under subsection (a) of this sec-*
17 *tion, in the same manner and to the same extent as de-*
18 *scribed in sections 5321 and 5322.*

19 “(e) *INJUNCTIONS.*—*The Secretary of the Treasury*
20 *may bring a civil action to enjoin a violation of any order,*
21 *regulation, special measure, or other requirement imposed*
22 *under subsection (a) of this section in the same manner and*
23 *to the same extent as described in section 5320 of title 31,*
24 *United States Code.”.*

1 **SEC. 6107. BRIEFING ON DELEGATION OF EXAMINATION AU-**
2 **THORITY UNDER THE BANK SECRECY ACT.**

3 (a) *IN GENERAL.*—Not later than one year after the
4 date of the enactment of this Act, the Secretary of the Treas-
5 ury shall, after consultation with State bank supervisors,
6 Federal financial regulators, and other relevant stake-
7 holders, conduct a briefing for the Committee on Financial
8 Services of the House of Representatives and the Committee
9 on Banking, Housing, and Urban Affairs of the Senate with
10 respect to the delegation of examination authority under the
11 Bank Secrecy Act by the Secretary of the Treasury.

12 (b) *CONTENTS.*—The briefing conducted by the Sec-
13 retary of the Treasury pursuant to subsection (a) shall ad-
14 dress—

15 (1) *the current status of the delegation of exam-*
16 *ination authority under the Bank Secrecy Act by the*
17 *Secretary of the Treasury, including with respect to*
18 *the mission of the Bank Secrecy Act;*

19 (2) *how frequently, on average, agencies dele-*
20 *gated exam authority under the Bank Secrecy Act by*
21 *the Secretary are able to examine entities for which*
22 *they have delegated authorities;*

23 (3) *whether agencies delegated examination au-*
24 *thority under the Bank Secrecy Act by the Secretary*
25 *of the Treasury have appropriate resources to perform*
26 *such delegated responsibilities; and*

1 (4) *whether the examiners within agencies dele-*
2 *gated examination authority under the Bank Secrecy*
3 *Act by the Secretary of the Treasury have sufficient*
4 *training and support to perform delegated respon-*
5 *sibilities.*

6 (c) *DEFINITIONS.—In this section:*

7 (1) *BANK SECRECY ACT.—The term “Bank Se-*
8 *crecy Act” means—*

9 (A) *section 21 of the Federal Deposit Insur-*
10 *ance Act (12 U.S.C. 1829b);*

11 (B) *section 123 of Public Law 91–508; and*

12 (C) *subchapter II of chapter 53 of title 31,*
13 *United States Code.*

14 (2) *FEDERAL FINANCIAL REGULATORS.—The*
15 *term “Federal financial regulators” means the Board*
16 *of Governors of the Federal Reserve System, the Fed-*
17 *eral Deposit Insurance Corporation, the National*
18 *Credit Union Administration Board, the Comptroller*
19 *of the Currency, the Commodity Futures Trading*
20 *Commission, the Securities and Exchange Commis-*
21 *sion, and the Commissioner of the Internal Revenue*
22 *Service.*

23 (3) *STATE BANK SUPERVISORS.—The term*
24 *“State bank supervisors” has the meaning given the*

1 *term in section 3 of the Federal Deposit Insurance*
 2 *Act (12 U.S.C. 1813).*

3 **TITLE LXII—FOREIGN SERVICE**
 4 **FAMILIES ACT OF 2021**

Sec. 6201. Short title.

Sec. 6202. Telecommuting opportunities.

Sec. 6203. Employment and education programs for eligible family members of members of the Foreign Service.

Sec. 6204. Briefing on Foreign Service family reserve corps.

Sec. 6205. Treatment of family members seeking positions customarily filled by Foreign Service officers or foreign national employees.

Sec. 6206. In-State tuition rates for members of qualifying Federal service.

Sec. 6207. Termination of residential or motor vehicle leases and telephone service contracts for certain members of the Foreign Service.

5 **SECTION 6201. SHORT TITLE.**

6 *This title may be cited as the “Foreign Service Fami-*
 7 *lies Act of 2021”.*

8 **SEC. 6202. TELECOMMUTING OPPORTUNITIES.**

9 *(a) DETO POLICY.—*

10 *(1) IN GENERAL.—Each Federal department and*
 11 *agency shall establish a policy enumerating the cir-*
 12 *cumstances under which employees may be permitted*
 13 *to temporarily perform work requirements and duties*
 14 *from approved overseas locations where there is a re-*
 15 *lated Foreign Service assignment pursuant to an ap-*
 16 *proved Domestically Employed Teleworking Overseas*
 17 *(DETO) agreement, consistent with the requirements*
 18 *under section 6502 of title 5, United States code (re-*
 19 *lating to the executive agencies telework require-*
 20 *ments), as amended by paragraph (2), and DETO re-*

1 *quirements, as set forth in the Foreign Affairs Man-*
2 *ual and Foreign Affairs Handbook of the Department*
3 *of State.*

4 (2) *AMENDMENT.—Section 6502(b) of title 5,*
5 *United States Code, is amended—*

6 (A) *in paragraph (4)(B), by striking “and”*
7 *after the semicolon;*

8 (B) *in paragraph 5, by striking the period*
9 *at the end and inserting “; and” ; and*

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

12 “(6) *enumerate the circumstances under which*
13 *employees may be permitted to temporarily perform*
14 *work requirements and duties from approved overseas*
15 *locations, provided that, except in emergency situa-*
16 *tions as determined by the head of the agency, such*
17 *circumstances shall not include a situation in which*
18 *an employee’s official duties require on at least a*
19 *monthly basis the direct handling of secure materials*
20 *determined to be inappropriate for telework by the*
21 *agency head.”.*

22 (b) *ACCESS TO ICASS SYSTEM.—Not later than 90*
23 *days after the date of the enactment of this Act, the Sec-*
24 *retary of State shall revise chapter 900 of volume 6 of the*
25 *Foreign Affairs Manual, the International Cooperative Ad-*

1 *ministrative Support Services Handbook, the Personnel Op-*
2 *erations Handbook, and any other relevant regulations to*
3 *allow each Federal agency that has enacted a policy under*
4 *subsection (a) to have access to the International Coopera-*
5 *tive Administrative Support Services (ICASS) system.*

6 **SEC. 6203. EMPLOYMENT AND EDUCATION PROGRAMS FOR**
7 **ELIGIBLE FAMILY MEMBERS OF MEMBERS OF**
8 **THE FOREIGN SERVICE.**

9 *Section 706(b) of the Foreign Service Act of 1980 (22*
10 *U.S.C. 4026(b)) is amended—*

11 *(1) in paragraph (1)—*

12 *(A) by striking “The Secretary may facili-*
13 *tate the employment of spouses of members of the*
14 *Foreign Service by—” and inserting “The Sec-*
15 *retary shall implement such measures as the Sec-*
16 *retary considers necessary to facilitate the em-*
17 *ployment of spouses and members of the Service.*
18 *The measures may include—”;*

19 *(B) by redesignating subparagraph (C) as*
20 *subparagraph (D); and*

21 *(C) by amending subparagraph (C) to read*
22 *as follows:*

23 *“(C) establishing a program for assisting el-*
24 *igible family members in accessing employment*
25 *and education opportunities, as appropriate, in-*

1 *cluding by exercising the authorities, in relevant*
2 *part, under sections 1784 and 1784a of title 10,*
3 *United States Code, and subject to such regula-*
4 *tions as the Secretary may prescribe modeled*
5 *after those prescribed pursuant to subsection (b)*
6 *of such section 1784;”;*

7 *(2) by redesignating paragraph (2) as para-*
8 *graph (6);*

9 *(3) by inserting after paragraph (1) the fol-*
10 *lowing new paragraphs:*

11 *“(2) The Secretary may prescribe regulations—*

12 *“(A) to provide preference to eligible family*
13 *members in hiring for any civilian position in*
14 *the Department, notwithstanding the prohibition*
15 *on marital discrimination found in 5 U.S.C.*
16 *2302(b)(1)(E), if —*

17 *“(i) the eligible family member is*
18 *among persons determined to be best quali-*
19 *fied for the position; and*

20 *“(ii) the position is located in the over-*
21 *seas country of assignment of their spon-*
22 *soring employee;*

23 *“(B) to ensure that notice of any vacant po-*
24 *sition in the Department is provided in a man-*
25 *ner reasonably designed to reach eligible family*

1 *members of sponsoring employees whose perma-*
2 *ment duty stations are in the same country as*
3 *that in which the position is located; and*

4 “(C) *to ensure that an eligible family mem-*
5 *ber who applies for a vacant position in the De-*
6 *partment shall, to the extent practicable, be con-*
7 *sidered for any such position located in the same*
8 *country as the permanent duty station of their*
9 *sponsoring employee.*

10 “(3) *Nothing in this section may be construed to*
11 *provide an eligible family member with entitlement or*
12 *preference in hiring over an individual who is pref-*
13 *erence eligible.*

14 “(4) *Under regulations prescribed by the Sec-*
15 *retary, a chief of mission may, consistent with all ap-*
16 *plicable laws and regulations pertaining to the*
17 *ICASS system, make available to an eligible family*
18 *member and a non-Department entity space in an*
19 *embassy or consulate for the purpose of the non-De-*
20 *partment entity providing employment-related train-*
21 *ing for eligible family members.*

22 “(5) *The Secretary may work with the Director*
23 *of the Office of Personnel Management and the heads*
24 *of other Federal departments and agencies to expand*
25 *and facilitate the use of existing Federal programs*

1 *and resources in support of eligible family member*
 2 *employment.”; and*

3 *(4) by adding after paragraph (6), as redesign-*
 4 *ated by paragraph (2) of this subsection, the fol-*
 5 *lowing new paragraph:*

6 *“(7) In this subsection, the term ‘eligible family mem-*
 7 *ber’ refers to family members of government employees as-*
 8 *signed abroad or hired for service at their post of residence*
 9 *who are appointed by the Secretary of State or the Admin-*
 10 *istrator of the United States Agency for International De-*
 11 *velopment pursuant to sections 102, 202, 303, and 311.”.*

12 **SEC. 6204. BRIEFING ON FOREIGN SERVICE FAMILY RE-**
 13 **SERVE CORPS.**

14 *(a) IN GENERAL.—Not later than 120 days after the*
 15 *date of the enactment of this Act, the Secretary of State*
 16 *shall brief the appropriate congressional committees on the*
 17 *status of implementation of the Foreign Service Family Re-*
 18 *serve Corps.*

19 *(b) ELEMENTS.—The briefing required under sub-*
 20 *section (a) shall include the following elements:*

21 *(1) A description of the status of implementation*
 22 *of the Foreign Service Family Reserve Corps*
 23 *(FSFRC).*

24 *(2) An assessment of the extent to which imple-*
 25 *mentation was impacted by the Department’s hiring*

1 *freeze and a detailed explanation of the effect of any*
2 *such impacts.*

3 *(3) A description of the status of implementation*
4 *of a hiring preference for the FSFRC.*

5 *(4) A detailed accounting of any individuals eli-*
6 *gible for membership in the FSFRC who were unable*
7 *to begin working at a new location as a result of*
8 *being unable to transfer their security clearance, in-*
9 *cluding an assessment of whether they would have*
10 *been able to port their clearance as a member of the*
11 *FSFRC if the program had been fully implemented.*

12 *(5) An estimate of the number of individuals*
13 *who are eligible to join the FSFRC worldwide and the*
14 *categories, as detailed in the Under Secretary for*
15 *Management's guidance dated May 3, 2016, under*
16 *which those individuals would enroll.*

17 *(6) An estimate of the number of individuals*
18 *who are enrolled in the FSFRC worldwide and the*
19 *categories, as detailed in the Under Secretary for*
20 *Management's guidance dated May 3, 2016, under*
21 *which those individuals enrolled.*

22 *(7) An estimate of the number of individuals*
23 *who were enrolled in each phase of the implementa-*
24 *tion of the FSFRC as detailed in guidance issued by*
25 *the Under Secretary for Management.*

1 (8) *An estimate of the number of individuals en-*
 2 *rolled in the FSFRC who have successfully transferred*
 3 *a security clearance to a new post since implementa-*
 4 *tion of the program began.*

5 (9) *An estimate of the number of individuals en-*
 6 *rolled in the FSFRC who have been unable to success-*
 7 *fully transfer a security clearance to a new post since*
 8 *implementation of the program began.*

9 (10) *An estimate of the number of individuals*
 10 *who have declined in writing to apply to the FSFRC.*

11 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 12 *FINED.—In this section, the term “appropriate congres-*
 13 *sional committees” means—*

14 (1) *the Committee on Foreign Relations and the*
 15 *Committee on Appropriations of the Senate; and*

16 (2) *the Committee on Foreign Affairs and the*
 17 *Committee on Appropriations of the House of Rep-*
 18 *resentatives.*

19 **SEC. 6205. TREATMENT OF FAMILY MEMBERS SEEKING PO-**
 20 **SITIONS CUSTOMARILY FILLED BY FOREIGN**
 21 **SERVICE OFFICERS OR FOREIGN NATIONAL**
 22 **EMPLOYEES.**

23 *Section 311 of the Foreign Service Act of 1980 (22*
 24 *U.S.C. 3951) is amended by adding at the end the following:*

1 “(d) *DEFINITIONS.*—*In this section, the term ‘member*
2 *of a qualifying Federal service’ means—*

3 “(1) *a member of the armed forces (as defined in*
4 *section 101 of title 10, United States Code) who is on*
5 *active duty for a period of more than 30 days (as de-*
6 *fined in section 101 of title 10, United States Code);*
7 *or*

8 “(2) *a member of the Foreign Service (as defined*
9 *in section 103 of the Foreign Service Act of 1980 (22*
10 *U.S.C. 3903)) who is on active duty for a period of*
11 *more than 30 days.”.*

12 “(b) *EFFECTIVE DATE.*—*The amendments made by sub-*
13 *section (a) shall take effect at each public institution of*
14 *higher education in a State that receives assistance under*
15 *the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.)*
16 *for the first period of enrollment at such institution that*
17 *begins after July 1, 2024.*

18 **SEC. 6207. TERMINATION OF RESIDENTIAL OR MOTOR VEHI-**
19 **CLE LEASES AND TELEPHONE SERVICE CON-**
20 **TRACTS FOR CERTAIN MEMBERS OF THE FOR-**
21 **EIGN SERVICE.**

22 “(a) *IN GENERAL.*—*Chapter 9 of title I of the Foreign*
23 *Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended*
24 *by adding at the end the following new section:*

1 **“SEC. 907. TERMINATION OF RESIDENTIAL OR MOTOR VEHI-**
 2 **CLE LEASES AND TELEPHONE SERVICE CON-**
 3 **TRACTS.**

4 *“The terms governing the termination of residential or*
 5 *motor vehicle leases and telephone service contracts de-*
 6 *scribed in sections 305 and 305A, respectively, of the*
 7 *Servicemembers Civil Relief Act (50 U.S.C. 3955 and 3956)*
 8 *with respect to servicemembers who receive military orders*
 9 *described in such Act shall apply in the same manner and*
 10 *to the same extent to members of the Service who are posted*
 11 *abroad at a Foreign Service post in accordance with this*
 12 *Act.”.*

13 *(b) CLERICAL AMENDMENT.—The table of contents in*
 14 *section 2 of the Foreign Service Act of 1980 is amended*
 15 *by inserting after the item relating to section 906 the fol-*
 16 *lowing new item:*

“Sec. 907. Termination of residential or motor vehicle leases and telephone service contracts.”.

17 **TITLE LXIII—BARRY GOLD-**
 18 **WATER SCHOLARSHIP AND**
 19 **EXCELLENCE IN EDUCATION**
 20 **MODERNIZATION ACT**

Sec. 6301. Short title.

Sec. 6302. Clarifying amendments to definitions.

Sec. 6303. Barry Goldwater Scholarship and Excellence in Education Awards.

Sec. 6304. Stipends.

Sec. 6305. Scholarship and research internship conditions.

Sec. 6306. Sustainable investments of funds.

Sec. 6307. Administrative provisions.

1 **SEC. 6301. SHORT TITLE.**

2 *This title may be cited as the “Barry Goldwater Schol-*
 3 *arship and Excellence in Education Modernization Act of*
 4 *2021”.*

5 **SEC. 6302. CLARIFYING AMENDMENTS TO DEFINITIONS.**

6 *Section 1403 of the Barry Goldwater Scholarship and*
 7 *Excellence in Education Act (20 U.S.C. 4702) is amend-*
 8 *ed—*

9 (1) *by striking paragraph (5) and inserting the*
 10 *following new paragraph (5):*

11 “(5) *The term ‘State’ means each of the 50*
 12 *States, the District of Columbia, the Commonwealth*
 13 *of Puerto Rico, Guam, the United States Virgin Is-*
 14 *lands, American Samoa, the Commonwealth of the*
 15 *Northern Mariana Islands, the Republic of the Mar-*
 16 *shall Islands, the Federated States of Micronesia, the*
 17 *Republic of Palau, and any other territory or posses-*
 18 *sion of the United States.”; and*

19 (2) *by striking paragraph (6), by inserting the*
 20 *following new paragraph (6):*

21 “(6) *The term ‘eligible person’ means—*

22 “(A) *a permanent resident alien of the*
 23 *United States;*

24 “(B) *a citizen or national of the United*
 25 *States;*

1 “(C) a citizen of the Republic of the Mar-
2 shall Islands, the Federal States of Micronesia,
3 or the Republic of Palau; or

4 “(D) any person who may be admitted to
5 lawfully engage in occupations and establish res-
6 idence as a nonimmigrant in the United States
7 as permitted under the Compact of Free Associa-
8 tion agreements with the Republic of the Mar-
9 shall Islands, the Federal States of Micronesia,
10 or the Republic of Palau.”.

11 **SEC. 6303. BARRY GOLDWATER SCHOLARSHIP AND EXCEL-**
12 **LENCE IN EDUCATION AWARDS.**

13 (a) AWARD OF SCHOLARSHIPS, FELLOWSHIPS, AND
14 RESEARCH INTERNSHIPS.—Section 1405(a) of the Barry
15 Goldwater Scholarship and Excellence in Education Act
16 (20 U.S.C. 4704(a)) is amended—

17 (1) in the subsection heading, by striking
18 “AWARD OF SCHOLARSHIPS AND FELLOWSHIPS” and
19 inserting “AWARD OF SCHOLARSHIPS, FELLOWSHIPS,
20 AND RESEARCH INTERNSHIPS”;

21 (2) in paragraph (1)—

22 (A) by striking “scholarships and fellow-
23 ships” and inserting “scholarships, fellowships,
24 and research internships”; and

1 (B) by striking “science and mathematics”
2 and inserting “the natural sciences, engineering,
3 and mathematics”;

4 (3) in paragraph (2), by striking “mathematics
5 and the natural sciences” and inserting “the natural
6 sciences, engineering, and mathematics, which shall
7 be prioritized for students attending community col-
8 leges and minority-serving institutions specified in
9 section 371(a) of the Higher Education Act of 1965
10 (20 U.S.C. 1067q(a))”;

11 (4) in paragraph (3), by striking “mathematics
12 and the natural sciences” and inserting “the natural
13 sciences, engineering, and mathematics”;

14 (5) by redesignating paragraph (4) as para-
15 graph (5);

16 (6) in paragraph (5), as so redesignated, by
17 striking “scholarships and fellowships” and inserting
18 “scholarships, fellowships, and research internships”;
19 and

20 (7) by inserting after paragraph (3) the fol-
21 lowing:

22 “(4) Research internships shall be awarded to
23 outstanding undergraduate students who intend to
24 pursue careers in the natural sciences, engineering,
25 and mathematics, which shall be prioritized for stu-

1 *dents attending community colleges and minority-*
2 *-serving institutions specified in section 371(a) of the*
3 *Higher Education Act of 1965 (20 U.S.C.*
4 *1067q(a)).”.*

5 *(b) BARRY GOLDWATER SCHOLARS AND RESEARCH*
6 *INTERNS.—Section 1405(b) of the Barry Goldwater Schol-*
7 *arship and Excellence in Education Act (20 U.S.C.*
8 *4704(b)) is amended—*

9 *(1) in the subsection heading, by adding “AND*
10 *RESEARCH INTERNS” after “SCHOLARS”; and*

11 *(2) by adding at the end the following new sen-*
12 *tence: “Recipients of research internships under this*
13 *title shall be known as ‘Barry Goldwater Interns’.”.*

14 **SEC. 6304. STIPENDS.**

15 *Section 1406 of the Barry Goldwater Scholarship and*
16 *Excellence in Education Act (20 U.S.C. 4705) is amended*
17 *by adding at the end the following: “Each person awarded*
18 *a research internship under this title shall receive a stipend*
19 *as may be prescribed by the Board, which shall not exceed*
20 *the maximum stipend amount awarded for a scholarship*
21 *or fellowship.”.*

1 **SEC. 6305. SCHOLARSHIP AND RESEARCH INTERNSHIP**
 2 **CONDITIONS.**

3 *Section 1407 of the Barry Goldwater Scholarship and*
 4 *Excellence in Education Act (20 U.S.C. 4706) is amend-*
 5 *ed—*

6 (1) *in the section heading, by inserting “AND*
 7 **RESEARCH INTERNSHIP”** after “**SCHOLARSHIP**”;

8 (2) *in subsection (a)—*

9 (A) *by striking the subsection heading and*
 10 *inserting “SCHOLARSHIP CONDITIONS”; and*

11 (B) *by striking “and devoting full time to*
 12 *study or research and is not engaging in gainful*
 13 *employment other than employment approved by*
 14 *the Foundation”;*

15 (3) *in subsection (b), by striking the subsection*
 16 *heading and inserting “REPORTS ON SCHOLAR-*
 17 *SHIPS”;* and

18 (4) *by adding at the end the following:*

19 “(c) **RESEARCH INTERNSHIP CONDITIONS.**—*A person*
 20 *awarded a research internship under this title may receive*
 21 *payments authorized under this title only during such peri-*
 22 *ods as the Foundation finds that the person is maintaining*
 23 *satisfactory proficiency pursuant to regulations of the*
 24 *Board.*

25 “(d) **REPORTS ON RESEARCH INTERNSHIPS.**—*The*
 26 *Foundation may require reports containing such informa-*

1 *tion in such form and to be filed at such times as the Foun-*
 2 *dation determines to be necessary from any person awarded*
 3 *a research internship under this title. Such reports may*
 4 *be accompanied by a certificate from an appropriate offi-*
 5 *cial at the institution of higher education or internship em-*
 6 *ployer, approved by the Foundation, stating that such per-*
 7 *son is maintaining satisfactory progress in the intern-*
 8 *ship.”.*

9 **SEC. 6306. SUSTAINABLE INVESTMENTS OF FUNDS.**

10 *Section 1408 of the Barry Goldwater Scholarship and*
 11 *Excellence in Education Act (20 U.S.C. 4707) is amend-*
 12 *ed—*

13 *(1) by redesignating subsections (c) and (d) as*
 14 *subsections (d) and (e), respectively; and*

15 *(2) by inserting after subsection (b) the fol-*
 16 *lowing:*

17 *“(c) INVESTMENT IN SECURITIES.—Notwithstanding*
 18 *subsection (b), the Secretary of the Treasury may invest any*
 19 *public or private funds received by the Foundation after*
 20 *the date of enactment of the Barry Goldwater Scholarship*
 21 *and Excellence in Education Modernization Act of 2021 in*
 22 *securities other than or in addition to public debt securities*
 23 *of the United States, if—*

24 *“(1) the Secretary receives a determination from*
 25 *the Board that such investments are necessary to en-*

1 *able the Foundation to carry out the purposes of this*
2 *title; and*

3 *“(2) the securities in which such funds are in-*
4 *vested are traded in established United States mar-*
5 *kets.*

6 *“(d) CONSTRUCTION.—Nothing in this section shall be*
7 *construed to limit the authority of the Board to increase*
8 *the number of scholarships provided under section 4704, or*
9 *to increase the amount of the stipend authorized by section*
10 *4705, as the Board considers appropriate and is otherwise*
11 *consistent with the requirements of this title.”.*

12 **SEC. 6307. ADMINISTRATIVE PROVISIONS.**

13 *Section 1411(a) of the Barry Goldwater Scholarship*
14 *and Excellence in Education Act (20 U.S.C. 4710(a)) is*
15 *amended—*

16 *(1) by striking paragraph (1) and inserting the*
17 *following:*

18 *“(1) appoint and fix the rates of basic pay of not*
19 *more than three employees (in addition to the Execu-*
20 *tive Secretary appointed under section 4709) to carry*
21 *out the provisions of this title, without regard to the*
22 *provisions in chapter 33 of title 5, United States*
23 *Code, governing appointment in the competitive serv-*
24 *ice or the provisions of chapter 51 and subchapter III*
25 *of chapter 53 of such title, except that—*

1 “(A) a rate of basic pay set under this
2 paragraph may not exceed the maximum rate
3 provided for employees in grade GS–15 of the
4 General Schedule under section 5332 of title 5,
5 United States Code; and

6 “(B) the employee shall be entitled to the
7 applicable locality-based comparability payment
8 under section 5304 of title 5, United States Code,
9 subject to the applicable limitation established
10 under subsection (g) of such section;”;

11 (2) in paragraph (2), by striking “grade GS–18
12 under section 5332 of such title” and inserting “level
13 IV of the Executive Schedule”;

14 (3) in paragraph (7), by striking “and” at the
15 end;

16 (4) by redesignating paragraph (8) as para-
17 graph (10); and

18 (5) by inserting after paragraph (7) the fol-
19 lowing:

20 “(8) expend not more than 5 percent of the
21 Foundation’s annual operating budget on programs
22 that, in addition to or in conjunction with the Foun-
23 dation’s scholarship financial awards, support the de-
24 velopment of Goldwater Scholars throughout their
25 professional careers;

1 “(9) expend not more than 5 percent of the
2 Foundation’s annual operating budget to pay the
3 costs associated with fundraising activities, including
4 public and private gatherings; and”.

5 **TITLE LXIV—DEPARTMENT OF**
6 **HOMELAND SECURITY MEAS-**
7 **URES**

Subtitle A—DHS Headquarters, Research and Development, and Related Matters

- Sec. 6401. Employee engagement steering committee and action plan.*
- Sec. 6402. Annual employee award program.*
- Sec. 6403. Chief Human Capital Officer responsibilities.*
- Sec. 6404. Independent investigation and implementation plan.*
- Sec. 6405. Authorization of the acquisition professional career program.*
- Sec. 6406. National urban security technology laboratory.*
- Sec. 6407. Department of Homeland Security Blue Campaign enhancement.*
- Sec. 6408. Medical countermeasures program.*
- Sec. 6409. Critical domain research and development.*
- Sec. 6410. CBP Donations Acceptance Program Reauthorization.*

Subtitle B—Transportation Security

- Sec. 6411. Survey of the Transportation Security Administration workforce regarding COVID–19 response.*
- Sec. 6412. Transportation Security Preparedness Plan.*
- Sec. 6413. Authorization of Transportation Security Administration personnel details.*
- Sec. 6414. Transportation Security Administration preparedness.*
- Sec. 6415. Plan to reduce the spread of coronavirus at passenger screening checkpoints.*
- Sec. 6416. Comptroller General review of Department of Homeland Security trusted traveler programs.*
- Sec. 6417. Enrollment redress with respect to Department of Homeland Security trusted traveler programs.*
- Sec. 6418. Threat information sharing.*
- Sec. 6419. Local law enforcement security training.*
- Sec. 6420. Allowable uses of funds for public transportation security assistance grants.*
- Sec. 6421. Periods of performance for public transportation security assistance grants.*
- Sec. 6422. GAO review of public transportation security assistance grant program.*
- Sec. 6423. Sensitive security information; aviation security.*

1 ***Subtitle A—DHS Headquarters, Re-***
2 ***search and Development, and***
3 ***Related Matters***

4 **SEC. 6401. EMPLOYEE ENGAGEMENT STEERING COMMITTEE**
5 **AND ACTION PLAN.**

6 (a) *IN GENERAL.*—*Title VII of the Homeland Security*
7 *Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding*
8 *at the end the following new section:*

9 **“SEC. 711. EMPLOYEE ENGAGEMENT.**

10 *“(a) STEERING COMMITTEE.*—*Not later than 120 days*
11 *after the date of the enactment of this section, the Secretary*
12 *shall establish an employee engagement steering committee,*
13 *including representatives from operational components,*
14 *headquarters, and field personnel, including supervisory*
15 *and nonsupervisory personnel, and employee labor organi-*
16 *zations that represent Department employees, and chaired*
17 *by the Under Secretary for Management, to carry out the*
18 *following activities:*

19 *“(1) Identify factors that have a negative impact*
20 *on employee engagement, morale, and communica-*
21 *tions within the Department, such as perceptions*
22 *about limitations on career progression, mobility, or*
23 *development opportunities, collected through employee*
24 *feedback platforms, including through annual em-*

1 *ployee surveys, questionnaires, and other communica-*
2 *tions, as appropriate.*

3 *“(2) Identify, develop, and distribute initiatives*
4 *and best practices to improve employee engagement,*
5 *morale, and communications within the Department,*
6 *including through annual employee surveys, question-*
7 *naires, and other communications, as appropriate.*

8 *“(3) Monitor efforts of each component to address*
9 *employee engagement, morale, and communications*
10 *based on employee feedback provided through annual*
11 *employee surveys, questionnaires, and other commu-*
12 *nications, as appropriate.*

13 *“(4) Advise the Secretary on efforts to improve*
14 *employee engagement, morale, and communications*
15 *within specific components and across the Depart-*
16 *ment.*

17 *“(5) Conduct regular meetings and report, not*
18 *less than once per quarter, to the Under Secretary for*
19 *Management, the head of each component, and the*
20 *Secretary on Departmentwide efforts to improve em-*
21 *ployee engagement, morale, and communications.*

22 *“(b) ACTION PLAN; REPORTING.—The Secretary, act-*
23 *ing through the Chief Human Capital Officer, shall—*

24 *“(1) not later than 120 days after the date of the*
25 *establishment of the employee engagement steering*

1 *committee under subsection (a), issue a Department-*
2 *wide employee engagement action plan, reflecting*
3 *input from the steering committee and employee feed-*
4 *back provided through annual employee surveys, ques-*
5 *tionnaires, and other communications in accordance*
6 *with paragraph (1) of such subsection, to execute*
7 *strategies to improve employee engagement, morale,*
8 *and communications within the Department; and*

9 *“(2) require the head of each component to—*

10 *“(A) develop and implement a component-*
11 *specific employee engagement plan to advance*
12 *the action plan required under paragraph (1)*
13 *that includes performance measures and objec-*
14 *tives, is informed by employee feedback provided*
15 *through annual employee surveys, question-*
16 *naires, and other communications, as appro-*
17 *priate, and sets forth how employees and, where*
18 *applicable, their labor representatives are to be*
19 *integrated in developing programs and initia-*
20 *tives;*

21 *“(B) monitor progress on implementation of*
22 *such action plan; and*

23 *“(C) provide to the Chief Human Capital*
24 *Officer and the steering committee quarterly re-*

1 *ports on actions planned and progress made*
2 *under this paragraph.*

3 “(c) *TERMINATION.*—*This section shall terminate on*
4 *the date that is five years after the date of the enactment*
5 *of this section.*”.

6 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
7 *section 1(b) of the Homeland Security Act of 2002 is*
8 *amended by inserting after the item relating to section 710*
9 *the following new item:*

 “*Sec. 711. Employee engagement.*”.

10 (c) *SUBMISSIONS TO CONGRESS.*—

11 (1) *DEPARTMENT-WIDE EMPLOYEE ENGAGEMENT*
12 *ACTION PLAN.*—*The Secretary of Homeland Security,*
13 *acting through the Chief Human Capital Officer of*
14 *the Department of Homeland Security, shall submit*
15 *to the Committee on Homeland Security of the House*
16 *of Representatives and the Committee on Homeland*
17 *Security and Governmental Affairs of the Senate the*
18 *Department-wide employee engagement action plan*
19 *required under subsection (b)(1) of section 711 of the*
20 *Homeland Security Act of 2002 (as added by sub-*
21 *section (a) of this section) not later than 30 days*
22 *after the issuance of such plan under such subsection*
23 *(b)(1).*

24 (2) *COMPONENT-SPECIFIC EMPLOYEE ENGAGE-*
25 *MENT PLANS.*—*Each head of a component of the De-*

1 *partment of Homeland Security shall submit to the*
2 *Committee on Homeland Security of the House of*
3 *Representatives and the Committee on Homeland Se-*
4 *curity and Governmental Affairs of the Senate the*
5 *component-specific employee engagement plan of each*
6 *such component required under subsection (b)(2) of*
7 *section 711 of the Homeland Security Act of 2002 not*
8 *later than 30 days after the issuance of each such*
9 *plan under such subsection (b)(2).*

10 **SEC. 6402. ANNUAL EMPLOYEE AWARD PROGRAM.**

11 *(a) IN GENERAL.—Title VII of the Homeland Security*
12 *Act of 2002 (6 U.S.C. 341 et seq.), as amended by section*
13 *6401 of this Act, is further amended by adding at the end*
14 *the following new section:*

15 **“SEC. 712. ANNUAL EMPLOYEE AWARD PROGRAM.**

16 *“(a) IN GENERAL.—The Secretary may establish an*
17 *annual employee award program to recognize Department*
18 *employees or groups of employees for significant contribu-*
19 *tions to the achievement of the Department’s goals and mis-*
20 *sions. If such a program is established, the Secretary*
21 *shall—*

22 *“(1) establish within such program categories of*
23 *awards, each with specific criteria, that emphasize*
24 *honoring employees who are at the nonsupervisory*
25 *level;*

1 “(2) publicize within the Department how any
2 employee or group of employees may be nominated for
3 an award;

4 “(3) establish an internal review board com-
5 prised of representatives from Department compo-
6 nents, headquarters, and field personnel to submit to
7 the Secretary award recommendations regarding spe-
8 cific employees or groups of employees;

9 “(4) select recipients from the pool of nominees
10 submitted by the internal review board under para-
11 graph (3) and convene a ceremony at which employ-
12 ees or groups of employees receive such awards from
13 the Secretary; and

14 “(5) publicize such program within the Depart-
15 ment.

16 “(b) *INTERNAL REVIEW BOARD.*—The internal review
17 board described in subsection (a)(3) shall, when carrying
18 out its function under such subsection, consult with rep-
19 resentatives from operational components and headquarters,
20 including supervisory and nonsupervisory personnel, and
21 employee labor organizations that represent Department
22 employees.

23 “(c) *RULE OF CONSTRUCTION.*—Nothing in this sec-
24 tion may be construed to authorize additional funds to
25 carry out the requirements of this section or to require the

1 *Secretary to provide monetary bonuses to recipients of an*
 2 *award under this section.”.*

3 (b) *CLERICAL AMENDMENT.—The table of contents in*
 4 *section 1(b) of the Homeland Security Act of 2002, as*
 5 *amended by section 6401 of this Act, is further amended*
 6 *by inserting after the item relating to section 711 the fol-*
 7 *lowing new item:*

“Sec. 712. Annual employee award program.”.

8 **SEC. 6403. CHIEF HUMAN CAPITAL OFFICER RESPONSIBIL-**
 9 **ITIES.**

10 *Section 704 of the Homeland Security Act of 2002 (6*
 11 *U.S.C. 344) is amended—*

12 (1) *in subsection (b)—*

13 (A) *in paragraph (1)—*

14 (i) *by inserting “, including with re-*
 15 *spect to leader development and employee*
 16 *engagement,” after “policies”;*

17 (ii) *by striking “and in line” and in-*
 18 *serting “, in line”; and*

19 (iii) *by inserting “and informed by*
 20 *best practices within the Federal Govern-*
 21 *ment and the private sector,” after “prior-*
 22 *ities,”;*

23 (B) *in paragraph (2), by striking “develop*
 24 *performance measures to provide a basis for*
 25 *monitoring and evaluating” and inserting “use*

1 *performance measures to evaluate, on an ongoing*
2 *basis,”;*

3 *(C) in paragraph (3), by inserting “that, to*
4 *the extent practicable, are informed by employee*
5 *feedback” after “policies”;*

6 *(D) in paragraph (4), by inserting “includ-*
7 *ing leader development and employee engagement*
8 *programs,” before “in coordination”;*

9 *(E) in paragraph (5), by inserting before*
10 *the semicolon at the end the following: “that is*
11 *informed by an assessment, carried out by the*
12 *Chief Human Capital Officer, of the learning*
13 *and developmental needs of employees in super-*
14 *visory and nonsupervisory roles across the De-*
15 *partment and appropriate workforce planning*
16 *initiatives”;*

17 *(F) by redesignating paragraphs (9) and*
18 *(10) as paragraphs (13) and (14), respectively;*
19 *and*

20 *(G) by inserting after paragraph (8) the fol-*
21 *lowing new paragraphs:*

22 *“(9) maintain a catalogue of available employee*
23 *development opportunities, including the Homeland*
24 *Security Rotation Program pursuant to section 844,*
25 *departmental leadership development programs, inter-*

1 *agency development programs, and other rotational*
2 *programs;*

3 “(10) *ensure that employee discipline and ad-*
4 *verse action programs comply with the requirements*
5 *of all pertinent laws, rules, regulations, and Federal*
6 *guidance, and ensure due process for employees;*

7 “(11) *analyze each Department or Government-*
8 *wide Federal workforce satisfaction or morale survey*
9 *not later than 90 days after the date of the publica-*
10 *tion of each such survey and submit to the Secretary*
11 *such analysis, including, as appropriate, rec-*
12 *ommendations to improve workforce satisfaction or*
13 *morale within the Department;*

14 “(12) *review and approve all component em-*
15 *ployee engagement action plans to ensure such plans*
16 *include initiatives responsive to the root cause of em-*
17 *ployee engagement challenges, as well as outcome-*
18 *based performance measures and targets to track the*
19 *progress of such initiatives;”;*

20 (2) *by redesignating subsections (d) and (e) as*
21 *subsections (e) and (f), respectively;*

22 (3) *by inserting after subsection (c) the following*
23 *new subsection:*

24 “(d) *CHIEF LEARNING AND ENGAGEMENT OFFICER.—*
25 *The Chief Human Capital Officer may designate an em-*

1 *ployee of the Department to serve as a Chief Learning and*
2 *Engagement Officer to assist the Chief Human Capital Of-*
3 *ficer in carrying out this section.”; and*

4 *(4) in subsection (e), as so redesignated—*

5 *(A) by redesignating paragraphs (2), (3),*
6 *and (4) as paragraphs (5), (6), and (7), respec-*
7 *tively; and*

8 *(B) by inserting after paragraph (1) the fol-*
9 *lowing new paragraphs:*

10 *“(2) information on employee development op-*
11 *portunities catalogued pursuant to paragraph (9) of*
12 *subsection (b) and any available data on participa-*
13 *tion rates, attrition rates, and impacts on retention*
14 *and employee satisfaction;*

15 *“(3) information on the progress of Department-*
16 *wide strategic workforce planning efforts as deter-*
17 *mined under paragraph (2) of subsection (b);*

18 *“(4) information on the activities of the steering*
19 *committee established pursuant to section 711(a), in-*
20 *cluding the number of meetings, types of materials de-*
21 *veloped and distributed, and recommendations made*
22 *to the Secretary;”.*

1 **SEC. 6404. INDEPENDENT INVESTIGATION AND IMPLEMEN-**
2 **TATION PLAN.**

3 (a) *IN GENERAL.*—Not later than 120 days after the
4 date of the enactment of this Act, the Comptroller General
5 of the United States shall investigate whether the applica-
6 tion in the Department of Homeland Security of discipline
7 and adverse actions for managers and non-managers are
8 administered in an equitable and consistent manner that
9 results in the same or substantially similar disciplinary
10 outcomes across the Department that are appropriately
11 calibrated to address the identified misconduct, taking into
12 account relevant aggravating and mitigating factors.

13 (b) *CONSULTATION.*—In carrying out the investigation
14 described in subsection (a), the Comptroller General of the
15 United States shall consult with the Under Secretary for
16 Management of the Department of Homeland Security and
17 the employee engagement steering committee established
18 pursuant to subsection (b)(1) of section 711 of the Home-
19 land Security Act of 2002 (as added by section 6401(a) of
20 this Act).

21 (c) *ACTION BY UNDER SECRETARY FOR MANAGE-*
22 *MENT.*—Upon completion of the investigation described in
23 subsection (a), the Under Secretary for Management of the
24 Department of Homeland Security shall review the findings
25 and recommendations of such investigation and implement
26 a plan, in consultation with the employee engagement steer-

1 *ing committee established pursuant to subsection (b)(1) of*
2 *section 711 of the Homeland Security Act of 2002, to correct*
3 *any relevant deficiencies identified by the Comptroller Gen-*
4 *eral of the United States in such investigation. The Under*
5 *Secretary for Management shall direct the employee engage-*
6 *ment steering committee to review such plan to inform com-*
7 *mittee activities and action plans authorized under such*
8 *section 711.*

9 **SEC. 6405. AUTHORIZATION OF THE ACQUISITION PROFES-**
10 **SIONAL CAREER PROGRAM.**

11 *(a) IN GENERAL.—Title VII of the Homeland Security*
12 *Act of 2002 (6 U.S.C. 341 et seq.), as amended by sections*
13 *6401 and 6402 of this Act, is further amended by adding*
14 *at the end the following new section:*

15 **“SEC. 713. ACQUISITION PROFESSIONAL CAREER PROGRAM.**

16 *“(a) ESTABLISHMENT.—There is established in the De-*
17 *partment an acquisition professional career program to de-*
18 *velop a cadre of acquisition professionals within the De-*
19 *partment.*

20 *“(b) ADMINISTRATION.—The Under Secretary for*
21 *Management shall administer the acquisition professional*
22 *career program established pursuant to subsection (a).*

23 *“(c) PROGRAM REQUIREMENTS.—The Under Sec-*
24 *retary for Management shall carry out the following with*
25 *respect to the acquisition professional career program.*

1 “(1) *Designate the occupational series, grades,*
2 *and number of acquisition positions throughout the*
3 *Department to be included in the program and man-*
4 *age centrally such positions.*

5 “(2) *Establish and publish on the Department’s*
6 *website eligibility criteria for candidates to partici-*
7 *pate in the program.*

8 “(3) *Carry out recruitment efforts to attract can-*
9 *didates—*

10 “(A) *from institutions of higher education,*
11 *including such institutions with established ac-*
12 *quisition specialties and courses of study, his-*
13 *torically Black colleges and universities, and*
14 *Hispanic-serving institutions;*

15 “(B) *with diverse work experience outside of*
16 *the Federal Government; or*

17 “(C) *with military service.*

18 “(4) *Hire eligible candidates for designated posi-*
19 *tions under the program.*

20 “(5) *Develop a structured program comprised of*
21 *acquisition training, on-the-job experience, Depart-*
22 *ment-wide rotations, mentorship, shadowing, and*
23 *other career development opportunities for program*
24 *participants.*

1 “(6) *Provide, beyond required training estab-*
2 *lished for program participants, additional special-*
3 *ized acquisition training, including small business*
4 *contracting and innovative acquisition techniques*
5 *training.*

6 “(d) *REPORTS.—Not later than one year after the date*
7 *of the enactment of this section, and annually thereafter*
8 *through 2027, the Secretary shall submit to the Committee*
9 *on Homeland Security of the House of Representatives and*
10 *the Committee on Homeland Security and Governmental*
11 *Affairs of the Senate a report on the acquisition professional*
12 *career program. Each such report shall include the fol-*
13 *lowing information:*

14 “(1) *The number of candidates approved for the*
15 *program.*

16 “(2) *The number of candidates who commenced*
17 *participation in the program, including generalized*
18 *information on such candidates’ backgrounds with re-*
19 *spect to education and prior work experience, but not*
20 *including personally identifiable information.*

21 “(3) *A breakdown of the number of participants*
22 *hired under the program by type of acquisition posi-*
23 *tion.*

24 “(4) *A list of Department components and offices*
25 *that participated in the program and information re-*

1 *garding length of time of each program participant*
2 *in each rotation at such components or offices.*

3 *“(5) Program attrition rates and post-program*
4 *graduation retention data, including information on*
5 *how such data compare to the prior year’s data, as*
6 *available.*

7 *“(6) The Department’s recruiting efforts for the*
8 *program.*

9 *“(7) The Department’s efforts to promote reten-*
10 *tion of program participants.*

11 *“(e) DEFINITIONS.—In this section:*

12 *“(1) HISPANIC-SERVING INSTITUTION.—The term*
13 *‘Hispanic-serving institution’ has the meaning given*
14 *such term in section 502 of the Higher Education Act*
15 *of 1965 (20 U.S.C. 1101a).*

16 *“(2) HISTORICALLY BLACK COLLEGES AND UNI-*
17 *VERSITIES.—The term ‘historically Black colleges and*
18 *universities’ has the meaning given the term ‘part B*
19 *institution’ in section 322(2) of Higher Education*
20 *Act of 1965 (20 U.S.C. 1061(2)).*

21 *“(3) INSTITUTION OF HIGHER EDUCATION.—The*
22 *term ‘institution of higher education’ has the meaning*
23 *given such term in section 101 of the Higher Edu-*
24 *cation Act of 1965 (20 U.S.C. 1001).”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
 2 *section 1(b) of the Homeland Security Act of 2002, as*
 3 *amended by sections 6401 and 6402 of this Act, is further*
 4 *amended by inserting after the item relating to section 712*
 5 *the following new item:*

“*Sec. 713. Acquisition professional career program.*”.

6 **SEC. 6406. NATIONAL URBAN SECURITY TECHNOLOGY LAB-**
 7 **ORATORY.**

8 (a) *IN GENERAL.*—*Title III of the Homeland Security*
 9 *Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding*
 10 *at the end the following new section:*

11 **“SEC. 322. NATIONAL URBAN SECURITY TECHNOLOGY LAB-**
 12 **ORATORY.**

13 “(a) *IN GENERAL.*—*The Secretary, acting through the*
 14 *Under Secretary for Science and Technology, shall des-*
 15 *ignate the laboratory described in subsection (b) as an addi-*
 16 *tional laboratory pursuant to the authority under section*
 17 *308(c)(2) of this Act. Such laboratory shall be used to test*
 18 *and evaluate emerging technologies and conduct research*
 19 *and development to assist emergency response providers in*
 20 *preparing for, and protecting against, threats of terrorism.*

21 “(b) *LABORATORY DESCRIBED.*—*The laboratory de-*
 22 *scribed in this subsection is the laboratory—*

23 “(1) *known, as of the date of the enactment of*
 24 *this section, as the National Urban Security Tech-*
 25 *nology Laboratory; and*

1 “(2) transferred to the Department pursuant to
2 section 303(1)(E) of this Act.

3 “(c) *LABORATORY ACTIVITIES.*—*The National Urban*
4 *Security Technology Laboratory shall—*

5 “(1) conduct tests, evaluations, and assessments
6 of current and emerging technologies, including, as
7 appropriate, the cybersecurity of such technologies
8 that can connect to the internet, for emergency re-
9 sponse providers;

10 “(2) act as a technical advisor to emergency re-
11 sponse providers; and

12 “(3) carry out other such activities as the Sec-
13 retary determines appropriate.

14 “(d) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
15 *tion may be construed as affecting in any manner the au-*
16 *thorities or responsibilities of the Countering Weapons of*
17 *Mass Destruction Office of the Department.”.*

18 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
19 *section 1(b) of the Homeland Security Act of 2002 is further*
20 *amended by inserting after the item relating to section 321*
21 *the following new item:*

 “Sec. 322. *National Urban Security Technology Laboratory.*”.

22 **SEC. 6407. DEPARTMENT OF HOMELAND SECURITY BLUE**
23 **CAMPAIGN ENHANCEMENT.**

24 Section 434 of the Homeland Security Act of 2002 (6
25 U.S.C. 242) is amended—

1 (1) *in subsection (e)(6), by striking “utilizing re-*
2 *sources,” and inserting “developing and utilizing, in*
3 *consultation with the Blue Campaign Advisory Board*
4 *established pursuant to subsection (g), resources”;* and

5 (2) *by adding at the end the following new sub-*
6 *sections:*

7 “(f) *WEB-BASED TRAINING PROGRAMS.—To enhance*
8 *training opportunities, the Director of the Blue Campaign*
9 *shall develop web-based interactive training videos that uti-*
10 *lize a learning management system to provide online train-*
11 *ing opportunities. During the 10-year period beginning on*
12 *the date that is 90 days after the date of the enactment*
13 *of this subsection such training opportunities shall be made*
14 *available to the following individuals:*

15 “(1) *Federal, State, local, Tribal, and territorial*
16 *law enforcement officers.*

17 “(2) *Non-Federal correction system personnel.*

18 “(3) *Such other individuals as the Director de-*
19 *termines appropriate.*

20 “(g) *BLUE CAMPAIGN ADVISORY BOARD.—*

21 “(1) *IN GENERAL.—There is established in the*
22 *Department a Blue Campaign Advisory Board, which*
23 *shall be comprised of representatives assigned by the*
24 *Secretary from—*

1 “(A) *the Office for Civil Rights and Civil*
2 *Liberties of the Department;*

3 “(B) *the Privacy Office of the Department;*
4 *and*

5 “(C) *not fewer than four other separate*
6 *components or offices of the Department.*

7 “(2) *CHARTER.—The Secretary is authorized to*
8 *issue a charter for the Blue Campaign Advisory*
9 *Board, and such charter shall specify the following:*

10 “(A) *The Board’s mission, goals, and scope*
11 *of its activities.*

12 “(B) *The duties of the Board’s representa-*
13 *tives.*

14 “(C) *The frequency of the Board’s meetings.*

15 “(3) *CONSULTATION.—The Director shall consult*
16 *the Blue Campaign Advisory Board and, as appro-*
17 *priate, experts from other components and offices of*
18 *the Center for Countering Human Trafficking of the*
19 *Department regarding the following:*

20 “(A) *Recruitment tactics used by human*
21 *traffickers to inform the development of training*
22 *and materials by the Blue Campaign.*

23 “(B) *The development of effective awareness*
24 *tools for distribution to Federal and non-Federal*

1 *officials to identify and prevent instances of*
2 *human trafficking.*

3 “(C) *Identification of additional persons or*
4 *entities that may be uniquely positioned to rec-*
5 *ognize signs of human trafficking and the devel-*
6 *opment of materials for such persons.*

7 “(h) *CONSULTATION.—With regard to the development*
8 *of programs under the Blue Campaign and the implementa-*
9 *tion of such programs, the Director is authorized to consult*
10 *with State, local, Tribal, and territorial agencies, non-gov-*
11 *ernmental organizations, private sector organizations, and*
12 *experts.”.*

13 **SEC. 6408. MEDICAL COUNTERMEASURES PROGRAM.**

14 “(a) *IN GENERAL.—Subtitle C of title XIX of the Home-*
15 *land Security Act of 2002 (6 U.S.C. 597) is amended by*
16 *adding at the end the following new section:*

17 **“SEC. 1932. MEDICAL COUNTERMEASURES.**

18 “(a) *IN GENERAL.—Subject to the availability of ap-*
19 *propriations, the Secretary shall, as appropriate, establish*
20 *a medical countermeasures program within the components*
21 *of the Department to—*

22 “(1) *facilitate personnel readiness and protection*
23 *for the employees and working animals of the Depart-*
24 *ment in the event of a chemical, biological, radio-*
25 *logical, nuclear, or explosives attack, naturally occur-*

1 *ring disease outbreak, other event impacting health,*
2 *or pandemic; and*

3 *“(2) support the mission continuity of the De-*
4 *partment.*

5 *“(b) OVERSIGHT.—The Secretary, acting through the*
6 *Chief Medical Officer of the Department, shall—*

7 *“(1) provide programmatic oversight of the med-*
8 *ical countermeasures program established under sub-*
9 *section (a); and*

10 *“(2) develop standards for—*

11 *“(A) medical countermeasure storage, secu-*
12 *rity, dispensing, and documentation;*

13 *“(B) maintaining a stockpile of medical*
14 *countermeasures, including antibiotics,*
15 *antivirals, antidotes, therapeutics, and radio-*
16 *logical countermeasures, as appropriate;*

17 *“(C) ensuring adequate partnerships with*
18 *manufacturers and executive agencies that enable*
19 *advance prepositioning by vendors of inventories*
20 *of appropriate medical countermeasures in stra-*
21 *tegic locations nationwide, based on risk and em-*
22 *ployee density, in accordance with applicable*
23 *Federal statutes and regulations;*

1 “(D) providing oversight and guidance re-
2 garding the dispensing of stockpiled medical
3 countermeasures;

4 “(E) ensuring rapid deployment and dis-
5 pensing of medical countermeasures in a chem-
6 ical, biological, radiological, nuclear, or explo-
7 sives attack, naturally occurring disease out-
8 break, other event impacting health, or pan-
9 demic;

10 “(F) providing training to employees of the
11 Department on medical countermeasures; and

12 “(G) supporting dispensing exercises.

13 “(c) *MEDICAL COUNTERMEASURES WORKING*
14 *GROUP.—The Secretary, acting through the Chief Medical*
15 *Officer of the Department, shall establish a medical counter-*
16 *measures working group comprised of representatives from*
17 *appropriate components and offices of the Department to*
18 *ensure that medical countermeasures standards are main-*
19 *tained and guidance is consistent.*

20 “(d) *MEDICAL COUNTERMEASURES MANAGEMENT.—*
21 *Not later than 120 days after the date on which appropria-*
22 *tions are made available to carry out subsection (a), the*
23 *Chief Medical Officer shall develop and submit to the Sec-*
24 *retary an integrated logistics support plan for medical*
25 *countermeasures, including—*

1 “(1) a methodology for determining the ideal
2 types and quantities of medical countermeasures to
3 stockpile and how frequently such methodology shall
4 be reevaluated;

5 “(2) a replenishment plan; and

6 “(3) inventory tracking, reporting, and reconcili-
7 ation procedures for existing stockpiles and new med-
8 ical countermeasure purchases.

9 “(e) *TRANSFER*.—Not later than 120 days after the
10 date of enactment of this section, the Secretary shall trans-
11 fer all medical countermeasures-related programmatic and
12 personnel resources from the Under Secretary for Manage-
13 ment to the Chief Medical Officer.

14 “(f) *STOCKPILE ELEMENTS*.—In determining the
15 types and quantities of medical countermeasures to stock-
16 pile under subsection (d), the Secretary, acting through the
17 Chief Medical Officer of the Department—

18 “(1) shall use a risk-based methodology for evalu-
19 ating types and quantities of medical counter-
20 measures required; and

21 “(2) may use, if available—

22 “(A) chemical, biological, radiological, and
23 nuclear risk assessments of the Department; and

24 “(B) guidance on medical countermeasures
25 of the Office of the Assistant Secretary for Pre-

1 *paredness and Response and the Centers for Dis-*
2 *ease Control and Prevention.*

3 “(g) *BRIEFING.*—*Not later than 180 days after the*
4 *date of enactment of this section, the Secretary shall provide*
5 *a briefing to the Committee on Homeland Security and*
6 *Governmental Affairs of the Senate and the Committee on*
7 *Homeland Security of the House of Representatives regard-*
8 *ing—*

9 *“(1) the plan developed under subsection (d);*
10 *and*

11 *“(2) implementation of the requirements of this*
12 *section.*

13 “(h) *DEFINITION.*—*In this section, the term ‘medical*
14 *countermeasures’ means antibiotics, antivirals, antidotes,*
15 *therapeutics, radiological countermeasures, and other coun-*
16 *termeasures that may be deployed to protect the employees*
17 *and working animals of the Department in the event of a*
18 *chemical, biological, radiological, nuclear, or explosives at-*
19 *tack, naturally occurring disease outbreak, other event im-*
20 *pacting health, or pandemic.”.*

21 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
22 *section 1(b) of the Homeland Security Act of 2002 is further*
23 *amended by inserting after the item relating to section 1931*
24 *the following new item:*

 “*Sec. 1932. Medical countermeasures.*”.

1 **SEC. 6409. CRITICAL DOMAIN RESEARCH AND DEVELOP-**
2 **MENT.**

3 (a) *IN GENERAL.*—*Subtitle H of title VIII of the*
4 *Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is*
5 *amended by adding at the end the following new section:*

6 **“SEC. 890B. HOMELAND SECURITY CRITICAL DOMAIN RE-**
7 **SEARCH AND DEVELOPMENT.**

8 “(a) *IN GENERAL.*—

9 “(1) *RESEARCH AND DEVELOPMENT.*—*The Sec-*
10 *retary is authorized to conduct research and develop-*
11 *ment to—*

12 “(A) *identify United States critical do-*
13 *main for economic security and homeland secu-*
14 *rity; and*

15 “(B) *evaluate the extent to which disrupt-*
16 *tion, corruption, exploitation, or dysfunction of*
17 *any of such domain poses a substantial threat to*
18 *homeland security.*

19 “(2) *REQUIREMENTS.*—

20 “(A) *RISK ANALYSIS OF CRITICAL DO-*
21 *MAINS.*—*The research under paragraph (1) shall*
22 *include a risk analysis of each identified United*
23 *States critical domain for economic security to*
24 *determine the degree to which there exists a*
25 *present or future threat to homeland security in*
26 *the event of disruption, corruption, exploitation,*

1 *or dysfunction to such domain. Such research*
2 *shall consider, to the extent possible, the fol-*
3 *lowing:*

4 “(i) *The vulnerability and resilience of*
5 *relevant supply chains.*

6 “(ii) *Foreign production, processing,*
7 *and manufacturing methods.*

8 “(iii) *Influence of malign economic ac-*
9 *tors.*

10 “(iv) *Asset ownership.*

11 “(v) *Relationships within the supply*
12 *chains of such domains.*

13 “(vi) *The degree to which the condi-*
14 *tions referred to in clauses (i) through (v)*
15 *would place such a domain at risk of dis-*
16 *ruption, corruption, exploitation, or dys-*
17 *function.*

18 “(B) *ADDITIONAL RESEARCH INTO HIGH-*
19 *RISK CRITICAL DOMAINS.—Based on the identi-*
20 *fication and risk analysis of United States crit-*
21 *ical domains for economic security pursuant to*
22 *paragraph (1) and subparagraph (A) of this*
23 *paragraph, respectively, the Secretary may con-*
24 *duct additional research into those critical do-*
25 *mains, or specific elements thereof, with respect*

1 to which there exists the highest degree of a
2 present or future threat to homeland security in
3 the event of disruption, corruption, exploitation,
4 or dysfunction to such a domain. For each such
5 high-risk domain, or element thereof, such re-
6 search shall—

7 “(i) describe the underlying infrastruc-
8 ture and processes;

9 “(ii) analyze present and projected
10 performance of industries that comprise or
11 support such domain;

12 “(iii) examine the extent to which the
13 supply chain of a product or service nec-
14 essary to such domain is concentrated, ei-
15 ther through a small number of sources, or
16 if multiple sources are concentrated in one
17 geographic area;

18 “(iv) examine the extent to which the
19 demand for supplies of goods and services of
20 such industries can be fulfilled by present
21 and projected performance of other indus-
22 tries, identify strategies, plans, and poten-
23 tial barriers to expand the supplier indus-
24 trial base, and identify the barriers to the
25 participation of such other industries;

1 “(v) consider each such domain’s per-
2 formance capacities in stable economic envi-
3 ronments, adversarial supply conditions,
4 and under crisis economic constraints;

5 “(vi) identify and define needs and re-
6 quirements to establish supply resiliency
7 within each such domain; and

8 “(vii) consider the effects of sector con-
9 solidation, including foreign consolidation,
10 either through mergers or acquisitions, or
11 due to recent geographic realignment, on
12 such industries’ performances.

13 “(3) CONSULTATION.—In conducting the re-
14 search under paragraph (1) and subparagraph (B) of
15 paragraph (2), the Secretary may consult with appro-
16 priate Federal agencies, State agencies, and private
17 sector stakeholders.

18 “(4) PUBLICATION.—Beginning one year after
19 the date of the enactment of this section, the Secretary
20 shall publish a report containing information relating
21 to the research under paragraph (1) and subpara-
22 graph (B) of paragraph (2), including findings, evi-
23 dence, analysis, and recommendations. Such report
24 shall be updated annually through 2026.

1 “(b) *SUBMISSION TO CONGRESS.*—Not later than 90
2 days after the publication of each report required under
3 paragraph (4) of subsection (a), the Secretary shall trans-
4 mit to the Committee on Homeland Security of the House
5 of Representatives and the Committee on Homeland Secu-
6 rity and Governmental Affairs of the Senate each such re-
7 port, together with a description of actions the Secretary,
8 in consultation with appropriate Federal agencies, will un-
9 dertake or has undertaken in response to each such report.

10 “(c) *DEFINITIONS.*—In this section:

11 “(1) *UNITED STATES CRITICAL DOMAINS FOR*
12 *ECONOMIC SECURITY.*—The term ‘United States crit-
13 ical domains for economic security’ means the critical
14 infrastructure and other associated industries, tech-
15 nologies, and intellectual property, or any combina-
16 tion thereof, that are essential to the economic secu-
17 rity of the United States.

18 “(2) *ECONOMIC SECURITY.*—The term ‘economic
19 security’ means the condition of having secure and re-
20 silient domestic production capacity, combined with
21 reliable access to the global resources necessary to
22 maintain an acceptable standard of living and to
23 protect core national values.

1 “(i) the fair market value of donations
2 with respect to the land port of entry total
3 \$75,000,000 or less over the preceding five
4 years.”; and

5 (B) in paragraph (3), in the matter pre-
6 ceding subparagraph (A), by inserting “or
7 -leased” before “land”;

8 (2) in subsection (b)—

9 (A) in the matter preceding paragraph (1),
10 by striking “Administrator of the General Serv-
11 ices Administration” and inserting “Adminis-
12 trator of General Services”;

13 (B) in paragraph (1)(C)—

14 (i) in clause (i), by striking
15 “\$50,000,000” and inserting “\$75,000,000”;
16 and

17 (ii) by amending clause (ii) to read as
18 follows:

19 “(i) the fair market value of donations
20 with respect to the land port of entry total
21 \$75,000,000 or less over the preceding five
22 years.”; and

23 (C) in paragraph (4)—

24 (i) in subparagraph (A), by striking
25 “terminate” and all that follows through the

1 *period at the end and inserting “terminate*
2 *on December 31, 2026.”; and*

3 *(ii) in subparagraph (B), by striking*
4 *“carrying out the terms of an agreement*
5 *under this subsection if such agreement is*
6 *entered into before such termination date”*
7 *and inserting “a proposal accepted for con-*
8 *sideration by U.S. Customs and Border*
9 *Protection or the General Services Adminis-*
10 *tration pursuant to this section or a prior*
11 *pilot program prior to such termination*
12 *date”;*

13 *(3) in subsection (c)(6)(B), by striking “the do-*
14 *nation will not be used for the construction of a de-*
15 *tention facility or a border fence or wall.” and insert-*
16 *ing the following:*

17 *“(i) the donation will not be used for*
18 *the construction of a detention facility or a*
19 *border fence or wall; and*

20 *“(ii) the donor will be notified in the*
21 *Donations Acceptance Agreement that the*
22 *donor shall be financially responsible for all*
23 *costs and operating expenses related to the*
24 *operation, maintenance, and repair of the*
25 *donated real property until such time as*

1 *U.S. Customs and Border Protection pro-*
 2 *vides the donor written notice otherwise.”;*

3 (4) *in subsection (d), in the matter preceding*
 4 *paragraph (1), by striking “annual” and inserting*
 5 *“biennial”; and*

6 (5) *in subsection (e), by striking “Administrator*
 7 *of the General Services Administration” and insert-*
 8 *ing “Administrator of General Services”.*

9 ***Subtitle B—Transportation***
 10 ***Security***

11 ***SEC. 6411. SURVEY OF THE TRANSPORTATION SECURITY***
 12 ***ADMINISTRATION WORKFORCE REGARDING***
 13 ***COVID–19 RESPONSE.***

14 (a) *SURVEY.—Not later than one year after the date*
 15 *of the enactment of this Act, the Administrator of the Trans-*
 16 *portation Security Administration (referred to in this sec-*
 17 *tion as the “Administrator”), in consultation with the labor*
 18 *organization certified as the exclusive representative of full-*
 19 *and part-time nonsupervisory Administration personnel*
 20 *carrying out screening functions under section 44901 of*
 21 *title 49, United States Code, shall conduct a survey of the*
 22 *Transportation Security Administration (referred to in this*
 23 *section as the “Administration”) workforce regarding the*
 24 *Administration’s response to the COVID–19 pandemic.*

1 *Such survey shall be conducted in a manner that allows*
2 *for the greatest practicable level of workforce participation.*

3 (b) *CONTENTS.—In conducting the survey required*
4 *under subsection (a), the Administrator shall solicit feed-*
5 *back on the following:*

6 (1) *The Administration’s communication and*
7 *collaboration with the Administration’s workforce re-*
8 *garding the Administration’s response to the COVID–*
9 *19 pandemic and efforts to mitigate and monitor*
10 *transmission of COVID–19 among its workforce, in-*
11 *cluding through—*

12 (A) *providing employees with personal pro-*
13 *ductive equipment and mandating its use;*

14 (B) *modifying screening procedures and Ad-*
15 *ministration operations to reduce transmission*
16 *among officers and passengers and ensuring*
17 *compliance with such changes;*

18 (C) *adjusting policies regarding scheduling,*
19 *leave, and telework;*

20 (D) *outreach as a part of contact tracing*
21 *when an employee has tested positive for*
22 *COVID–19; and*

23 (E) *encouraging COVID–19 vaccinations*
24 *and efforts to assist employees that seek to be*
25 *vaccinated such as communicating the avail-*

1 *to address the event of a communicable disease out-*
2 *break. The Secretary, acting through the Adminis-*
3 *trator, shall ensure such plan aligns with relevant*
4 *Federal plans and strategies for communicable disease*
5 *outbreaks.*

6 *“(2) CONSIDERATIONS.—In developing the plan*
7 *required under paragraph (1), the Secretary, acting*
8 *through the Administrator, shall consider each of the*
9 *following:*

10 *“(A) The findings of the survey required*
11 *under section 6411 of the National Defense Au-*
12 *thorization Act for Fiscal Year 2022.*

13 *“(B) The findings of the analysis required*
14 *under section 6414 of the National Defense Au-*
15 *thorization Act for Fiscal Year 2022.*

16 *“(C) The plan required under section 6415*
17 *of the National Defense Authorization Act for*
18 *Fiscal Year 2022.*

19 *“(D) All relevant reports and recommenda-*
20 *tions regarding the Administration’s response to*
21 *the COVID–19 pandemic, including any reports*
22 *and recommendations issued by the Comptroller*
23 *General and the Inspector General of the Depart-*
24 *ment of Homeland Security.*

1 “(E) *Lessons learned from Federal inter-*
2 *agency efforts during the COVID–19 pandemic.*

3 “(3) *CONTENTS OF PLAN.—The plan developed*
4 *under paragraph (1) shall include each of the fol-*
5 *lowing:*

6 “(A) *Plans for communicating and collabo-*
7 *rating in the event of a communicable disease*
8 *outbreak with the following partners:*

9 “(i) *Appropriate Federal departments*
10 *and agencies, including the Department of*
11 *Health and Human Services, the Centers*
12 *for Disease Control and Prevention, the De-*
13 *partment of Transportation, the Depart-*
14 *ment of Labor, and appropriate interagency*
15 *task forces.*

16 “(ii) *The workforce of the Administra-*
17 *tion, including through the labor organiza-*
18 *tion certified as the exclusive representative*
19 *of full- and part-time non-supervisory Ad-*
20 *ministration personnel carrying out screen-*
21 *ing functions under section 44901 of this*
22 *title.*

23 “(iii) *International partners, includ-*
24 *ing the International Civil Aviation Orga-*

1 *nization and foreign governments, airports,*
2 *and air carriers.*

3 *“(iv) Public and private stakeholders,*
4 *as such term is defined under subsection*
5 *(t)(1)(C).*

6 *“(v) The traveling public.*

7 *“(B) Plans for protecting the safety of the*
8 *Transportation Security Administration work-*
9 *force, including—*

10 *“(i) reducing the risk of communicable*
11 *disease transmission at screening check-*
12 *points and within the Administration’s*
13 *workforce related to the Administration’s*
14 *transportation security operations and mis-*
15 *sion;*

16 *“(ii) ensuring the safety and hygiene of*
17 *screening checkpoints and other*
18 *workstations;*

19 *“(iii) supporting equitable and appro-*
20 *priate access to relevant vaccines, prescrip-*
21 *tions, and other medical care; and*

22 *“(iv) tracking rates of employee illness,*
23 *recovery, and death.*

24 *“(C) Criteria for determining the conditions*
25 *that may warrant the integration of additional*

1 *actions in the aviation screening system in re-*
2 *ponse to the communicable disease outbreak and*
3 *a range of potential roles and responsibilities*
4 *that align with such conditions.*

5 “(D) Contingency plans for temporarily ad-
6 justing checkpoint operations to provide for pas-
7 senger and employee safety while maintaining
8 security during the communicable disease out-
9 break.

10 “(E) Provisions setting forth criteria for es-
11 tablishing an interagency task force or other
12 standing engagement platform with other appro-
13 priate Federal departments and agencies, includ-
14 ing the Department of Health and Human Serv-
15 ices and the Department of Transportation, to
16 address such communicable disease outbreak.

17 “(F) A description of scenarios in which the
18 Administrator should consider exercising au-
19 thorities provided under subsection (g) and for
20 what purposes.

21 “(G) Considerations for assessing the appro-
22 priateness of issuing security directives and
23 emergency amendments to regulated parties in
24 various modes of transportation, including sur-

1 *face transportation, and plans for ensuring com-*
2 *pliance with such measures.*

3 *“(H) A description of any potential obsta-*
4 *cles, including funding constraints and limita-*
5 *tions to authorities, that could restrict the ability*
6 *of the Administration to respond appropriately*
7 *to a communicable disease outbreak.*

8 *“(4) DISSEMINATION.—Upon development of the*
9 *plan required under paragraph (1), the Adminis-*
10 *trator shall disseminate the plan to the partners iden-*
11 *tified under paragraph (3)(A) and to the Committee*
12 *on Homeland Security of the House of Representa-*
13 *tives and the Committee on Homeland Security and*
14 *Governmental Affairs and the Committee on Com-*
15 *merce, Science, and Transportation of the Senate.*

16 *“(5) REVIEW OF PLAN.—Not later than two*
17 *years after the date on which the plan is disseminated*
18 *under paragraph (4), and biennially thereafter, the*
19 *Secretary, acting through the Administrator and in*
20 *coordination with the Chief Medical Officer of the De-*
21 *partment of Homeland Security, shall review the plan*
22 *and, after consultation with the partners identified*
23 *under paragraphs (3)(A)(i) through (3)(A)(iv), up-*
24 *date the plan as appropriate.”.*

1 (b) *COMPTROLLER GENERAL REPORT.*—Not later than
2 one year after the date on which the transportation security
3 preparedness plan required under subsection (x) of section
4 114 of title 49, United States Code, as added by subsection
5 (a), is disseminated under paragraph (4) of such subsection
6 (x), the Comptroller General of the United States shall sub-
7 mit to the Committee on Homeland Security of the House
8 of Representatives and the Committee on Commerce,
9 Science, and Transportation of the Senate a report con-
10 taining the results of a study assessing the transportation
11 security preparedness plan, including an analysis of—

12 (1) whether such plan aligns with relevant Fed-
13 eral plans and strategies for communicable disease
14 outbreaks; and

15 (2) the extent to which the Transportation Secu-
16 rity Administration is prepared to implement the
17 plan.

18 **SEC. 6413. AUTHORIZATION OF TRANSPORTATION SECU-**
19 **RITY ADMINISTRATION PERSONNEL DETAILS.**

20 (a) *COORDINATION.*—Pursuant to sections 106(m) and
21 114(m) of title 49, United States Code, the Administrator
22 of the Transportation Security Administration may pro-
23 vide Transportation Security Administration personnel,
24 who are not engaged in front line transportation security
25 efforts, to other components of the Department and other

1 *Federal agencies to improve coordination with such compo-*
2 *nents and agencies to prepare for, protect against, and re-*
3 *spond to public health threats to the transportation security*
4 *system of the United States.*

5 **(b) BRIEFING.**—*Not later than 180 days after the date*
6 *of the enactment of this Act, the Administrator shall brief*
7 *the appropriate congressional committees regarding efforts*
8 *to improve coordination with other components of the De-*
9 *partment of Homeland Security and other Federal agencies*
10 *to prepare for, protect against, and respond to public health*
11 *threats to the transportation security system of the United*
12 *States.*

13 **SEC. 6414. TRANSPORTATION SECURITY ADMINISTRATION**
14 **PREPAREDNESS.**

15 **(a) ANALYSIS.**—

16 **(1) IN GENERAL.**—*The Administrator of the*
17 *Transportation Security Administration shall con-*
18 *duct an analysis of preparedness of the transportation*
19 *security system of the United States for public health*
20 *threats. Such analysis shall assess, at a minimum,*
21 *the following:*

22 **(A)** *The risks of public health threats to the*
23 *transportation security system of the United*
24 *States, including to transportation hubs, trans-*
25 *portation security stakeholders, Transportation*

1 *Security Administration (TSA) personnel, and*
2 *passengers.*

3 *(B) Information sharing challenges among*
4 *relevant components of the Department of Home-*
5 *land Security, other Federal agencies, inter-*
6 *national entities, and transportation security*
7 *stakeholders.*

8 *(C) Impacts to TSA policies and procedures*
9 *for securing the transportation security system.*

10 (2) *COORDINATION.*—*The analysis conducted of*
11 *the risks described in paragraph (1)(A) shall be con-*
12 *ducted in coordination with the Chief Medical Officer*
13 *of the Department of Homeland Security, the Sec-*
14 *retary of Health and Human Services, and transpor-*
15 *tation security stakeholders.*

16 (b) *BRIEFING.*—*Not later than 180 days after the date*
17 *of the enactment of this Act, the Administrator shall brief*
18 *the appropriate congressional committees on the following:*

19 (1) *The analysis required under subsection (a).*

20 (2) *Technologies necessary to combat public*
21 *health threats at security screening checkpoints, such*
22 *as testing and screening technologies, including tem-*
23 *perature screenings, to better protect from future pub-*
24 *lic health threats TSA personnel, passengers, aviation*
25 *workers, and other personnel authorized to access the*

1 sterile area of an airport through such checkpoints,
2 and the estimated cost of technology investments need-
3 ed to fully implement across the aviation system solu-
4 tions to such threats.

5 (3) *Policies and procedures implemented by TSA*
6 *and transportation security stakeholders to protect*
7 *from public health threats TSA personnel, passengers,*
8 *aviation workers, and other personnel authorized to*
9 *access the sterile area through the security screening*
10 *checkpoints, as well as future plans for additional*
11 *measures relating to such protection.*

12 (4) *The role of TSA in establishing priorities, de-*
13 *veloping solutions, and coordinating and sharing in-*
14 *formation with relevant domestic and international*
15 *entities during a public health threat to the transpor-*
16 *tation security system, and how TSA can improve its*
17 *leadership role in such areas.*

18 (c) *DEFINITIONS.—In this section:*

19 (1) *The term “appropriate congressional com-*
20 *mittees” means—*

21 (A) *the Committee on Homeland Security of*
22 *the House of Representatives; and*

23 (B) *the Committee on Homeland Security*
24 *and Governmental Affairs and the Committee on*

1 *Commerce, Science, and Transportation of the*
2 *Senate.*

3 (2) *The term “sterile area” has the meaning*
4 *given such term in section 1540.5 of title 49, Code of*
5 *Federal Regulations.*

6 (3) *The term “TSA” means the Transportation*
7 *Security Administration.*

8 **SEC. 6415. PLAN TO REDUCE THE SPREAD OF**
9 **CORONAVIRUS AT PASSENGER SCREENING**
10 **CHECKPOINTS.**

11 (a) *IN GENERAL.*—*Not later than 90 days after the*
12 *date of the enactment of this Act, the Administrator, in co-*
13 *ordination with the Chief Medical Officer of the Department*
14 *of Homeland Security, and in consultation with the Sec-*
15 *retary of Health and Human Services and the Director of*
16 *the Centers for Disease Control and Prevention, shall issue*
17 *and commence implementing a plan to enhance, as appro-*
18 *priate, security operations at airports during the COVID–*
19 *19 national emergency in order to reduce risk of the spread*
20 *of the coronavirus at passenger screening checkpoints and*
21 *among the TSA workforce.*

22 (b) *CONTENTS.*—*The plan required under subsection*
23 *(a) shall include the following:*

24 (1) *An identification of best practices developed*
25 *and screening technologies deployed in response to the*

1 *coronavirus among foreign governments, airports, and*
2 *air carriers conducting aviation security screening*
3 *operations, as well as among Federal agencies con-*
4 *ducting similar security screening operations outside*
5 *of airports, including in locations where the spread of*
6 *the coronavirus has been successfully contained, that*
7 *could be further integrated into the United States*
8 *aviation security system.*

9 *(2) Specific operational changes to aviation secu-*
10 *rity screening operations informed by the identifica-*
11 *tion of best practices and screening technologies under*
12 *paragraph (1) that could be implemented without de-*
13 *grading aviation security and a corresponding*
14 *timeline and costs for implementing such changes.*

15 *(c) CONSIDERATIONS.—In carrying out the identifica-*
16 *tion of best practices under subsection (b), the Adminis-*
17 *trator shall take into consideration the following:*

18 *(1) Aviation security screening procedures and*
19 *practices in place at security screening locations, in-*
20 *cluding procedures and practices implemented in re-*
21 *sponse to the coronavirus.*

22 *(2) Volume and average wait times at each such*
23 *security screening location.*

24 *(3) Public health measures already in place at*
25 *each such security screening location.*

1 (4) *The feasibility and effectiveness of imple-*
2 *menting similar procedures and practices in locations*
3 *where such are not already in place.*

4 (5) *The feasibility and potential benefits to secu-*
5 *rity, public health, and travel facilitation of con-*
6 *tinuing any procedures and practices implemented in*
7 *response to the COVID–19 national emergency beyond*
8 *the end of such emergency.*

9 (d) *CONSULTATION.*—*In developing the plan required*
10 *under subsection (a), the Administrator may consult with*
11 *public and private stakeholders and the TSA workforce, in-*
12 *cluding through the labor organization certified as the ex-*
13 *clusive representative of full- and part-time nonsupervisory*
14 *TSA personnel carrying out screening functions under sec-*
15 *tion 44901 of title 49, United States Code.*

16 (e) *SUBMISSION.*—*Upon issuance of the plan required*
17 *under subsection (a), the Administrator shall submit the*
18 *plan to the Committee on Homeland Security of the House*
19 *of Representatives and the Committee on Commerce,*
20 *Science, and Transportation of the Senate.*

21 (f) *ISSUANCE AND IMPLEMENTATION.*—*The Adminis-*
22 *trator shall not be required to issue or implement, as the*
23 *case may be, the plan required under subsection (a) upon*
24 *the termination of the COVID–19 national emergency ex-*
25 *cept to the extent the Administrator determines such*

1 *issuance or implementation, as the case may be, to be fea-*
2 *sible and beneficial to security screening operations.*

3 *(g) GAO REVIEW.—Not later than one year after the*
4 *issuance of the plan required under subsection (a) (if such*
5 *plan is issued in accordance with subsection (f)), the Comp-*
6 *troller General of the United States shall submit to the Com-*
7 *mittee on Homeland Security of the House of Representa-*
8 *tives and the Committee on Commerce, Science, and Trans-*
9 *portation of the Senate a review, if appropriate, of such*
10 *plan and any efforts to implement such plan.*

11 *(h) DEFINITIONS.—In this section:*

12 *(1) The term “Administrator” means the Admin-*
13 *istrator of the Transportation Security Administra-*
14 *tion.*

15 *(2) The term “coronavirus” has the meaning*
16 *given such term in section 506 of the Coronavirus*
17 *Preparedness and Response Supplemental Appropria-*
18 *tions Act, 2020 (Public Law 116–123).*

19 *(3) The term “COVID–19 national emergency”*
20 *means the national emergency declared by the Presi-*
21 *dent under the National Emergencies Act (50 U.S.C.*
22 *1601 et seq.) on March 13, 2020, with respect to the*
23 *coronavirus.*

1 (4) *The term “public and private stakeholders”*
2 *has the meaning given such term in section*
3 *114(t)(1)(C) of title 49, United States Code.*

4 (5) *The term “TSA” means the Transportation*
5 *Security Administration.*

6 **SEC. 6416. COMPTROLLER GENERAL REVIEW OF DEPART-**
7 **MENT OF HOMELAND SECURITY TRUSTED**
8 **TRAVELER PROGRAMS.**

9 *Not later than one year after the date of the enactment*
10 *of this Act, the Comptroller General of the United States*
11 *shall conduct a review of Department of Homeland Security*
12 *trusted traveler programs. Such review shall examine the*
13 *following:*

14 (1) *The extent to which the Department of*
15 *Homeland Security tracks data and monitors trends*
16 *related to trusted traveler programs, including root*
17 *causes for identity-matching errors resulting in an*
18 *individual’s enrollment in a trusted traveler program*
19 *being reinstated.*

20 (2) *Whether the Department coordinates with the*
21 *heads of other relevant Federal, State, local, Tribal, or*
22 *territorial entities regarding redress procedures for*
23 *disqualifying offenses not covered by the Department’s*
24 *own redress processes but which offenses impact an*
25 *individual’s enrollment in a trusted traveler program.*

1 (3) *How the Department may improve individuals' access to reconsideration procedures regarding a*
2 *disqualifying offense for enrollment in a trusted traveler*
3 *program that requires the involvement of any*
4 *other Federal, State, local, Tribal, or territorial entity.*

5 (4) *The extent to which travelers are informed*
6 *about reconsideration procedures regarding enrollment in a trusted traveler program.*

7 **SEC. 6417. ENROLLMENT REDRESS WITH RESPECT TO DE-**
8 **PARTMENT OF HOMELAND SECURITY TRUST-**
9 **ED TRAVELER PROGRAMS.**

10 *Notwithstanding any other provision of law, the Sec-*
11 *retary of Homeland Security shall, with respect to an indi-*
12 *vidual whose enrollment in a trusted traveler program was*
13 *revoked in error extend by an amount of time equal to the*
14 *period of revocation the period of active enrollment in such*
15 *a program upon reenrollment in such a program by such*
16 *an individual.*

17 **SEC. 6418. THREAT INFORMATION SHARING.**

18 (a) *PRIORITIZATION.*—*The Secretary of Homeland Se-*
19 *curity shall prioritize the assignment of officers and intel-*
20 *ligence analysts under section 210A of the Homeland Secu-*
21 *rity Act of 2002 (6 U.S.C. 124h) from the Transportation*
22 *Security Administration and, as appropriate, from the Of-*
23 *fice of Transportation Security Administration.*

1 *vice of Intelligence and Analysis of the Department of*
2 *Homeland Security, to locations with participating State,*
3 *local, and regional fusion centers in jurisdictions with a*
4 *high-risk surface transportation asset in order to enhance*
5 *the security of such assets, including by improving timely*
6 *sharing, in a manner consistent with the protection of pri-*
7 *vacy rights, civil rights, and civil liberties, of information*
8 *regarding threats of terrorism and other threats, including*
9 *targeted violence.*

10 **(b) INTELLIGENCE PRODUCTS.**—*Officers and intel-*
11 *ligence analysts assigned to locations with participating*
12 *State, local, and regional fusion centers under this section*
13 *shall participate in the generation and dissemination of*
14 *transportation security intelligence products, with an em-*
15 *phasis on such products that relate to threats of terrorism*
16 *and other threats, including targeted violence, to surface*
17 *transportation assets that—*

18 **(1)** *assist State, local, and Tribal law enforce-*
19 *ment agencies in deploying their resources, including*
20 *personnel, most efficiently to help detect, prevent, in-*
21 *vestigate, apprehend, and respond to such threats;*

22 **(2)** *promote more consistent and timely sharing*
23 *with and among jurisdictions of threat information;*
24 *and*

1 (3) *enhance the Department of Homeland Secu-*
2 *rity's situational awareness of such threats.*

3 (c) *CLEARANCES.—The Secretary of Homeland Secu-*
4 *rity shall make available to appropriate owners and opera-*
5 *tors of surface transportation assets, and to any other per-*
6 *son that the Secretary determines appropriate to foster*
7 *greater sharing of classified information relating to threats*
8 *of terrorism and other threats, including targeted violence,*
9 *to surface transportation assets, the process of application*
10 *for security clearances under Executive Order No. 13549*
11 *(75 Fed. Reg. 162; relating to a classified national security*
12 *information program) or any successor Executive order.*

13 (d) *REPORT TO CONGRESS.—Not later than one year*
14 *after the date of the enactment of this Act, the Secretary*
15 *of Homeland Security shall submit to the Committee on*
16 *Homeland Security of the House of Representatives and the*
17 *Committee on Homeland Security and Governmental Af-*
18 *airs of the Senate a report that includes a detailed descrip-*
19 *tion of the measures used to ensure privacy rights, civil*
20 *rights, and civil liberties protections in carrying out this*
21 *section.*

22 (e) *GAO REPORT.—Not later than two years after the*
23 *date of the enactment of this Act, the Comptroller General*
24 *of the United States shall submit to the Committee on*
25 *Homeland Security of the House of Representatives and the*

1 *Committee on Homeland Security and Governmental Af-*
2 *fairs of the Senate a review of the implementation of this*
3 *section, including an assessment of the measures used to en-*
4 *sure privacy rights, civil rights, and civil liberties protec-*
5 *tions, and any recommendations to improve this implemen-*
6 *tation, together with any recommendations to improve in-*
7 *formation sharing with State, local, Tribal, territorial, and*
8 *private sector entities to prevent, identify, and respond to*
9 *threats of terrorism and other threats, including targeted*
10 *violence, to surface transportation assets.*

11 *(f) DEFINITIONS.—In this section:*

12 *(1) The term “surface transportation asset” in-*
13 *cludes facilities, equipment, or systems used to pro-*
14 *vide transportation services by—*

15 *(A) a public transportation agency (as such*
16 *term is defined in section 1402(5) of the Imple-*
17 *menting Recommendations of the 9/11 Commis-*
18 *sion Act of 2007 (Public Law 110–53; 6 U.S.C.*
19 *1131(5)));*

20 *(B) a railroad carrier (as such term is de-*
21 *finied in section 20102(3) of title 49, United*
22 *States Code);*

23 *(C) an owner or operator of—*

24 *(i) an entity offering scheduled, fixed-*
25 *route transportation services by over-the-*

1 road bus (as such term is defined in section
2 1501(4) of the Implementing Recommenda-
3 tions of the 9/11 Commission Act of 2007
4 (Public Law 110–53; 6 U.S.C. 1151(4))); or

5 (ii) a bus terminal; or

6 (D) other transportation facilities, equip-
7 ment, or systems, as determined by the Sec-
8 retary.

9 (2) The term “targeted violence” means an inci-
10 dent of violence in which an attacker selected a par-
11 ticular target in order to inflict mass injury or death
12 with no discernable political or ideological motivation
13 beyond mass injury or death.

14 (3) The term “terrorism” means the terms—

15 (A) domestic terrorism (as such term is de-
16 fined in section 2331(5) of title 18, United
17 States Code); and

18 (B) international terrorism (as such term is
19 defined in section 2331(1) of title 18, United
20 States Code).

21 **SEC. 6419. LOCAL LAW ENFORCEMENT SECURITY TRAINING.**

22 (a) *IN GENERAL.*—The Secretary of Homeland Secu-
23 rity, in consultation with public and private sector stake-
24 holders, may in a manner consistent with the protection
25 of privacy rights, civil rights, and civil liberties, develop,

1 *through the Federal Law Enforcement Training Centers, a*
2 *training program to enhance the protection, preparedness,*
3 *and response capabilities of law enforcement agencies with*
4 *respect to threats of terrorism and other threats, including*
5 *targeted violence, at a surface transportation asset.*

6 (b) *REQUIREMENTS.—If the Secretary of Homeland*
7 *Security develops the training program described in sub-*
8 *section (a), such training program shall—*

9 (1) *be informed by current information regard-*
10 *ing tactics used by terrorists and others engaging in*
11 *targeted violence;*

12 (2) *include tactical instruction tailored to the di-*
13 *verse nature of the surface transportation asset oper-*
14 *ational environment; and*

15 (3) *prioritize training officers from law enforce-*
16 *ment agencies that are eligible for or receive grants*
17 *under sections 2003 or 2004 of the Homeland Secu-*
18 *rity Act of 2002 (6 U.S.C. 604 and 605) and officers*
19 *employed by railroad carriers that operate passenger*
20 *service, including interstate passenger service.*

21 (c) *REPORT.—If the Secretary of Homeland Security*
22 *develops the training program described in subsection (a),*
23 *not later than one year after the date on which the Sec-*
24 *retary first implements the program, and annually there-*
25 *after during each year the Secretary carries out the pro-*

1 gram, the Secretary shall submit to the Committee on
2 Homeland Security of the House of Representatives and the
3 Committee on Homeland Security and Governmental Af-
4 fairs of the Senate a report on the program. Each such re-
5 port shall include, for the year covered by the report—

6 (1) a description of the curriculum for the train-
7 ing and any changes to such curriculum;

8 (2) an identification of any contracts entered
9 into for the development or provision of training
10 under the program;

11 (3) information on the law enforcement agencies
12 the personnel of which received the training, and for
13 each such agency, the number of participants; and

14 (4) a description of the measures used to ensure
15 the program was carried out to provide for protec-
16 tions of privacy rights, civil rights, and civil liberties.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “public and private sector stake-
19 holders” has the meaning given such term in section
20 114(t)(1)(c) of title 49, United States Code.

21 (2) The term “surface transportation asset” in-
22 cludes facilities, equipment, or systems used to pro-
23 vide transportation services by—

24 (A) a public transportation agency (as such
25 term is defined in section 1402(5) of the Imple-

1 *menting Recommendations of the 9/11 Commis-*
2 *sion Act of 2007 (Public Law 110–53; 6 U.S.C.*
3 *1131(5));*

4 *(B) a railroad carrier (as such term is de-*
5 *fin ed in section 20102(3) of title 49, United*
6 *States Code);*

7 *(C) an owner or operator of—*

8 *(i) an entity offering scheduled, fixed-*
9 *route transportation services by over-the-*
10 *road bus (as such term is defined in section*
11 *1501(4) of the Implementing Recommenda-*
12 *tions of the 9/11 Commission Act of 2007*
13 *(Public Law 110–53; 6 U.S.C. 1151(4)); or*

14 *(ii) a bus terminal; or*

15 *(D) other transportation facilities, equip-*
16 *ment, or systems, as determined by the Sec-*
17 *retary.*

18 *(3) The term “targeted violence” means an inci-*
19 *dent of violence in which an attacker selected a par-*
20 *ticular target in order to inflict mass injury or death*
21 *with no discernable political or ideological motivation*
22 *beyond mass injury or death.*

23 *(4) The term “terrorism” means the terms—*

1 (A) domestic terrorism (as such term is de-
2 fined in section 2331(5) of title 18, United
3 States Code); and

4 (B) international terrorism (as such term is
5 defined in section 2331(1) of title 18, United
6 States Code).

7 **SEC. 6420. ALLOWABLE USES OF FUNDS FOR PUBLIC**
8 **TRANSPORTATION SECURITY ASSISTANCE**
9 **GRANTS.**

10 Subparagraph (A) of section 1406(b)(2) of the Imple-
11 menting Recommendations of the 9/11 Commission Act of
12 2007 (6 U.S.C. 1135(b)(2); Public Law 110–53) is amended
13 by inserting “and associated backfill” after “security train-
14 ing”.

15 **SEC. 6421. PERIODS OF PERFORMANCE FOR PUBLIC TRANS-**
16 **PORTATION SECURITY ASSISTANCE GRANTS.**

17 Section 1406 of the Implementing Recommendations
18 of the 9/11 Commission Act of 2007 (6 U.S.C. 1135; Public
19 Law 110–53) is amended—

20 (1) by redesignating subsection (m) as subsection
21 (n); and

22 (2) by inserting after subsection (l) the following
23 new subsection:

24 “(m) PERIODS OF PERFORMANCE.—

1 (2) *An assessment of the manner in which such*
2 *projects address threats to public transportation in-*
3 *frastructure.*

4 (3) *An assessment of the impact, if any, of sec-*
5 *tions 5342 through 5345 (including the amendments*
6 *made by this Act) on types of projects funded under*
7 *the public transportation security assistance grant*
8 *program.*

9 (4) *An assessment of the management and ad-*
10 *ministration of public transportation security assist-*
11 *ance grant program funds by grantees.*

12 (5) *Recommendations to improve the manner in*
13 *which public transportation security assistance grant*
14 *program funds address vulnerabilities in public*
15 *transportation infrastructure.*

16 (6) *Recommendations to improve the manage-*
17 *ment and administration of the public transportation*
18 *security assistance grant program.*

19 (c) *REPORT.—Not later than one year after the date*
20 *of the enactment of this Act and again not later than five*
21 *years after such date of enactment, the Comptroller General*
22 *of the United States shall submit to the Committee on*
23 *Homeland Security of the House of Representatives and the*
24 *Committee on Homeland Security and Governmental Af-*

1 *fairs of the Senate a report on the review required under*
2 *this section.*

3 **SEC. 6423. SENSITIVE SECURITY INFORMATION; AVIATION**
4 **SECURITY.**

5 *(a) SENSITIVE SECURITY INFORMATION.—*

6 *(1) IN GENERAL.—Not later than 90 days after*
7 *the date of the enactment of this Act, the Adminis-*
8 *trator of the Transportation Security Administration*
9 *(TSA) shall—*

10 *(A) ensure clear and consistent designation*
11 *of “Sensitive Security Information”, including*
12 *reasonable security justifications for such des-*
13 *ignation;*

14 *(B) develop and implement a schedule to*
15 *regularly review and update, as necessary, TSA*
16 *Sensitive Security Information identification*
17 *guidelines;*

18 *(C) develop a tracking mechanism for all*
19 *Sensitive Security Information redaction and*
20 *designation challenges;*

21 *(D) document justifications for changes in*
22 *position regarding Sensitive Security Informa-*
23 *tion redactions and designations, and make such*
24 *changes accessible to TSA personnel for use with*
25 *relevant stakeholders, including air carriers, air-*

1 *port operators, surface transportation operators,*
2 *and State and local law enforcement, as nec-*
3 *essary; and*

4 *(E) ensure that TSA personnel are ade-*
5 *quately trained on appropriate designation poli-*
6 *cies.*

7 *(2) STAKEHOLDER OUTREACH.—Not later than*
8 *180 days after the date of the enactment of this Act,*
9 *the Administrator of the Transportation Security Ad-*
10 *ministration (TSA) shall conduct outreach to relevant*
11 *stakeholders described in paragraph (1)(D) that regu-*
12 *larly are granted access to Sensitive Security Infor-*
13 *mation to raise awareness of the TSA’s policies and*
14 *guidelines governing the designation and use of Sen-*
15 *sitive Security Information.*

16 *(b) AVIATION SECURITY.—*

17 *(1) IN GENERAL.—Not later than 60 days after*
18 *the date of the enactment of this Act, the Adminis-*
19 *trator of the Transportation Security Administration*
20 *shall develop and implement guidelines with respect*
21 *to domestic and last point of departure airports to—*

22 *(A) ensure the inclusion, as appropriate, of*
23 *air carriers, domestic airport operators, and*
24 *other transportation security stakeholders in the*

1 *development and implementation of security di-*
2 *rectives and emergency amendments;*

3 *(B) document input provided by air car-*
4 *riers, domestic airport operators, and other*
5 *transportation security stakeholders during the*
6 *security directive and emergency amendment, de-*
7 *velopment, and implementation processes;*

8 *(C) define a process, including timeframes,*
9 *and with the inclusion of feedback from air car-*
10 *riers, domestic airport operators, and other*
11 *transportation security stakeholders, for cancel-*
12 *ling or incorporating security directives and*
13 *emergency amendments into security programs;*

14 *(D) conduct engagement with foreign part-*
15 *ners on the implementation of security directives*
16 *and emergency amendments, as appropriate, in-*
17 *cluding recognition if existing security measures*
18 *at a last point of departure airport are found to*
19 *provide commensurate security as intended by*
20 *potential new security directives and emergency*
21 *amendments; and*

22 *(E) ensure that new security directives and*
23 *emergency amendments are focused on defined*
24 *security outcomes.*

1 (2) *BRIEFING TO CONGRESS.*—Not later than 90
 2 days after the date of the enactment of this Act, the
 3 Administrator of the Transportation Security Admin-
 4 istration shall brief the Committee on Homeland Se-
 5 curity of the House of Representatives and the Com-
 6 mittee on Commerce, Science, and Transportation of
 7 the Senate on the guidelines described in paragraph
 8 (1).

9 (3) *DECISIONS NOT SUBJECT TO JUDICIAL RE-*
 10 *VIEW.*—Notwithstanding any other provision of law,
 11 any action of the Administrator of the Transportation
 12 Security Administration under paragraph (1) is not
 13 subject to judicial review.

14 **TITLE LXV—OTHER MATTERS**
 15 **RELATING TO FOREIGN AFFAIRS**

Sec. 6501. Authorization for United States Participation in the Coalition for Epidemic Preparedness Innovations.

Sec. 6502. Required notification and reports related to Peacekeeping Operations account.

Sec. 6503. Transnational Repression Accountability and Prevention.

Sec. 6504. Human rights awareness for American athletic delegations.

Sec. 6505. Cooperation between the United States and Ukraine regarding the titanium industry.

Sec. 6506. Updates to the National Strategy for Combating Terrorist and Other Illicit Financing.

Sec. 6507. Report on net worth of Syrian President Bashar al-Assad.

Sec. 6508. Annual report on United States policy toward South Sudan.

Sec. 6509. Strategy for engagement with Southeast Asia and ASEAN.

Sec. 6510. Supporting democracy in Burma.

Sec. 6511. United States Grand Strategy with respect to China.

1 **SEC. 6501. AUTHORIZATION FOR UNITED STATES PARTICI-**
2 **PATION IN THE COALITION FOR EPIDEMIC**
3 **PREPAREDNESS INNOVATIONS.**

4 (a) *IN GENERAL.*—*The United States is authorized to*
5 *participate in the Coalition for Epidemic Preparedness In-*
6 *novations (referred to in this section as “CEPI”).*

7 (b) *INVESTORS COUNCIL AND BOARD OF DIREC-*
8 *TORS.*—

9 (1) *INITIAL DESIGNATION.*—*The President shall*
10 *designate an employee of the United States Agency for*
11 *International Development to serve on the Investors*
12 *Council and, if nominated, on the Board of Directors*
13 *of CEPI, as a representative of the United States dur-*
14 *ing the period beginning on the date of such designa-*
15 *tion and ending on September 30, 2022.*

16 (2) *ONGOING DESIGNATIONS.*—*The President*
17 *may designate an employee of the relevant Federal de-*
18 *partment or agency with fiduciary responsibility for*
19 *United States contributions to CEPI to serve on the*
20 *Investors Council and, if nominated, on the Board of*
21 *Directors of CEPI, as a representative of the United*
22 *States.*

23 (3) *QUALIFICATIONS.*—*Any employee designated*
24 *pursuant to paragraph (1) or (2) shall have dem-*
25 *onstrated knowledge and experience in the field of de-*
26 *velopment and, if designated from a Federal depart-*

1 *ment or agency with primary fiduciary responsibility*
2 *for United States contributions pursuant to para-*
3 *graph (2), in the field of public health, epidemiology,*
4 *or medicine.*

5 (4) *COORDINATION.*—*In carrying out the respon-*
6 *sibilities under this section, any employee designated*
7 *pursuant to paragraph (1) or (2) shall coordinate*
8 *with the Secretary of Health and Human Services to*
9 *promote alignment, as appropriate, between CEPI*
10 *and the strategic objectives and activities of the Sec-*
11 *retary of Health and Human Services with respect to*
12 *the research, development, and procurement of med-*
13 *ical countermeasures, consistent with titles III and*
14 *XXVIII of the Public Health Service Act (42 U.S.C.*
15 *241 et seq. and 300hh et seq.).*

16 (c) *CONSULTATION.*—*Not later than 60 days after the*
17 *date of the enactment of this Act, the employee designated*
18 *pursuant to subsection (b)(1) shall consult with the Com-*
19 *mittee on Foreign Relations, the Committee on Appropria-*
20 *tions, and the Committee on Health, Education, Labor, and*
21 *Pensions of the Senate and the Committee on Foreign Af-*
22 *airs, the Committee on Appropriations, and the Committee*
23 *on Energy and Commerce of the House of Representatives*
24 *regarding—*

1 (1) *the manner and extent to which the United*
2 *States plans to participate in CEPI, including*
3 *through the governance of CEPI;*

4 (2) *any planned financial contributions from the*
5 *United States to CEPI; and*

6 (3) *how participation in CEPI is expected to*
7 *support—*

8 (A) *the applicable revision of the National*
9 *Biodefense Strategy required under section 1086*
10 *of the National Defense Authorization Act for*
11 *Fiscal Year 2017 (6 U.S.C. 104); and*

12 (B) *any other relevant programs relating to*
13 *global health security and biodefense.*

14 **SEC. 6502. REQUIRED NOTIFICATION AND REPORTS RE-**
15 **LATED TO PEACEKEEPING OPERATIONS AC-**
16 **COUNT.**

17 (a) *CONGRESSIONAL NOTIFICATION.—Not later than*
18 *15 days prior to the obligation of amounts made available*
19 *to provide assistance pursuant to section 551 of the Foreign*
20 *Assistance Act of 1961 (22 U.S.C. 2348), the Secretary of*
21 *State shall submit to the appropriate congressional commit-*
22 *tees a notification, in accordance with the applicable proce-*
23 *dures under section 634A of such Act (22 U.S.C. 2394–1),*
24 *that includes, with respect to such assistance, the following:*

1 (1) *An itemized identification of each foreign*
2 *country or entity the capabilities of which the assist-*
3 *ance is intended to support.*

4 (2) *An identification of the amount, type, and*
5 *purpose of assistance to be provided to each such*
6 *country or entity.*

7 (3) *An assessment of the capacity of each such*
8 *country or entity to effectively implement, benefit*
9 *from, or use the assistance to be provided for the in-*
10 *tended purpose identified under paragraph (2).*

11 (4) *A description of plans to encourage and*
12 *monitor adherence to international human rights and*
13 *humanitarian law by the foreign country or entity re-*
14 *ceiving the assistance.*

15 (5) *An identification of any implementers, in-*
16 *cluding third party contractors or other such entities,*
17 *and the anticipated timeline for implementing any*
18 *activities to carry out the assistance.*

19 (6) *As applicable, a description of plans to sus-*
20 *tain and account for any military or security equip-*
21 *ment and subsistence funds provided as an element of*
22 *the assistance beyond the date of completion of such*
23 *activities, including the estimated cost and source of*
24 *funds to support such sustainment.*

1 (7) *An assessment of how such activities promote*
2 *the following:*

3 (A) *The diplomatic and national security*
4 *objectives of the United States.*

5 (B) *The objectives and regional strategy of*
6 *the country or entity receiving the assistance.*

7 (C) *The priorities of the United States re-*
8 *garding the promotion of good governance, rule*
9 *of law, the protection of civilians, and human*
10 *rights.*

11 (D) *The peacekeeping capabilities of part-*
12 *ner countries of the country or entity receiving*
13 *the assistance, including an explanation if such*
14 *activities do not support peacekeeping.*

15 (8) *An assessment of the possible impact of such*
16 *activities on local political and social dynamics, in-*
17 *cluding a description of any consultations with local*
18 *civil society.*

19 (b) *REPORTS ON PROGRAMS UNDER PEACEKEEPING*
20 *OPERATIONS ACCOUNT.—*

21 (1) *ANNUAL REPORT.—Not later than 90 days*
22 *after the enactment of this Act, and annually there-*
23 *after for 5 years, the Secretary of State shall submit*
24 *to the appropriate congressional committees a report*
25 *on any security assistance made available, during the*

1 *three fiscal years preceding the date on which the re-*
2 *port is submitted, to foreign countries that received*
3 *assistance authorized under section 551 of the Foreign*
4 *Assistance Act of 1961 (22 U.S.C. 2348) for any of*
5 *the following purposes:*

6 (A) *Building the capacity of the foreign*
7 *military, border security, or law enforcement en-*
8 *tities, of the country.*

9 (B) *Strengthening the rule of law of the*
10 *country.*

11 (C) *Countering violent extremist ideology or*
12 *recruitment within the country.*

13 (2) *MATTERS.—Each report under paragraph*
14 *(1) shall include, with respect to each foreign country*
15 *that has received assistance as specified in such para-*
16 *graph, the following:*

17 (A) *An identification of the authority used*
18 *to provide such assistance and a detailed de-*
19 *scription of the purpose of assistance provided.*

20 (B) *An identification of the amount of such*
21 *assistance and the program under which such as-*
22 *sistance was provided.*

23 (C) *A description of the arrangements to*
24 *sustain any equipment provided to the country*
25 *as an element of such assistance beyond the date*

1 *of completion of the assistance, including the es-*
 2 *timated cost and source of funds to support such*
 3 *sustainment.*

4 *(D) An assessment of the impact of such as-*
 5 *istance on the peacekeeping capabilities and se-*
 6 *curity situation of the country, including with*
 7 *respect to the levels of conflict and violence, the*
 8 *local, political, and social dynamics, and the*
 9 *human rights record, of the country.*

10 *(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 11 *FINED.—In this section, the term “appropriate congres-*
 12 *sional committees” means—*

13 *(1) the Committee on Foreign Relations of the*
 14 *Senate and the Committee on Foreign Affairs of the*
 15 *House of Representatives; and*

16 *(2) the Committees on Appropriations of the*
 17 *Senate and of the House of Representatives.*

18 **SEC. 6503. TRANSNATIONAL REPRESSION ACCOUNTABILITY**
 19 **AND PREVENTION.**

20 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 21 *that some INTERPOL member countries have repeatedly*
 22 *misused INTERPOL’s databases and processes, including*
 23 *Notice and Diffusion mechanisms, to conduct activities of*
 24 *an overtly political or other unlawful character and in vio-*
 25 *lation of international human rights standards, including*

1 *by making requests to harass or persecute political oppo-*
2 *nents, human rights defenders, or journalists.*

3 (b) *SUPPORT FOR INTERPOL INSTITUTIONAL RE-*
4 *FORMS.—The Attorney General and the Secretary of State*
5 *shall—*

6 (1) *use the voice, vote, and influence of the*
7 *United States, as appropriate, within INTERPOL’s*
8 *General Assembly and Executive Committee to pro-*
9 *mote reforms aimed at improving the transparency of*
10 *INTERPOL and ensuring its operation consistent*
11 *with its Constitution, particularly articles 2 and 3,*
12 *and Rules on the Processing of Data, including—*

13 (A) *supporting INTERPOL’s reforms en-*
14 *hancing the screening process for Notices, Diffu-*
15 *sions, and other INTERPOL communications to*
16 *ensure they comply with INTERPOL’s Constitu-*
17 *tion and Rules on the Processing of Data (RPD);*

18 (B) *supporting and strengthening*
19 *INTERPOL’s coordination with the Commission*
20 *for Control of INTERPOL’s Files (CCF) in cases*
21 *in which INTERPOL or the CCF has deter-*
22 *mined that a member country issued a Notice,*
23 *Diffusion, or other INTERPOL communication*
24 *against an individual in violation of articles 2*
25 *or 3 of the INTERPOL Constitution, or the*

1 *RPD, to prohibit such member country from*
2 *seeking the publication or issuance of any subse-*
3 *quent Notices, Diffusions, or other INTERPOL*
4 *communication against the same individual*
5 *based on the same set of claims or facts;*

6 (C) *increasing, to the extent practicable,*
7 *dedicated funding to the CCF and the Notices*
8 *and Diffusions Task Force in order to further ex-*
9 *pend operations related to the review of requests*
10 *for red notices and red diffusions;*

11 (D) *supporting candidates for positions*
12 *within INTERPOL's structures, including the*
13 *Presidency, Executive Committee, General Secre-*
14 *tariat, and CCF who have demonstrated experi-*
15 *ence relating to and respect for the rule of law;*

16 (E) *seeking to require INTERPOL in its*
17 *annual report to provide a detailed account,*
18 *disaggregated by member country or entity of—*

19 (i) *the number of Notice requests,*
20 *disaggregated by color, that it received;*

21 (ii) *the number of Notice requests,*
22 *disaggregated by color, that it rejected;*

23 (iii) *the category of violation identified*
24 *in each instance of a rejected Notice;*

1 (iv) the number of Diffusions that it
2 cancelled without reference to decisions by
3 the CCF; and

4 (v) the sources of all INTERPOL in-
5 come during the reporting period; and

6 (F) supporting greater transparency by the
7 CCF in its annual report by providing a de-
8 tailed account, disaggregated by country, of—

9 (i) the number of admissible requests
10 for correction or deletion of data received by
11 the CCF regarding issued Notices, Diffu-
12 sions, and other INTERPOL communica-
13 tions; and

14 (ii) the category of violation alleged in
15 each such complaint;

16 (2) inform the INTERPOL General Secretariat
17 about incidents in which member countries abuse
18 INTERPOL communications for politically motivated
19 or other unlawful purposes so that, as appropriate,
20 action can be taken by INTERPOL; and

21 (3) request to censure member countries that re-
22 peatedly abuse and misuse INTERPOL's red notice
23 and red diffusion mechanisms, including restricting
24 the access of those countries to INTERPOL's data
25 and information systems.

1 (c) *REPORT ON INTERPOL.*—

2 (1) *IN GENERAL.*—Not later than 180 days after
3 the date of enactment of this Act, and biannually
4 thereafter for a period of 4 years, the Attorney Gen-
5 eral and the Secretary of State, in consultation with
6 the heads of other relevant United States Government
7 departments or agencies, shall submit to the appro-
8 priate committees of Congress a report containing an
9 assessment of how *INTERPOL* member countries
10 abuse *INTERPOL* Red Notices, Diffusions, and other
11 *INTERPOL* communications for political motives
12 and other unlawful purposes within the past three
13 years.

14 (2) *ELEMENTS.*—The report required under
15 paragraph (1) shall include the following elements:

16 (A) A list of countries that the Attorney
17 General and the Secretary determine have re-
18 peatedly abused and misused the red notice and
19 red diffusion mechanisms for political purposes.

20 (B) A description of the most common tac-
21 tics employed by member countries in conducting
22 such abuse, including the crimes most commonly
23 alleged and the *INTERPOL* communications
24 most commonly exploited.

1 (C) *An assessment of the adequacy of*
2 *INTERPOL mechanisms for challenging abusive*
3 *requests, including the Commission for the Con-*
4 *trol of INTERPOL's Files (CCF), an assessment*
5 *of the CCF's March 2017 Operating Rules, and*
6 *any shortcoming the United States believes*
7 *should be addressed.*

8 (D) *A description of how INTERPOL's*
9 *General Secretariat identifies requests for red no-*
10 *tice or red diffusions that are politically moti-*
11 *vated or are otherwise in violation of*
12 *INTERPOL's rules and how INTERPOL re-*
13 *views and addresses cases in which a member*
14 *country has abused or misused the red notice*
15 *and red diffusion mechanisms for overtly polit-*
16 *ical purposes.*

17 (E) *A description of any incidents in which*
18 *the Department of Justice assesses that United*
19 *States courts and executive departments or agen-*
20 *cies have relied on INTERPOL communications*
21 *in contravention of existing law or policy to seek*
22 *the detention of individuals or render judgments*
23 *concerning their immigration status or requests*
24 *for asylum, with holding of removal, or conven-*
25 *tion against torture claims and any measures*

1 *the Department of Justice or other executive de-*
2 *partments or agencies took in response to these*
3 *incidents.*

4 *(F) A description of how the United States*
5 *monitors and responds to likely instances of*
6 *abuse of INTERPOL communications by mem-*
7 *ber countries that could affect the interests of the*
8 *United States, including citizens and nationals*
9 *of the United States, employees of the United*
10 *States Government, aliens lawfully admitted for*
11 *permanent residence in the United States, aliens*
12 *who are lawfully present in the United States, or*
13 *aliens with pending asylum, withholding of re-*
14 *moval, or convention against torture claims,*
15 *though they may be unlawfully present in the*
16 *United States.*

17 *(G) A description of what actions the*
18 *United States takes in response to credible infor-*
19 *mation it receives concerning likely abuse of*
20 *INTERPOL communications targeting employ-*
21 *ees of the United States Government for activi-*
22 *ties they undertook in an official capacity.*

23 *(H) A description of United States advo-*
24 *cacy for reform and good governance within*
25 *INTERPOL.*

1 (I) *A strategy for improving interagency co-*
2 *ordination to identify and address instances of*
3 *INTERPOL abuse that affect the interests of the*
4 *United States, including international respect*
5 *for human rights and fundamental freedoms,*
6 *citizens and nationals of the United States, em-*
7 *ployees of the United States Government, aliens*
8 *lawfully admitted for permanent residence in the*
9 *United States, aliens who are lawfully present in*
10 *the United States, or aliens with pending asy-*
11 *lum, withholding of removal, or convention*
12 *against torture claims, though they may be un-*
13 *lawfully present in the United States.*

14 (3) *FORM OF REPORT.*—*Each report required*
15 *under this subsection shall be submitted in unclassi-*
16 *fied form, but may include a classified annex, as ap-*
17 *propriate. The unclassified portion of the report shall*
18 *be posted on a publicly available website of the De-*
19 *partment of State and of the Department of Justice.*

20 (4) *BRIEFING.*—*Not later than 30 days after the*
21 *submission of each report under paragraph (1), the*
22 *Department of Justice and the Department of State,*
23 *in coordination with other relevant United States*
24 *Government departments and agencies, shall brief the*
25 *appropriate committees of Congress on the content of*

1 *the reports and recent instances of INTERPOL abuse*
2 *by member countries and United States efforts to*
3 *identify and challenge such abuse, including efforts to*
4 *promote reform and good governance within*
5 *INTERPOL.*

6 *(d) PROHIBITION REGARDING BASIS FOR EXTRA-*
7 *DITION.—No United States Government department or*
8 *agency may extradite an individual based solely on an*
9 *INTERPOL Red Notice or Diffusion issued by another*
10 *INTERPOL member country for such individual.*

11 *(e) DEFINITIONS.—In this section:*

12 *(1) APPROPRIATE COMMITTEES OF CONGRESS.—*
13 *The term “appropriate committees of Congress”*
14 *means—*

15 *(A) the Committee on Foreign Relations*
16 *and the Committee on the Judiciary of the Sen-*
17 *ate; and*

18 *(B) the Committee on Foreign Affairs and*
19 *the Committee on the Judiciary of the House of*
20 *Representatives.*

21 *(2) INTERPOL COMMUNICATIONS.—The term*
22 *“INTERPOL communications” means any*
23 *INTERPOL Notice or Diffusion or any entry into*
24 *any INTERPOL database or other communications*
25 *system maintained by INTERPOL.*

1 **SEC. 6504. HUMAN RIGHTS AWARENESS FOR AMERICAN**
2 **ATHLETIC DELEGATIONS.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
4 *that individuals representing the United States at inter-*
5 *national athletic competitions in foreign countries should*
6 *have the opportunity to be informed about human rights*
7 *and security concerns in such countries and how best to*
8 *safeguard their personal security and privacy.*

9 (b) *IN GENERAL.*—

10 (1) *IN GENERAL.*—*Not later than 120 days after*
11 *the date of the enactment of this Act, the Secretary of*
12 *State shall devise and implement a strategy for dis-*
13 *seminating briefing materials, including information*
14 *described in subsection (c), to individuals rep-*
15 *resenting the United States at international athletic*
16 *competitions in a covered country.*

17 (2) *TIMING AND FORM OF MATERIALS.*—

18 (A) *IN GENERAL.*—*The briefing materials*
19 *referred to in paragraph (1) shall be offered not*
20 *later than 180 days prior to the commencement*
21 *of an international athletic competition in a cov-*
22 *ered country.*

23 (B) *FORM OF DELIVERY.*—*Briefing mate-*
24 *rials related to the human rights record of cov-*
25 *ered countries may be delivered electronically or*
26 *disseminated in person, as appropriate.*

1 (C) *SPECIAL CONSIDERATION.*—*Information*
2 *briefing materials related to personal security*
3 *risks may be offered electronically, in written*
4 *format, by video teleconference, or prerecorded*
5 *video.*

6 (3) *CONSULTATIONS.*—*In devising and imple-*
7 *menting the strategy required under paragraph (1),*
8 *the Secretary of State shall consult with the following:*

9 (A) *The Committee on Foreign Affairs of*
10 *the House of Representatives and the Committee*
11 *on Foreign Relations in the Senate, not later*
12 *than 90 days after the date of the enactment of*
13 *this Act.*

14 (B) *Leading human rights nongovernmental*
15 *organizations and relevant subject-matter experts*
16 *in determining the content of the briefings re-*
17 *quired under this subsection.*

18 (C) *The United States Olympic and*
19 *Paralympic Committee and the national gov-*
20 *erning bodies of amateur sports that play a role*
21 *in determining which individuals represent the*
22 *United States in international athletic competi-*
23 *tions, regarding the most appropriate and effec-*
24 *tive method to disseminate briefing materials.*

1 (c) *CONTENT OF BRIEFINGS.*—*The briefing materials*
2 *required under subsection (b) shall include, with respect to*
3 *a covered country hosting an international athletic com-*
4 *petition in which individuals may represent the United*
5 *States, the following:*

6 (1) *Information on the human rights concerns*
7 *present in such covered country, as described in the*
8 *Department of State’s Annual Country Reports on*
9 *Human Rights Practices.*

10 (2) *Information, as applicable, on risks such in-*
11 *dividuals may face to their personal and digital pri-*
12 *vacy and security, and recommended measures to*
13 *safeguard against certain forms of foreign intelligence*
14 *targeting, as appropriate.*

15 (d) *COVERED COUNTRY DEFINED.*—*In this section, the*
16 *term “covered country” means, with respect to a country*
17 *hosting an international athletic competition in which in-*
18 *dividuals representing the United States may participate,*
19 *any of the following:*

20 (1) *Any Communist country specified in sub-*
21 *section (f) of section 620 of the Foreign Assistance Act*
22 *of 1961 (22 U.S.C. 2370(f)).*

23 (2) *Any country ranked as a Tier 3 country in*
24 *the most recent Department of State’s annual Traf-*
25 *ficking in Persons Report.*

1 (3) *Any other country the Secretary of State de-*
2 *termines presents serious human rights concerns for*
3 *the purpose of informing such individuals.*

4 (4) *Any country the Secretary of State, in con-*
5 *sultation with other cabinet officials as appropriate,*
6 *determines presents a serious counterintelligence risk.*

7 **SEC. 6505. COOPERATION BETWEEN THE UNITED STATES**
8 **AND UKRAINE REGARDING THE TITANIUM IN-**
9 **DUSTRY.**

10 (a) *STATEMENT OF POLICY.—It is the policy of the*
11 *United States to engage with the Government of Ukraine*
12 *on cooperation in the titanium industry as a potential al-*
13 *ternative to Chinese and Russian sources on which the*
14 *United States and Europe currently depend.*

15 (b) *REPORTING REQUIREMENT.—Not later than 180*
16 *days after the date of the enactment of this Act, the Sec-*
17 *retary of State shall submit to the appropriate congres-*
18 *sional committees a report that describes the feasibility of*
19 *utilizing titanium sources from Ukraine as a potential al-*
20 *ternative to Chinese and Russian sources.*

21 (c) *FORM.—The report required by subsection (b) shall*
22 *be submitted in unclassified form, but may include a classi-*
23 *fied annex.*

1 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—In
2 *this section, the term “appropriate congressional commit-*
3 *tees” means—*

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

6 (2) *the Committee on Foreign Affairs and the*
7 *Committee on Armed Services of the House of Rep-*
8 *resentatives.*

9 **SEC. 6506. UPDATES TO THE NATIONAL STRATEGY FOR**
10 **COMBATING TERRORIST AND OTHER ILLICIT**
11 **FINANCING.**

12 *The Countering Russian Influence in Europe and*
13 *Eurasia Act of 2017 (22 U.S.C. 9501 et seq.) is amended—*

14 (1) *in section 261(b)(2)—*

15 (A) *by striking “2020” and inserting*
16 *“2024”; and*

17 (B) *by striking “2022” and inserting*
18 *“2026”;*

19 (2) *in section 262—*

20 (A) *in paragraph (1)—*

21 (i) *by striking “in the documents enti-*
22 *tled ‘2015 National Money Laundering Risk*
23 *Assessment’ and ‘2015 National Terrorist*
24 *Financing Risk Assessment’,” and inserting*
25 *“in the documents entitled ‘2020 National*

1 *Strategy for Combating Terrorist and Other*
2 *Illicit Financing’ and ‘2022 National*
3 *Strategy for Combating Terrorist and Other*
4 *Illicit Financing’ ”; and*

5 (ii) by striking “the broader counter
6 terrorism strategy of the United States” and
7 inserting “the broader counter terrorism
8 and national security strategies of the
9 United States”;

10 (B) in paragraph (6)—

11 (i) by striking “PREVENTION OF IL-
12 LICIT FINANCE” and inserting “PREVEN-
13 TION, DETECTION, AND DISRUPTION OF IL-
14 LICIT FINANCE”;

15 (ii) by striking “private financial sec-
16 tor” and inserting “private sector, includ-
17 ing financial and other relevant indus-
18 tries,”; and

19 (iii) by striking “with regard to the
20 prevention and detection of illicit finance”
21 and inserting “with regard to the preven-
22 tion, detection, and disruption of illicit fi-
23 nance”; and

24 (C) in paragraph (8), by striking “such as
25 so-called cryptocurrencies, other methods that are

1 *computer, telecommunications, or Internet-based,*
2 *cyber crime.”.*

3 **SEC. 6507. REPORT ON NET WORTH OF SYRIAN PRESIDENT**

4 **BASHAR AL-ASSAD.**

5 *(a) IN GENERAL.—Not later than 120 days after the*
6 *date of the enactment of this Act, the Secretary of State*
7 *shall submit to the Committee on Foreign Affairs of the*
8 *House of Representatives and the Committee on Foreign Re-*
9 *lations of the Senate a report on the estimated net worth*
10 *and known sources of income of Syrian President Bashar*
11 *al-Assad and his family members (including spouse, chil-*
12 *dren, siblings, and paternal and maternal cousins), includ-*
13 *ing income from corrupt or illicit activities and including*
14 *assets, investments, other business interests, and relevant*
15 *beneficial ownership information.*

16 *(b) FORM.—The report required by subsection (a) shall*
17 *be submitted in unclassified form, but may contain a classi-*
18 *fied annex if necessary. The unclassified portion of such re-*
19 *port shall be made available on a publicly available internet*
20 *website of the Federal Government.*

21 **SEC. 6508. ANNUAL REPORT ON UNITED STATES POLICY TO-**

22 **WARD SOUTH SUDAN.**

23 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
24 *that—*

1 (1) *the signatories to the Revitalized Agreement*
2 *on the Resolution of the Conflict in the Republic of*
3 *South Sudan, signed on September 12, 2018, have de-*
4 *layed implementation, leading to continued conflict*
5 *and instability in South Sudan;*

6 (2) *despite years of fighting, 2 peace agreements,*
7 *punitive actions by the international community, and*
8 *widespread suffering among civilian populations, the*
9 *leaders of South Sudan have failed to build sustain-*
10 *able peace;*

11 (3) *the United Nations arms embargo on South*
12 *Sudan, most recently extended by 1 year to May 31,*
13 *2022, through United Nations Security Council Reso-*
14 *lution 2577 (2021), is necessary to stem the illicit*
15 *transfer and destabilizing accumulation and misuse*
16 *of small arms and light weapons in perpetuation of*
17 *the conflict in South Sudan;*

18 (4) *the United States should call on other mem-*
19 *ber states of the United Nations to redouble efforts to*
20 *enforce the United Nations arms embargo on South*
21 *Sudan; and*

22 (5) *the United States, through the United States*
23 *Mission to the United Nations, should use its voice*
24 *and vote in the United Nations Security Council in*

1 *favor of maintaining the United Nations arms embar-*
2 *go on South Sudan until—*

3 *(A) the Revitalized Agreement on the Reso-*
4 *lution of the Conflict in the Republic of South*
5 *Sudan is fully implemented; or*

6 *(B) credible, fair, and transparent demo-*
7 *cratic elections are held in South Sudan.*

8 *(b) REPORT REQUIRED.—*

9 *(1) IN GENERAL.—Not later than 90 days after*
10 *the date of the enactment of this Act and annually*
11 *thereafter for 5 years, the Secretary of State, in con-*
12 *sultation with the Administrator of the United States*
13 *Agency for International Development and the heads*
14 *of other Federal department and agencies as nec-*
15 *essary, shall submit to the appropriate congressional*
16 *committees a report on United States policy toward*
17 *South Sudan, including the most recent approved*
18 *interagency strategy developed to address political, se-*
19 *curity, and humanitarian issues prevalent in the*
20 *country since it gained independence from Sudan in*
21 *July 2011.*

22 *(2) ELEMENTS.—The report required by para-*
23 *graph (1) shall include the following:*

24 *(A) An assessment of the situation in South*
25 *Sudan, including the role of South Sudanese*

1 *government officials in intercommunal violence,*
2 *corruption, and obstruction of the peace process.*

3 *(B) An assessment of the status of the im-*
4 *plementation of the 2018 R-ARCSS and the on-*
5 *going peace processes.*

6 *(C) A detailed description of United States*
7 *assistance and other efforts to support peace*
8 *processes in South Sudan, including an assess-*
9 *ment of the efficacy of stakeholder engagement*
10 *and United States assistance to advance*
11 *peacebuilding, conflict mitigation, and other re-*
12 *lated activities.*

13 *(D) An assessment of the United Nations*
14 *Mission in South Sudan capacity and progress*
15 *in fulfilling its mandate over the last 3 fiscal*
16 *years.*

17 *(E) A detailed description of United States*
18 *funding for emergency and non-emergency hu-*
19 *manitarian and development assistance to South*
20 *Sudan, as well as support provided to improve*
21 *anti-corruption and fiscal transparency efforts*
22 *in South Sudan over the last 5 fiscal years.*

23 *(F) A summary of United States efforts to*
24 *promote accountability for human rights abuses*
25 *and an assessment of efforts by the Government*

1 *of South Sudan and the African Union, respec-*
2 *tively, to hold responsible parties accountable.*

3 *(G) Analysis of the impact of domestic and*
4 *international sanctions on deterring and com-*
5 *bating corruption, mitigating and reducing con-*
6 *flict, and holding those responsible for human*
7 *rights abuses accountable.*

8 *(H) An assessment of the prospects for, and*
9 *impediments to, holding credible general elec-*
10 *tions.*

11 *(3) FORM.—The report required by paragraph*
12 *(1) shall be submitted in unclassified form and posted*
13 *to a website of the Department of State, may include*
14 *a classified annex, and shall be accompanied by a*
15 *briefing as determined necessary.*

16 *(c) BRIEFING.—Not later than 90 days after the date*
17 *of the enactment of this Act and annually thereafter for 2*
18 *years, the Secretary of the Treasury, in consultation with*
19 *the Secretary of State and the heads of other Federal de-*
20 *partment and agencies as necessary, shall brief the appro-*
21 *priate congressional committees on United States efforts,*
22 *including assistance provided by the Department of Treas-*
23 *ury and United States law enforcement and intelligence*
24 *communities, to detect and deter money laundering and*
25 *counter illicit financial flows, trafficking in persons, weap-*

1 *ons, and other illicit goods, and the financing of terrorists*
2 *and armed groups. Such briefing shall be provided in un-*
3 *classified setting and may include a classified briefing as*
4 *determined necessary.*

5 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
6 *FINED.—In this section, the term “appropriate congres-*
7 *sional committees” means—*

8 *(1) the Committee on Foreign Relations, the*
9 *Committee on Banking, and the Committee on Appro-*
10 *priations of the Senate;*

11 *(2) the Committee on Foreign Affairs, the Com-*
12 *mittee on Financial Services, and the Committee on*
13 *Appropriations of the House of Representatives.*

14 **SEC. 6509. STRATEGY FOR ENGAGEMENT WITH SOUTHEAST**
15 **ASIA AND ASEAN.**

16 *(a) IN GENERAL.—Not later than 180 days after the*
17 *date of the enactment of this Act, the Secretary of State,*
18 *in consultation with the heads of other Federal departments*
19 *and agencies as appropriate, shall develop and submit to*
20 *the appropriate congressional committees a comprehensive*
21 *strategy for engagement with Southeast Asia and the Asso-*
22 *ciation of Southeast Asian Nations (ASEAN).*

23 *(b) MATTERS TO BE INCLUDED.—The strategy re-*
24 *quired by subsection (a) shall include the following:*

1 (1) *A statement of enduring United States inter-*
2 *ests in Southeast Asia and a description of efforts to*
3 *bolster the effectiveness of ASEAN.*

4 (2) *A description of efforts to—*

5 (A) *deepen and expand Southeast Asian al-*
6 *liances, partnerships, and multilateral engage-*
7 *ments, including efforts to expand broad based*
8 *and inclusive economic growth, security ties, se-*
9 *curity cooperation and interoperability, eco-*
10 *nomics connectivity, and expand opportunities*
11 *for ASEAN to work with other like-minded part-*
12 *ners in the region; and*

13 (B) *encourage like-minded partners outside*
14 *of the Indo-Pacific region to engage with*
15 *ASEAN.*

16 (3) *A summary of initiatives across the whole of*
17 *the United States Government to strengthen the*
18 *United States partnership with Southeast Asian na-*
19 *tions and ASEAN, including to promote broad based*
20 *and inclusive economic growth, trade, investment, en-*
21 *ergy innovation and sustainability, public-private*
22 *partnerships, physical and digital infrastructure de-*
23 *velopment, education, disaster management, public*
24 *health and global health security, and economic, polit-*
25 *ical, and public diplomacy in Southeast Asia.*

1 (4) *A summary of initiatives across the whole of*
2 *the United States Government to enhance the capac-*
3 *ity of Southeast Asian nations with respect to enforc-*
4 *ing international law and multilateral sanctions, and*
5 *initiatives to cooperate with ASEAN as an institu-*
6 *tion in these areas.*

7 (5) *A summary of initiatives across the whole of*
8 *the United States Government to promote human*
9 *rights and democracy, to strengthen the rule of law,*
10 *civil society, and transparent governance, to combat*
11 *disinformation and to protect the integrity of elec-*
12 *tions from outside influence.*

13 (6) *A summary of initiatives to promote security*
14 *cooperation and security assistance within Southeast*
15 *Asian nations, including—*

16 (A) *maritime security and maritime do-*
17 *main awareness initiatives for protecting the*
18 *maritime commons and supporting international*
19 *law and freedom of navigation in the South*
20 *China Sea; and*

21 (B) *efforts to combat terrorism, human traf-*
22 *ficking, piracy, and illegal fishing, and promote*
23 *more open, reliable routes for sea lines of com-*
24 *munication.*

1 (c) *DISTRIBUTION OF STRATEGY.*—*For the purposes of*
2 *assuring allies and partners in Southeast Asia and deep-*
3 *ening United States engagement with ASEAN, the Sec-*
4 *retary of State shall direct each United States chief of mis-*
5 *sion to ASEAN and its member states to distribute the*
6 *strategy required by subsection (a) to host governments.*

7 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
8 *FINED.*—*In this section, the term “appropriate congres-*
9 *sional committees” means—*

10 (1) *the Committee on Foreign Affairs and the*
11 *Committee on Armed Services of the House of Rep-*
12 *resentatives; and*

13 (2) *the Committee on Foreign Relations and the*
14 *Committee on Armed Services of the Senate.*

15 **SEC. 6510. SUPPORTING DEMOCRACY IN BURMA.**

16 (a) *DEFINED TERM.*—*In this section, the term “appro-*
17 *priate congressional committees” means—*

18 (1) *the Committee on Foreign Relations of the*
19 *Senate;*

20 (2) *the Committee on Foreign Affairs of the*
21 *House of Representatives;*

22 (3) *the Committee on Appropriations of the Sen-*
23 *ate;*

24 (4) *the Committee on Appropriations of the*
25 *House of Representatives;*

1 (5) *the Committee on Armed Services of the Sen-*
2 *ate;*

3 (6) *the Committee on Armed Services of the*
4 *House of Representatives;*

5 (7) *the Committee on Banking, Housing, and*
6 *Urban Affairs of the Senate; and*

7 (8) *the Committee on Financial Services of the*
8 *House of Representatives.*

9 ***(b) BRIEFING REQUIRED.—***

10 (1) *IN GENERAL.—Not later than 60 days after*
11 *the date of the enactment of this Act, the following of-*
12 *icials shall jointly brief the appropriate congressional*
13 *committees regarding actions taken by the United*
14 *States Government to further United States policy*
15 *and security objectives in Burma (officially known as*
16 *the “Republic of the Union of Myanmar”):*

17 (A) *The Assistant Secretary of State for*
18 *East Asian and Pacific Affairs.*

19 (B) *The Counselor of the Department of*
20 *State.*

21 (C) *The Under Secretary of the Treasury*
22 *for Terrorism and Financial Intelligence.*

23 (D) *The Assistant to the Administrator for*
24 *the Bureau for Conflict Prevention and Sta-*
25 *bilization.*

1 (E) *Additional officials from the Depart-*
2 *ment of Defense or the Intelligence Community,*
3 *as appropriate.*

4 (2) *INFORMATION REQUIRED.—The briefing re-*
5 *quired under paragraph (1) shall include—*

6 (A) *a detailed description of the specific*
7 *United States policy and security objectives in*
8 *Burma;*

9 (B) *information about any actions taken by*
10 *the United States, either directly or in coordina-*
11 *tion with other countries—*

12 (i) *to support and legitimize the Na-*
13 *tional Unity Government of the Republic of*
14 *the Union of Myanmar, The Civil Disobe-*
15 *dience Movement in Myanmar, and other*
16 *entities promoting democracy in Burma,*
17 *while simultaneously denying legitimacy*
18 *and resources to the Myanmar’s military*
19 *junta;*

20 (ii) *to impose costs on Myanmar’s*
21 *military junta, including—*

22 (I) *an assessment of the impact of*
23 *existing United States and inter-*
24 *national sanctions; and*

1 (II) a description of potential
2 prospects for additional sanctions;

3 (iii) to secure the restoration of democ-
4 racy, the establishment of inclusive and rep-
5 resentative civilian government, with a re-
6 formed military reflecting the diversity of
7 Burma and under civilian control, and the
8 enactment of constitutional, political, and
9 economic reform in Burma;

10 (iv) to secure the unconditional release
11 of all political prisoners in Burma;

12 (v) to promote genuine national rec-
13 onciliation among Burma's diverse ethnic
14 and religious groups;

15 (vi) to ensure accountability for atroc-
16 ities, human rights violations, and crimes
17 against humanity committed by Myanmar's
18 military junta; and

19 (vii) to avert a large-scale humani-
20 tarian disaster;

21 (C) an update on the current status of
22 United States assistance programs in Burma,
23 including—

24 (i) humanitarian assistance for af-
25 fected populations, including internally dis-

1 *placed persons and efforts to mitigate hu-*
2 *manitarian and health crises in neigh-*
3 *boring countries and among refugee popu-*
4 *lations;*

5 *(ii) democracy assistance, including*
6 *support to the National Unity Government*
7 *of the Republic of the Union of Myanmar*
8 *and civil society groups in Burma;*

9 *(iii) economic assistance; and*

10 *(iv) global health assistance, including*
11 *COVID–19 relief; and*

12 *(D) a description of the strategic interests*
13 *in Burma of the People’s Republic of China and*
14 *the Russian Federation, including—*

15 *(i) access to natural resources and*
16 *lines of communications to sea routes; and*

17 *(ii) actions taken by such countries—*

18 *(I) to support Myanmar’s mili-*
19 *tary junta in order to preserve or pro-*
20 *mote such interests;*

21 *(II) to undermine the sovereignty*
22 *and territorial integrity of Burma;*
23 *and*

24 *(III) to promote ethnic conflict*
25 *within Burma.*

1 (c) *CLASSIFICATION AND FORMAT.*—*The briefing re-*
2 *quired under subsection (b)—*

3 (1) *shall be provided in an unclassified setting;*

4 *and*

5 (2) *may be accompanied by a separate classified*
6 *briefing, as appropriate.*

7 **SEC. 6511. UNITED STATES GRAND STRATEGY WITH RE-**
8 **SPECT TO CHINA.**

9 (a) *STRATEGY REQUIRED.*—

10 (1) *IN GENERAL.*—*Not later than 30 days after*
11 *the date on which the President first submits to Con-*
12 *gress a national security strategy under section 108*
13 *of the National Security Act of 1947 (50 U.S.C. 3043)*
14 *after the date of the enactment of this Act, the Presi-*
15 *dent shall commence developing a comprehensive re-*
16 *port that articulates the strategy of the United States*
17 *with respect to the People’s Republic of China (in this*
18 *section referred to as the “China Strategy”) that*
19 *builds on the work of such national security strategy.*

20 (2) *SUBMITTAL.*—*Not later than 270 days after*
21 *the date on which the President first submits to Con-*
22 *gress a national security strategy under section 108*
23 *of the National Security Act of 1947 (50 U.S.C. 3043)*
24 *after the date of the enactment of this Act, the Presi-*

1 *dent shall submit to Congress the China Strategy de-*
2 *veloped under paragraph (1).*

3 (3) *FORM.—The China Strategy shall be sub-*
4 *mitted in classified form and shall include an unclas-*
5 *sified summary.*

6 (b) *CONTENTS.—The China Strategy developed under*
7 *subsection (a) shall set forth the national security strategy*
8 *of the United States with respect to the People’s Republic*
9 *of China and shall include a comprehensive description and*
10 *discussion of the following:*

11 (1) *The strategy of the People’s Republic of*
12 *China regarding the military, economic, and political*
13 *power of China in the Indo-Pacific region and world-*
14 *wide, including why the People’s Republic of China*
15 *has decided on such strategy and what the strategy*
16 *means for the long-term interests, values, goals, and*
17 *objectives of the United States.*

18 (2) *The worldwide interests, values, goals, and*
19 *objectives of the United States as they relate to*
20 *geostrategic and geoeconomic competition with the*
21 *People’s Republic of China.*

22 (3) *The foreign and economic policy, worldwide*
23 *commitments, and national defense capabilities of the*
24 *United States necessary to deter aggression and to*
25 *implement the national security strategy of the*

1 *United States as they relate to the new era of com-*
2 *petition with the People’s Republic of China.*

3 *(4) How the United States will exercise the polit-*
4 *ical, economic, military, diplomatic, and other ele-*
5 *ments of its national power to protect or advance its*
6 *interests and values and achieve the goals and objec-*
7 *tives referred to in paragraph (1).*

8 *(5) The adequacy of the capabilities of the*
9 *United States Government to carry out the national*
10 *security strategy of the United States within the con-*
11 *text of new and emergent challenges to the inter-*
12 *national order posed by the People’s Republic of*
13 *China, including an evaluation—*

14 *(A) of the balance among the capabilities of*
15 *all elements of national power of the United*
16 *States; and*

17 *(B) the balance of all United States ele-*
18 *ments of national power in comparison to equiv-*
19 *alent elements of national power of the People’s*
20 *Republic of China.*

21 *(6) The assumptions and end-state or end-states*
22 *of the strategy of the United States globally and in*
23 *the Indo-Pacific region with respect to the People’s*
24 *Republic of China.*

1 (7) *Such other information as the President con-*
2 *siders necessary to help inform Congress on matters*
3 *relating to the national security strategy of the*
4 *United States with respect to the People’s Republic of*
5 *China.*

6 (c) *ADVISORY BOARD ON UNITED STATES GRAND*
7 *STRATEGY WITH RESPECT TO CHINA.—*

8 (1) *ESTABLISHMENT.—The President may estab-*
9 *lish in the executive branch an advisory board to be*
10 *known as the “Advisory Board on United States*
11 *Grand Strategy with respect to China” (in this sec-*
12 *tion referred to as the “Board”).*

13 (2) *PURPOSE.—The purpose of the Board is to*
14 *convene outside experts to advise the President on de-*
15 *velopment of the China Strategy.*

16 (3) *DUTIES.—*

17 (A) *REVIEW.—The Board shall review the*
18 *current national security strategy of the United*
19 *States with respect to the People’s Republic of*
20 *China, including assumptions, capabilities,*
21 *strategy, and end-state or end-states.*

22 (B) *ASSESSMENT AND RECOMMENDA-*
23 *TIONS.—The Board shall analyze the United*
24 *States national security strategy with respect to*
25 *the People’s Republic of China, including chal-*

1 *lenging its assumptions and approach, and make*
2 *recommendations to the President for the China*
3 *Strategy.*

4 (C) *CLASSIFIED BRIEFING.—*

5 (i) *IN GENERAL.—Not later than 30*
6 *days after the date on which the President*
7 *submits the China Strategy to Congress*
8 *under subsection (a)(2), the Board shall*
9 *provide the appropriate congressional com-*
10 *mittees a classified briefing on its review,*
11 *assessment, and recommendations.*

12 (ii) *APPROPRIATE CONGRESSIONAL*
13 *COMMITTEES DEFINED.—In this subpara-*
14 *graph, the term “appropriate congressional*
15 *committees” means—*

16 (I) *the congressional defense com-*
17 *mittees;*

18 (II) *the Committee on Foreign Re-*
19 *lations and the Select Committee on*
20 *Intelligence of the Senate; and*

21 (III) *the Committee on Foreign*
22 *Affairs and the Permanent Select Com-*
23 *mittee on Intelligence of the House of*
24 *Representatives.*

25 (4) *COMPOSITION.—*

1 (A) *RECOMMENDATIONS.*—Not later than 30
2 days after the date on which the President first
3 submits to Congress a national security strategy
4 under section 108 of the National Security Act
5 of 1947 (50 U.S.C. 3043) after the date of the en-
6 actment of this Act, the majority leader of the
7 Senate, the minority leader of the Senate, the
8 Speaker of the House of Representatives, and the
9 minority leader of the House of Representatives
10 shall each provide to the President 2 candidates
11 for membership on the Board, at least 1 of whom
12 shall be an individual in the private sector and
13 1 of whom shall be an individual in academia
14 or employed by a nonprofit research institution.

15 (B) *MEMBERSHIP.*—The Board shall be
16 composed of 9 members appointed by the Presi-
17 dent as follows:

18 (i) *The National Security Advisor or*
19 *such other designee as the President con-*
20 *siders appropriate, such as the Asia Coordi-*
21 *nator from the National Security Council.*

22 (ii) *Four shall be selected from among*
23 *individuals in the private sector.*

1 (iii) *Four shall be selected from among*
2 *individuals in academia or employed by a*
3 *nonprofit research institution.*

4 (iv) *Two members shall be selected*
5 *from among individuals included in the list*
6 *submitted by the majority leader of the Sen-*
7 *ate under subparagraph (A), of whom—*

8 (I) *one shall be selected from*
9 *among individuals in the private sec-*
10 *tor; and*

11 (II) *one shall be selected from*
12 *among individuals in academia or em-*
13 *ployed by a nonprofit research institu-*
14 *tion.*

15 (v) *Two members shall be selected from*
16 *among individuals included in the list sub-*
17 *mitted by the minority leader of the Senate*
18 *under subparagraph (A), of whom—*

19 (I) *one shall be selected from*
20 *among individuals in the private sec-*
21 *tor; and*

22 (II) *one shall be selected from*
23 *among individuals in academia or em-*
24 *ployed by a nonprofit research institu-*
25 *tion.*

1 (vi) *Two members shall be selected*
2 *from among individuals included in the list*
3 *submitted by the Speaker of the House of*
4 *Representatives under subparagraph (A), or*
5 *whom—*

6 (I) *one shall be selected from*
7 *among individuals in the private sec-*
8 *tor; and*

9 (II) *one shall be selected from*
10 *among individuals in academia or em-*
11 *ployed by a nonprofit research institu-*
12 *tion.*

13 (vii) *Two members shall be selected*
14 *from among individuals included in the list*
15 *submitted by the minority leader of the*
16 *House of Representatives under subpara-*
17 *graph (A), of whom—*

18 (I) *one shall be selected from*
19 *among individuals in the private sec-*
20 *tor; and*

21 (II) *one shall be selected from*
22 *among individuals in academia or em-*
23 *ployed by a nonprofit research institu-*
24 *tion.*

1 (C) *CHAIRPERSON.*—*The Chairperson of the*
2 *Board shall be the member of the Board ap-*
3 *pointed under subparagraph (B)(i).*

4 (D) *NONGOVERNMENTAL MEMBERSHIP; PE-*
5 *RIOD OF APPOINTMENT; VACANCIES.*—

6 (i) *NONGOVERNMENTAL MEMBER-*
7 *SHIP.*—*Except in the case of the Chair-*
8 *person of the Board, an individual ap-*
9 *pointed to the Board may not be an officer*
10 *or employee of an instrumentality of gov-*
11 *ernment.*

12 (ii) *PERIOD OF APPOINTMENT.*—*Mem-*
13 *bers shall be appointed for the life of the*
14 *Board.*

15 (iii) *VACANCIES.*—*Any vacancy in the*
16 *Board shall be filled in the same manner as*
17 *the original appointment.*

18 (5) *DEADLINE FOR APPOINTMENT.*—*Not later*
19 *than 60 days after the date on which the President*
20 *first submits to Congress a national security strategy*
21 *under section 108 of the National Security Act of*
22 *1947 (50 U.S.C. 3043) after the date of the enactment*
23 *of this Act, the President shall—*

24 (A) *appoint the members of the Board pur-*
25 *suant to paragraph (4); and*

1 (B) submit to Congress a list of the mem-
2 bers so appointed.

3 (6) *EXPERTS AND CONSULTANTS.*—*The Board is*
4 *authorized to procure temporary and intermittent*
5 *services under section 3109 of title 5, United States*
6 *Code, but at rates for individuals not to exceed the*
7 *daily equivalent of the maximum annual rate of basic*
8 *pay under level IV of the Executive Schedule under*
9 *section 5315 of title 5, United States Code.*

10 (7) *SECURITY CLEARANCES.*—*The appropriate*
11 *Federal departments or agencies shall cooperate with*
12 *the Board in expeditiously providing to the Board*
13 *members and experts and consultants appropriate se-*
14 *curity clearances to the extent possible pursuant to*
15 *existing procedures and requirements, except that no*
16 *person may be provided with access to classified in-*
17 *formation under this Act without the appropriate se-*
18 *curity clearances.*

19 (8) *RECEIPT, HANDLING, STORAGE, AND DIS-*
20 *SEMINATION.*—*Information shall only be received,*
21 *handled, stored, and disseminated by members of the*
22 *Board and any experts and consultants consistent*
23 *with all applicable statutes, regulations, and Execu-*
24 *tive orders.*

1 (9) *UNCOMPENSATED SERVICE*.—A member of
2 the Board who is not an officer or employee of the
3 Federal Government shall serve without compensa-
4 tion.

5 (10) *COOPERATION FROM GOVERNMENT*.—In car-
6 rying out its duties, the Board shall receive the full
7 and timely cooperation of the heads of relevant Fed-
8 eral departments and agencies in providing the Board
9 with analysis, briefings, and other information nec-
10 essary for the fulfillment of its responsibilities.

11 (11) *TERMINATION*.—The Board shall terminate
12 on the date that is 60 days after the date on which
13 the President submits the China Strategy to Congress
14 under subsection (a)(2).

15 **TITLE LXVI—OTHER MATTERS**

Sec. 6601. Eligibility of certain individuals who served with special guerrilla units or irregular forces in Laos for interment in national cemeteries.

Sec. 6602. Expansion of scope of Department of Veterans Affairs open burn pit registry to include open burn pits in Egypt and Syria.

Sec. 6603. Anomalous health incidents interagency coordinator.

Sec. 6604. Chief Human Capital Officers Council annual report.

Sec. 6605. National Global War on Terrorism Memorial.

Sec. 6606. Establishment of Subcommittee on the Economic and Security Implications of Quantum Information Science.

Sec. 6607. Study and report on the redistribution of COVID-19 vaccine doses that would otherwise expire to foreign countries and economies.

Sec. 6608. Catawba Indian Nation lands.

Sec. 6609. Property disposition for affordable housing.

Sec. 6610. Blocking deadly fentanyl imports.

1 **SEC. 6601. ELIGIBILITY OF CERTAIN INDIVIDUALS WHO**
2 **SERVED WITH SPECIAL GUERRILLA UNITS OR**
3 **IRREGULAR FORCES IN LAOS FOR INTER-**
4 **MENT IN NATIONAL CEMETERIES.**

5 (a) *IN GENERAL.*—Section 2402(a)(10) of title 38,
6 *United States Code, is amended—*

7 (1) *by striking the period at the end and insert-*
8 *ing “; or”; and*

9 (2) *by adding at the end the following new sub-*
10 *paragraph:*

11 “(B) *who—*

12 “(i) *the Secretary determines served*
13 *honorably with a special guerrilla unit or*
14 *irregular forces operating from a base in*
15 *Laos in support of the Armed Forces at any*
16 *time during the period beginning on Feb-*
17 *ruary 28, 1961, and ending on May 7,*
18 *1975; and*

19 “(ii) *at the time of the individual’s*
20 *death—*

21 “(I) *was a citizen of the United*
22 *States or an alien lawfully admitted*
23 *for permanent residence in the United*
24 *States; and*

25 “(II) *resided in the United*
26 *States.”.*

1 (b) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall have effect as if included in the enactment of*
3 *section 251(a) of title II of the Military Construction, Vet-*
4 *erans Affairs, and Related Agencies Appropriations Act,*
5 *2018 (division J of Public Law 115–141; 132 Stat. 824).*

6 **SEC. 6602. EXPANSION OF SCOPE OF DEPARTMENT OF VET-**
7 **ERANS AFFAIRS OPEN BURN PIT REGISTRY**
8 **TO INCLUDE OPEN BURN PITS IN EGYPT AND**
9 **SYRIA.**

10 *Section 201(c)(2) of the Dignified Burial and Other*
11 *Veterans' Benefits Improvement Act of 2012 (Public Law*
12 *112–260; 38 U.S.C. 527 note) is amended, in the matter*
13 *before subparagraph (A), by striking “or Uzbekistan” and*
14 *inserting “, Uzbekistan, Egypt, or Syria”.*

15 **SEC. 6603. ANOMALOUS HEALTH INCIDENTS INTERAGENCY**
16 **COORDINATOR.**

17 (a) *ANOMALOUS HEALTH INCIDENTS INTERAGENCY*
18 *COORDINATOR.*—

19 (1) *DESIGNATION.*—*Not later than 30 days after*
20 *the date of the enactment of this Act, the President*
21 *shall designate an appropriate senior official to be*
22 *known as the Anomalous Health Incidents Inter-*
23 *agency Coordinator (in this section referred to as the*
24 *“Interagency Coordinator”).*

1 (2) *DUTIES.*—*The Interagency Coordinator,*
2 *working through the interagency national security*
3 *process, shall, with respect to anomalous health inci-*
4 *dents—*

5 (A) *coordinate the response of the United*
6 *States Government to such incidents;*

7 (B) *coordinate among relevant Federal*
8 *agencies to ensure equitable and timely access to*
9 *assessment and care for affected United States*
10 *Government personnel, dependents of such per-*
11 *sonnel, and other appropriate individuals;*

12 (C) *ensure adequate training and education*
13 *relating to such incidents for United States Gov-*
14 *ernment personnel;*

15 (D) *ensure that information regarding such*
16 *incidents is efficiently shared across relevant*
17 *Federal agencies in a manner that provides ap-*
18 *propriate protections for classified, sensitive, and*
19 *personal information;*

20 (E) *coordinate, in consultation with the Di-*
21 *rector of the White House Office of Science and*
22 *Technology Policy, the technological and research*
23 *efforts of the United States Government to ad-*
24 *dress suspected attacks presenting as such inci-*
25 *dents; and*

1 (F) develop policy options to prevent, miti-
2 gate, and deter suspected attacks presenting as
3 such incidents.

4 (b) *DESIGNATION OF AGENCY COORDINATION*

5 *LEADS.*—

6 (1) *DESIGNATION; RESPONSIBILITIES.*—*The head*
7 *of each relevant agency shall designate an official ap-*
8 *pointed by the President, by and with the advice and*
9 *consent of the Senate, or other appropriate senior offi-*
10 *cial, who shall—*

11 (A) *serve as the Anomalous Health Incident*
12 *Agency Coordination Lead (in this section re-*
13 *ferred to as the “Agency Coordination Lead”) for*
14 *the relevant agency concerned;*

15 (B) *report directly to the head of such rel-*
16 *evant agency regarding activities carried out*
17 *under this section;*

18 (C) *perform functions specific to such rel-*
19 *evant agency and related to anomalous health*
20 *incidents, consistent with the directives of the*
21 *Interagency Coordinator and the interagency na-*
22 *tional security process;*

23 (D) *represent such relevant agency in meet-*
24 *ings convened by the Interagency Coordinator;*
25 *and*

1 (E) participate in interagency briefings to
2 Congress regarding the response of the United
3 States Government to anomalous health inci-
4 dents, including briefings required under sub-
5 section (c).

6 (2) *DELEGATION PROHIBITED.*—An Agency Co-
7 ordination Lead may not delegate any of the respon-
8 sibilities specified in paragraph (1).

9 (c) *BRIEFINGS.*—

10 (1) *IN GENERAL.*—Not later than 60 days after
11 the date of the enactment of this Act, and quarterly
12 thereafter for the following two years, the Agency Co-
13 ordination Leads shall jointly provide to the appro-
14 priate congressional committees a briefing on progress
15 made in carrying out the duties under subsection
16 (b)(2).

17 (2) *ELEMENTS.*—Each briefing required under
18 paragraph (1) shall include—

19 (A) an update on the investigation into
20 anomalous health incidents affecting United
21 States Government personnel and dependents of
22 such personnel, including technical causation
23 and suspected perpetrators;

24 (B) an update on new or persistent anoma-
25 lous health incidents;

1 (C) a description of threat prevention and
2 mitigation efforts with respect to anomalous
3 health incidents, to include personnel training;

4 (D) an identification of any changes to
5 operational posture as a result of anomalous
6 health threats;

7 (E) an update on diagnosis and treatment
8 efforts for individuals affected by anomalous
9 health incidents, including patient numbers and
10 wait times to access care;

11 (F) a description of efforts to improve and
12 encourage reporting of anomalous health inci-
13 dents;

14 (G) a detailed description of the roles and
15 responsibilities of the Agency Coordination
16 Leads;

17 (H) information regarding additional au-
18 thorities or resources needed to support the inter-
19 agency response to anomalous health incidents;
20 and

21 (I) such other matters as the Interagency
22 Coordinator or the Agency Coordination Leads
23 may consider appropriate.

24 (3) UNCLASSIFIED BRIEFING SUMMARY.—

1 (A) *IN GENERAL.*—Not later than 60 days
2 after the date of the enactment of this Act, and
3 quarterly thereafter for the following two years,
4 the Agency Coordination Leads shall provide to
5 the appropriate congressional committees a co-
6 ordinated written summary of the briefings pro-
7 vided under paragraph (1).

8 (B) *FORM.*—The summary under subpara-
9 graph (A) shall be submitted in an unclassified
10 form to the extent practicable, consistent with the
11 protection of intelligence sources and methods.

12 (d) *SECURE REPORTING MECHANISMS.*—Not later
13 than 90 days after the date of the enactment of this section,
14 the Interagency Coordinator shall ensure that the head of
15 each relevant agency—

16 (1) *develops a process to provide a secure mecha-*
17 *nism for personnel of the relevant agency concerned,*
18 *the dependents of such personnel, and other appro-*
19 *priate individuals, to self-report any suspected expo-*
20 *sure that could be an anomalous health incident;*

21 (2) *shares all relevant data reported through*
22 *such mechanism in a timely manner with the Office*
23 *of the Director of National Intelligence and other rel-*
24 *evant agencies, through existing processes coordinated*
25 *by the Interagency Coordinator; and*

1 (3) *in developing the mechanism pursuant to*
2 *paragraph (1), prioritizes secure information collec-*
3 *tion and handling processes to protect classified, sen-*
4 *sitive, and personal information.*

5 (e) *WORKFORCE GUIDANCE.—*

6 (1) *DEVELOPMENT AND DISSEMINATION.—The*
7 *President shall direct the heads of the relevant agen-*
8 *cies to develop and disseminate to employees of such*
9 *relevant agencies who are determined to be at risk of*
10 *exposure to anomalous health incidents updated work-*
11 *force guidance that describes, at a minimum—*

12 (A) *the threat posed by anomalous health*
13 *incidents;*

14 (B) *known defensive techniques with respect*
15 *to anomalous health incidents; and*

16 (C) *processes to self-report any suspected ex-*
17 *posure that could be an anomalous health inci-*
18 *dent.*

19 (2) *DEADLINE.—The workforce guidance speci-*
20 *fied under paragraph (1) shall be developed and dis-*
21 *seminated pursuant to such paragraph by not later*
22 *than 60 days after the date of the enactment of this*
23 *Act.*

24 (f) *RULE OF CONSTRUCTION.—Nothing in this section,*
25 *including the designation of the Interagency Coordinator*

1 *pursuant to subsection (a)(1), shall be construed to limit*
2 *the authority of any Federal agency to independently per-*
3 *form the authorized functions of such agency.*

4 *(g) AUTHORIZATION OF APPROPRIATIONS.—There is*
5 *authorized to be appropriated to the Secretary of State*
6 *\$5,000,000 for fiscal year 2022, to be used to—*

7 *(1) increase capacity and staffing for the Health*
8 *Incident Response Task Force of the Department of*
9 *State;*

10 *(2) support the development and implementation*
11 *of efforts by the Department of State to prevent and*
12 *mitigate anomalous health incidents affecting the*
13 *workforce of the Department;*

14 *(3) investigate and characterize the cause of*
15 *anomalous health incidents, including investigations*
16 *of causation and attribution;*

17 *(4) collect and analyze data related to anoma-*
18 *lous health incidents;*

19 *(5) coordinate with other relevant agencies and*
20 *the National Security Council regarding anomalous*
21 *health incidents; and*

22 *(6) support other activities to understand, pre-*
23 *vent, deter, and respond to suspected attacks pre-*
24 *senting as anomalous health incidents, at the discre-*
25 *tion of the Secretary of State.*

1 (h) *DEFINITIONS.*—*In this section:*

2 (1) *The term “appropriate congressional com-*
3 *mittees” means—*

4 (A) *the Committees on Armed Services, For-*
5 *oreign Relations, Homeland Security and Govern-*
6 *mental Affairs, the Judiciary, and Appropria-*
7 *tions, and the Select Committee on Intelligence,*
8 *of the Senate; and*

9 (B) *the Committees on Armed Services, For-*
10 *oreign Affairs, Homeland Security, the Judiciary,*
11 *and Appropriations, and the Permanent Select*
12 *Committee on Intelligence, of the House of Rep-*
13 *resentatives.*

14 (2) *The term “relevant Federal agencies”*
15 *means—*

16 (A) *the Department of Defense;*

17 (B) *the Department of State;*

18 (C) *the Office of the Director of National*
19 *Intelligence;*

20 (D) *the Central Intelligence Agency;*

21 (E) *the Department of Justice;*

22 (F) *the Department of Homeland Security;*

23 *and*

1 (G) such other Federal departments or agen-
2 cies as may be designated by the Interagency Co-
3 ordinator.

4 **SEC. 6604. CHIEF HUMAN CAPITAL OFFICERS COUNCIL AN-**
5 **NUAL REPORT.**

6 Subsection (d) of section 1303 of the Homeland Secu-
7 rity Act of 2002 (Public Law 107–296; 5 U.S.C. 1401 note)
8 is amended to read as follows:

9 “(d) ANNUAL REPORTS.—

10 “(1) IN GENERAL.—Each year, the Chief Human
11 Capital Officers Council shall submit to Congress a
12 report that includes the following:

13 “(A) A description of the activities of the
14 Council.

15 “(B) A description of employment barriers
16 that prevent the agencies of its members from
17 hiring qualified applicants, including those for
18 digital talent positions, and recommendations
19 for addressing the barriers that would allow such
20 agencies to more effectively hire qualified appli-
21 cants.

22 “(2) PUBLIC AVAILABILITY.—Not later than 30
23 days after the date on which the Council submits a
24 report under paragraph (1), the Director of the Office
25 of Personnel Management shall make the report pub-

1 **“SEC. 105. SUBCOMMITTEE ON THE ECONOMIC AND SECUR-**
2 **ITY IMPLICATIONS OF QUANTUM INFORMA-**
3 **TION SCIENCE.**

4 “(a) *ESTABLISHMENT.*—*The President shall establish,*
5 *through the National Science and Technology Council, the*
6 *Subcommittee on the Economic and Security Implications*
7 *of Quantum Information Science.*

8 “(b) *MEMBERSHIP.*—*The Subcommittee shall include*
9 *a representative of—*

10 “(1) *the Department of Energy;*

11 “(2) *the Department of Defense;*

12 “(3) *the Department of Commerce;*

13 “(4) *the Department of Homeland Security;*

14 “(5) *the Office of the Director of National Intel-*
15 *ligence;*

16 “(6) *the Office of Management and Budget;*

17 “(7) *the Office of Science and Technology Policy;*

18 “(8) *the Department of Justice;*

19 “(9) *the National Science Foundation;*

20 “(10) *the National Institute of Standards and*
21 *Technology; and*

22 “(11) *such other Federal department or agency*
23 *as the President considers appropriate.*

24 “(c) *RESPONSIBILITIES.*—*The Subcommittee shall—*

25 “(1) *in coordination with the Director of the Of-*
26 *fice and Management and Budget, the Director of the*

1 *National Quantum Coordination Office, and the Sub-*
2 *committee on Quantum Information Science, track*
3 *investments of the Federal Government in quantum*
4 *information science research and development;*

5 *“(2) review and assess any economic or security*
6 *implications of such investments;*

7 *“(3) review and assess any counterintelligence*
8 *risks or other foreign threats to such investments;*

9 *“(4) recommend goals and priorities for the Fed-*
10 *eral Government and make recommendations to Fed-*
11 *eral departments and agencies and the Director of the*
12 *National Quantum Coordination Office to address*
13 *any counterintelligence risks or other foreign threats*
14 *identified as a result of an assessment under para-*
15 *graph (3);*

16 *“(5) assess the export of technology associated*
17 *with quantum information science and recommend to*
18 *the Secretary of Commerce and the Secretary of State*
19 *export controls necessary to protect the economic and*
20 *security interests of the United States as a result of*
21 *such assessment;*

22 *“(6) recommend to Federal departments and*
23 *agencies investment strategies in quantum informa-*
24 *tion science that advance the economic and security*
25 *interest of the United States;*

1 “(7) *recommend to the Director of National In-*
2 *telligence and the Secretary of Energy appropriate*
3 *protections to address counterintelligence risks or*
4 *other foreign threats identified as a result of the as-*
5 *essment under paragraph (3); and*

6 “(8) *in coordination with the Subcommittee on*
7 *Quantum Information Science, ensure the approach*
8 *of the United States to investments of the Federal*
9 *Government in quantum information science research*
10 *and development reflects a balance between scientific*
11 *progress and the potential economic and security im-*
12 *plications of such progress.*

13 “(d) *TECHNICAL AND ADMINISTRATIVE SUPPORT.—*

14 “(1) *IN GENERAL.—The Secretary of Energy, the*
15 *Director of National Intelligence, and the Director of*
16 *the National Quantum Coordination Office may pro-*
17 *vide to the Subcommittee personnel, equipment, facili-*
18 *ties, and such other technical and administrative sup-*
19 *port as may be necessary for the Subcommittee to*
20 *carry out the responsibilities of the Subcommittee*
21 *under this section.*

22 “(2) *SUPPORT RELATED TO CLASSIFIED INFOR-*
23 *MATION.—The Director of the Office of Science and*
24 *Technology Policy and the Director of National Intel-*
25 *ligence shall provide to the Subcommittee technical*

1 *and administrative support related to the responsibil-*
2 *ities of the Subcommittee that involve classified infor-*
3 *mation, including support related to sensitive com-*
4 *partmented information facilities and the storage of*
5 *classified information.”.*

6 **(b) SUNSET FOR SUBCOMMITTEE.—**

7 **(1) INCLUSION IN SUNSET PROVISION.—***Such*
8 *title is further amended in section 106, as redesign-*
9 *ated by subsection (a), by striking “103, and 104”*
10 *and inserting “103, 104, and 105”.*

11 **(2) EFFECTIVE DATE.—***The amendments made*
12 *by subsection (a) shall take effect as if included in the*
13 *enactment of the National Quantum Initiative Act*
14 *(15 U.S.C. 8801 et seq.).*

15 **(c) CONFORMING AMENDMENTS.—***The National Quan-*
16 *tum Initiative Act (15 U.S.C. 8801 et seq.) is further*
17 *amended—*

18 **(1) in section 2, by striking paragraph (7) and**
19 *inserting the following new paragraphs:*

20 **“(7) SUBCOMMITTEE ON ECONOMIC AND SECU-**
21 **RITY IMPLICATIONS.—***The term ‘Subcommittee on*
22 *Economic and Security Implications’ means the Sub-*
23 *committee on the Economic and Security Implica-*
24 *tions of Quantum Information Science established*
25 *under section 105(a).*

1 “(8) *SUBCOMMITTEE ON QUANTUM INFORMATION*
2 *SCIENCE.*—*The term ‘Subcommittee on Quantum In-*
3 *formation Science’ means the Subcommittee on Quan-*
4 *tum Information Science of the National Science and*
5 *Technology Council established under section*
6 *103(a).’;*

7 (2) *in section 102(b)(1)—*

8 (A) *in subparagraph (A), by striking ‘;*
9 *and’ and inserting ‘on Quantum Information*
10 *Science;’;*

11 (B) *in subparagraph (B), by inserting*
12 *‘and’ after the semicolon; and*

13 (C) *by adding at the end the following new*
14 *subparagraph:*

15 “(C) *the Subcommittee on Economic and*
16 *Security Implications;’;* and

17 (3) *in section 104(d)(1), by striking ‘ and the*
18 *Subcommittee’ and inserting ‘, the Subcommittee on*
19 *Quantum Information Science, and the Subcommittee*
20 *on Economic and Security Implications’.*

21 (d) *CLERICAL AMENDMENT.*—*The table of contents in*
22 *section 1(b) of such Act is amended by striking the item*
23 *relating to section 105 and inserting the following new*
24 *items:*

 “105. *Subcommittee on the Economic and Security Implications of Quantum In-*
 formation Science.

 “106. *Sunset.*”.

1 **SEC. 6607. STUDY AND REPORT ON THE REDISTRIBUTION**
2 **OF COVID-19 VACCINE DOSES THAT WOULD**
3 **OTHERWISE EXPIRE TO FOREIGN COUNTRIES**
4 **AND ECONOMIES.**

5 (a) *STUDY.*—

6 (1) *IN GENERAL.*—*The Secretary of Health and*
7 *Human Services, in consultation with the Secretary*
8 *of State and the Administrator of the United States*
9 *Agency for International Development, shall conduct*
10 *a study to identify and analyze the logistical pre-*
11 *requisites for the collection of unused and unexpired*
12 *doses of the COVID-19 vaccine in the United States*
13 *and for the distribution of such doses to foreign coun-*
14 *tries and economies.*

15 (2) *MATTERS STUDIED.*—*The matters studied by*
16 *the Secretary of Health and Human Services under*
17 *paragraph (1) shall include—*

18 (A) *options for the collection of unused and*
19 *unexpired doses of the COVID-19 vaccine from*
20 *entities in the United States;*

21 (B) *methods for the collection and shipment*
22 *of such doses to foreign countries and economies;*

23 (C) *methods for ensuring the appropriate*
24 *storage and handling of such doses during and*
25 *following the distribution and delivery of the*
26 *doses to such countries and economies;*

1 (D) *the capacity and capability of foreign*
2 *countries and economies receiving such doses to*
3 *distribute and administer the doses while assur-*
4 *ing their safety and quality;*

5 (E) *the minimum supply of doses of the*
6 *COVID–19 vaccine necessary to be retained*
7 *within the United States; and*

8 (F) *other Federal agencies with which the*
9 *heads of the relevant agencies should coordinate*
10 *to accomplish the tasks described in subpara-*
11 *graphs (A) through (E) and the degree of coordi-*
12 *nation necessary between such agencies.*

13 (b) *REPORT REQUIRED.—Not later than 180 days*
14 *after the date of the enactment of this Act, the Secretary*
15 *of Health and Human Services, in consultation with the*
16 *other heads of the relevant agencies, shall submit to the ap-*
17 *propriate congressional committees a report on the results*
18 *of the study conducted under subsection (a).*

19 (c) *DEFINITIONS.—In this section:*

20 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
21 *TEES.—The term “appropriate congressional commit-*
22 *tees” means—*

23 (A) *the Committee on Health, Education,*
24 *Labor, and Pensions, and the Committee on For-*
25 *ign Relations of the Senate; and*

1 (B) *the Committee on Energy and Com-*
2 *merce, and the Committee on Foreign Affairs of*
3 *the House of Representatives.*

4 (2) *RELEVANT AGENCIES.—The term “relevant*
5 *agencies” means—*

6 (A) *the Department of Health and Human*
7 *Services;*

8 (B) *the Department of State; and*

9 (C) *the United States Agency for Inter-*
10 *national Development.*

11 **SEC. 6608. CATAWBA INDIAN NATION LANDS.**

12 (a) *APPLICATION OF CURRENT LAW.—*

13 (1) *LANDS IN SOUTH CAROLINA.—Section 14 of*
14 *the Catawba Indian Tribe of South Carolina Claims*
15 *Settlement Act of 1993 (Public Law 103–116) shall*
16 *only apply to gaming conducted by the Catawba In-*
17 *Indian Nation on lands located in South Carolina.*

18 (2) *LANDS IN STATES OTHER THAN SOUTH*
19 *CAROLINA.—Gaming conducted by the Catawba In-*
20 *Indian Nation on lands located in States other than*
21 *South Carolina shall be subject to the Indian Gaming*
22 *Regulatory Act (25 U.S.C. 2701 et seq.) and sections*
23 *1166 through 1168 of title 18, United States Code.*

24 (b) *REAFFIRMATION OF STATUS AND ACTIONS.—*

1 (1) *RATIFICATION OF TRUST STATUS.*—*The ac-*
2 *tion taken by the Secretary of the Interior on July 10,*
3 *2020, to place approximately 17 acres of land located*
4 *in Cleveland County, North Carolina, into trust for*
5 *the benefit of the Catawba Indian Nation is hereby*
6 *ratified and confirmed as if that action had been*
7 *taken under a Federal law specifically authorizing or*
8 *directing that action.*

9 (2) *ADMINISTRATION.*—*The land placed into*
10 *trust for the benefit of the Catawba Indian Nation by*
11 *the Secretary on July 10, 2020, shall—*

12 (A) *be a part of the Catawba Reservation*
13 *and administered in accordance with the laws*
14 *and regulations generally applicable to land held*
15 *in trust by the United States for an Indian*
16 *Tribe; and*

17 (B) *be deemed to have been acquired and*
18 *taken into trust as part of the restoration of*
19 *lands for an Indian tribe that is restored to Fed-*
20 *eral recognition pursuant to section*
21 *20(b)(1)(B)(iii) of the Indian Gaming Regu-*
22 *latory Act (25 U.S.C. 2719(b)(1)(B)(iii)).*

23 (3) *RULES OF CONSTRUCTION.*—*Nothing in this*
24 *section shall—*

1 (A) enlarge, impair, or otherwise affect any
2 right or claim of the Catawba Indian Nation to
3 any land or interest in land in existence before
4 the date of the enactment of this Act;

5 (B) affect any water right of the Catawba
6 Indian Nation in existence before the date of the
7 enactment of this Act;

8 (C) terminate or limit any access in any
9 way to any right-of-way or right-of-use issued,
10 granted, or permitted before the date of the en-
11 actment of this Act; or

12 (D) alter or diminish the right of the Ca-
13 tawba Indian Nation to seek to have additional
14 land taken into trust by the United States for
15 the benefit of the Catawba Indian Nation.

16 **SEC. 6609. PROPERTY DISPOSITION FOR AFFORDABLE**
17 **HOUSING.**

18 Section 5334(h)(1) of title 49, United States Code, is
19 amended to read as follows:

20 “(1) *IN GENERAL.*—If a recipient of assistance
21 under this chapter decides an asset acquired under
22 this chapter at least in part with that assistance is
23 no longer needed for the purpose for which such asset
24 was acquired, the Secretary may authorize the recipi-
25 ent to transfer such asset to—

1 “(A) a local governmental authority to be
2 used for a public purpose with no further obliga-
3 tion to the Government if the Secretary de-
4 cides—

5 “(i) the asset will remain in public use
6 for at least 5 years after the date the asset
7 is transferred;

8 “(ii) there is no purpose eligible for as-
9 sistance under this chapter for which the
10 asset should be used;

11 “(iii) the overall benefit of allowing the
12 transfer is greater than the interest of the
13 Government in liquidation and return of
14 the financial interest of the Government in
15 the asset, after considering fair market
16 value and other factors; and

17 “(iv) through an appropriate screening
18 or survey process, that there is no interest
19 in acquiring the asset for Government use if
20 the asset is a facility or land; or

21 “(B) a local governmental authority, non-
22 profit organization, or other third party entity
23 to be used for the purpose of transit-oriented de-
24 velopment with no further obligation to the Gov-
25 ernment if the Secretary decides—

1 “(i) the asset is a necessary component
2 of a proposed transit-oriented development
3 project;

4 “(ii) the transit-oriented development
5 project will increase transit ridership;

6 “(iii) at least 40 percent of the housing
7 units offered in the transit-oriented develop-
8 ment, including housing units owned by
9 nongovernmental entities, are legally bind-
10 ing affordability restricted to tenants with
11 incomes at or below 60 percent of the area
12 median income and owners with incomes at
13 or below 60 percent the area median in-
14 come, which shall include at least 20 per-
15 cent of such housing units offered restricted
16 to tenants with incomes at or below 30 per-
17 cent of the area median income and owners
18 with incomes at or below 30 percent the
19 area median income;

20 “(iv) the asset will remain in use as
21 described in this section for at least 30
22 years after the date the asset is transferred;
23 and

24 “(v) with respect to a transfer to a
25 third party entity—

1 “(I) a local government authority
2 or nonprofit organization is unable to
3 receive the property;

4 “(II) the overall benefit of allow-
5 ing the transfer is greater than the in-
6 terest of the Government in liquidation
7 and return of the financial interest of
8 the Government in the asset, after con-
9 sidering fair market value and other
10 factors; and

11 “(III) the third party has dem-
12 onstrated a satisfactory history of con-
13 struction or operating an affordable
14 housing development.”.

15 **SEC. 6610. BLOCKING DEADLY FENTANYL IMPORTS.**

16 (a) *SHORT TITLE.*—This section may be cited as the
17 “Blocking Deadly Fentanyl Imports Act”.

18 (b) *DEFINITIONS.*—Section 481(e) of the Foreign As-
19 sistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

20 (1) in paragraph (2)—

21 (A) in the matter preceding subparagraph
22 (A), by striking “in which”;

23 (B) in subparagraph (A), by inserting “in
24 which” before “1,000”;

25 (C) in subparagraph (B)—

1 (i) by inserting “in which” before
2 “1,000”; and

3 (ii) by striking “or” at the end;

4 (D) in subparagraph (C)—

5 (i) by inserting “in which” before
6 “5,000”; and

7 (ii) by inserting “or” after the semi-
8 colon; and

9 (E) by adding at the end the following:

10 “(D) that is a significant source of illicit
11 synthetic opioids significantly affecting the
12 United States;”); and

13 (2) in paragraph (4)—

14 (A) in subparagraph (C), by striking “and”
15 at the end; and

16 (B) by adding at the end the following:

17 “(E) assistance that furthers the objectives
18 set forth in paragraphs (1) through (4) of section
19 664(b) of the Foreign Relations Authorization
20 Act, Fiscal Year 2003 (22 U.S.C. 2151n-2(b));

21 “(F) assistance to combat trafficking au-
22 thorized under the Victims of Trafficking and Vi-
23 olence Protection Act of 2000 (22 U.S.C. 7101 et
24 seq.)); and

1 “(G) *global health assistance authorized*
2 *under sections 104 through 104C of the Foreign*
3 *Assistance Act of 1961 (22 U.S.C. 2151b through*
4 *22 U.S.C. 2151b-4).*”.

5 (c) *INTERNATIONAL NARCOTICS CONTROL STRATEGY*
6 *REPORT.—Section 489(a) of the Foreign Assistance Act of*
7 *1961 (22 U.S.C. 2291h(a)) is amended by adding at the*
8 *end the following:*

9 “(10) *A separate section that contains the fol-*
10 *lowing:*

11 “(A) *An identification of the countries, to*
12 *the extent feasible, that are the most significant*
13 *sources of illicit fentanyl and fentanyl analogues*
14 *significantly affecting the United States during*
15 *the preceding calendar year.*

16 “(B) *A description of the extent to which*
17 *each country identified pursuant to subpara-*
18 *graph (A) has cooperated with the United States*
19 *to prevent the articles or chemicals described in*
20 *subparagraph (A) from being exported from such*
21 *country to the United States.*

22 “(C) *A description of whether each country*
23 *identified pursuant to subparagraph (A) has*
24 *adopted and utilizes scheduling or other proce-*
25 *dures for illicit drugs that are similar in effect*

1 to the procedures authorized under title II of the
2 Controlled Substances Act (21 U.S.C. 811 et seq.)
3 for adding drugs and other substances to the con-
4 trolled substances schedules;

5 “(D) A description of whether each country
6 identified pursuant to subparagraph (A) is fol-
7 lowing steps to prosecute individuals involved in
8 the illicit manufacture or distribution of con-
9 trolled substance analogues (as defined in section
10 102(32) of the Controlled Substances Act (21
11 U.S.C. 802(32)); and

12 “(E) A description of whether each country
13 identified pursuant to subparagraph (A) requires
14 the registration of tableting machines and encap-
15 sulating machines or other measures similar in
16 effect to the registration requirements set forth in
17 part 1310 of title 21, Code of Federal Regula-
18 tions, and has not made good faith efforts, in the
19 opinion of the Secretary, to improve regulation
20 of tableting machines and encapsulating ma-
21 chines.”.

22 (d) WITHHOLDING OF ASSISTANCE.—

23 (1) DESIGNATION OF ILLICIT FENTANYL COUN-
24 TRIES WITHOUT SCHEDULING PROCEDURES.—Section
25 706(2) of the Foreign Relations Authorization Act,

1 *Fiscal Year 2003 (22 U.S.C. 2291j-1(2)) is amend-*
2 *ed—*

3 *(A) in the matter preceding subparagraph*
4 *(A), by striking “also”;*

5 *(B) in subparagraph (A)(ii), by striking*
6 *“and” at the end;*

7 *(C) by redesignating subparagraph (B) as*
8 *subparagraph (D);*

9 *(D) by inserting after subparagraph (A) the*
10 *following:*

11 *“(B) designate each country, if any, identi-*
12 *fied under section 489(a)(10) of the Foreign As-*
13 *sistance Act of 1961 (22 U.S.C. 2291h(a)(10))*
14 *that has failed to adopt and utilize scheduling*
15 *procedures for illicit drugs that are comparable*
16 *to the procedures authorized under title II of the*
17 *Controlled Substances Act (21 U.S.C. 811 et seq.)*
18 *for adding drugs and other substances to the con-*
19 *trolled substances schedules;” and*

20 *(E) in subparagraph (D), as redesignated,*
21 *by striking “so designated” and inserting “des-*
22 *ignated under subparagraph (A), (B), or (C)”.*

23 *(2) DESIGNATION OF ILLICIT FENTANYL COUN-*
24 *TRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS*
25 *FOR THE MANUFACTURE OR DISTRIBUTION OF*

1 *FENTANYL ANALOGUES.*—Section 706(2) of the For-
2 *oreign Relations Authorization Act, Fiscal Year 2003*
3 *(22 U.S.C. 2291j-1(2)), as amended by paragraph*
4 *(2), is further amended by inserting after subpara-*
5 *graph (B) the following:*

6 “(C) designate each country, if any, identi-
7 *fied under section 489(a)(10) of the Foreign As-*
8 *istance Act of 1961 (22 U.S.C. 2291h(a)(10))*
9 *that has not taken significant steps to prosecute*
10 *individuals involved in the illicit manufacture*
11 *or distribution of controlled substance analogues*
12 *(as defined in section 102(32) of the Controlled*
13 *Substances Act (21 U.S.C. 802(32));”.*

14 (3) *LIMITATION ON ASSISTANCE FOR DES-*
15 *IGNATED COUNTRIES.*—Section 706(3) of the *Foreign*
16 *Relations Authorization Act, Fiscal Year 2003 (22*
17 *U.S.C. 2291j-1(3)) is amended by striking “also des-*
18 *ignated under paragraph (2) in the report” and in-*
19 *serting “designated in the report under paragraph*
20 *(2)(A) or thrice designated during a 5-year period in*
21 *the report under subparagraph (B) or (C) of para-*
22 *graph (2)”.*

23 (4) *EXCEPTIONS TO THE LIMITATION ON ASSIST-*
24 *ANCE.*—Section 706(5) of the *Foreign Relations Au-*

1 *thorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–*
2 *1(5)) is amended—*

3 *(A) by redesignating subparagraph (C) as*
4 *subparagraph (F);*

5 *(B) by inserting after subparagraph (B) the*
6 *following:*

7 *“(C) Notwithstanding paragraph (3), assist-*
8 *ance to promote democracy (as described in sec-*
9 *tion 481(e)(4)(E) of the Foreign Assistance Act*
10 *of 1961 (22 U.S.C. 2291(e)(4)(E))) shall be pro-*
11 *vided to countries identified in a report under*
12 *paragraph (1) and designated under subpara-*
13 *graph (B) or (C) of paragraph (2), to the extent*
14 *such countries are otherwise eligible for such as-*
15 *sistance, regardless of whether the President re-*
16 *ports to the appropriate congressional commit-*
17 *tees in accordance with such paragraph.*

18 *“(D) Notwithstanding paragraph (3), as-*
19 *sistance to combat trafficking (as described in*
20 *section 481(e)(4)(F) of such Act) shall be pro-*
21 *vided to countries identified in a report under*
22 *paragraph (1) and designated under subpara-*
23 *graph (B) or (C) of paragraph (2), to the extent*
24 *such countries are otherwise eligible for such as-*
25 *sistance, regardless of whether the President re-*

1 ports to the appropriate congressional commit-
2 tees in accordance with such paragraph.

3 “(E) Notwithstanding paragraph (3), global
4 health assistance (as described in section
5 481(e)(4)(G) of such Act) shall be provided to
6 countries identified in a report under paragraph
7 (1) and designated under subparagraph (B) or
8 (C) of paragraph (2), to the extent such countries
9 are otherwise eligible for such assistance, regard-
10 less of whether the President reports to the ap-
11 propriate congressional committees in accordance
12 with such paragraph”; and

13 (C) in subparagraph (F), as redesignated,
14 by striking “section clause (i) or (ii) of” and in-
15 serting “clause (i) or (ii) of section”.

16 (e) *EFFECTIVE DATE.*—The amendments made by this
17 section shall take effect on the date that is 90 days after
18 the date of the enactment of this Act.

Attest:

Clerk.

117TH CONGRESS
1ST SESSION

S. 1605

AMENDMENT